

STATE OF ILLINOIS)
) SS
COUNTY OF DU PAGE)

CLERK'S CERTIFICATE

I, Dawn M. Tandle, Village Clerk of the Village of Clarendon Hills, in the County of DuPage and State of Illinois, do hereby certify that the attached and foregoing is a true and correct copy of that certain Resolution now on file in my Office, entitled:

RESOLUTION NO. R-20-13

**A RESOLUTION SUPPORTING FEDERAL BILLS H.R. 530 AND S. 2012 TO RESTORE
LOCAL CONTROL IN 5G/BROADBAND DEPLOYMENT**

which Resolution was passed by the Board of Trustees of the Village of Clarendon Hills at a Regular Village Board Meeting on the 18th day of February, 2020, at which meeting a quorum was present, and approved by the President of the Village of Clarendon Hills, Illinois, on the 18th day of February, 2020.

I further certify that the vote on the question of the passage of said Resolution by the Board of Trustees of the Village of Clarendon Hills was taken by Ayes and Nays and recorded in the minutes of the Board of Trustees of the Village of Clarendon Hills, and that the result of said vote was as follows, to-wit:

AYES: Trustees DeDobbelaere, Freve, Hall, Jorissen, and Knoll

NAYS: None

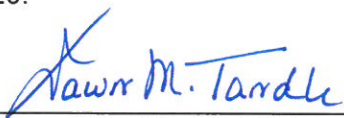
ABSENT: Trustee Jordan

I do further certify that the original Resolution, of which the foregoing is a true copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village of Clarendon Hills, this 18th day of February, 2020.

[SEAL]





Village Clerk

RESOLUTION NO. R-20-13

A RESOLUTION SUPPORTING FEDERAL BILLS H.R. 530 AND S. 2012 TO RESTORE LOCAL CONTROL IN 5G/BROADBAND DEPLOYMENT

WHEREAS, the Village of Clarendon Hills (the "Village"), an Illinois non-home rule municipality, supports the goal of ensuring reliable cellular coverage throughout our community, and supports technological enhancements, such as "smart" technology and 5G wireless communications, as long as the local impacts of such technology are not detrimental to the aesthetics of the Village or undermine the Village's use of its rights of way or impact the number of trees in parkway areas or reduce the tree canopy areas or present the potential for negative impacts on the health, welfare and safety of Village residents, property owners, businesses and the public; and

WHEREAS, the Federal Communications Commission, on September 26, 2018, adopted a Declaratory Ruling and Third Report and Order in the matter of Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment and Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment ("the FCC Declaratory Ruling"); and

WHEREAS, the FCC Declaratory Ruling favors wireless providers by specifically limiting the ability of local governments to negotiate or regulate in the public interest in key areas regarding small wireless facility deployment. Such limitations include, but are not limited to, the imposition of shot clocks, restrictions on fees, and the imposition on limitations on local governments to act in a proprietary capacity in controlling their own infrastructure; and

WHEREAS, the FCC Declaratory Ruling provides unfettered and unsupervised access to commercial entities that have only their own profitability as their guide, going against a critical public interest to assure that wireless facilities are installed and maintained in a way that safeguards the public's connection to the wireless world in an era of heightened awareness of cyber security risks; and

WHEREAS, it is the responsibility of local authorities to protect the public health, safety, and welfare of its citizens, and the FCC Declaratory Ruling undermines this responsibility; and

WHEREAS, it is vital that local authorities be able to hold for-profit, commercial entities to an appropriate standard of responsibility for their use of a public asset and infrastructure; and

WHEREAS, on January 14, 2019, Representative Anna Eshoo (D-CA) introduced H.R. 530, Accelerating Broadband Development by Empowering Local Communities Act of 2019, which would nullify the FCC Declaratory Ruling and therefore help restore local control in 5G/broadband deployment; and

WHEREAS, on June 27, 2019, Senator Dianne Feinstein (D-CA), introduced a companion bill to H.R. 530 in the Senate, S. 2012, Restoring Local Control Over Public Infrastructure Act of 2019, which would similarly nullify the FCC Declaratory Ruling and therefore help restore local control in 5G/broadband deployment; and

WHEREAS, the President and Board of Trustees of the Village of Clarendon Hills make the following findings and statements:

A. The President and Board of Trustees support H.R. 530, Accelerating Broadband Development by Empowering Local Communities Act of 2019, and S. 2012, Restoring Local Control Over Public Infrastructure Act of 2019, which would nullify the FCC Declaratory Ruling and therefore help restore local control in 5G/broadband deployment; and

B. The President and Board of Trustees encourage its residents, property owners, businesses and the public and state and federal representatives to support this proposed legislation and other similar efforts to return control of local right-of-ways to municipalities; and

C. The President and Board of Trustees are committed to developing reasonable regulations for the deployment of wireless technology and are eager to work with all interested parties and stakeholders to develop regulations that ensure reliable cellular coverage while preventing the unfettered taking and use of public property by private business concerns.

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Clarendon Hills, DuPage County, Illinois, as follows:

SECTION 1: Each of the recitals in the Whereas paragraphs set forth above are incorporated into Section 1 of this Resolution.

SECTION 2: The President and Board of Trustees of the Village of Clarendon Hills find that it is in the best interests of the Village and its residents, property owners, businesses and the public to support H.R. 530, Accelerating Broadband Development by Empowering Local Communities Act of 2019, and S. 2012, Restoring Local Control Over Public Infrastructure Act of 2019, and to continue to work with all interested parties and stakeholders to develop regulations that ensure reliable cellular coverage while preventing the unfettered taking and use of public property by private business concerns.

SECTION 3: This Resolution shall be in full force and effect from and after its passage and approval.

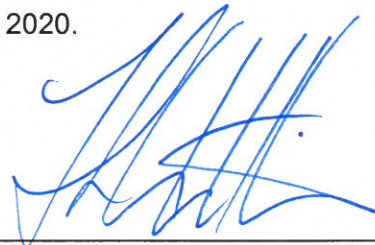
ADOPTED this 18th day of February, 2020 pursuant to roll call vote as follows:

AYES: Trustees DeDobbelaere, Freve, Hall, Jorissen, and Knoll

NAYS: None

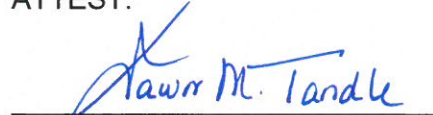
ABSENT: Trustee Jordan

APPROVED by me this 18th day of February, 2020.



Len Austin, Village President

ATTEST:


Dawn M. Tandle, Village Clerk