1	RESOLUTION NO
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3	A RESOLUTION TO AMEND LITTLE ROCK, ARK., RESOLUTION NO.
4	13,329 (JUNE 7, 2011) TO EXPAND THE CURRENT AREA FOR A
5	NON-EXCLUSIVE AGREEMENT WITH THE ARKANSAS RESEARCH
6	AND EDUCATION NETWORK (AREON); TO PERMIT FURTHER
7	EXPANSIONS UPON REVIEW BY THE CITY MANAGER; AND FOR
8	OTHER PURPOSES.
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10	WHEREAS, in Little Rock, Ark., Resolution No. 13,030 (September 15, 2009), the City entered into
11	a Non-Exclusive Agreement with the Arkansas Research and Education Network (AREON) for the
12	placement of fiber optics in the City rights-of-way and on City property; and,
13	WHEREAS, this agreement was amended by Little Rock, Ark., Resolution No. 13,329 (June 7, 2011)
14	to permit AREON to use additional City rights-of-way and property; and,
15	WHEREAS, AREON needs to expand to additional areas as demonstrated on Exhibits A & B to this
16	resolution, and may need future expansions that it would like to obtain without the necessity for an
17	additional resolution; and,
18	WHEREAS, the purpose of AREON is dedicated to research and educational programs that benefit
19	the State of Arkansas and the City of Little Rock;
20	NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY
21	OF LITTLE ROCK, ARKANSAS:
22	Section 1. The Franchise Agreement set forth in Section 1 (a) as amended in Little Rock, Ark.
23	Resolution No. 13,329 (June 7, 2011) is hereby amended to read as follows:
24	(a) (1) Subject to the provision of this resolution, a Non-Exclusive Fiber Optic Franchise
25	is hereby granted to Franchisee, and its successors and assigns, for the placement,
26	operation and maintenance of fiber optic communication cable in the public rights-of-
27	way and public grounds and places at the locations specified in Exhibit A, Exhibit B,
28	and Exhibit C hereto.
29	(2) In addition to the areas demonstrated in Exhibits A, B, and C, AREON shall have
30	the right to use other City rights-of-way and property subject to the terms of this
31	Agreement upon approval of the City Manager subject to the following conditions:
32	(a) The new areas to be covered have been reviewed by the Information
33	Technology Department, the of Planning & Development Department and

1	the Public Works Department, and have not been found to interfere with
2	City digital infrastructure or other operations;
3	(b) The Agreement shall be updated with additional maps, as they become
4	available, of the areas that are utilized, and shall be maintained by the City
5	Clerk, the Information Technology Department, the Planning &
6	Development Department and the Public Works Department,
7	Section 2. Severability. In the event any portion of this resolution is declared or adjudged to be invalid
8	or unconstitutional, such declaration or adjudication shall not affect the remaining portions of this resolu-
9	tion, which shall remain in full force and effect as if the portion so declared or adjudged invalid or uncon-
10	stitutional, was not originally a part of the resolution.
11	Section 3. Repealer. All laws, ordinances, resolutions, or parts of the same, that are inconsistent with
12	the provisions of this resolution, are hereby repealed to the extent of such inconsistency.
13	ADOPTED: May 16, 2017
14	ATTEST: APPROVED:
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17	Susan Langley, City Clerk Mark Stodola, Mayor
18	APPROVED AS TO LEGAL FORM:
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20 21	Thomas M. Carpenter, City Attorney
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## EXHIBIT "C"



