

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Mary Scrimsher	<i>MS</i>	11/20/95	RECEIVED DEC 8 6 1995 WHATCOM COUNTY COUNCIL	December 12 introduction	Council Introduction
Division Head:				1/2/96	Council
Dept. Head: Jeff Monsen	<i>JM</i>	11/21			
Prosecutor: Randall J. Watts	<i>RJW</i>	11/21/95			
Purchasing/Budget:					
Executive:	<i>JG</i>	12/1/95			

SUBJECT:

EXTENSION OF TCI INC. CABLEVISION FRANCHISE AGREEMENT FOR A PERIOD SET BY THE COUNTY COUNCIL OR UNTIL A REPLACEMENT ORDINANCE IS IN PLACE.

ATTACHMENTS:

- One year Extension Ordinance 94-050
- Four month Extension Ordinance 95-039

SUMMARY STATEMENT: The TCI negotiations were finalized and a draft Franchise was presented to the City of Bellingham and the Whatcom County Councils at a joint City/County Public Hearing November 14, 1995. The Councils decided to accept written comment until November 22, 1995 and allow reasonable time for the Advisory Committee and the Councils to address the comments. An extension of the ordinance is necessary to complete this process.

Please complete sections of box as appropriate & explain the item below.

Related County contract #:	Should Clerk schedule a hearing? NO / <u> </u> / YES / Requested date:
Amount budgeted for this item/project:	Is it (or will it be) within budget? YES / <u>X</u> / NO / <u> </u> / (Please explain below)
Budget line item number(s):	

ORIGINATOR'S RECOMMENDED ACTION:

Extend the original Franchise and re-schedule a new Hearing date to address the written public comments.

COMMITTEE ACTION TAKEN:

COUNCIL ACTION TAKEN:

1995-307-B
 12/12/95: Introduced
 1/2/96: Adopted as amended 7 - 0. Ord. #96-003

Related File Numbers:

Ordinance or Resolution Number (this item only):

Ord. # 96-003

SPONSORD BY: Consent

PROPOSED BY: Consent

INTRODUCTION DATE: 12/12/95

ORDINANCE NO. 96-003

AN ORDINANCE AMENDING ORDINANCE NO. 84-60 DATED JULY 5, 1984, AN ORDINANCE IN THE MATTER OF GRANTING A NON-EXCLUSIVE FRANCHISE TO NATION WIDE CABLEVISION, INC., FOR A PERIOD OF 10 YEARS PURSUANT TO STATE LAW AND SECTION 9.30 OF THE WHATCOM COUNTY HOME RULE CHARTER, TO OPERATE AND MAINTAIN A CABLE COMMUNICATION SYSTEM WITHIN THE UNINCORPORATED AREAS OF WHATCOM COUNTY, FOR THE PURPOSE OF EXTENDING TERM OF THE ORDINANCE FOR A PERIOD OF FOUR MONTHS TO May 2, 1996 OR UNTIL SUCH TIME AS A NEW ORDINANCE IS IN PLACE.

WHEREAS, the Whatcom County Council did adopt Ordinance No. 84-60 on the 5th day of July, 1984; and

WHEREAS, said ordinance granted a non-exclusive franchise to Nation Wide Cablevision, Inc. for a period of ten years, and

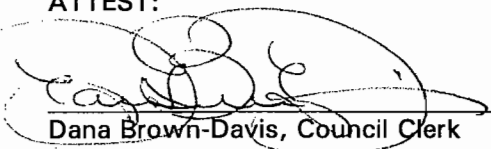
WHEREAS, Nation Wide Cablevision, Inc., changed the name of the company to **TCI Cablevision of Washington, Inc.** and continued to operate the same system under the existing franchise, and

WHEREAS, the draft franchise was presented at a joint Public Hearing between the City of Bellingham and Whatcom County November 14, 1995. A decision was made to accept written public comment until November 22, 1995 and to allow reasonable time for review and to make a determination. The current extension is due to expire December 24, 1995.

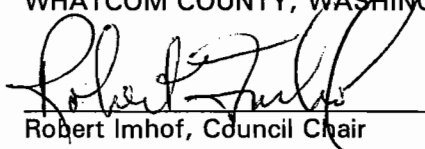
NOW, THEREFORE, BE IT ORDAINED that the Whatcom County Council hereby renews Ordinance No. 84-60 and extends the term of Ordinance No. 84-60 for a period of four (4) months to May 2, 1996, or until a new Franchise Agreement is entered into between the parties, whichever shall first occur.

ADOPTED this 2 day of January, 1996.

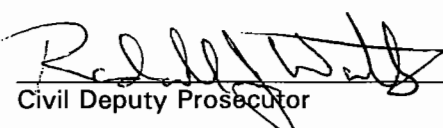
ATTEST:


Dana Brown-Davis, Council Clerk

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON


Robert Imhof, Council Chair

APPROVED AS TO FORM:


Civil Deputy Prosecutor

Approved Denied


Shirley Van Zanten, Executive

Date: 1-5-96