



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		April 11, 2011		
Department:		Customer and Utility Services		
Department Head		Mark D. Israelson		
Agenda Coordinator (include phone #): Nancy Rodriguez #7510				
CAPTION				
To repeal Appendix B—Cable Television Franchise of the Code of Ordinances of the City of Plano, Texas to repeal Ordinance No. 83-7-8 granting a franchise to Telecable of Plano, Inc., its successors or assigns, to own and operate and maintain a cable communications system in the City of Plano, Texas; setting forth conditions accompanying the grant of franchise; providing for the regulation and use of said system; and providing an effective date.				
FINANCIAL SUMMARY				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: 2010-11	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(S):				
COMMENTS: This item has no fiscal impact. STRATEGIC PLAN GOAL: Repealing expired ordinances relates to the City's Goal of Financially Strong City with Service Excellence.				
SUMMARY OF ITEM				
The original franchise with the City of Plano expired on 12/31/2010. It became Appendix "B" in the Code of Ordinances and needs to be removed. By repealing Ordinance No. 83-7-8, Appendix "B" will be removed.				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	

To repeal Appendix B—Cable Television Franchise of the Code of Ordinances of the City of Plano, Texas to repeal Ordinance No. 83-7-8 granting a franchise to Telecable of Plano, Inc., its successors or assigns, to own and operate and maintain a cable communications system in the City of Plano, Texas; setting forth conditions accompanying the grant of franchise; providing for the regulation and use of said system; and providing an effective date.

WHEREAS, the City Council adopted Ordinance No. 83-7-8 on July 11, 1983, codified as Appendix B-Cable Television Franchise, awarding a cable television franchise to TeleCable of Plano, Inc., for the operation and maintenance of a cable communication system; and

WHEREAS, on September 1, 2005, the Texas State Legislature adopted Senate Bill 5 which established a state issued cable and video service franchise through the Public Utility Commission of Texas; thereby eliminating the franchising authority of local municipalities; and

WHEREAS, on December 31, 2010, the City of Plano cable television franchise with Time Warner Cable expired and therefore Ordinance No. 83-7-8 should be repealed.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. The City Council hereby repeals Ordinance No. 83-7-8.

Section II. This Ordinance shall become effective immediately upon its passage and publication as required by law.

DULY PASSED AND APPROVED this the 11th day of April, 2011.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY