

**POULSBO DISTRIBUTION SCHEDULE**

**ORDINANCE NO. 2014-09**

**SUBJECT: Granting a Cable Television Franchise Extension to Comcast of Washington IV, Inc.**

CONFORM AS TO DATES & SIGNATURES

- (X) Filed with the City Clerk: 05/09/2014
- (X) Passed by the City Council: 05/21/2014
- (X) Signature of Mayor
- (X) Signature of City Clerk
- (X) Publication: 05/30/2014
- (X) Effective: 06/04/2014
- ( ) Recorded:

DISTRIBUTED COPIES AS FOLLOWS:

- (X) NK Herald: Emailed 05/22/2014 by KP
- (X) Code Publishing
- ( ) City Attorney
- ( ) Civil Service Commission and/or Sec/Chief Examiner
- ( ) Clerk's Department:
- ( ) City Council
- ( ) Finance:
- (X) Posted to Library Drive and Website

Kylie Purves  
City Clerk

May 22, 2014  
Date

**ORDINANCE NO. 2014-09**

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, GRANTING A CABLE TELEVISION FRANCHISE EXTENSION TO COMCAST OF WASHINGTON IV, INC., AND FIXING AN EFFECTIVE DATE.

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**WHEREAS**, the City of Poulsbo (the "City") granted and renewed a cable franchise to Comcast of Washington IV, Inc. ("Comcast") by way of Ordinance No. 2003-26 in 2003 (the "Franchise"); and

**WHEREAS**, the Franchise granted by Ordinance No. 2003-26 expired on March 18, 2014; and

**WHEREAS**, Comcast sent to the City a "626 letter" pursuant to 47 USC § 546, which was received by the City on May 9, 2011; and

**WHEREAS**, both the City and Comcast desire to continue negotiating but do not desire to interrupt cable television service in the City; and

**WHEREAS**, Comcast and the City have been engaged in negotiations in accordance with the provisions of 47 U.S.C. § 546 and substantial progress has been made; and

**WHEREAS**, Comcast and the City find it mutually beneficial to extend the existing Franchise for a reasonable period of time in order to promote and facilitate an orderly franchise renewal process;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF POULSBO, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Franchise Extension. The term of the cable television franchise granted under Ordinance No. 2003-26 (the "Franchise") to Comcast of Washington IV, Inc. ("Comcast") is hereby extended up to and through March 18, 2015, or until such

time as the City of Poulsbo (the "City") has adopted a further franchise ordinance that supersedes this Ordinance, whichever occurs sooner.

Section 2. Compliance with Franchise Terms. As a condition of the extension granted by this Ordinance, Comcast shall provide its written and acknowledged unconditional acceptance and promise to comply with all provisions, terms and conditions of the Franchise during this extension period. By the adoption of this Ordinance, the City agrees to comply with all provisions, terms and conditions of the Franchise during the extension period. All previous provisions in Ordinance No. 2003-26 shall remain in effect throughout the duration of the Franchise extension as identified in this Ordinance, except the provision for the duration of the Franchise which will be extended to March 18, 2015. It is the intent of this extension to cover the period from March 18, 2014 through and including March 18, 2015.

Section 3. Performance Bond and Insurance. The Performance Bond and insurance policies provided by Comcast pursuant to the Franchise shall remain in effect during the extension period.

Section 4. Acceptance. The rights and privileges granted pursuant to this Ordinance shall not become effective until its terms and conditions are accepted by Comcast. Acceptance shall be accomplished by the submission of a written instrument, executed and sworn to by a corporate officer of Comcast before a Notary Public, and filed with the City within sixty (60) days after the effective date of this Ordinance. Such instrument shall evidence the unconditional acceptance of the terms hereof and a promise to comply with and abide by the provisions, terms and conditions hereof.

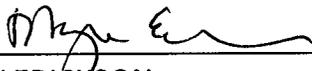
Section 5. Reservation of Rights. Both the City and Comcast reserve and retain all of their rights under both the formal renewal process and informal renewal process under 47 U.S.C. § 546.

Section 6. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent

jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 7. Effective Date. This Ordinance, shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title. This extension is expressly conditioned upon the City's receipt of Comcast's written acceptance as described in Section 4.

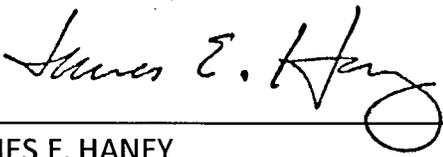
APPROVED by the Poulsbo City Council this 21st day of May, 2014.

  
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BECKY ERICKSON  
MAYOR

ATTEST/AUTHENTICATED:

  
\_\_\_\_\_  
KYLIE PURVES  
CITY CLERK

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

BY   
\_\_\_\_\_  
JAMES E. HANEY

FILED WITH THE CITY CLERK: 05/09/2014  
PASSED BY THE CITY COUNCIL: 05/21/2014  
PUBLISHED: 05/30/2014  
EFFECTIVE DATE: 06/04/2014  
ORDINANCE NO. 2014-09

**SUMMARY OF ORDINANCE NO. 2014-09**

of the City of Poulsbo, Washington

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On the 21st day of May, 2014, the City Council of the City of Poulsbo, passed Ordinance No. 2014-09. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON,  
GRANTING A CABLE TELEVISION FRANCHISE EXTENSION TO  
COMCAST OF WASHINGTON IV, INC., AND FIXING AN  
EFFECTIVE DATE.

The full text of this Ordinance will be mailed upon request.  
DATED this 21st day of May, 2014.

*Kylie Purves*

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KYLIE PURVES  
CITY CLERK