



RESOLUTION NO. 5-20

A RESOLUTION OF THE TOWN OF SOUTH BETHANY AUTHORIZING EXECUTION OF A CABLE FRANCHISE AGREEMENT BETWEEN THE TOWN AND COMCAST OF DELMARVA, LLC (“Comcast”)

WHEREAS, pursuant to the Cable Communications Policy Act of 1984, the Cable Television Consumer Protection and Competition Act of 1992, the Telecommunications Act of 1996, the regulations of the Federal Communications Commission and Delaware law, the Town of South Bethany (hereinafter the “Town”) is authorized to grant franchises to construct, operate and maintain a cable system utilizing public rights-of-way and properties within the Town’s jurisdiction; and

WHEREAS, Comcast has requested that the Town approve a franchise agreement, by which Comcast may maintain, construct, operate, and upgrade its Cable System over, under and along the aforesaid rights-of-way, to provide services for use by the Town’s residents; and

WHEREAS, the aforesaid rights-of-way used by Comcast are public properties acquired and maintained by the Town and held in trust on behalf of citizens of the Town and the right to use said rights-of-way is a valuable property right; and

WHEREAS, the Town desires to protect and manage the aforesaid rights-of-way, require high standards of customer service, ensure future technical improvements to maintain a technologically-advanced cable system, establish certain reporting requirements, receive franchise fees as authorized by law for Comcast’s use of the Town’s rights-of-way, as provided by federal law, establish certain reporting requirements and provide for the current and future cable-related needs of its residents; and

WHEREAS, the Town held a public hearing on the subject of Comcast’s Cable Franchise Agreement; and

WHEREAS, the Town has determined that Comcast has the financial, legal and technical ability to provide cable services to subscribers located in the Town; and

WHEREAS, the Town, after affording public notice and opportunity for comment, has determined that the public interest would be served by entering into a cable franchise agreement with Comcast, according to the terms and conditions contained in the written Cable Franchise Agreement negotiated between the Town and Comcast.

NOW, THEREFORE, LET IT BE RESOLVED, that the Mayor and Town Council of the Town of South Bethany does hereby approve the Cable Franchise Agreement negotiated with Comcast of

Delmarva, LLC, including all of the terms and conditions contained therein, and does hereby authorize the execution of such Agreement.

**ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF SOUTH BETHANY ON THE
____ DAY OF _____ 2020.**

Tim Saxton, Mayor

Attest:

SEAL:

Sponsored by Mayor Saxton
p/s:Resolution No.5-20
Comcast Franchise Agreement

Carol Stevenson, Council Secretary

Members of Town Council:

Sue Callaway

Randy Bartholomew

Derek Abbott

Dick Oliver

Frank Weisgerber