

ORDINANCE NO. 59-22

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A
LETTER AGREEMENT WITH LIT COMMUNITIES BROADBAND, INC TO BEGIN
ANALYZING THE FEASIBILITY OF FIBER OPTIC CONNECTIVITY IN THE CITY
AND DECLARING AN EMERGENCY**

WHEREAS, the City of Avon is seeking information needed to analyze, select and implement the best solutions to improve broadband connectivity across Avon; and

WHEREAS, Lit Communities Broadband Inc made a presentation to City Council's Finance and Legal Committees back on February 7, 2022; and

WHEREAS, since then the Administration has conducted extensive research into what Lit Communities can provide the City by way of an introduction as to how to make this technology available to a broad spectrum of the community; and

WHEREAS, Council, having reviewed the Lit Communities Cost Proposal, Statement of Work and the Terms and Conditions, finds that authorizing the Mayor to enter into this Letter Agreement to be in the best interests of the health, safety and welfare of the citizens of Avon in finding alternative broadband solutions for our residents and businesses.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
AVON, LORAIN COUNTY, OHIO:**

Section 1 - That Council hereby authorizes the Mayor to enter into the Letter Agreement with Lit Communities Broadband Inc to pursue the scope of work set forth in said Agreement which is attached hereto as [Exhibit A](#) and incorporated herein by this reference. Furthermore, the Finance Director is authorized to appropriate funds in the amount of Forty-Seven Thousand Four Hundred Fifty-Six (\$47,456.00) Dollars from the General Fund No. 101 to meet the obligations of this agreement.

Section 2 - That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to enter into a Letter Agreement with Lit Communities Broadband Inc. to begin the process of determining the feasibility of providing a broadband alternative to the residents and businesses of Avon; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____

DATE SIGNED: _____

Ordinance No. 59-22 (Con=t.)

By: _____
Brian Fischer, President of Council

DATE APPROVED BY THE MAYOR _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Barbara J. Brooks
Clerk of Council

POSTED: _____
In Five Places as
Provided by Council

Prepared by:
John A. Gasior, Esq.
Law Director