

RESOLUTION NO. 2501

A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING THE CITY MANAGER TO SIGN A FRANCHISE EXTENSION AGREEMENT WITH COMCAST, EXTENDING THE TERM OF THE CURRENT COMCAST CABLE FRANCHISE TO JANUARY 31, 2016

WHEREAS, the Comcast Cable Franchise, effective February 1, 1999, expired on January 31, 2014; and

WHEREAS, the City required more time to complete the required ascertainment process and franchise negotiations than would be afforded by that current expiration date and therefore extended the contract to January 31, 2015; and

WHEREAS, the City and Comcast require additional time to complete the foregoing negotiations than would be afforded by the current extension and therefore wish to extend the contract to January 31, 2016 to ensure sufficient time to complete the ongoing negotiations;

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

1. The City Manager is authorized to sign the Second Franchise Extension Agreement with Comcast, extending the term of the cable franchise to January 31, 2016, a copy of which is marked **Exhibit A**, attached hereto and incorporated by reference as if fully set forth herein.
2. This resolution is effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 1st day of December, 2014, and filed with the Wilsonville City Recorder this date.

Tim Knapp, Mayor

ATTEST:

Sandra C. King, MMC, City Recorder

SUMMARY OF VOTES:

Mayor Knapp	Yes
Council President Starr	Yes
Councilor Goddard	Yes
Councilor Fitzgerald	Yes
Councilor Stevens	Yes

Attachments:

Exhibit A – Second Franchise Extension Agreement

**SECOND FRANCHISE EXTENSION AGREEMENT
for the
City of Wilsonville/Comcast Cable Franchise Agreement**

WHEREAS, Comcast of California/Colorado/Florida/Oregon, Inc. (“Comcast”) currently holds a cable franchise with the City of Wilsonville (“City”), with an effective date of February 1, 1999 and expiration date of January 31, 2014 (“City Franchise”); and

WHEREAS, by letter dated March 8, 2011, Comcast initiated the renewal process under Section 626 of the Cable Act and reserved its statutory rights related thereto; and

WHEREAS, by letter dated August 23, 2013, the City confirmed continuing to proceed with informal negotiations; and

WHEREAS, the City and Comcast determined that it is in both parties’ best interests to extend the term of the City Franchise from January 31, 2014 through January 31, 2015 and entered into an Extension Agreement to that effect; and

WHEREAS, the City and Comcast have now determined that it is in both parties’ best interests to further extend the term of the City Franchise to January 31, 2016 to allow additional time for negotiations.

NOW, THEREFORE, the City and Comcast agree as follows:

1. The City Franchise extended to January 31, 2015 shall be further extended to January 31, 2016.
2. All provisions of the City Franchise, other than the duration of the City Franchise as set forth in Section 2.3, shall remain in full force and effect through the extended date set forth herein.
3. The City and Comcast agree that execution of this extension does not waive any rights that either party has under Section 626 of the Cable Act.

ACCEPTED this ____ day of _____, 2014:

ACCEPTED this ____ day of _____, 2014:

Comcast of California/Colorado/Florida/Oregon, Inc.

City of Wilsonville

By: _____

By: _____

Bryan Cosgrove, City Manager

Print Name: _____

Title: _____