***THE FOLLOWING RESOLUTION WAS INTRODUCED BY COUNCIL MEMBER ZUCKERMAN AND SECONDED FOR ADOPTION BY COUNCIL MEMBER DANIELSON***

 ***RESOLUTION NO. 22-01***

***A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE*** ***AUTHORIZING THE MAYOR TO ENTER INTO A RIGHT OF WAY USE AND FRANCHISE FEE AGREEMENT WITH NTS COMMUNICATIONS, LLC d/b/a VEXUS FIBER; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH***

**WHEREAS,** NTS Communications, LLC d/b/a/ Vexus Fiber, is a telecommunications company that desires to expand its fiber-optics infrastructure within the municipal boundaries of the City of Mandeville; and

**WHEREAS,** Article VII, Section 14 (C) of the Constitution of the State of Louisiana provides that “for a public purpose, the state and its political subdivisions… may engage in cooperative endeavors… with any public or private association, corporation, or individual; and

**WHEREAS,** the parties agree that the expansion of Vexus Fiber’s fiber-optic infrastructure to areas within the municipal boundaries of the City of Mandeville will provide a public benefit and assist in the economic development of the area, and the parties have a reasonable expectation of receiving benefits which are commensurate to the benefits respectively conferred; and

**WHEREAS**, the fiber-optic infrastructure contemplated by this Agreement is intended for the transmission of broadband internet access services, including voice over internet protocol, and not, initially, for cable services or video services, as those latter terms are defined and used in La. R.S. 45:1361, *et seq*.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council hereby authorizes the Mayor of the City of Mandeville to execute a Right of Way Use and Franchise Fee Agreement with NTS Communications, LLC d/b/a/ Vexus Fiber to expand its fiber-optics infrastructure within the municipal boundaries of the City of Mandeville for ten (10) years from its effective date.

.**With the above resolution having been properly introduced and duly seconded, the vote was as follows:**

AYES: 5 ( Danielson, Mcguire, Zuckerman, Bush, Kreller)

NAYS: 0

ABSENT: 0

ABSTENTIONS: 0

and the Resolution was declared adopted this 13th day of January 2022.

Kristine Scherer Jason Zuckerman

Clerk of Council Council Chairman