

RESOLUTION 745 - 2017

A RESOLUTION ACCEPTING THE BID OF CMN-RUS, INC, IN ACCORDANCE WITH THE PROVISIONS OF ORDINANCE NO. 169-2017, CREATING AND OFFERING FOR SALE A TEN (10) YEAR FRANCHISE FOR THE OPERATION OF A NON-EXCLUSIVE CABLE TELEVISION SYSTEM IN FAYETTE COUNTY, AND AUTHORIZING THE MAYOR, ON BEHALF OF THE URBAN COUNTY GOVERNMENT, TO EXECUTE A FRANCHISE AGREEMENT WITH CMN-RUS, INC, INCORPORATING THE TERMS AND CONDITIONS OF ORDINANCE NO. 169-2017.

WHEREAS, by Ordinance No. 169-2017 adopted November 16, 2017, the Lexington-Fayette Urban County Government ("Lexington") created a ten (10) year, non-exclusive franchise for a cable television system within the confines of Lexington; and

WHEREAS, by Invitation to Bid 171-2017, Lexington offered at bid a non-exclusive cable television franchise pursuant to Ordinance No. 169-2017; and

WHEREAS, after publication of said advertisement on November 17, 2017, Lexington received a bid from CMN-RUS, Inc.

NOW, THEREFORE, BE IT RESOLVED BY THE LEXINGTON-FAYETTE URBAN COUNTY COUNCIL:

Section 1 - That a ten (10) year, non-exclusive cable television franchise created by Ordinance No. 169-2017 be and hereby is awarded to CMN-RUS, Inc.

Section 2 - That all prior ordinances, or resolutions, or parts thereof in conflict herewith, are to the extent of such conflict, hereby repealed.

Section 3 - That the Mayor, on behalf of the Lexington-Fayette Urban County Government, be and hereby is authorized to execute the Franchise Agreement, which is attached hereto and incorporated herein by reference, which memorializes the award of said franchise and incorporates the terms and conditions reflected in Ordinance No. 169-2017 and this Resolution.

Section 4 - That the statements set forth in the Preamble to this Resolution are hereby incorporated in this Resolution by reference, the same as if set forth at length herein.

Section 5 - That if any section, sentence, clause or phrase of this Resolution is held to be unconstitutional or otherwise invalid, such infirmity shall not affect the validity of the remainder of the Resolution.

Section 6 - That this Resolution shall be effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: December 7, 2017

MAYOR

A handwritten signature in black ink, appearing to read "Jim Gray", written over a horizontal line.

ATTEST:

A handwritten signature in black ink, appearing to read "Matthew Moller", written over a horizontal line.

CLERK OF URBAN COUNTY COUNCIL
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