



Home of the Tualatin River National Wildlife Refuge

## RESOLUTION 2015-004

### EXTENDING THE TERM OF THE FRANCHISE AGREEMENT BETWEEN CITY OF SHERWOOD AND COMCAST

**WHEREAS**, Comcast of Oregon II (“Comcast”) currently holds a cable services franchise agreement with the City of Sherwood with an effective date of February 24, 2000 and expiration date of January 31, 2015; and

**WHEREAS**, by a letter dated March 6, 2012, Comcast initiated the renewal process under Section 626 of the Cable Act and reserved its statutory rights related thereto; and

**WHEREAS**, the City and Comcast have recently begun informal negotiations in December 2014; and

**WHEREAS**, the City requires more time to complete the required ascertainment process and franchise negotiations than would be afforded by the current expiration date; and

**WHEREAS**, Section 2.3 of the current City Franchise allows for an extension of the term of the agreement; and

**WHEREAS**, the City and Comcast have determined that it is in both parties’ best interests to extend the term of the City Franchise from January 31, 2015 through January 31, 2016 to allow for additional time for negotiations and a formal extension will be entered into between parties to that effect.

### **NOW, THEREFORE, THE CITY OF SHERWOOD RESOLVES AS FOLLOWS:**


**Section 1.** The current City Franchise is extended to January 31, 2016, as indicated in the attached Exhibit A, Franchise Extension Agreement.

**Section 2.** All provisions of the current 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.


**Section 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.

**Section 4.** This Resolution shall be effective upon its approval and adoption.

**Duly passed by the City Council this 20th day of January 2015.**

  
Krisanna Clark, Mayor

Attest:

  
Sylvia Murphy, MMC, City Recorder

**FRANCHISE EXTENSION AGREEMENT**  
**for the**  
**City of Sherwood/Comcast Cable Services Franchise Agreement**

WHEREAS, Comcast Oregon II (“Comcast”) currently holds a cable franchise with the City of Sherwood (“City”), with an effective date of February 24, 2000 and expiration date of January 31, 2015 (“City Franchise”); and

WHEREAS, by letter dated March 6, 2012, Comcast initiated the renewal process under Section 626 of the Cable Act and reserved its statutory rights related thereto; and

WHEREAS, the City and Comcast have been continuing to proceed with informal negotiations; and

WHEREAS, the City and Comcast have determined that it is in both parties’ best interests to extend the term of the City Franchise from January 31, 2015 through January 31, 2016.

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

1. The City Franchise shall be extended up to and through 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 January, 2015.

**City of Sherwood**

By: \_\_\_\_\_  
Joseph Gall, City Manager

ACCEPTED this \_\_\_\_ day of January, 2015.

**Comcast Oregon II**

By: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Title: \_\_\_\_\_