

**AN ORDINANCE BY
COUNCILMEMBERS HOWARD SHOOK AND NATALYN ARCHIBONG
AS SUBSTITUTED BY CITY UTILITIES COMMITTEE**

AN ORDINANCE BY COUNCIL MEMBERS HOWARD SHOOK AND NATALYN ARCHIBONG AS SUBSTITUTED BY THE CITY UTILITIES COMMITTEE AUTHORIZING THE MAYOR TO EXECUTE A FRANCHISE AGREEMENT BETWEEN THE CITY OF ATLANTA AND COMCAST OF GEORGIA, LLC, FOR THE PURPOSE OF RENEWING THE CABLE FRANCHISE GRANTED FOR THE CONSTRUCTION, RECONSTRUCTION, OPERATION, AND MAINTENANCE OF A CABLE COMMUNICATIONS SYSTEM WITHIN THE CITY; AND FOR OTHER PURPOSES.

WHEREAS, the City is authorized to grant one or more non-exclusive, revocable franchises to construct, reconstruct, operate, and maintain a cable communications system to provide cable services within the City; and

WHEREAS, pursuant to City Council Ordinance 09-O-1223, adopted by the Atlanta City Council on September 8, 2009 and approved by the Mayor on September 11, 2009, the City entered into a franchise agreement (“the 2009 franchise agreement”) with Comcast of Georgia/Virginia, Inc. (“the franchise holder”) for a term of seven years from November 30, 2009 through November 29, 2016; and

WHEREAS, the franchise holder has complied with the material terms of the 2009 franchise agreement and with applicable law; and

WHEREAS, the City now desires to enter into a franchise agreement with Comcast of Georgia, LLC, the franchise holder’s successor in interest, for a term of seven (7) years commencing on November 30, 2016 and continuing through November 29, 2023; and

WHEREAS, following negotiations conducted pursuant to federal law, and after the City's consideration of the quality of the franchise holder's service and its financial, legal, and technical ability to provide the service, facilities, and equipment set forth in its proposal, the parties have agreed on the terms and conditions of the renewal of said franchise.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA HEREBY ORDAINS AS FOLLOWS:

Section 1: The Mayor is authorized to execute a franchise agreement with Comcast of Georgia, LLC in substantially the form attached hereto as Exhibit A and incorporated herein by reference.

Section 2: The City Attorney is directed to prepare any and all additional documents required to effect such agreement.

Section 3: The agreement shall not become binding on the City and the City shall incur no liability thereon until it has been executed by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney, and delivered to the contracting party.

Section 4: All ordinances or parts of ordinances in conflict herewith are hereby waived to the extent of any such conflict.