

AN ORDINANCE NO. 21-21

To grant a non-exclusive franchise to Verizon Virginia LLC to operate a telecommunications system in the City of Colonial Heights, Virginia and to approve a Telecommunications Franchise Agreement.

WHEREAS, on November 14, 1989, the City Council approved Ordinance No. 89-43 on second reading, granting a non-exclusive franchise to Chesapeake and Potomac Telephone Company of Virginia to operate a telephone system in the City of Colonial Heights; and

WHEREAS, Verizon Virginia LLC (hereafter, "Verizon") eventually replaced Chesapeake and Potomac Telephone Company of Virginia as the telephone system's owner and operator; and

WHEREAS, the franchise needs to be renewed; and Verizon desires to enter into a new franchise agreement with the City; and

WHEREAS, City and Verizon representatives have negotiated a new Telecommunications Franchise Agreement and have requested that the City Council approve the Agreement; and

WHEREAS, the City Council duly advertised its desire to receive bids, before or during the Council meeting beginning at 7:00 p.m., on December 14, 2021, from any person or entity interested in operating a telecommunications franchise in the City; and

WHEREAS, at the December 14, 2021 City Council meeting, Council's presiding officer summarized the bid from Verizon, inquired if any other bids were being offered, noted that no other bids were offered, declared the bidding closed, and received the staff's recommendation on the Verizon bid; and

WHEREAS, the Council properly gave notice of a public hearing on this Ordinance and the approval of one or more telecommunications franchises in the City and held such a public hearing; and

WHEREAS, the Council believes that it is appropriate to renew Verizon's franchise; NOW, THEREFORE, THE CITY OF COLONIAL HEIGHTS HEREBY ORDAINS as follows:

1. Verizon's bid is accepted; Verizon is awarded a 15 year non-exclusive franchise; and "A Franchise Agreement Between The City Of Colonial Heights, Virginia And Verizon Virginia LLC Allowing Verizon To Operate A Telecommunications System Within The City" (hereafter, the "Agreement") is approved, subject to Verizon's timely furnishing of the surety required by paragraph 29 of the Agreement.

2. Pursuant to Virginia Code Section 15.2-2101, Verizon shall reimburse the City its cost for advertising in a newspaper the invitation for bids and the public hearing.

3. A copy of the Agreement is attached to and made a part of this Ordinance.

4. The City Manager is authorized and directed to execute the Agreement, and the City Attorney shall approve it as to form.

5. This Ordinance shall be effective upon its approval on second reading.

Approved:

Mayor

Attest:

City Clerk

I certify that the above ordinance was:

Adopted on its first reading on _____.

Ayes: _____ Nays: _____ Absent: _____ Abstain: _____

The Honorable Michael A. Cherry, Councilman: _____

The Honorable John E. Piotrowski, Councilman: _____

The Honorable Dr. Laura F. Poe, Councilwoman: _____

The Honorable Robert W. Wade, Councilman: _____

The Honorable John T. Wood, Councilman: _____

The Honorable Elizabeth G. Luck, Vice Mayor: _____

The Honorable T. Gregory Kochuba, Mayor: _____

Adopted on its second reading on _____.

Ayes: _____ Nays: _____ Absent: _____ Abstain: _____

The Honorable Kenneth B. Frenier, Councilman: _____

The Honorable John E. Piotrowski, Councilman: _____

The Honorable Dr. Laura F. Poe, Councilwoman: _____

The Honorable Robert W. Wade, Councilman: _____

The Honorable John T. Wood, Councilman: _____

The Honorable Elizabeth G. Luck, Vice Mayor: _____

The Honorable T. Gregory Kochuba, Mayor: _____

City Clerk

Approved as to form:

City Attorney