



Office of the City Clerk

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Legislation Text

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OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL
MAYOR

November 18, 2015

TO THE HONORABLE, THE CITY COUNCIL OF THE
CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Commissioner of Business Affairs and Consumer Protection, I transmit herewith an ordinance authorizing the execution of a renewal cable franchise agreement with RCN.

Your favorable consideration of this ordinance will be appreciated.

Mayor

Very truly yours,

CHICAGO December 9, 2015

To the President and Members of the City Council:

Your Committee on Finance having had under consideration

A communication recommending a proposed ordinance concerning the authority to approve the renewal of the RCN Area 2 Cable Franchise Agreement.

Ø2015-4709

Having had the same under advisement, begs leave to report and recommend that your Honorable Body pass the proposed Ordinance Transmitted Herewith

This recommendation was concurred in by (a (viva voce vote^)
of members of the committee with **dissenting vote(s):**

Respectfully submitted

(signedY^^

Chairman

ORDINANCE

WHEREAS, Pursuant to section 4-280-100 of the Municipal Code of Chicago, the City Council is authorized to renew a nonexclusive franchise creating a right to construct and operate a cable system within the public ways of the City; and

WHEREAS, RCN Cable TV of Chicago, Inc. ("RCN") currently maintains and operates a cable system in City of Chicago Franchise Area 2 pursuant to a Cable Television Franchise Agreement which became effective on December 7, 2000 (the "RCN Franchise"); and

WHEREAS, The RCN Franchise is scheduled to expire on December 6, 2015; and

WHEREAS, RCN has expressed an interest to the Cable Administrator to renew the RCN Franchise and to continue to provide cable service in Chicago; and

WHEREAS, Following negotiations with RCN, the Cable Administrator has reached a franchise renewal agreement that is fair and reasonable, and which will benefit cable consumers; and

WHEREAS, Section 6(a) of Article VII of the Illinois Constitution provides that a home rule unit "may exercise any power and perform any function pertaining to its government and affairs including, but not limited to, the power to regulate for the protection of the public health, safety, morals and welfare; to license; to tax . . ."; and

WHEREAS, The City Council Committee on Finance has conducted a public hearing affording RCN and members of the public a reasonable opportunity to comment on the proposed RCN franchise renewal agreement; and

WHEREAS, After reviewing the franchise renewal agreement, the legal, financial, technical and character qualifications of RCN, and the public interest, the City Council has determined that it is in the best interests of the City of Chicago to grant a non-exclusive renewal franchise to RCN, to extend, install, maintain and operate a cable system within Franchise Area 2 of the City of Chicago; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. The Mayor is hereby authorized to enter into a franchise renewal agreement between the City of Chicago and RCN Cable TV of Chicago, Inc., in substantially the form attached hereto.

SECTION 2. This ordinance shall be in force and effect upon its passage and approval, and upon becoming effective, shall be deemed to apply retroactively to December 7, 2015.