

RESOLUTION NO. _____ (N.C.S.)

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN EXCLUSIVE NEGOTIATING RIGHTS AGREEMENT WITH UNDERLINE INFRASTRUCTURE SERVICES LLC TO CONDUCT DUE DILIGENCE ACTIVITIES RELATED TO THE DEVELOPMENT OF A NEW BROADBAND FIBER NETWORK

WHEREAS, access to broadband networks is directly linked to the economic well-being of the community through economic growth, higher incomes, and/or lower unemployment, and, further, access to broadband networks improves social outcomes by democratizing access to education, fostering broader social supports, and improving access to telehealth resources; and

WHEREAS, the Brookings Institute has identified pricing and physical access to broadband as two of the three most significant systemic barriers preventing people from taking advantage of these benefits from broadband services; and

WHEREAS, multiple examples across the country have shown that, in general, competition among providers leads to better and more affordable broadband services; and

WHEREAS, the Salinas City Council desires to improve access to broadband services through both wireless and direct connections; and

WHEREAS, the City of Salinas has taken several steps to improve broadband access, including passing a Dig Once Policy, allowing the use of City infrastructure for small cell antennas, constructing Dark Fiber, and entering into a Reciprocal Dark Fiber Agreement with ExteNet Systems; and

WHEREAS, the City of Salinas released a Request for Proposals to identify potential private-sector partners to leverage these past efforts in order to provide improved broadband service in the City of Salinas; and

WHEREAS, City staff and consultants have reviewed and scored the responses to the Request for Proposals and are recommending that the City Council pursue the proposal provided by Underline Infrastructure Services LLC (“Underline”); and

WHEREAS, both the City and Underline desire to enter into an Exclusive Negotiating Rights Agreement (“ENRA”) for a due diligence period so that Underline may perform further analysis to confirm that it will be able to provide the services detailed in its proposal.

NOW, THEREFORE, BE IT RESOLVED that the Salinas City Council hereby authorizes the City Manager to enter into the attached ENRA with Underline.

PASSED AND APPROVED this 22nd day of June, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Kimbley Craig, Mayor

ATTEST:

Patricia M. Barajas, City Clerk

ATTACHED:

Exhibit "A": Exclusive Negotiating Rights Agreement, including the following Exhibit:
Exhibit "A": Proposal by Underline