

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO. 14 - 54

A RESOLUTION EXTENDING THE TERM OF THE CABLE TELEVISION SERVICES AGREEMENT WITH COMCAST OF OREGON II, INC. TO ENABLE THE METROPOLITAN AREA COMMUNICATIONS COMMISSION TO COMPLETE THE FORMAL RENEWAL PROCESS

WHEREAS, the Metropolitan Area Communications Commission, hereinafter "MACC," is an intergovernmental cooperation commission formed by Intergovernmental Agreement ("IGA") under ORS Chapter 190, with Washington County and the cities of Banks, Beaverton, Cornelius, Durham, Forest Grove, Gaston, Hillsboro, King City, Lake Oswego, North Plains, Rivergrove, Tigard, Tualatin and West Linn as members ("Member Jurisdictions"); and

WHEREAS, the IGA contemplates that MACC and its Member Jurisdictions may grant one or more nonexclusive cable franchise agreements to construct, operate, and maintain a cable service system within the combined boundaries of the Member Jurisdictions; and

WHEREAS, on February 1, 1999, MACC and its Member Jurisdictions at that time, granted nonexclusive cable franchise agreements ("Comcast Franchises") which are now held by Comcast of Oregon II, Inc. ("Comcast"); and

WHEREAS, on March 9, 2011, Comcast requested that the Comcast Franchises be renewed; and

WHEREAS, the IGA authorizes MACC to process Comcast's renewal request on behalf of the Member Jurisdictions, including informal negotiations as set forth in 47 U.S.C. 546 (h) and the formal renewal process set forth in 47 U.S.C. 546 (a)-(g); and

WHEREAS, in its letter of April 5, 2011, MACC properly responded to Comcast's request for renewal of the Comcast Franchises and thereafter commenced the franchise renewal process set forth in federal law at 47 U.S.C. 546; and

WHEREAS, on January 24, 2013, MACC directed staff to begin informal franchise renewal negotiations with Comcast, as set forth in 47 U.S.C. 546 (h), which informal negotiations began in February 2013; and

WHEREAS, on November 22, 2013, the MACC Executive Committee directed MACC staff to begin the formal renewal process set forth in 47 U.S.C. 546 (a-g), which direction the MACC Board of Commissioners ratified by Resolution 2013-08 on December 11, 2013; and

WHEREAS, the Member Jurisdictions previously agreed to extend the term of Comcast Franchises to December 31, 2014, to provide time for MACC to process Comcast's franchise proposal under the formal process rules prior to expiration of the Comcast Franchises; and

WHEREAS, on October 9, 2014, the MACC Commission adopted Resolution 2014-03, recommending that Member Jurisdictions extend the Comcast Franchises to June 30, 2015, to allow MACC and Comcast additional time to complete the formal renewal process; and

WHEREAS, Comcast has agreed to execute extension agreements with each Member Jurisdiction;
and

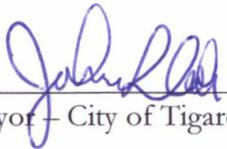
WHEREAS, the City of Tigard finds that it is in the best interest of the City and its residents to
extend the term of the Comcast Franchise to allow MACC to complete the formal renewal process.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

Section 1: The Mayor is hereby authorized to execute the extension agreement with Comcast
substantially in the form attached hereto as Exhibit A to allow MACC to complete
the formal renewal process set forth in 47 U.S.C. 546 (a)-(g).

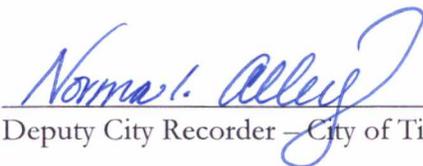
Section 2: This resolution shall be effective from and after its adoption.

PASSED: This 9th day of December, 2014.



Mayor - City of Tigard

ATTEST:



Deputy City Recorder - City of Tigard