BOROUGH OF OAKMONT

RESOLUTION NO. 13 of 2024

A RESOLUTION OF THE BOROUGH OF OAKMONT, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, AUTHORIZING EXECUTION OF CABLE FRANCHISE AGREEMENT WITH COMCAST OF PENNSYLVANIA I, LLC

WHEREAS, pursuant to the Cable Communications Policy Act of 1984, the Cable Television Consumer Protection and Competition Act of 1992, and the Telecommunications Act of 1996, the regulations of the Federal Communications Commission and Pennsylvania law, Oakmont Borough (hereinafter the "Borough") is authorized to grant franchises to construct, operate and maintain a cable system utilizing public rights-of-way and properties within the Borough's jurisdiction; and

WHEREAS, Comcast of Pennsylvania I, LLC ("Comcast") currently holds a cable franchise from the Borough; and

WHEREAS, Comcast has requested that the Borough renew Comcast's franchise to maintain, construct, operate, and upgrade its cable system over, under and along the aforesaid rights-of-way for use by the Borough's residents; and

WHEREAS, the aforesaid rights-of-way used by Comcast are public properties acquired and maintained by the Borough and held in trust on behalf of citizens of the Borough and the right to use said rights-of-way is a valuable property right; and

WHEREAS, the Borough desires to protect and manage the aforesaid rights-of-way, require high standards of customer service, ensure future technical improvements to maintain a technologically-advanced cable system, establish certain reporting requirements, obtain certain services, receive franchise fees for Comcast's use of the Borough's rights-of-way as provided by federal law, and provide for the current and future cable-related needs of its residents; and

WHEREAS, the Borough held a public hearing on the subject of cable franchise renewal, including reviewing the cable operator's past performance and identifying the Borough's future cable-related community needs; and

WHEREAS, the Borough has determined that this Agreement and the process for consideration of this Agreement complies with all applicable federal, state and local laws and regulations; and

WHEREAS, the Borough, after affording the public notice and opportunity for comment, has determined that the public interest would be served by renewing Comcast's franchise according to the terms and conditions contained in the cable franchise agreement negotiated between the Borough and Comcast; and

WHEREAS, the Borough has determined that Comcast has the ability to provide cable services to subscribers located in the Borough;

NOW THEREFORE, BE IT RESOLVED that the Borough Council does hereby approve the cable franchise agreement negotiated with Comcast, including all of the terms and conditions contained therein, and does hereby authorize the execution of such agreement.

ADOPTED AND ENACTED, this **17th** day of **June 2024**.

ATTEST:
(SEAL)

Borough Manager/Secretary

BOROUGH OF OAKMONT
OAKMONT BOROUGH COUNCIL

By: President, Borough Council

EXAMINED AND APPROVED this 21st day of June, 2024.

ATTEST

Sophia Facaros, Borough Mayor

I, Scot E. Fodi, Borough Manager/Secretary of the Borough of Oakmont, do hereby certify that the foregoing is a true and correct copy of **Resolution No. R13 of 2024** adopted at the regular meeting of the Oakmont Borough Council, held on the **17th** day of **June** 2024.

Scot E. Fodi, Secretary/Manager