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# Discussion of Proposed Ordinance No. 894 - Renewal of Comcast Cable Franchise

September 28, 2020



# Purpose of Tonight's Discussion

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- Overview of Comcast cable franchise process
- Review key franchise sections
- Review franchise consideration criteria

# Franchise Review Process

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- Utilities are required to have a right-of-way franchise with the City
- Current franchise expires October 3, 2020
- Negotiating a renewal franchise since 2019



# Renewal Terms

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- Updated for clarity or to comply with changes in FCC regulations
- Grants a 10-year, non-exclusive franchise to Comcast
- Section 3 – Construction and Maintenance of the Cable System: Covers how Comcast can work and operate in the City's right-of-way

# FCC Order 621

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- Order restricts local government cable franchise fees and agreements
- Currently under appeal
- City may forgo complimentary cable service in City facilities to ensure collection of franchise fee in full

# Franchise Consideration

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- Applicant's past service record
- Nature and location of the proposed facilities and services
- Whether the proposal would serve public needs
- Applicant has substantially complied with the material terms of franchise
- Quality of the applicant's service, response to customer complaints, and billing practices
- Applicant has the financial, legal, and technical ability
- Applicant's proposal is reasonable to meet the future community needs

# Financial Impact

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- No fiscal impact to adopting Ordinance No. 894
- Comcast is currently assessed a 5% Franchise Fee
- Comcast also pays a 6% utility tax



# Conclusion

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- Staff recommends Council discuss proposed Ord. No. 894
- Proposed Ord. No. 894 is currently scheduled to return to Council for possible adoption on October 5, 2020