

Introduced by: Councilmember Male

**CITY OF TAKOMA PARK, MARYLAND**

**RESOLUTION #2015-44**

**Resolution Commenting on Proposed Comcast Franchise Agreement**

WHEREAS, Montgomery County will be holding a public hearing to receive input regarding terms for a renewal of a cable franchise from Comcast of Potomac, LLC; and

WHEREAS, the City of Takoma Park will also be considering the terms of renewal of the cable franchise with Comcast of Potomac, LLC

WHEREAS, under terms of a Memorandum of Understanding (MOU) between the City of Takoma Park and Montgomery County, Montgomery County undertakes the bulk of the complex franchise negotiations, coordinates fiber distribution and oversees cable company customer service; and

WHEREAS, negotiations related to the MOU between the City of Takoma Park, most other Montgomery County municipalities and Montgomery County have only just begun but are closely tied to the provisions of the proposed franchise agreement with Comcast; and

WHEREAS, it is in the City's interest to express its needs from the franchise agreement with Comcast and the MOU with Montgomery County at the public hearing on August 3; and

WHEREAS, the following points shall be included in the testimony for the City:

- The City supports the pro-consumer elements of the proposed Comcast agreement, including an additional location on the eastern side of Montgomery County for obtaining/returning equipment, and continued free service to a number of non-profit organizations and government agencies
- The City supports the proposed settlement agreement that will allow all of the PEG (Public/Educational/Government) grant of 3% of gross

revenue to be used for operating costs, providing a match is made for two-thirds of the amount

- The City is concerned that discussions regarding the revenue distribution between the County and the municipalities have only just begun and need to be resolved before the City can determine whether or not it will sign the franchise agreement with Comcast and the MOU with Montgomery County
- The City is concerned that discussions regarding Takoma Park's access to an HD (high definition) channel have not yet occurred
- The City strongly urges that Montgomery County municipalities have a vote on the PEG Governance Board so that municipal interests can be represented when recommendations are made regarding use of HD channels and related operations
- The City requests that payment of the legal fees for the legal counsel used by the municipalities be paid, as they have been for previous negotiations on franchise agreements
- The City requests that provisions be included in the Comcast franchise agreement that Comcast remove wires from properties that cease using Comcast equipment within thirty days of the end of service
- The City requests that provisions be included in the Comcast franchise that require Comcast to have an easy-to-locate phone number that non-customers may use to report a problem with a Comcast wire or damage to property by Comcast employees.

NOW, THEREFORE, BE IT RESOLVED THAT the Council of the City of Takoma Park directs the City Manager to prepare testimony conveying the position of the City of Takoma Park, as indicated above, for the August 3 public hearing on the proposed franchise agreement with Comcast of Potomac, LLC.

ADOPTED THIS 27TH DAY OF JULY, 2015.

Attest:

---

Jessie Carpenter, CMC  
City Clerk