



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(revised 08/02/10)

Board Clerk Use Only

Meeting Date: 5/26/11
Agenda Item #: R.1
Est. Start Time: 9:30 am
Date Received 5/16/11

Agenda Title: **RESOLUTION Extending term of Comcast cable franchise**

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.

Requested Meeting Date: May 26, 2011 **Amount of Time Needed:** 10 minutes
Department: Non-Departmental **Division:** County Attorney
Contact(s): Lindsay Kandra, Assistant County Attorney
for Henry H. Lazenby, Jr., County Attorney
Phone: 503-988-3138 **Ext.** **I/O Address:** 503/500
Presenter Name(s) & Title(s): Julie S. Omelchuck, MHCRC Program Manager
Carol Studenmund, Multnomah County Representative

General Information

1. What action are you requesting from the Board?

Approve the cable franchise term extension resolution and acceptance as recommended by the Mt. Hood Cable Regulatory Commission (MHCRC).

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

The cable franchise with Comcast, administered by MHCRC on behalf of Multnomah County and Cities of Portland, Gresham, Troutdale, Fairview and Wood Village, expires June 30, 2011. MHCRC staff is in negotiations with Comcast regarding the terms of the renewed franchise. The current franchise renewal negotiations are protracted and realistically cannot be completed before the filing deadlines necessary to enable the County to renew or extend the Franchise prior to June 30, 2011. The MHCRC recommends that the County Board of Commissioners extend the term of the existing Comcast franchise for six months (until December 31, 2011) to allow time for orderly completion of the current MHCRC franchise renewal negotiations. Comcast has agreed to the extension. Under the terms of the extension, all terms and provisions of the applicable Comcast franchise, together with all related documents and agreements, will continue in effect without modification and there

will be no disruption in services provided.

Cable television franchises are non-exclusive and the County has active cable services franchise agreements with two companies. Comcast is the incumbent and dominant provider of cable television services in the County. Comcast became the largest cable communications service provider in the country following its merger with AT&T Corp. Comcast serves approximately 2,400 subscribers within the boundaries of unincorporated Multnomah County with cable television. Cascade Access began offering competing cable services to a limited number of residents in the Corbett area of unincorporated Multnomah County in 2008.

Under the Intergovernmental Agreement creating the MHCRC, only the County Board of Commissioners can renew or extend the term of an existing cable franchise; the MHCRC is a recommending body in this instance.

3. Explain the fiscal impact (current year and ongoing).

None.

4. Explain any legal and/or policy issues involved.

None. Comcast has been consulted and has contributed input on the form and content of the term extension resolution and has no objection to extending the current franchise term to December 31, 2011

5. Explain any citizen and/or other government participation that has or will take place.

The franchise renewal process involves a public hearing element. Once the terms of an agreement have been tentatively reached, the MHCRC will hold a public hearing on the public benefits portion of the agreement prior to making its recommendation on renewal to the County Board of Commissioners.

Required Signature

**Elected Official or
Department/
Agency Director:**



Date:

5/16.2011