

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 1029**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO, APPROVING A
CABLE FRANCHISE AGREEMENT WITH COMCAST OF COLORADO IX,
LLC, LOCALLY KNOWN AS COMCAST, AND AUTHORIZING THE MAYOR
AND TOWN CLERK TO EXECUTE THE FRANCHISE AGREEMENT ON
BEHALF OF THE TOWN**

WHEREAS, the Board of Trustees is authorized to approve cable franchise agreements pursuant to the provisions of Article 2 of Chapter 5 of the *Mead Municipal Code* (“MMC”); and

WHEREAS, COMCAST OF COLORADO IX, LLC, a Delaware limited liability company (“Comcast”) has applied to the Town to secure a 10-year non-exclusive cable franchise; and

WHEREAS, the proposed Cable Franchise Agreement between the Town and Comcast is attached to this Ordinance as **Attachment A** and is incorporated herein by this reference (“Franchise”); and

WHEREAS, pursuant to public notice required by the MMC, the Board of Trustees of the Town of Mead (“Board”) conducted a public hearing on the Franchise on April 10, 2023; and

WHEREAS, the Board hereby finds that the public has had adequate notice and opportunity to comment upon the proposed Franchise; and

WHEREAS, the Board also finds that Comcast’s application or the terms of the Franchise evidence that: (a) Comcast has the financial, technical or legal qualifications to provide cable service; (b) Comcast will provide adequate public, educational and governmental access channel capacity, facilities, or financial support; and (c) the proposed terms of the Franchise comply with applicable federal, state and local laws and regulations; and

WHEREAS, the Board hereby finds that it would serve the public interest of the citizens of the Town of Mead to approve the proposed Franchise and therefore desires to delegate authority to the Mayor or Mayor Pro Tem to execute the Franchise when in final form, together with any letter agreements between the Town and Comcast setting forth terms that are in addition to the terms and conditions set forth in the Franchise.

NOW THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Mead, Weld County, Colorado, that:

Section 1. Recitals Incorporated. The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the Board of Trustees.

Section 2. Agreement Approved. The Board of Trustees hereby: (1) approves the non-exclusive cable franchise by and between the Town of Mead and Comcast of Colorado IX, LLC, pursuant to the terms and conditions set forth in the Franchise, which Franchise is attached hereto as **Attachment A** and incorporated herein by reference; (2) authorizes the Town Attorney, in consultation with the Town Manager, to make any non-material changes to the Franchise, or to the letter agreements referenced below, as may be necessary that do not increase the obligations of the Town; (3) authorizes the Mayor and Town

Clerk to execute the Franchise on behalf of the Town when in final form; and (4) authorizes the Mayor or Mayor Pro Tem to execute any letter agreements between the Town and Comcast setting forth terms that are in addition to the Franchise when in final form.

Section 3. Effective Date. This ordinance shall be published and become effective as provided by law.

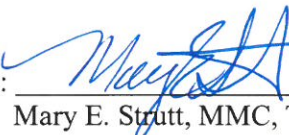
Section 4. Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the Ordinance. The Board of Trustees hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more part, section, subsection, sentence, clause or phrase is declared invalid.


Section 5. Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

Section 6. Certification. The Town Clerk shall certify to the passage of this ordinance and make not less than one copy of the adopted Code available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 10TH DAY OF APRIL, 2023.

ATTEST:

By: 
Mary E. Strutt, MMC, Town Clerk



TOWN OF MEAD:

By: 
Colleen G. Whitlow, Mayor

Attachment A
Cable Franchise Agreement
(COMCAST OF COLORADO IX, LLC)

(attached)