

DATE: March 8, 2021
TO: Mayor and City Council
FROM: Victoria R. Keating, Clerk-Treasurer
SUBJECT: Summary of Ordinance Publication

Comment:

Introduction:

The City Council is asked to approve the summary of the ordinance which approved the renewal of the Cable Television Franchise with Comcast, so that it may be published in the City's legal newspaper.

Background:

At its meeting of March 17, 2021 the City Council will approve on first reading, action to agree to a ten-year renewal of a cable-television franchise ordinance with Comcast.

Because of the physical length of the ordinance approving the franchise renewal (more than 60 pages including exhibits), the City Council should publish an ordinance summary. This summary (attached) outlines the major points of the renewal, and offers a significant savings in the costs of legal publication. Anyone wishing to see the entire document can access it through the City website, but there is a legal requirement to publish at least a summary.

Recommendation:

I recommend that the City Council approve the publication of the ordinance summary.

Action Required:

If the Council concurs, it should, by motion, approve the summary of the proposed cable franchise ordinance, and approve its publication.

The action requires Council Approval March 17, 2021

City Administrator/Manager

SUMMARY OF AN ORDINANCE GRANTING A FRANCHISE TO COMCAST OF MINNESOTA, INC. (“ COMCAST”) TO CONSTRUCT, OPERATE, AND MAINTAIN A CABLE SYSTEM IN THE CITY OF WILLERNIE , MINNESOTA SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OF THE FRANCHISE; PROVIDING FOR REGULATION AND USE OF THE SYSTEM AND THE PUBLIC RIGHTS- OF-WAY; AND PRESCRIBING PENALTIES FOR THE VIOLATION OF THE PROVISIONS HEREIN.

On Marc 17,2021, the City of WILLERNIE, Minnesota (“City”) adopted an Ordinance granting a Cable Television Franchise to Comcast. The Ordinance serves two purposes. First, it grants a nonexclusive cable franchise to Comcast to operate and maintain a cable system within the City. Second, it provides requirements for the provision of cable television services including technical standards, customer service obligations, and related matters.

The Ordinance includes the following key terms:

- 1) Establishes a franchise term of ten (10) years;
- 2) Imposes on Comcast a franchise fee of five percent (5%) of Comcast’s annual gross revenues;
- 3) Incorporates the City Code regarding right-of-way protections;
- 4) Requires Comcast to dedicate channel capacity for public, education, and government (“PEG”) programming;
- 5) Establishes a PEG Fee between three-and-one-quarter percent (3.25%) and two-and-three-quarters percent (2.75%) of Comcast’s annual gross revenues;
- 6) Imposes strong customer-service standards regarding Comcast’s provision of cable services; and
- 7) Requires a performance bond and letter of credit to enforce Comcast’s compliance with the Ordinance.

It is hereby determined that publication of this title and summary will clearly inform the public of the intent and effect of the Ordinance. A copy of the entire Ordinance shall be posted at the Willernie City Hall.

It is hereby directed that only the above title and summary of the Ordinance be published, conforming to Minn. Stat. § 331A.01, with the following:

NOTICE

Persons interested in reviewing a complete copy of the Ordinance may do so at the City Hall 111 Wildwood Road during the hours of 9 to noon Monday through Thursday.

Passed by the Willernie City Council this 17 day of March, 2021.

CITY COUNCIL OF WILLERNIE

Barbara K. Parent, Mayor _____

Attest: Victoria R. Keating, Clerk-Treasurer _____