

**CITY OF DELTA, COLORADO  
ORDINANCE NO. 1, 2023**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DELTA  
REGARDING THE RENEWAL OF CHARTER COMMUNICATIONS' CATV PERMIT

WHEREAS, the City of Delta (“City”) is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution and the Delta Home Rule Charter (“Charter”), as amended, and pursuant to Section 3, Article I of the Charter, the City has all the power of local self-government and home rule and all power possible for a municipality to have under the Constitution and laws of the State of Colorado; and

WHEREAS, Article X of the Charter outlines the requirements for franchises and requires that any renewal of a franchise be approved by ordinance;

WHEREAS, Charter Communications, Inc. (“Charter Communications”), principal of Spectrum Pacific West, LLC, currently holds a Cable Television System Permit (the “Permit”), which Permit has been renewed through 2023;

WHEREAS, Charter Communications has submitted an informal request to renew the Permit for a 10-year term, through October 4, 2032; and

WHEREAS, the City Council has reviewed the request pursuant to Chapter 12.20 of the Delta Municipal Code; and

WHEREAS, the City Council hereby approves a renewal of the Permit as follows.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DELTA, COLORADO:

1. Recitals. The foregoing recitals are incorporated herein as findings and determinations of the City Council.
2. Waiver of Application Requirements. The City Council hereby waives the requirements of section 12.20.060(A) of the Code concerning Charter’s application.
3. Variations Granted. The City Council hereby grants to Charter variations of the requirements of Chapter 12.20 as set forth in Exhibit A of the CATV Permit Renewal Agreement, attached hereto as Exhibit 1 and incorporated herein by reference.
4. Extension of Permit. The City Council hereby renews the Permit for an additional 10 years, through October 4, 2032, subject to the variations set forth herein. The City Council also hereby approves the CATV Permit Renewal Agreement, attached hereto as Exhibit 1, subject to minor edits made by City staff.

5. Effective Date. This Ordinance shall become effective thirty (30) days after final passage and publication pursuant to Section 19(c) of the Charter.

INTRODUCED on January 3, 2023, at which time copies were available to the Council and to those persons in attendance at the meeting, read by title, passed on first reading, and ordered published as required by the Charter.

CITY OF DELTA, COLORADO

By: /s/ Kevin Carlson  
Mayor

ATTEST:

/s/ Jolene E. Nelson  
City Clerk

INTRODUCED a second time at a meeting of the City Council on January 17, 2023, read by title and number, passed, approved, and ordered published as required by the Charter.

CITY OF DELTA, COLORADO

By: /s/ Kevin Carlson  
Mayor

ATTEST:

/s/ Jolene E. Nelson  
City Clerk

Exhibit 1