

RESOLUTION NO. 05-09

ROLL CALL

| VOTING | YES | NO |
|--|--------|----|
| MAYOR DALE R. BARNEY <i>(votes only in case of tie)</i> | | |
| MATTHEW D. BARBER <i>Councilmember</i> | X | |
| PAUL M. CHRISTENSEN <i>Councilmember</i> | ABSENT | |
| EVERETT KELEPOLO <i>Councilmember</i> | X | |
| SETH V. SORENSEN <i>Councilmember</i> | X | |
| CHRIS C. WADSWORTH <i>Councilmember</i> | X | |

I MOVE this ordinance be adopted: Councilmember Barber

I SECOND the foregoing motion: Councilmember Sorensen

RESOLUTION 05-09

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL COOPERATION AGREEMENT WITH UTAH TELECOMMUNICATIONS OPEN INFRASTRUCTURE AGENCY (UTOPIA)

WHEREAS, Spanish Fork City owns and operates a telecommunications infrastructure including fiber-optic cables; and

WHEREAS, Spanish Fork City has excess capacity in some of its fiber-optic cables; and

WHEREAS, UTOPIA is a Utah Governmental entity created under the authority of the Utah Interlocal Cooperation Act and also owns or has rights to use telecommunications infrastructure including fiber-optic cable; and

WHEREAS, UTOPIA has excess capacity in some of its fiber-optic cables; and

WHEREAS, it is to the benefit of each entity to allow the other the right to use some of the excess capacity of their fiber-optic cables; and

WHEREAS, the parties have negotiated an Interlocal Cooperation Agreement to accomplish their goals of benefitting each of their respective telecommunications systems;

NOW THEREFORE, be it resolved by the Spanish Fork City Council as follows:

1. The Mayor of Spanish Fork City is hereby authorized to execute and enter into the attached Interlocal Cooperative Indivisible Right of Use Agreement between the City of Spanish Fork and Utah Telecommunications Open Infrastructure Agency .

DATED this 1st day of November, 2005.



DALE R. BARNEY, Mayor

ATTEST:



KENT R. CLARK, City Recorder

