

RESOLUTION NO. 08-2013

Approving an Agreement and Permit for and between MCImetro Access Transmission Services LLC, a Delaware Limited Liability Company, to Operate and Maintain a Telecommunications System Within the City of Worthington Pursuant to and Subject to the Provisions of Chapter 949 of the Codified Ordinances of the City of Worthington.

WHEREAS, MCImetro Access Transmission Services LLC, a Delaware limited liability company, has requested authority to provide telecommunications services in the City of Worthington; and,

WHEREAS, the City of Worthington has enacted a comprehensive Right-of-Way Ordinance, Chapter 949 of the Codified Ordinances of the City of Worthington; and,

WHEREAS, City Council found the technical ability, and plan for services of MCImetro Access Transmission Services LLC acceptable; and,

WHEREAS, the authority is nonexclusive; and,

WHEREAS, MCImetro Access Transmission Services LLC is a duly certified public utility holding certificate Number 90-9006, dated April 22, 2004, issued by the Public Utilities Commission of Ohio (PUCO); and,

WHEREAS, the City has determined that MCImetro Access Transmission Services LLC meets the criteria of Section 949.05 of the Codified Ordinances of the City of Worthington for the issuance of a permit; and,

WHEREAS, the granting of the permit will contribute to the health, safety and welfare of the City.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That pursuant to Chapter 949 of the Codified Ordinances of the City of Worthington, an agreement between the City of Worthington and MCImetro Access Transmission Services LLC, a limited liability company as attached hereto and made a part hereof is hereby authorized and approved and the City Manager is hereby authorized and directed to execute said agreement on behalf of the City, upon approval thereof by the Director of Law.

SECTION 2. That the Clerk of Council be and hereby is instructed to record this Resolution in the appropriate record book.

Adopted March 18, 2013

[Signature on File]
President Pro-Tem of Council

Attest:

[Signature on File]
Clerk of Council