

RESOLUTION NO. 2008-01-001R

A Resolution Adopting the Needs Analysis For Cable Refranchise Negotiations

WHEREAS, on or about February 28, 1994, the City of Urbana, Illinois ("City") entered into a franchise agreement for cable television services ("Franchise") which is now held by Insight Communications Midwest, LLC ("Insight"); and

WHEREAS, on or about June 13, 2006, Insight submitted to the City a letter requesting renewal of the Franchise in accordance with 47 U.S.C. 546 ("Renewal Request"); and

WHEREAS, the City responded to the Renewal Request by conducting an assessment of the future cable related community needs and interests in compliance with 47 U.S.C. 546 (a); and

WHEREAS, the City in the process of completing the Needs Assessment and is preparing to conduct informal renewal negotiations with the Grantee pursuant to 47 U.S.C. 546 (h) as well as soliciting a formal proposal from Grantee pursuant to 47 U.S.C. 546 (a-g) in response to the Needs Assessment; and

WHEREAS, on or about May 28, 2007 the City received FCC Form 394 - Application for Franchise Authority Consent to Assignment or Transfer of Control of Cable Television Franchise which requested that the City approve the transfer of the Franchise from Insight to TCI of Indiana Holdings, LLC and its subsidiary Illinois/Indiana Systems Group, LLC (collectively "Comcast") which is scheduled to close on or about December 31, 2007 ("Transfer"); and

WHEREAS, on or about November 26, 2007 the City adopted Resolution No. 2007-11-026R approving the Transfer; and

WHEREAS, City staff has prepared and the City Council has received a needs assessment report dated November, 2007("Needs Assessment") identifying the cable-related needs and interests of the City and recommending requirements to be included in a new cable franchise consistent with state and federal law; and

WHEREAS, the City's approval of the Needs Assessment is for the sole purpose of pursuing "informal" renewal negotiations with Insight and/or Comcast pursuant to 47 USC §546(h); and

WHEREAS, this Resolution shall not be construed to preclude the City from modifying the Needs Assessment prior to finalizing its "formal" assessment of local needs and interests pursuant to 47 USC §546(a); and

WHEREAS, the City's formal assessment required under 47 USC §546(a) has not yet been completed and the City hereby reserves the right to reject any formal proposal for renewal submitted to the City until a "formal" needs assessment has been adopted by the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. The above recitals are hereby adopted by the City as if fully set forth herein.

Section 2. The Needs Assessment is hereby adopted by the City Council as its "informal" ascertainment of the cable-related needs and interests of the community.

Section 3. The City Council hereby authorizes staff and the retained consultant to commence informal renewal negotiations pursuant to 47 USC§546(h).

PASSED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

AYES:

NAYS:

ABSTAINS:

\_\_\_\_\_  
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this \_\_\_\_\_ day of

\_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Laurel Lunt Prussing, Mayor