

## **ORDER**

### **ORDER APPROVING POLE ATTACHMENT AGREEMENT BETWEEN TUPELO WATER AND LIGHT AND TOMBIGBEE FIBER, LLC, AND AUTHORIZING JOHNNY TIMMONS, DIRECTOR OF TUPELO WATER AND LIGHT DEPARTMENT TO EXECUTE POLE ATTACHMENT AGREEMENT DOCUMENTS ON BEHALF OF CITY**

**WHEREAS**, the City of Tupelo and Tombigbee Fiber, LLC, have reached a pole attachment agreement to permit Tombigbee Fiber to attach broadband fiber, cables, strand, wires and appliances to utility poles located in the certificated areas of the municipality's electrical utility for the purposes of providing lawful fiber communications services within and around the city limits of Tupelo, Mississippi; and

**WHEREAS**, the pole attachment agreement provides policies, procedures, rights, obligations, rates and accountings between the parties; and

**WHEREAS**, the City of Tupelo finds and determines that it is in the public interest to enter this agreement in a substantially same manner as allowed to other lawful fiber communications services providers attaching broadband fiber, cables, strand, wires and appliances to utility poles located in the certificated areas of the municipality's electrical utility.

**NOW THEREFORE, BE IT ORDERED BY THE TUPELO CITY COUNCIL** as follows:

1. That the form of the attached agreement is approved.
2. Johnny Timmons, Director of the Tupelo Water and Light Department, is authorized to sign the attached agreement in final form on behalf of the city subject to subsequent ratification by the city council.

The foregoing order was proposed in a motion by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_, and after

discussion, no council member having called for a reading was brought to a vote as follows:

Councilmember Mims	_____
Councilmember Bryan	_____
Councilmember Beard	_____
Councilmember Davis	_____
Councilmember Palmer	_____
Councilmember Gaston	_____
Councilmember Jones	_____

**WHEREUPON**, the foregoing Resolution was declared, passed and adopted at a regular meeting of the Council on this the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

CITY OF TUPELO, MISSISSIPPI

\_\_\_\_\_  
BUDDY PALMER, City Council President

ATTEST:

\_\_\_\_\_  
MISSY SHELTON, Clerk of the Council

APPROVED:

\_\_\_\_\_  
TODD JORDAN, Mayor

\_\_\_\_\_  
DATE