



**COUNCIL ORDINANCE NO. 20678**

**AN ORDINANCE EXTENDING THE TERM OF ORDINANCE NO. 19775  
AND ORDINANCE NO. 20397 GRANTING TO COMCAST OF OREGON  
II, INC. A FRANCHISE FOR OPERATION OF A CABLE  
TELECOMMUNICATIONS SYSTEM.**

**ADOPTED: November 28, 2022**

**SIGNED: November 29, 2022**

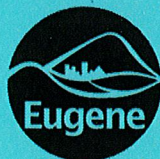
**PASSED: 7:0**

**REJECTED:**

**OPPOSED:**

**ABSENT:**

**EFFECTIVE: December 30, 2022**



## **ORDINANCE NO. 20678**

### **AN ORDINANCE EXTENDING THE TERM OF ORDINANCE NO. 19775 AND ORDINANCE NO. 20397 GRANTING TO COMCAST OF OREGON II, INC. A FRANCHISE FOR OPERATION OF A CABLE TELECOMMUNICATIONS SYSTEM.**

#### **The City Council of the City of Eugene finds that:**

**A.** The federal Cable Act requires a franchise for the operation of cable telecommunications systems and provides for a formal or informal renewal process under the Cable Act.

**B.** The Cities of Eugene and Springfield, together with Lane County, granted a franchise to Comcast of Oregon II, Inc. (“Comcast”) for the operation of a cable communication system, and have designated the Metropolitan Policy Commission (MPC), acting as the cable commission, as the representative of the local franchising authorities in administration of the franchise.

**C.** The City of Eugene enacted Ordinance No. 19775 on May 13, 1991, granting the franchise.

**D.** The City of Eugene enacted Ordinance No. 20397 on October 22, 2007, amending and renewing the franchise through August 1, 2018.

**E.** The term of the franchise has since been extended several times, most recently by Ordinance No. 20660, adopted on October 11, 2021, which extended the franchise through December 31, 2022. In general, the extensions were needed for various reasons that affected negotiations, such as difficulties resolving a franchise fee review, which has since been resolved; the Federal Communications Commission (FCC) adopting in 2019 a final order and rules regarding cable regulation (FCC Cable Order) that is unfavorable to local government franchising authorities; and years-long multi-jurisdictional litigation, including the City of Eugene as a petitioner, challenging the FCC Cable Order, which concluded in February 2022.

**F.** The Cities of Eugene and Springfield, Lane County, and Comcast continued good faith negotiations under the Cable Act’s informal process to renew Comcast’s cable franchise. However, due to the number of remaining unresolved franchise issues and unavoidable delays in the negotiations schedule the past six months, those negotiations will not be completed in a timeframe that would allow the City of Eugene to adopt a franchise renewal by December 31, 2022.

**G.** The Cities of Springfield and Eugene, and Lane County have determined that it serves the public welfare to extend the term of the current franchise from December 31, 2022, up to and through December 31, 2024.

**NOW, THEREFORE,**

**THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:**

**Section 1.** The franchise granted to Comcast in Ordinance No. 19775 and Ordinance No. 20397 shall be extended up to and through December 31, 2024.

**Section 2.** The City of Eugene and Comcast agree that execution of this extension does not waive any rights that either party may have under the Cable Communications Policy Act of 1984, as amended, 47 U.S.C. §§ 521 *et seq.*, or other provision of federal, state, or local law.

**Section 3.** Other than the duration of the franchise set forth herein, Ordinance No. 19775 and Ordinance No. 20397 shall continue in full force and effect.

**Passed by the City Council this**

**28<sup>th</sup> day of November, 2022**

  
\_\_\_\_\_  
City Recorder

**Approved by the Mayor this**

**29 day of November, 2022**

  
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Mayor