

**CITY OF REDMOND  
ORDINANCE NO. 2697**

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, GRANTING AND RENEWING A NONEXCLUSIVE FRANCHISE TO COMCAST OF WASHINGTON I, INC. AND COMCAST CABLE HOLDINGS, LLC, TO CONSTRUCT, MAINTAIN, OPERATE, RECONSTRUCT, REPAIR, AND UPGRADE A CABLE SYSTEM TO PROVIDE CABLE SERVICES IN, ON, ACROSS, OVER, ALONG, UNDER, UPON, THROUGH AND BELOW THE PUBLIC RIGHTS-OF-WAY OF THE CITY OF REDMOND; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE

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WHEREAS, the City of Redmond (the "City"), granted Vista Television Cable, Inc. ("Vista Television"), a franchise to provide cable television services in the City in Ordinance No. 2143; and

WHEREAS, the franchise with Vista Television was originally set to expire on or about December 25, 2012, pursuant to Ordinance No. 2143, and the City has extended the same in order to complete negotiations with Comcast of Washington I, Inc. and Comcast Cable Holdings, LLC, for a franchise renewal; and

WHEREAS, Vista Television, or its affiliates, filed with the City its 626(a) letter under the Communications Act of 1934, as amended by the Cable Communications Policy Act of 1984, as amended by the Cable Television Consumer Protection and Competition Act of 1992, as amended by the Telecommunications Act of 1996 (all collectively the "Cable Acts"); and

WHEREAS, in response to the 626(a) letter, the City timely commenced the Performance Review and Needs Ascertainment of identifying cable-related needs and interests under the Cable Acts; and

WHEREAS, as the result of the Performance Review and Needs Ascertainment and as the further result of discussions between the parties, the City and Comcast of Washington I, Inc. and Comcast Cable Holdings, LLC, have negotiated a renewed franchise consistent with federal and other applicable laws regulating such franchise.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Franchise Granted and Renewed. Pursuant to RCW 35A.47.040, the City of Redmond hereby grants and renews a nonexclusive franchise to Comcast of Washington I, Inc. and Comcast Cable Holdings, LLC, according to the terms and conditions set forth in Exhibit A attached hereto and incorporated herein by this reference as if set forth in full. Subject to the provisions therein, the term of the franchise shall be for a period of seven (7) years from the effective date of the franchise, as defined in Exhibit A and shall grant Comcast of Washington I, Inc. and Comcast Cable Holdings, LLC, the right, privilege and authority to construct, maintain, operate, reconstruct, repair and upgrade a cable system to

provide cable services in, on, across, over, along, under, upon and below the public rights-of-way of the City of Redmond, all as provided in Exhibit A.

Section 2.      Severability.      If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause or phrase of this ordinance.

Section 3.      Effective Date.      Pursuant to RCW 35A.47.040, this ordinance has been passed at least five days after its first introduction and by a majority of the whole membership of the City Council. This ordinance, being the exercise of a power specifically delegated to the City's legislative body, is not subject to referendum, and shall take effect five (5) days after the passage and publication of an approved summary consisting of the title.

ADOPTED by the Redmond City Council this 18th day of June,  
2013.

CITY OF REDMOND

  
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JOHN MARCHIONE, MAYOR

ATTEST:

  
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MICHELLE M. MCGEHEE, MMC, CITY CLERK

(SEAL)

APPROVED AS TO FORM  
OFFICE OF THE CITY ATTORNEY:

By:   
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FILED WITH THE CITY CLERK:	May 29, 2013
FIRST PRESENTATION:	June 4, 2013
PASSED BY THE CITY COUNCIL:	June 18, 2013
SIGNED BY THE MAYOR:	June 18, 2013
PUBLISHED:	June 24, 2013
EFFECTIVE DATE:	June 29, 2013
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APPROVED 7-0: Allen, Carson, Flynn, Margeson, Myers, Stilin and Vache