



MAYOR AND COUNCIL

COUNCIL RESOLUTION NO. 2023-11

A RESOLUTION OF THE CITY OF DOVER AUTHORIZING EXECUTION OF A CABLE FRANCHISE AGREEMENT BETWEEN THE CITY AND VERIZON DELAWARE LLC

WHEREAS, the Franchisee is a “cable operator” and the City is a “local franchising authority” in accordance with Title VI of the Communications Act (see 47 U.S.C. § 522(5), (10)) and the City is authorized to grant one or more nonexclusive cable franchises to operate a Cable System within the City pursuant to Title VI of the Communications Act;

WHEREAS, the City previously granted to the Franchisee a nonexclusive initial Franchise to install, maintain, extend, and operate a Cable System in the City and such Franchise has expired (the “Initial Franchise”);

WHEREAS, the Franchisee has operated a Cable System in accordance with the Initial Franchise as of the Effective Date on its existing Telecommunications Facilities consisting of a Fiber to the Premises Telecommunications Network (“FTTP Network”) in the City which also transmits Non-Cable Services pursuant to authority granted by applicable state law and Title II of the Communications Act, and which are not subject to Title VI of the Communications Act or this Agreement;

WHEREAS, the Franchisee has requested that the City renew the Franchisee’s Franchise to provide Cable Service to residents of the City;

WHEREAS, pursuant to and in accordance with applicable federal and state law, the City undertook a process to determine whether it should renew the Initial Franchise and the terms for such a renewal;

WHEREAS, the City has examined the past performance of the Franchisee and has identified the City’s future cable-related needs and interests;

WHEREAS, following good faith negotiations between the parties, the City and the Franchisee have agreed on the terms for a Franchise Renewal Agreement under which the Franchisee will continue to operate its Cable System in the City; and

WHEREAS, the City has determined that this Agreement and the process for consideration of this Agreement complies with all applicable federal, state, and local laws and regulations.

NOW THEREFORE, BE IT RESOLVED that the Dover City Council does hereby approve the cable franchise agreement negotiated with the Franchisee, including all of the terms and conditions contained therein, and does hereby authorize the execution of such agreement.

ADOPTED: August 14, 2023



ROBIN R. CHRISTIANSEN
MAYOR



WILLIAM F. HARE
COUNCIL PRESIDENT

Actions History

07/25/2023 – Introduction - Legislative, Finance, and Administration Committee

08/14/2023 – City Council