

**TOWN OF FRISCO
COUNTY OF SUMMIT
STATE OF COLORADO
ORDINANCE 23-25**

AN ORDINANCE APPROVING A SERVICE AGREEMENT WITH, AND GRANT OF EASEMENT TO, COMCAST CABLE COMMUNICATIONS MANAGEMENT, LLC, EACH IN CONNECTION WITH THE PROVISION OF WIRING FOR CABLE TELEVISION AND INTERNET SERVICE AT THE GRANITE PARK HOUSING PROJECT.

WHEREAS, under Colorado Revised Statutes (“C.R.S.”) section 31-15-713, and the Town of Frisco Home Rule Charter, the Town has the authority to convey interests in real estate, by ordinance, upon such terms and conditions as the Town Council may determine at a regular or special meeting; and

WHEREAS, the Town Council finds that an agreement with Comcast Cable Communications, LLC, (“Comcast”) and the grant of an easement to Comcast, is desirable in order to provide the future residents of the Granite Park housing project the option to purchase television and/or internet service from Comcast.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FRISCO, COLORADO THAT:

Section 1. Agreement and Grant of Easement Authorized. The attached Xfinity Communications Service Agreement (“Service Agreement”), and the Grant of Easement attached thereto, by and between the Town of Frisco and Comcast Cable Communications, LLC, is hereby approved. The Mayor and the Town Clerk are hereby authorized to execute the Service Agreement and Grant of Easement, and any and all other documents that may be necessary or desirable to effectuate the terms thereof.

Section 2. Severability. If any section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The Town Council hereby declares that it would have adopted this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3. Safety Clause. The Town Council hereby finds, determines, and declares that this ordinance is promulgated under the general police power of the Town, that it is promulgated for the health, safety, and/or welfare of the public, that this ordinance is necessary for the preservation of health and safety or for the protection of public convenience and welfare, and that this ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 4. Repeal. All other ordinances or portions thereof inconsistent or conflicting with this Ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 5. Effective Date. This ordinance shall take effect pursuant to the Home Rule Charter of the Town of Frisco, Colorado.

INTRODUCED, PASSED ON FIRST READING AND PUBLICATION AND POSTING ORDERED THIS TWELFTH DAY OF SEPTEMBER, 2023.

ADOPTED ON SECOND AND FINAL READING AND PUBLICATION BY TITLE ORDERED THIS TWENTY-SIXTH DAY OF SEPTEMBER, 2023.

TOWN OF FRISCO, COLORADO

Hunter Mortensen, Mayor

Attest:

Stacey Nell, Town Clerk