

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2000 Legislative Session

Bill No. CB-43-2000
 Chapter No. 83
 Proposed and Presented by The Chairman (by request – County Executive)
 Introduced by Council Member Bailey
 Co-Sponsors _____
 Date of Introduction October 24, 2000

BILL

1 AN ACT concerning

2 Cable Television

3 For the purpose of granting a cable franchise for the operation of a cable television system in
 4 Prince George's County, Maryland by prescribing certain terms and conditions to be included in
 5 a franchise agreement.

6 WHEREAS, pursuant to Section 5A-103 of the Prince George's County Cable
 7 Communications Regulatory Code (“Cable Ordinance”), the County Council shall grant
 8 franchises for the operation of cable television systems within the County pursuant to applicable
 9 law; and

10 WHEREAS, according to Section 5A-103 of the Cable Ordinance, the County may grant
 11 one or more cable franchises for the County or designated areas therein; and

12 WHEREAS, pursuant to Section 5A-104 of the Cable Ordinance, Starpower
 13 Communications, L.L.C. (the “franchisee”) has filed a written application with the County for
 14 the grant of an initial franchise to construct, install, operate and maintain a cable television
 15 system within the County; and

16 WHEREAS, the franchisee and the County have agreed pursuant to applicable law, on the
 17 terms and conditions of a new franchise agreement (“Franchise Agreement”), substantially in a
 18 form attached hereto and incorporated by reference as Attachment A; and

19 WHEREAS, pursuant to Section 5A-119(d) of the Cable Ordinance, the Prince George's
 20 County Cable Television Commission (“Cable Television Commission”) has evaluated and
 21 reviewed the financial, technical, legal, and character qualifications of Starpower

1 Communications, L.L.C., and forwarded its recommendation to the County Council (see
2 Attachment B); and

3 WHEREAS, upon a review of the Franchise Agreement between Starpower
4 Communications L.L.C. and the County authorizing an initial franchise to operate a cable
5 television system in the County, and based upon the recommendation of the Cable Television
6 Commission in regard thereto, the County Council has determined that Starpower
7 Communications, L.L.C., is qualified to best serve the public interest of the community and to
8 meet the needs of the citizens of Prince George's County; and

9 WHEREAS, Section 5A-103 of the Cable Ordinance requires that the grant of a franchise
10 for the operation of a cable television system within the public rights-of-way of the County shall
11 be made by legislative act; now, therefore,

12 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
13 Maryland, that the non-exclusive right to construct and operate a cable television system along
14 the public rights-of-way of the County within the designated areas of the County as described in
15 the Franchise Agreement between Starpower Communications, L.L.C. and the County, is hereby
16 granted to Starpower Communications, L.L.C., a Delaware limited liability company.

17 SECTION 2. BE IT FURTHER ENACTED that the franchise granted under this Act shall
18 be subject to Subtitle 5A of the Prince George's County Code, the Prince George's County Cable
19 Communications Regulatory Code, and shall be subject to the terms and conditions of the
20 Franchise Agreement to the extent that the franchisee has to meet the requirements and provide
21 such services.

22 SECTION 3. BE IT FURTHER ENACTED that the County Executive is hereby
23 authorized and directed to enter into the Franchise Agreement with the franchisee evidencing the
24 grant of the franchise under this Act and the franchisee's acceptance of the same. The Franchise
25 Agreement shall bind the franchisee to fulfill the requirements set forth in the Franchise
26 Agreement.

27 SECTION 4. BE IT FURTHER ENACTED that the County Executive is hereby
28 authorized, empowered and directed to make any modifications, deletions, corrections or other
29 changes to complete any further negotiations on the Franchise Agreement in any manner in
30 which the County Executive may deem necessary to complete the transaction but not altering the
31 substance of the Franchise Agreement.

1 SECTION 5. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)
2 calendar days after it becomes law.

Adopted this 21st day of November, 2000.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Dorothy F. Bailey
Chair

ATTEST:

Joyce T. Sweeney
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Wayne K. Curry
County Executive

Attachments A and B available in hard copy only