

RESOLUTION NO. 17 -2019

A RESOLUTION ACCEPTING THE BID OF ATC OUTDOOR DAS, LLC, IN ACCORDANCE WITH THE PROVISIONS OF ORDINANCE NO. 69-2016, CREATING AND OFFERING FOR SALE A FRANCHISE FOR THE OPERATION OF A NON-EXCLUSIVE TELECOMMUNICATIONS (OR RELATED NON-CABLE) SYSTEM IN FAYETTE COUNTY, AND AUTHORIZING THE MAYOR, ON BEHALF OF THE URBAN COUNTY GOVERNMENT, TO EXECUTE A FRANCHISE AGREEMENT WITH ATC OUTDOOR DAS, LLC, INCORPORATING THE TERMS AND CONDITIONS OF ORDINANCE NO. 69-2016.

---

BE IT RESOLVED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 - That the bid of ATC Outdoor DAS, LLC, submitted in accordance with the provisions of Ordinance No. 69-2016, creating and offering for sale a franchise for the operation of a non-exclusive telecommunications (or related non-cable) system in Fayette County, a copy of which is attached to the Franchise Agreement as Exhibit "B", is hereby declared to be a highest and best bidder for said franchise; and said franchise is hereby sold to and vested in ATC Outdoor DAS, LLC, for the period of time provided in the ordinance and franchise agreement.

Section 2 - That the Mayor, on behalf of the Lexington-Fayette Urban County Government, be and hereby is authorized to execute the Franchise Agreement with ATC Outdoor DAS, LLC, which is attached hereto and incorporated herein by reference, and which agreement incorporates by reference in its entirety the material provisions of Ordinance No. 69-2016 passed by the Urban County Council on May 12, 2016.

Section 3 - That this Resolution shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: January 31, 2019

  
\_\_\_\_\_  
MAYOR

ATTEST:

  
\_\_\_\_\_  
CLERK OF URBAN COUNTY COUNCIL

0043-19\_EPT\_X:\CASES\PURCHASE\18-LE0001\LEG\00641505.DOCX