



# CITY OF CONCORD

## REPORT TO MAYOR AND THE CITY COUNCIL

**FROM:** James W. Kennedy, City Solicitor

**DATE:** August 31, 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 December 28, 2015 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; it will expire on October 28, 2015.

### **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 may be 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 the attached agreement to extend the existing franchise agreement from October 28, 2015 until midnight on December 28, 2015, or until such time as the Franchise Agreement is renewed, whichever occurs sooner.