

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDINANCE NO: 20-04

IN THE MATTER OF AMENDING CHAPTER 8 OF LANE CODE TO EXTEND THE TERM AND FRANCHISE AGREEMENT WITH COMCAST OF OREGON II, FOR OPERATION OF A CABLE COMMUNICATIONS SYSTEM TO DECEMBER 30, 2021; DELETING AND REPLACING IN THEIR ENTIRETY ORDINANCE 12-07 AND ORDINANCE 18-09

**WHEREAS**, the federal Cable Act requires a franchise for operation of cable telecommunications systems and provides for a formal or informal renewal process under the Cable Act; and

**WHEREAS**, Lane County and the cities of Eugene and Springfield, the local franchising authorities, have entered into a franchise with Comcast of Oregon II, Inc., (hereinafter "Comcast") for the operation of a cable communication system and have designated the Metropolitan Policy Commission (MPC) as the representative of the local franchising authorities in administration of the franchise; and

**WHEREAS**, Lane County enacted Ordinance 12-07 on October 31, 2007, granting such franchise; and

**WHEREAS**, Lane County enacted Ordinance 18-09 on November 6, 2018, extending said franchise for an additional period through June 30, 2020; and

**WHEREAS**, the cities of Eugene and Springfield, Lane County and Comcast are currently negotiating under the Cable Act's informal process to renew Comcast's cable franchise and the parties anticipate those negotiations will not be completed prior to June 30, 2020; and

**WHEREAS**, the cities of Eugene and Springfield, and Lane County have determined that it serves the public welfare to extend the term of the current franchise from July 1, 2020 to December 30, 2021,

**NOW, THEREFORE**, the Board of County Commissioners of Lane County **ORDAINS** as follows:

1. Section 16(1) of Ordinance 12-07 and Ordinance 18-09 are hereby deleted in their entirety, and replaced with the following:

Duration and Renewal. This franchise and the rights and privileges granted herein shall remain in effect until December 30, 2021, unless terminated sooner under provisions of Subsection (4) of this section. Renewal of the Grantee's franchise at the end of such term shall be governed by and comply with the provisions of applicable law then in effect.

**IT IS FURTHER ORDAINED THAT:**

Chapter 8 of Lane Code is hereby amended by deleting and substituting and adding new section(s) as follows:

**DELETING THESE SECTION(S)**

**INSERT THESE SECTIONS(S)**

8.005

8.005

These sections are attached hereto and incorporated herein by this reference. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or administrative agency of competent jurisdiction, such portion constitutes a separate, distinct, and independent provision, and such holding does not affect the validity of the remaining portions hereof.

Nothing herein is intended to, nor acts to amend, replace, or otherwise conflict with any other ordinances of Lane County or any other Code or statutory provisions unless expressly so stated.

The office of Lane County Legal Counsel is authorized to codify this Ordinance and to make any technical changes, not affecting its substance, as are reasonably necessary to accomplish codification.

**ENACTED** this 7th day of July, 2020



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Heather Buch, Chair  
Lane County Board of Commissioners



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Recording Secretary for this Meeting of the Board