



MARION COUNTY BOARD OF COMMISSIONERS

# Board Session Agenda Review Form

Meeting date: November 7, 2018

Department: Public Works      Agenda Planning Date: Nov. 1, 2018      Time required: 5 min.

Audio/Visual aids

Contact: Alan Haley      Phone: 503-588-5036

Department Head Signature:

**TITLE** Consider a Resolution consenting to the Transfer of a Cable Television Franchise.

**Issue, Description & Background** Falcon Cable Systems Company II, LP, dba Charter Communications, Inc., currently has a countywide franchise to supply cable services to unincorporated Marion County. Charter Communications is reducing the number of cable operating entities and subsidiaries and is aligning its cable operations into regional entities. As part of this reorganization, Falcon will merge into another subsidiary, Spectrum Pacific West, LLC, and assign the current franchise with Marion County to Spectrum.

**Financial Impacts:** There will be no fiscal impact to Marion County. Spectrum, as the new franchise holder, will continue to pay franchise fees to the county under the same formula as it currently does for Charter.

**Impacts to Department & External Agencies** The reorganization of the franchise should be seamless to their customers. Future business decisions regarding any potential change in services will be communicated directly to Spectrum customers.

**Options for Consideration:**  
1. Adopt the resolution consenting to the transaction of assigning the franchise of Charter Communications, Inc. to Spectrum Pacific West, LLC.  
2. Take no action at this time.

**Recommendation:** Adopt the resolution consenting to the transaction of assigning the franchise of Charter Communications, Inc. to Spectrum Pacific West, LLC.

**List of attachments:** Resolution

**Presenter:** Alan Haley

*Copies of completed paperwork sent to the following: (Include names and e-mail addresses.)*

**Copies to:** Jolene Bray - jbray@co.marion.or.us; Scott Norris - snorris@co.marion.or.us

BEFORE THE BOARD OF COMMISSIONERS

FOR MARION COUNTY, OREGON

In the matter of consenting to the transfer of )  
the cable television franchise of Falcon Cable )  
Systems Company II, LP to Spectrum Pacific )  
West, LLC. )

**RESOLUTION No. \_\_\_\_**

This matter came before the Marion County Board of Commissioners at its regularly scheduled public meeting on November 7, 2018.

WHEREAS, Falcon Cable Systems Company II, LP ("Franchisee") is the duly authorized holder of a franchise, as amended to date (the "Franchise"), authorizing Franchisee to operate and maintain a cable system to serve Marion County; and

WHEREAS, Charter Communications, Inc. ("Charter"), the parent company of Franchisee is reducing the number of operating entities and subsidiaries and is aligning its cable operations into regional entities; and

WHEREAS, as part of this reorganization, Franchisee will merge into another subsidiary of Charter, Spectrum Pacific West, LLC, and assign the Franchise to Spectrum Pacific West, LLC; and

WHEREAS, Spectrum Pacific West, LLC shall become the new franchise holder in Marion County; and

WHEREAS, neither the ultimate control, nor the operations of the cable system or the provision of service will change as a result of the reorganization; and

WHEREAS, Charter has filed an FCC Form 394 with Marion County (the "Application"); and

WHEREAS, Marion County has considered the Application and approves of the Transaction.; now, therefore,

1. IT IS HEREBY RESOLVED that Marion County consents to the Transaction.

- 2. IT IS FURTHER RESOLVED that Marion County confirms that the Franchise is valid and outstanding and in full force and effect and there are no known defaults under the Franchise. Subject to compliance with the terms of this Resolution, all action necessary to assign the Franchise has been duly and validly taken.
  
- 3. IT IS FURTHER RESOLVED that upon closing of the Transaction, Spectrum Pacific West, LLC shall remain bound by the terms and conditions of the Franchise.

DATED at Salem, Oregon, this \_\_\_\_ day of \_\_\_\_\_ 20\_\_.

MARION COUNTY BOARD OF COMMISSIONERS

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Chair

\_\_\_\_\_

Commissioner

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Commissioner