

ORDINANCE NUMBER 07 - 17

**ORDINANCE AUTHORIZING THE EXECUTION OF A
COMPETITIVE VIDEO SERVICE AGREEMENT BETWEEN
THE VILLAGE OF EAST DUNDEE AND AT&T ILLINOIS**

WHEREAS, the Village of East Dundee is a home rule unit of local government under and pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, has the authority to exercise any power and perform any function pertaining to its government and affairs, including but not limited to the power to regulate for the protection of the public health, safety, morals, and welfare; and

WHEREAS, the Village of East Dundee (the AVillage@) desires to improve the provision of advanced technology services, including broadband services, within the Village; and

WHEREAS, the Illinois Bell Telephone Company, an Illinois corporation doing business as AT&T Illinois (AAT&T Illinois@), desires to provide certain advanced technology services in the Village, including high speed Internet access, Internet Protocol voice service and Internet Protocol video service, through an upgrade to the broadband capabilities of its existing telecommunications network in the Village; and

WHEREAS, the Village desires to enter into a Competitive Video Service Agreement with AT&T Illinois under which AT&T Illinois would be authorized, subject to the terms of the Competitive Video Service Agreement, to use the rights-of-way of the Village to provide advanced technology services as described in the Competitive Video Service Agreement.

NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AS FOLLOWS:

Section One. That the Village of East Dundee adopts and approves and the President and he is hereby authorized and directed to sign and the Village Clerk is directed to attest to the execution of a Competitive Video Service Agreement on behalf of the Village with Illinois Bell Telephone Company, an Illinois corporation doing business as AT&T Illinois, a copy of which agreement is attached hereto and made a part hereof.

Section Two. Severability. If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

Section Three. Repeal. All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.

Section Four. Publication. This ordinance shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form as provided by law.

Adopted this 2nd day of April, 2007, pursuant to a roll call vote as follows:

AYES: Ruffalo, VanUstembriidge, O'Leary, Gorman,
Carlini, Surpelli, Pres. Bartels

NAYES: _____

ABSENT: _____

Approved by me this 2nd day of April, 2007.

Jerald Bartels
JERALD BARTELS, President

Published in pamphlet form this 5th day of April, 2007, under the authority of the President and Board of Trustees.

ATTEST:


SUSAN NORTON, Village Clerk

Recorded in the Village Records on April 5, 2007.

