



RESOLUTION 2016-002

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 began informal negotiations in December 2014; and

WHEREAS, the City required more time to complete the required ascertainment process and franchise negotiations and requested an extension on January 20, 2015 by Resolution 2015-004; 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 met on several occasions and came to an agreement on nearly all negotiation points with the exception of one item; 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, 2016 through April 30, 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 April 30, 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 19th day of January 2016.


Krisanna Clark, Mayor

Attest:


Sylvia Murphy, MMC, City Recorder

Exhibit A

**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 required more time to complete the required ascertainment process and franchise negotiations and requested an extension on January 20, 2015 by Resolution 2015-004; and

WHEREAS, the City and Comcast have determined that it is in both parties’ best interests to extend the term of the City Franchise again from January 31, 2016 through April 30, 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 and Comcast agree as follows:

1. The City Franchise shall be extended up to and through April 30, 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, 2016.

City of Sherwood

By: _____

Joseph Gall, City Manager

ACCEPTED this ____ day of January, 2016.

Comcast Oregon II

By: _____

Print Name: _____

Title: _____