

# CITY OF BROOKINGS

## RESOLUTION 12-R-975

**A RESOLUTION OF THE CITY OF BROOKINGS EXTENDING THE FRANCHISE AGREEMENT WITH FALCON CABLE SYSTEM COMPANY II, L.P., D.B.A. CHARTER COMMUNICATIONS, TO FEBRUARY 28, 2013, OR UNTIL A NEW FRANCHISE AGREEMENT IS NEGOTIATED, WHICHEVER COMES FIRST, AND REPEALING RESOLUTION 11-R-951 IN ITS ENTIRETY.**

**WHEREAS**, Falcon Cable System Company II, L.P., d.b.a. Charter Communications (Charter) currently holds a ten-year cable franchise with the City of Brookings, (City) Oregon, granted by Ordinance No. 00-O-539, (Franchise) on August 21, 2000 and amended by Ordinance No. 03-O-539 on July 28, 2003; and

**WHEREAS**, Charter's Franchise with the City expires on August 22, 2010; and

**WHEREAS**, the City and Charter have begun informal negotiations in accordance with Section 626(h) of Title VI of the Communications Act of 1934, as amended and the parties continue to reserve all rights under the formal procedures of Section 626 of Title VI of the Communications Act of 1934, as amended, and do not waive any rights related thereto; and

**WHEREAS**, the agreement was last extended to November 30, 2011 under Resolution 11-R-951; and

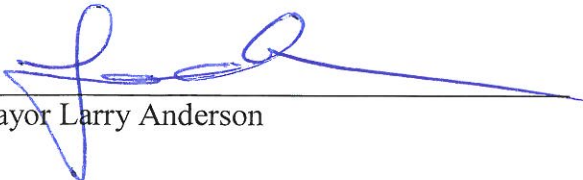
**WHEREAS**, Charter has requested that the City further extend the existing franchise agreement to February 28, 2013 while franchise negotiations continue; and

**WHEREAS**, it is in the public interest to further extend the current Franchise for an additional period of time so that cable service to the public will not be interrupted;

**NOW, THEREFORE**, the City of Brookings hereby resolves to extend the Franchise Agreement with Charter through February 28, 2013, or until a new Franchise Agreement is negotiated, whichever comes first; and

**BE IT FURTHER RESOLVED**, that the Mayor of the City of Brookings is authorized to sign the attached Franchise Extension Agreement and that Resolution 11-R-951 is hereby repealed in its entirety.

PASSED by the City Council of the City of Brookings, February 27, 2012; effective the same date.

  
\_\_\_\_\_  
Mayor Larry Anderson

Attested by:

  
\_\_\_\_\_  
City Recorder Joyce Heffington

**FRANCHISE EXTENSION AGREEMENT  
CITY OF BROOKINGS, OREGON**

WHEREAS, Falcon Telecable, a California Limited Partnership, locally known as Charter Communications ("Charter") currently holds a cable franchise with the City of Brookings, Oregon ("City"), granted by Ordinance No. 00-0-539 ("Franchise") on August 22, 2000 and amended by Ordinance No. 03-0-539 on July 28, 2003; and

WHEREAS, the City extended the term of the Franchise until November 30, 2011; and

WHEREAS, the City and Charter have begun informal renewal negotiations in accordance with Section 626(h) of Title VI of the Communications Act of 1934, as amended and the parties continue to reserve all rights under the formal procedures of Section 626 of Title VI of the Communications Act of 1934, as amended, and do not waive any rights related thereto; and

WHEREAS, Charter has requested that the City extend the existing franchise while a new franchise continues to be negotiated; and

WHEREAS, it is in the public interest to further extend the current Franchise for an additional period of time so that cable service to the public will not be interrupted.

NOW, THEREFORE, the Franchise of Charter shall be extended through February 28, 2013, or until a new Franchise Agreement is negotiated, whichever comes first. All other terms and conditions of the existing Franchise shall remain the same. The parties continue to reserve all rights under the formal procedures of Section 626 of Title VI of the Communications Act of 1934, as amended, and do not waive any rights related thereto.

APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2012

City of Brookings, Oregon

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

ACCEPTED this \_\_\_\_ day of \_\_\_\_\_, 2012

Falcon Telecable, a California Limited Partnership, 1/k/a  
Charter Communications

By: Charter Communications VII, LLC its  
General Manager

By: Charter Communications Inc., its Manager

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: President, West Operating Group  
Charter Communications