

ORDINANCE NO. 14-21

**AN ORDINANCE OF THE CITY OF RICHMOND, KENTUCKY RENEWING
THE CITY'S EXISTING CABLE TELEVISION FRANCHISE**

WHEREAS, the Board of Commissioners of the City of Richmond, Kentucky adopted on July 7, 1999 Ordinance No. 99-28, an ordinance which granted a fifteen-year franchise for the operation and maintenance of a cable communications system within the City; and

WHEREAS, ownership of the said franchise so granted has since been transferred and is presently held by Time Warner Cable, Inc.; and

WHEREAS, the franchise agreement entered into between the parties provides, in Section 37 thereof, that the franchise so granted may be renewed pursuant to the provisions of 47 U.S.C. Section 546, a provision of the United States Code which provides for the renewal of cable communications system franchises to be accomplished in accordance with the procedures set forth in that United States statute; and

WHEREAS, applicable Kentucky law allows for a franchise up to twenty (20) years in length; and

WHEREAS, the Board of Commissioners has heretofore retained the services of outside counsel to assist the City as regards the cable communications franchise, and that counsel has advised that the City's existing franchise sets out terms fair and reasonable to the parties and to the residents of the City, and so the Board does believe it to be in the best interests of the City and of the City's residents that the existing franchise be renewed; and

WHEREAS, the Board does wish accordingly to renew the franchise as is permitted by the existing franchise agreement and by the provisions of 47 U.S.C. Section 546; and

WHEREAS, the City and the franchisee have complied with such renewal procedures and have agreed to renew the existing franchise agreement for a period of five (5) more years through July 7, 2019; provided, however, that the provisions of the existing franchise relating to the City's use of a studio, a facility that the City has not had occasion to use during the fifteen years of the existing franchise's existence, shall be deleted;

NOW, THEREFORE, BE IT ORDAINED THAT:

1. The existing cable communications franchise of the City shall be renewed for an additional period of five (5) years, same to expire on July 7, 2019.
2. The Mayor is hereby authorized to execute the franchise renewal instrument attached hereto and by his execution to bind the City to the terms thereof.

This ordinance shall be effective immediately upon enactment following second reading, and publication in accordance with the requirements of applicable Kentucky law.

DATE OF FIRST READING:
MOTION BY:
SECONDED BY:

July 22, 2014
Commissioner Blythe
Commissioner Newby

VOTE

Commissioner Baird
Commissioner Blythe
Commissioner King
Commissioner Newby
Mayor Barnes

YES	NO
x	
x	
absent	
x	
x	

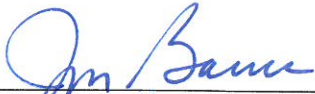
DATE OF SECOND READING:
MOTION BY:
SECONDED BY:

August 12, 2014
Commissioner Newby
Commissioner Baird

VOTE

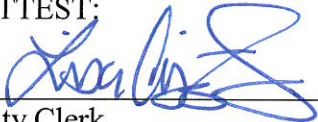
Commissioner Baird
Commissioner Blythe
Commissioner King
Commissioner Newby
Mayor Barnes

YES	NO
x	
x	
x	
x	
x	



Mayor Barnes

ATTEST:



City Clerk