

AN ORDINANCE
BY



AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A FRANCHISE AGREEMENT WITH XO COMMUNICATIONS, INC., A DELAWARE CORPORATION, FOR THE PROVISION OF TELECOMMUNICATIONS SERVICES USING PUBLIC RIGHT-OF-WAY; AND FOR OTHER PURPOSES

WHEREAS, XO Communications, Inc., has entered into a franchise to provide telecommunications services on, under, over and through the public right-of-way of the City; and

WHEREAS, XO Communications, Inc., has negotiated a franchise agreement with the City which provides such access and preserves the rights of the City until such time as a comprehensive ordinance is enacted;

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF ATLANTA GEORGIA HEREBY ORDAINS:

SECTION 1: That the Mayor be and is hereby authorized to execute a franchise agreement with XO Communications, Inc., for use of the public right-of-way for telecommunications purposes.

SECTION 2: That such franchise agreement shall expire and terminate on March 31, 2003.

SECTION 3: That XO Communications, Inc., shall pay **3% of gross revenues.**

SECTION 4: That the City Attorney shall prepare a franchise agreement document, which shall be approved by the city Attorney as to form.

SECTION 5: That said franchise agreement shall not be binding on the City until approved by the Mayor and delivered to XO Communications, Inc.

OMC – Amendment Incorporated by tcp 3/28/01

A true copy,

Rhonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED as amended by the Council
APPROVED by the Mayor

MAR 19, 2001
MAR 27, 2001

RCS# 2738
3/19/01
4:50 PM

Atlanta City Council

Regular Session

MULTIPLE

Telecommunications Services Franchise
Agreements; Items 1 thru 20
ADOPT AS AMEND

01-0-0322
01-0-0323
01-0-0324
01-0-0325
01-0-0326
01-0-0327
01-0-0328
01-0-0329
01-0-0331
01-0-0332
01-0-0333
01-0-0334
01-0-0335
01-0-0336

01-0-0337
01-0-0338
01-0-0339
01-0-0340
01-0-0341
01-0-0342

YEAS: 11
NAYS: 2
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

Y McCarty	Y Dorsey	NV Moore	Y Thomas
N Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	N Morris	Y Maddox	B Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

MULTIPLE

01-0-0324

(Do Not Write Above This Line)

AN ORDINANCE

BY *[Signature]*
AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A FRANCHISE AGREEMENT WITH X0 COMMUNICATIONS, INC., A DELAWARE CORPORATION, FOR THE PROVISION OF TELECOMMUNICATIONS SERVICES USING PUBLIC RIGHT-OF-WAY; AND FOR OTHER PURPOSES.

1st Adoption
Refer

ADOPTED BY
MAR 19 2001
COUNCIL

As Amended

- CONSENT REFER
- REGULAR REPORT REFER *3/5*
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER *2/19*

Date Referred *2/19/01*

Referred To: *City Utilities*

Date Referred *3/5/01*

Referred To: *City Utilities*

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred to _____

Committee *City Utilities*
Date *2-27-01*
Chair *Clair Dulle*
Action: *Adopt*
Fav. Adv. Hold (see rev. side)
Other: *2nd Reading / 1st Adoption*
Members *Stans NA*
Refer To _____

Committee *City Utilities*
Date *3-13-01*
Chair *Clair Dulle*
Action: *Adopt*
Fav. Adv. Hold (see rev. side)
Other: *3rd Reading / 1st Adoption*
Members *Stans NA*
Refer To _____

Committee _____
Date _____
Chair _____
Action: _____
Fav. Adv. Hold (see rev. side)
Other: _____
Members _____
Refer To _____

Committee _____
Date _____
Chair _____
Action: _____
Fav. Adv. Hold (see rev. side)
Other: _____
Members _____
Refer To _____

FINAL COUNCIL ACTION

- 2nd
- 1st & 2nd
- 3rd
- Readings
- Consent
- V Vote
- RC Vote

CERTIFIED

CERTIFIED
MAR 19 2001
ATLANTA CITY COUNCIL PLACEMENT
[Signature]

MAYOR'S ACTION

CERTIFIED
MAR 21 2001
[Signature]