

RESOLUTION NO. 12-987

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI, ARIZONA, SUPPORTING IN PRINCIPLE SB 1402 AND SB 1403 WITH REGARD TO THE DIGITAL ARIZONA LEGISLATION

WHEREAS, according to extensive mapping of broadband availability over the past two years, it has been determined that many of Arizona's rural residents and businesses do not have sufficient availability of broadband services;

WHEREAS, the lack of broadband services negatively impacts their lives—by limiting their available jobs, educational opportunities and health care services;

WHEREAS, in substantial part, the lack of broadband services is due to the high cost of transporting information from rural communities to Phoenix or Tucson where the information links to the Internet;

WHEREAS, SB1402 and SB1403 expand existing rules governing Arizona Department of Transportation (“ADOT”) management of state roadway rights-of-way (“ROW”) to include transportation-of-information as well as vehicles—and make available conduits in the ROW to private providers on a cost-recovery basis;

WHEREAS, SB1402 and SB1403 reduce the high cost of transporting information from rural communities to Phoenix or Tucson without tapping Local Funds or State General Fund monies—by repurposing existing state resources—namely state roadway ROW—under the guidance of ADOT and Arizona Department of Administration;

WHEREAS, SB1402 and SB1403 enable private sector providers to extend broadband services to rural Arizonans by the expanded use of existing state ADOT roadway rights-of-way;

WHEREAS, SB1402 and SB1403 allow a more streamlined access to the ROW for constructing the broadband conduits, thereby improving availability of broadband services to underserved areas of Arizona;

WHEREAS, SB1402 and SB1403 do not require changes in ADOT's operation procedures or rules and it is consistent with their requirement to protect and enhance roadway safety;

WHEREAS, SB1402 and SB1403 enable ADOT to oversee planning, engineering, constructing and maintaining of broadband conduits in state roadway rights-of-way;

WHEREAS, no ADOT highway funds are used for non-highway uses and all non-state owned rights-of-way are exempted from the legislation;

WHEREAS, SB1402 and SB1403 create a self-sustaining Arizona Broadband Office (“Office”) with non-paid directors, housed within the Arizona Department of Administration that coordinates complex, multi-jurisdictional discussions that take place when broadband infrastructure is being planned and utilized;

WHEREAS, the Office serves as a single point of contact through which statewide broadband policies, standards, procedures, agreements, and grants are managed—on a volunteer basis—without imposing any regulations;

WHEREAS, the Office’s primary objective is ensuring that the State is moving toward the goal of achieving greater broadband deployment; and

WHEREAS, the Office is self-sustaining from fees, gifts, grants and donations;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI, ARIZONA, THAT:

The Town of Chino Valley hereby supports the Arizona legislature passing the Digital Arizona Legislative Bills SB1402 and SB1403 during this 2012 Legislative Session.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona, this 13th day of March, 2012.

Chris Marley, Mayor

ATTEST:

APPROVED AS TO FORM:

Jami C. Lewis, Town Clerk

Musgrove Drutz & Kack, PC
Town Attorney