



## Legislation Text

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**File #:** Ordinance 31-2019, **Version:** 2

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Agenda Date: 01/21/2020

**Subject:**

Ordinance 31-2019: An ordinance on second reading granting the renewal of a non-exclusive franchise agreement for the use of city right-of-ways with Comcast

Prepared by: Kelli Narde, Director of Communications
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**PURPOSE:**

Approve second reading of the Comcast cable television franchise renewal.

**PRESENTATIONS:**

**Staff Presenter(s):** Reid Betzing, City Attorney; Kelli Narde, Director of Communications

**Additional Presenter(s):** Ken Fellman, Kissinger & Fellman

**SUMMARY:**

Littleton cable television subscribers have been served by Comcast since 2000. The 15-year franchise expired in October 2015 and needs to be renewed. Staff has been negotiating with Comcast for several years and is pleased to present a 10-year franchise for council consideration that will serve the needs of Littleton residents who chose to contract with Comcast.

**PRIOR ACTIONS OR DISCUSSIONS:**

The franchise has remained intact through a Letter of Agreement between the city and Comcast as negotiations proceeded. The city attorney and Ken Fellman have provided an Attorney Client Privileged document which provides background on the negotiations. A study session was held with Comcast and city council on December 10, 2019.

Approved on first reading by city council on December 17, 2019.

**ANALYSIS:**

Staff Analysis

Negotiations with Comcast have proceeded in a very productive manner over the last six months. Staff believes this franchise is in the best interest of current and future Littleton citizens who chose to contract with Comcast and does not believe this document can be subjected to additional negotiation.

Council Goal, Objective, and/or Guiding Principle

*Guiding Principle - Connected - Littleton will be an increasingly connected and accessible place.*

*City Council Goal 2 - Financial Sustainability*

Fiscal Impacts

Comcast compensates the city a 5% franchise fee for use of the public right of way to deliver its services. This amounts to approximately \$660,000 annually. In addition, Comcast passes through a .50 cent per subscriber/per month PEG fee as a capital contribution towards the purchase of equipment for Channel 8, approximately \$55,000 annually. Staff was able to negotiate an increase of .10 cents per subscriber/per month which will generate approximately \$10,000 more annually.

Alternatives

- Approve renewal of the Comcast cable franchise agreement for a 10-year term.
- Do not approve renewal of the Comcast cable franchise agreement and continue operating with a Letter of Agreement.
- Instruct staff to reopen negotiations on the Comcast cable franchise agreement.

**STAFF RECOMMENDATION:**

Staff recommends council approve renewal of the Comcast cable franchise.

**PROPOSED MOTION:**

I move to approve the ordinance granting the renewal of a non-exclusive franchise agreement for the use of city right-of-ways with Comcast.