



Legislation Details (With Text)

File #: 18-0022 **Version:** 2 **Name:**
Type: Ordinance **Status:** Mayor's Office
File created: 1/2/2018 **In control:** City Council
On agenda: 2/13/2018 **Final action:** 2/13/2018

Title: Ordinance No. 18-5 establishing the terms, fees, compensation, conditions and other matters relating to the granting of a cable franchise to Falcon Broadband, Inc. and approving a cable franchise agreement between Falcon Broadband, Inc. and the City of Colorado Springs

Presenter:
Bret Waters, Deputy Chief of Staff

Sponsors:

Indexes:

Code sections:

Attachments: 1. FalconBroadband-CableFranchiseAgreement-2017-12-19, 2. Ordinance Agreement, 3. Signed Ordinance 18-5

Date	Ver.	Action By	Action	Result
2/13/2018	2	City Council	finally passed	Pass
1/23/2018	1	City Council	approved on first reading	Pass
1/8/2018	1	City Council Work Session	referred	

Ordinance No. 18-5 establishing the terms, fees, compensation, conditions and other matters relating to the granting of a cable franchise to Falcon Broadband, Inc. and approving a cable franchise agreement between Falcon Broadband, Inc. and the City of Colorado Springs

Presenter:
Bret Waters, Deputy Chief of Staff

Summary:
The City of Colorado Springs currently has Franchise Agreements with Comcast, Century Link, and Falcon Broadband. Falcon Broadband has requested a renewal of its franchise with the City of Colorado Springs for the provision of cable television services within the City of Colorado Springs.

Previous Council Action:
N/A

Background:
In January 2007 the City of Colorado Springs granted a franchise to Falcon Broadband, Inc. ("Falcon Broadband") for the provision of cable television services within the City of Colorado Springs. Falcon Broadband has requested a renewal of its franchise with the City of Colorado Springs for the provision of cable television services within the City of Colorado Springs. The City of Colorado Springs has worked with Falcon Broadband to develop a Cable Franchise Agreement that contains

the material terms of the proposed franchise, including the terms, fees, compensation, conditions and other matters relating to the granting of the cable television franchise.

The proposed franchise fees, customer service standards, installation standards, and access channels align with those within the recently approved Comcast Franchise Agreement.

City Charter Section 10-30(a) provides that unless the terms, fees, compensation, conditions, or any other matter relating to the granting of franchises are set by the vote of the electorate, the City Council shall establish those terms by ordinance.

Financial Implications:

The franchise fees were previously negotiated and applicable to all cable franchisees with the City of Colorado Springs. Effective 1/1/2018, the franchise fee structure is adjusted to 3.5% of gross revenue in the first year (2018), increased to 4.5% of gross revenue in one year (2019), and increased to 5% of gross revenue in two years (2020).

Board/Commission Recommendation:

N/A

Stakeholder Process:

N/A

Alternatives:

N/A

Proposed Motion:

Move to approve an ordinance establishing the terms, fees, compensation, conditions and other matters relating to the granting of a Cable Franchise to Falcon Broadband, Inc. and approving a Cable Franchise Agreement between Falcon Broadband, Inc. and the City of Colorado Springs.

N/A