AN ORDINANCE introduced by City Manager Neil Dobler adopting a one year extension of the franchise for Southwestern Bell Telephone L.P. f/k/a Southwestern Bell Telephone Company.

WHEREAS, City of Topeka (City) and Southwestern Bell Telephone L.P. f/k/a Southwestern Bell Telephone Company (SBC) currently have a non-exclusive franchise pursuant to City of Topeka Ordinance No. 15535 for placement and operation of telecommunications utilities and facilities in the rights-of-way of the City of Topeka; and

WHEREAS, the current franchise expires on December 31, 2005; and

WHEREAS, insufficient time exists to be able to negotiate a new franchise agreement between the parties and get it adopted prior to the expiration of the current franchise.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. The terms and conditions of the City and SBC franchise agreement pursuant to City of Topeka Ordinance No. 15535 be extended up until December 31, 2006 or until a new franchise agreement is negotiated and approved by the City Council, whichever occurs first.

Section 2. City Manager is specifically authorized to execute the Extension Agreement between City and SBC to extend the franchise for the term specified in this Ordinance.

Section 3. This Ordinance shall take effect and be in force from and after its passage, approval and publication in the official city newspaper.