



CITY OF CONCORD

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: James W. Kennedy, City Solicitor
DATE: November 5, 2015
SUBJECT: Cable Franchise Renewal Extension

Recommendation:

Accept this report to authorize the City Manager to extend the current Cable Television Renewal Franchise Agreement (the "Franchise Agreement"), dated October 28, 2005, and granted to Comcast of Maine/New Hampshire, Inc. ("Comcast"), upon the same terms and conditions contained therein, until midnight on April 28, 2016 or until such time as the Franchise Agreement is renewed, whichever occurs sooner.

Background

The City's current Cable Television Renewal Franchise is with Comcast and was granted on October 28, 2005 for a ten (10) year term, to expire on October 28, 2015. In September 2015, City Council authorized the City Manager to extend the current agreement until midnight on December 28, 2015, while contract negotiations continued.

Discussion

The City is currently in the final phases of the cable television franchise renewal process by which it is negotiating a new non-exclusive franchise agreement with Comcast. The City expects the negotiations to conclude soon, however, an extension is necessary to complete the process and to provide a draft of the negotiated agreement to the City Council to authorize the City Manager to execute the Franchise Agreement.

This Extension shall under no circumstances be construed or deemed to be a renewal of the Franchise Agreement under either State or federal laws or the terms of the Franchise Agreement. In accordance with the attached Agreement, the City has reserved all of its rights pursuant to all applicable State and federal laws.

Accordingly, the City Administration requests that the City Council authorize the City Manager to enter into an agreement to extend the existing franchise agreement from December 28, 2015 until midnight on April 28, 2016, or until such time as the Franchise Agreement is renewed, whichever occurs sooner.