

**SULTAN CITY COUNCIL
AGENDA ITEM COVER SHEET**

ITEM NO: Consent C 3
DATE: July 10, 2008
SUBJECT: Council Minutes

CONTACT PERSON: Laura Koenig, Clerk/Deputy Finance Director

SUMMARY:

Attached are the minutes of the June 26, 2008 Public Hearing on the Comcast Cable Franchise Agreement as on file in the office of the City Clerk.

RECOMMENDED ACTION:

Approve as submitted

MOTION:

Move to accept the consent agenda as presented.

CITY OF SULTAN COUNCIL MEETING – June 26, 2008

PUBLIC HEARINGS:

The Public Hearing on the Cable Franchise Agreement with Comcast was called to order by Mayor Eslick.

Councilmembers present: Champeaux, Wiediger, Slawson, Davenport-Smith, Flower, Blair and Doornek. There were no objections to the Council participation.

Staff: Deborah Knight, City Administrator

The issue before the City Council is to hold a public hearing in accordance with SMC 5.28.030 to consider granting a non-exclusive franchise to Comcast to use City streets and public rights-of-way for operating and maintaining a cable communications system. In conducting the public hearing, the City Council must consider:

- A. That the public will be benefited by granting a franchise agreement to Comcast.
- B. That Comcast has the requisite financial and technical resources and capabilities to build, operate and maintain a cable television system in the area;
- C. That Comcast has no conflicting interest, either financial or commercial which will be contrary to the interests of the City;
- D. That Comcast will comply with the terms and conditions placed upon franchisee by Chapter 5.28.
- E. That Comcast is capable of complying with all relevant federal, state, and local regulations pertaining to the construction, operation and maintenance of the facilities and systems incorporated in its application for a franchise.

The City has reviewed Comcast's performance under the prior franchise and the quality of service during the prior franchise term and has determined that Comcast's plan for operating and maintaining its Cable System meets the statute requirements. The City has worked with a consortium of Cities to negotiate the agreement and those cities have also brought the ordinance forward for action.

The proposed changes included:

- 1. Definition of gross revenues – includes only the video services.
- 2. Five year term only instead of the 15 year terms in the past.
- 3. Competitive changes within the cable industry.
- 4. Receives franchise fee and utility tax.
- 5. PEG system contribution will be \$3000.
- 6. Municipal buildings will continue to receive the service.

Public Input

None

On a motion by Councilmember Slawson, seconded by Councilmember Davenport-Smith, the public meeting was closed. All ayes.

Carolyn Eslick, Mayor

Laura J. Koenig, City Clerk