

**TOWN OF GARDEN CITY, COLORADO
ORDINANCE NO. 01-2018**

**AN ORDINANCE AMENDING THE CABLE TELEVISION
FRANCHISE AGREEMENT BETWEEN THE TOWN OF
GARDEN CITY, COLORADO AND COMCAST OF
COLORADO IV, LLC, TO EXTEND THE TERM OF THE
FRANCHISE**

WHEREAS, the Town of Garden City (“Town”) Town Council adopted Ordinance No. 02-2007, approving the grant of a nonexclusive Franchise Agreement to Comcast of Colorado IV, LLC, (“Comcast”) effective December 13, 2007, for its construction and operation of a cable television system within the Town; and,

WHEREAS, Comcast has preserved its right of renewal by timely filing a request with the Town to activate the formal process for renewing the Franchise pursuant to the provisions of the Cable Communications Policy Act of 1984 (“Cable Act”); and,

WHEREAS, the Franchise Agreement has an expiration date of December 13, 2017; and,

WHEREAS, Town staff and Comcast representatives have discussed the renewal of the franchise, and both parties have agreed that their respective interests will be served by a formal extension of the existing Franchise Agreement to a date certain; and,

WHEREAS, the Town Council is therefore agreeable to extending the existing term of the Franchise Agreement for an additional five (5) years or until December 13, 2022; and,

WHEREAS, the Town and Comcast may, upon mutual consent, agree to extend the term of the Franchise Agreement for up to five (5) additional years or through December 13, 2022; and,

WHEREAS, the Town and Comcast mutually agree that all the terms and conditions of the present Franchise Agreement shall remain the same with the exception of extending the expiration date.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GARDEN CITY:

Section 1. That the Mayor is hereby authorized to enter into, on behalf of the Town, an amendment to the Franchise Agreement with Comcast to extend the term of the Franchise Agreement until December 13, 2022.

Section 2. That the Town and Comcast may, upon mutual consent, agree to extend the term of the Franchise Agreement for up to five (5) additional years or through December 13, 2022.

Section 3. Except as specifically modified hereby, the Franchise Agreement shall remain in full force and effect.

Section 4. Neither party waives any right which it enjoys under law as a result of agreeing to this Franchise extension, and Comcast shall not be required to file any additional request or document in order to preserve its right of renewal under Section 626 of the Cable Act.

Section 5. That as provided by law, this Ordinance shall be published.

Adopted this _____ day of _____, 2018.

TOWN OF GARDEN CITY, COLORADO

Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Town Attorney