

RESOLUTION NO. 38-1999

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, IMPLEMENTING THE REQUIREMENTS OF CHAPTER 283 OF THE TEXAS LOCAL GOVERNMENT CODE, AND AUTHORIZING AND APPROVING THE ACCEPTANCE AND FILING OF THE BASE AMOUNT AND ALLOCATION OF THE BASE AMOUNT WITH THE PUBLIC UTILITY COMMISSION OF TEXAS.

WHEREAS, House Bill 1777, 76<sup>th</sup> Legislature, codified as Chapter 283 of the Texas Local Government Code, took effect on September 1, 1999. That statute governs the relationship between municipalities and certificated telecommunications providers.

WHEREAS, Chapter 283 establishes the method to calculate the municipal fee "base amount" of compensation to be paid to municipalities to certificated telecommunication providers.

WHEREAS, Chapter 283 establishes a deadline for reporting by the municipality of the base amount and allocation to the Public Utility Commission on or before December 1, 1999.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, THAT:

PART 1: The City Council of Abilene, Texas, specifically makes the following finding: the base amount level reported to the Public Utility Commission on December 1, 1999, fairly compensates the City by certificated telecommunication providers for their use of the public right-of-way, and will be applied in a competitively neutral and non-discriminatory manner; and,

PART 2: Base Amount. In accordance with Chapter 283 of the Local Government Code, the City Council approves the base amount calculated and reported to the Public Utility Commission on December 1, 1999; and,

Allocation of Base Amount. The City Council approves the allocation of the municipal fee base amount among the three access line categories, as established by the Public Utility Commission, as reported on December 1, 1999, by the City Manager or the Manager's designee.

PART 3: This resolution shall take effect as of December 1, 1999.

ADOPTED this 9 day of December, A. D. 1999.

ATTEST:

*Op Moore*  
CITY SECRETARY

*Grady Barr*  
MAYOR

APPROVED:

*Margaret June*  
CITY ATTORNEY