

IN THE BOARD OF SUPERVISORS

County of San Luis Obispo, State of California

_____ day _____, 20____

PRESENT: Supervisors

ABSENT:

RESOLUTION NO. _____

RESOLUTION CONSENTING TO CHANGE OF CONTROL OF CABLE TELEVISION FRANCHISE

WHEREAS, the County of San Luis Obispo has previously granted a Cable System Franchise (“Franchise”) to Charter Communications Properties, LLC pursuant to County Code Chapter 6.48 and that certain Cable System Franchise Agreement between the County and Charter Communications Properties, LLC, dated December 14, 2004; and

WHEREAS, said Franchise was for a ten (10) year term that commenced on March 1, 2005; and

WHEREAS, in 2011, Charter Communication Properties, LLC purported to transfer the Franchise to CCO SoCal I, LLC without the prior consent of this Board of Supervisors; and

WHEREAS, the Board of Supervisors’ prior consent is not required per County Code Section 6.48.330(a) “for an intracorporate or intracompany transfer from one wholly-owned subsidiary to another wholly-owned subsidiary”; and

WHEREAS, in a signed affidavit, dated September 22, 2014, the Director of Government Affairs for Charter Communications, Inc. (“Charter”) in the State of California stated the transfer in 2011 from Charter Communication Properties, LLC to CCO SoCal I, LLC was an intra-corporate, intra-company transfer from one wholly-owned subsidiary of Charter to another wholly-owned subsidiary of Charter; and

WHEREAS, on April 25, 2014, Charter and Comcast Corporation (“Comcast”) entered into the Comcast/Charter Transactions Agreement (the “Agreement”), pursuant to which Charter will become a wholly-owned subsidiary of Comcast after numerous conditions are met, including federal government approval (hereafter, the “Transaction”); and

WHEREAS, Charter and Comcast have submitted an FCC Form 394 to the County regarding said Transaction.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, State of California, as follows:

1. The foregoing recitals are approved and incorporated herein by reference.
2. Having considered the factors listed in County Code section 6.48.330(d), the County consents to the transfer of the Franchise to Comcast upon the closing of the Transaction.
3. Upon closing of the Transaction, the Franchisee shall remain bound by the lawful terms and conditions of the Franchise.

Upon Motion of Supervisor _____, seconded by Supervisor _____, and on the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

the foregoing Resolution is hereby adopted on the ____ day of _____, 20____.

Chairperson of the Board of Supervisors

ATTEST:

Clerk of the Board of Supervisors

[SEAL]

APPROVED AS TO FORM AND LEGAL EFFECT:

RITA L. NEAL

County Counsel

By:


Deputy County Counsel

Dated: October 3, 2014

STATE OF CALIFORNIA, }
County of San Luis Obispo, ss.

I, _____, County Clerk and ex-officio Clerk of the Board of Supervisors, in and for the County of San Luis Obispo, State of California, do hereby certify the foregoing to be a full, true and correct copy of an order made by the Board of Supervisors, as the same appears spread upon their minute book.

WITNESS my hand and the seal of said Board of Supervisors, affixed this _____ day of _____, 20 _____.

County Clerk and Ex-Officio Clerk of the Board of Supervisors

(SEAL)

By _____ Deputy Clerk.