

**CITY OF SNOHOMISH  
Snohomish, Washington**

**ORDINANCE 2065**

**AN ORDINANCE OF THE CITY OF SNOHOMISH, WASHINGTON  
EXTENDING THE CITY'S CURRENT CABLE FRANCHISE BY  
AMENDING SMC 5.08.070 TO ESTABLISH A NEW TERMINATION  
DATE AND BY AUTHORIZING THE CITY MANAGER TO EXECUTE  
AN ACKNOWLEDGEMENT OF EXTENSION OF CABLE FRANCHISE.**

**WHEREAS**, the City of Snohomish conferred a Franchise on Tele-View Systems, Inc. by Ordinance 1729 (the "Franchise"); and

**WHEREAS**, the Franchise, amended by Ordinance No. 1857 and Ordinance No. 2058, expires by its own terms on November 11, 2004; and

**WHEREAS**, in conjunction with the Franchise, the City of Snohomish has adopted provisions in its municipal code regulating said Franchise and also establishing the term of the Franchise; and

**WHEREAS**, the City of Snohomish, in conjunction with the other cities, issued a Request for Proposals for a new Franchise; and

**WHEREAS**, the response to the Request was rejected as non-responsive; and

**WHEREAS**, a new consultant and lead negotiator must be hired and a new proposal written; and

**NOW THEREFORE**, to provide continued service to the residents of the City and to provide an opportunity to secure a responsive proposal, it is hereby ordained by the City Council of the City of Snohomish as follows:

Section 1. The City Manager of the City of Snohomish is hereby authorized to execute that certain Acknowledgement of Extension of Franchise attached to this Ordinance as Attachment A.

Section 2. Snohomish Municipal Code Section 5.08.070 is amended to read as follows:

**5.08.070 Term**

This franchise or renewal and all rights, privileges, obligations, and restrictions pertaining thereto shall commence on the effective date of Ordinance 1729 (October 21, 1992) shall expire on June 1, 2005. Notwithstanding 5.08.100 relating to franchise renewal, negotiations for renewal of the franchise agreement shall commence in the year 2001.

Section 3. Should any provision of this Ordinance be declared unlawful, the remaining portions of this Ordinance shall remain fully lawful and in effect.

Section 4. This Ordinance shall become effective five days after publication as required by law.

PASSED by the City Council and APPROVED by the Mayor this 3<sup>rd</sup> day of November 2004.

CITY OF SNOHOMISH

By \_\_\_\_\_  
Liz Loomis, Mayor

ATTEST:

By \_\_\_\_\_  
Torchie Corey, City Clerk

APPROVED AS TO FORM:

By \_\_\_\_\_  
Grant K. Weed, City Attorney

**Attachment A**

**ACKNOWLEDGEMENT OF EXTENSION OF FRANCHISE**

This Acknowledgement of Extension of Franchise is made this 3<sup>rd</sup> day of November 2004 between Comcast of California/Colorado/Texas/Washington, Inc. ("Franchisee") and the City of Snohomish, Washington, a Washington Municipal Corporation ("City").

**Whereas**, City conferred a franchise on Tele-Vue Systems, Inc. by Ordinance 1729; and

**Whereas**, the Franchise, amended by Ordinance No. 1857 and Ordinance No. 2058, expires by its own terms on November 11, 2004; and

**Whereas**, by assignments the Franchise conferred is now held by franchisee; and

**Whereas**, the parties wish to agree to and acknowledge the continued effect of the Franchise until June 1, 2005;

**NOW THEREFORE**, franchisee and City acknowledge and agree as follows:

1. Term. That certain Franchise conferred by the City by Ordinance 1729 and modified by Ordinance 1857 and Ordinance No. 2058 is hereby acknowledged and agreed to be extended until June 1, 2005.
2. Ratification. All terms and conditions of the Franchise are hereby ratified and confirmed, except the provision for the duration of the franchise which is hereby acknowledged to be June 1, 2005.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2004

CITY OF SNOHOMISH

COMCAST OF CALIFORNIA/COLORADO/  
TEXAS/WASHINGTON, INC.

By: \_\_\_\_\_  
Larry Bauman, City Manager

By: \_\_\_\_\_  
Principal of Company, Title