

Introduced By: Councilmember Grimes

CITY OF TAKOMA PARK, MARYLAND

RESOLUTION #2015-62

Resolution Commenting on Proposed RCN Franchise Agreement

WHEREAS, Montgomery County will be holding a public hearing to receive input regarding terms for a renewal of a cable franchise from Starpower, doing business as RCN; and

WHEREAS, the City of Takoma Park will also be considering the terms of renewal of the cable franchise with RCN; and

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 underway; and

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

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

- The City supports the RCN franchise agreement and settlement agreement because of the many benefits to be provided to Takoma Park and Montgomery County, including:
 - RCN commits to work with Takoma Park to add a channel to its lineup in Gaithersburg so that residents there may view Takoma Park City TV
 - Takoma Park will be provided free cable modem service and equipment at four locations, and a fiber connection from the Takoma Park City hall to RCN's IP network

- Takoma Park will be provided a free Metro Ethernet connection at a minimum of 20 Mbps (symmetrical) at the Takoma Park City Hall
- PEG (Public/Educational/Governmental) Channels will be provided in both SD (Standard Definition) and HD (High Definition) format, will be accessible from program guides, and will be of equivalent quality to local broadcast channels
- RCN will assist the County in converting PEG channels into Internet protocol television to more easily distribute the channels to agencies and schools
- RCN will allow the municipalities to use the PEG grant for capital or non-capital support for PEG purposes
- The discussions regarding the revenue distribution between the County and the municipalities need to be resolved before the City can determine whether or not it will sign the franchise agreement with RCN and the MOU with Montgomery County
- 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.

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 November 3 public hearing on the proposed franchise agreement with RCN.

ADOPTED THIS 29TH DAY OF OCTOBER, 2015.

Attest:

Jessie Carpenter, CMC
City Clerk