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Title: Substitute resolution relating to an operating agreement with AT&T Wisconsin for the delivery of U-verse video programming.

Sponsors: THE CHAIR

Indexes: AGREEMENTS, CABLE TELEVISION

Attachments: 1. Letter from David Anderson, 2. ATT City Atty. Letter and Agreement, 3. AT&T, Inc. Supplier Diversity Plan - APPENDIX B, 4. Letter from City Clerk and Summary of Proposed State Legislation Relating to Video Service providers, 5. Fiscal note, 6. Comptroller letter of 3/21/07, 7. E-mail from City Clerk regarding Comptroller's letter, 8. Comptroller letter of 4/13/07, 9. Letter from Scott Jansen, Regional Vice President - External Affairs of AT&T Wisconsin, 10. Quarles Brady for Time Warner letter to City Attorney

Date	Ver.	Action By	Action	Result	Tally
12/12/2006	0	COMMON COUNCIL	ASSIGNED TO		
12/15/2006	0	CITY CLERK	REFERRED TO		
12/15/2006	0	STEERING & RULES COMMITTEE	HEARING NOTICES SENT		
1/4/2007	0	STEERING & RULES COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
1/25/2007	0	STEERING & RULES COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	7:0
3/2/2007	0	STEERING & RULES COMMITTEE	HEARING NOTICES SENT		
3/2/2007	0	STEERING & RULES COMMITTEE	HEARING NOTICES SENT		
3/2/2007	0	STEERING & RULES COMMITTEE	HEARING NOTICES SENT		
3/8/2007	0	STEERING & RULES COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	6:0
3/16/2007	0	STEERING & RULES COMMITTEE	HEARING NOTICES SENT		
3/20/2007	1	CITY CLERK	DRAFT SUBMITTED		
3/22/2007	0	STEERING & RULES COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:1
4/17/2007	1	COMMON COUNCIL	ADOPTED	Pass	15:0
4/23/2007	1	MAYOR	SIGNED		

061149
SUBSTITUTE 1

THE CHAIR

Substitute resolution relating to an operating agreement with AT&T Wisconsin for the delivery of U-verse video programming.

This resolution authorizes the appropriate City officials to enter into a 3-year agreement with AT&T Wisconsin relating to delivery of U-verse television services, a copy of which is attached to this file. The agreement shall be approved by the City Attorney, and countersigned by the City Comptroller.

The City Comptroller is further directed to deposit Public, Educational and Government (PEG) Grant revenues in a separate account, and the City Clerk is directed to prepare a plan and guidelines for the expenditure of PEG Grant revenues for review and approval by the Common Council.

Whereas, AT&T Wisconsin desires to upgrade its existing telecommunications network to provide a broadband platform of voice, data and video services, the video component of which is a switched, 2-way, point-to-point and interactive service known as U-verse television services; and

Whereas, The network upgrade and the ongoing maintenance and operation of the network will involve the occupation and placement of private commercial facilities in the public rights-of-way within the City of Milwaukee; and

Whereas, The City and AT&T Wisconsin wish to enter into an agreement that will provide authorization to AT&T Wisconsin to provide U-verse television services; and

Whereas, The 3-year operating agreement provides the City several benefits, including the following:

1. The City will receive a 5% "license fee" of gross revenues and an additional Public, Educational and Government (PEG) Grant of 2% of gross revenues related to U-verse television services.
2. AT&T Wisconsin will build-out U-verse television services to at least 25% of the households in the metropolitan area within 3 years with at least 25% of those households expected to be low income households.
3. AT&T Wisconsin will provide free U-verse television services to schools and other public buildings.
4. AT&T Wisconsin will comply with code provisions controlling right-of-way occupancy.

; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Common Council authorizes the appropriate City officials to enter into an agreement with AT&T Wisconsin relating to delivery of U-verse television services, a copy of which is attached to this file; and, be it

Further Resolved, That the agreement shall be approved by the City Attorney and countersigned by the City Comptroller; and, be it

Further Resolved, That the City Comptroller is directed to deposit PEG Grant revenues in a separate account which shall be under the control of the City Clerk's Office; and, be it

Further Resolved, That the City Clerk is directed to prepare a plan and guidelines for expenditure of PEG Grant revenues for review and approval by the Common Council.

City Attorney
LRB07139-2
AEH

3/19/2007