

VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL WORKSHOP
OCTOBER 13, 2009 AGENDA

SUBJECT:	TYPE:	SUBMITTED BY:
Extension of the Cable Television Franchise Agreement between the Village of Downers Grove and Comcast of Illinois IV. Inc.	✓ Resolution Ordinance Motion Discussion Only	Doug Kozlowski Communications Director

SYNOPSIS

A resolution has been prepared authorizing an extension of the Cable Television Franchise Agreement between the Village of Downers Grove and Comcast of Illinois IV, Inc., to February 3, 2010.

STRATEGIC PLAN ALIGNMENT

The Five Year Plan and Goals for 2009-2013 identifies Exceptional Municipal Organization. A supporting point related to that goal is *We Engage Our Citizens and Partner with Others to Make Downers Grove a Great Community*.

FISCAL IMPACT

N/A.

RECOMMENDATION

Approval on the October 20, 2009 consent agenda.

BACKGROUND

The current Cable Television Franchise Agreement by and between the Village and Comcast expired on August 3, 2009. Under the current agreement both parties may mutually agree to extend the Cable Television Franchise to a date certain pending completion of the renewal process. The process has been delayed, however, due to unforeseen staffing issues experienced by both parties.

To date, Village staff is awaiting Comcast's response to a red line draft delivered in July 2009. Village and Comcast personnel agree that a February 3, 2010 extension will provide adequate time to complete the Cable Television Franchise renewal process.

ATTACHMENTS

Resolution

Letter of agreement to extend the Cable Television Franchise

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING EXECUTION OF AN EXTENSION TO
THE CABLE TELEVISION FRANCHISE AGREEMENT**

BE IT RESOLVED by the Village Council of the Village of Downers Grove, DuPage County, Illinois, as follows:

1. That the form and substance of a certain Agreement (the “Agreement”), entitled “Nonexclusive Cable Television Franchise Agreement by and between Media One Acquisitions of North Illinois, Inc.” between the Village of Downers Grove (the “Village”) and Media One Acquisitions of North Illinois, Inc. now known as Comcast of Illinois IV, Inc. (the “Company”), for Village wide cable television services, is hereby extended, as set forth in the form of the Extension Agreement submitted to this meeting with the recommendation of the Village Manager, is hereby approved.

2. That the Mayor and Village Clerk are hereby respectively authorized and directed for and on behalf of the Village to execute, attest, seal and deliver the Extension Agreement, substantially in the form approved in the foregoing paragraph of this Resolution, together with such changes as the Manager shall deem necessary.

3. That the proper officials, agents and employees of the Village are hereby authorized and directed to take such further action as they may deem necessary or appropriate to perform all obligations and commitments of the Village in accordance with the provisions of the Extension Agreement.

4. That all resolutions or parts of resolutions in conflict with the provisions of this Resolution are hereby repealed.

5. That this Resolution shall be in full force and effect from and after its passage as provided by law.

Mayor

Passed:

Attest: _____
Village Clerk

**CABLE TELEVISION FRANCHISE AGREEMENT
EXTENSION**

The undersigned parties agree to extend the term of that certain Cable Television Franchise Agreement, as amended, by and between the Village of Downers Grove and Comcast of Illinois IV, Inc., from its present expiration date of August 3, 2009 to February 3, 2010. The parties agree that each and all of the remaining terms, obligations and conditions of such Cable Television Franchise Agreement, as amended, shall remain intact and in effect in all respects, except to the extent such provisions have been preempted or superseded by applicable federal and state law and regulation.

Village of Downers Grove

Comcast of Illinois IV, Inc.

By: _____

By: _____

Print Name: _____

Print Name: _____

ATTEST:

By: _____
(Name, Title)