



ORDINANCE NO. 6.22

AN ORDINANCE AMENDING THE CABLE TELEVISION FRANCHISE AGREEMENT BETWEEN THE TOWN OF LARKSPUR, COLORADO AND COMCAST OF COLORADO X, LLC, TO EXTEND THE TERM OF THE FRANCHISE

WHEREAS, the Town of Larkspur (“Town”) Town Council adopted Ordinance No. 6.17, approving the grant of a nonexclusive Franchise Agreement to Comcast of Colorado X, LLC (“Comcast”) effective December 7, 2006 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 6, 2011; 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 until December 7, 2016; 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 LARKSPUR:

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 7, 2016.

Section 2. Except as specifically modified hereby, the Franchise Agreement shall remain in full force and effect.

Section 3. 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.

INTRODUCED, READ, AND PASSED this 15th day of December 2011 by the Town Council of the Town of Larkspur, Colorado.

TOWN OF LARKSPUR, COLORADO

Sherilyn West, Mayor

ATTEST:

Manfred Krimmer, Town Clerk

APPROVED AS TO FORM:

Scotty P. Krob, Town Attorney

COMCAST OF COLORADO X, LLC

By: _____

Title: _____

Date: _____