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Title: Resolution approving a Fourth Amendment to the Access Management Contract between the City of Milwaukee and Milwaukee Access Telecommunication Authority, Inc.

Sponsors: THE CHAIR

Indexes: AGREEMENTS, CABLE TELEVISION, MATA

Attachments: 1. Letter from Ronald Leonhardt City Clerk, 2. 4th amendment.pdf, 3. 4th amendment-draft.pdf, 4. Hearing notice list, 5. Fiscal note, 6. Revised 4th amendment substitute, 7. Hearing notice list, 8. Executed Fourth Amendment Contract

Date	Ver.	Action By	Action	Result	Tally
6/10/2008	0	COMMON COUNCIL	ASSIGNED TO		
6/13/2008	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
7/9/2008	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
7/16/2008	0	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	4:0
7/30/2008	0	COMMON COUNCIL	ADOPTED	Pass	12:0
8/6/2008	0	MAYOR	SIGNED		

080243

ORIGINAL

991747, 000491, 031356, 070906

THE CHAIR

Resolution approving a Fourth Amendment to the Access Management Contract between the City of Milwaukee and Milwaukee Access Telecommunication Authority, Inc.

This resolution authorizes the Fourth Amendment to the City's Access Management Contract with the Milwaukee Access Telecommunication Authority ("MATA"). This amendment updates the contract to reflect the passage of state video service provider franchising legislation and the elimination of local franchise agreements.

Whereas, The City, acting pursuant to Resolution File No. 991747, and MATA (the Contractor) entered into an April 20, 2000 Access Management Contract (the "Original Agreement"); and

Whereas, The City, acting pursuant to Resolution File No. 000491, and the Contractor entered into an Amendment to the Original Agreement modifying certain approval and funding dates (the "First Amendment"); and

Whereas, The City, acting pursuant to Resolution File No. 031356, and the Contractor entered into a Second Amendment to the Agreement granting funds to satisfy certain mortgage liens on Contractor's real property (the

“Second Amendment”); and

Whereas, The City, acting pursuant to Resolution File No. 070906, and the Contractor entered into a Third Amendment to the Agreement relating to Contractor’s additional responsibilities resulting from the City’s video services agreement with AT&T Wisconsin and providing additional funding to Contractor from funds to be received from AT&T Wisconsin (the “Third Amendment”; the Original Agreement as amended by the First, Second and Third Amendments is hereafter referred to as the “Agreement”); and

Whereas, Under the terms of the Agreement, Contractor is to provide specified community and educational access services for the 17 year term of the Agreement; and

Whereas, The Agreement designates Contractor as an Access Manager for purposes of Section 99-11, Milwaukee Code of Ordinances, and assigns control and management of certain public and educational access channels, facilities and resources to Contractor; and

Whereas, The State of Wisconsin enacted 2007 Wisconsin Act 42, effective January 9, 2008, which provides for state franchises for video service providers; and

Whereas, Both Time Warner Cable of Wisconsin and AT&T Wisconsin have applied for and been granted state video service provider franchises, superseding their local agreements with the City of Milwaukee; and

Whereas, The City desires to have Contractor continue to control and manage the public and educational access channels established under the City’s prior agreements with Time Warner Cable of Wisconsin and AT&T Wisconsin and which are required by 2007 Wisconsin Act 42 to continue to be provided and supported by state video service providers; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Fourth Amendment to the Access Management Contract between the City of Milwaukee and Milwaukee Access Telecommunication Authority, Inc. attached to this file is approved and that the City Clerk is directed to execute the Fourth Amendment on behalf of the City of Milwaukee.

City Clerk

RDL

