

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT THE TERMS LISTED WITHIN THE TERM-SHEET FOR THE BROADBAND AGREEMENT BETWEEN THE CITY OF HUDSON AND LIT FIBER HUDSON, LLC AND MOVE TO THE AGREEMENT PHASE; AND DECLARING AN EMERGENCY.**

WHEREAS, City staff has been working with the Council Ad-Hoc Committee and Lit Fiber Hudson (“Lit”) to determine agreeable terms for the Fiber to the Residents project for several months; and

WHEREAS, the main goals of this project are: to provide every residence within the City of Hudson access to high speed fiber, complete the expansion project within 3 years, and partner with Lit Fiber to expand off the existing City owned fiber network; and

WHEREAS, the attached “term sheet” sets forth the understanding of Lit and the City as the basis for a formal contract for the project; and

WHEREAS, an emergency clause is necessary for the City to show good faith in these negotiations by indicating the City’s desire to enter into negotiations for a final agreement without delay, so negotiations can continue expeditiously at this critical phase.

NOW, THEREFORE, Be It Resolved by the Council of the City of Hudson, Summit County, State of Ohio, that:

Section 1: The City Manager is authorized to accept the terms listed within the term-sheet ( see Exhibit A attached) for the broadband agreement between the City of Hudson and Lit Fiber Hudson, LLC and move to the agreement phase.

Section 2: That the above recitals and attached exhibit are fully incorporated as findings herein.

Section 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4. This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the citizens of the City, and for the further reason that time is of the essence for the City to show good faith in negotiations and passing this measure with an immediate effective date would indicate the City’s desire to immediately continue into negotiations for a final agreement; wherefore, this Resolution shall be in full force and effect immediately upon its passage provided it receives the affirmative vote of

five (5) members of Council, except that six (6) affirmative votes shall be required if all members are present at the meeting at which it is passed; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_

\_\_\_\_\_  
Jeffrey L. Anzevino, Mayor

ATTEST:

\_\_\_\_\_  
Elizabeth Slagle, Acting Clerk of Council

I certify that the foregoing Resolution No. 23-\_\_ was duly passed by the Council of said Municipality on \_\_\_\_\_, 2023.

\_\_\_\_\_  
Elizabeth Slagle, Acting Clerk of Council