

RESOLUTION NO. 3024

Resolution to Approve the Second Five-Year Extended Term of the Comcast of Virginia, Inc. Cable Television Franchise dated October 25, 2011

WHEREAS, on October 25, 2011, the City of Alexandria, Virginia (the "City") granted a cable television franchise (the "Franchise") to Comcast of Virginia, Inc. ("Comcast"); and

WHEREAS, the Franchise provides for an initial term of five years (the "Initial Term") and two extensions of five years each (the "Extended Terms"); and

WHEREAS, the City Council approved a resolution on September 27, 2016, that initiated the first five-year Extended Term; and

WHEREAS, the first Extended Term is to expire on October 25, 2021, and approval of the second Extended Term of five years is to be based on (i) the mutual agreement of the City and Comcast to further extend the Franchise and (ii) the City's review of Comcast's compliance with the terms of the Franchise (the "Compliance Review"); and

WHEREAS, the City conducted the Compliance Review starting in 2020; and

WHEREAS, the City completed a technical audit of Comcast's equipment in its public rights-of-way and determined that Comcast is substantially in compliance with the terms and conditions of the Franchise; and

WHEREAS, the City completed a review of Comcast's Public, Educational and Governmental Access Fee ("PEG") grant payments to the City, and is working with Comcast to resolve the amount of the PEG payments owed to the City; and

WHEREAS, the City is also working with Comcast to resolve compliance with conditions of the Fiber Use Agreement between Comcast and the City; and

WHEREAS, Comcast must resolve to the City's satisfaction the disputed PEG grant payments and Fiber Use Agreement issues within six (6) months of the passage of this Resolution ; and

WHEREAS, the City has agreed to extend the Franchise for five years, subject to and conditioned on the resolution of the PEG grant payments and the Fiber Use Agreement, within six (6) months of the date of this Resolution .

NOW, THEREFORE, BE IT RESOLVED by the City Council of Alexandria, Virginia:

1. That the term of the Franchise is hereby extended until April 25, 2022, pending resolution of the disputed PEG grant payments and the Fiber Use Agreement issues to the satisfaction of the City; and
- 2.
3. That this Resolution shall be effective upon the date that the City Manager acknowledges in writing that the conditions in no.1, above have been satisfied.

Adopted: October 16, 2021



JUSTIN WILSON MAYOR

ATTEST:



Gloria A. Sitton, CMC City Clerk