



Legislation Details (With Text)

**File #:** 980529      **Version:** 2  
**Type:** Resolution      **Status:** Passed  
**File created:** 7/7/1998      **In control:** LICENSES COMMITTEE  
**On agenda:**      **Final action:** 2/29/2000

**Effective date:**

**Title:** Substitute resolution relating to the designation of an access manager for the public and educational access channels on the cable system serving the City of Milwaukee.

**Sponsors:** THE CHAIR

**Indexes:** CABLE TELEVISION, COMMUNICATIONS SYSTEMS, MATA

**Attachments:**

| Date       | Ver. | Action By          | Action                    | Result | Tally |
|------------|------|--------------------|---------------------------|--------|-------|
| 7/7/1998   | 0    | COMMON COUNCIL     | ASSIGNED TO               |        |       |
| 7/7/1998   | 0    | LICENSES COMMITTEE | REFERRED TO               |        |       |
| 7/7/1998   | 0    | LICENSES COMMITTEE | REFERRED TO               |        |       |
| 11/10/1998 | 0    | LICENSES COMMITTEE | HEARING NOTICES SENT      |        |       |
| 12/3/1999  | 1    | CITY CLERK         | DRAFT SUBMITTED           |        |       |
| 12/9/1999  | 1    | LICENSES COMMITTEE | HELD TO CALL OF THE CHAIR | Pass   | 5:0   |
| 12/10/1999 | 1    | LICENSES COMMITTEE | HEARING NOTICES SENT      |        |       |
| 12/15/1999 | 1    | LICENSES COMMITTEE | HELD TO CALL OF THE CHAIR | Pass   | 5:0   |
| 2/10/2000  | 1    | LICENSES COMMITTEE | HEARING NOTICES SENT      |        |       |
| 2/15/2000  | 2    | CITY CLERK         | DRAFT SUBMITTED           |        |       |
| 2/16/2000  | 2    | LICENSES COMMITTEE | RECOMMENDED FOR ADOPTION  | Pass   | 3:0   |
| 2/29/2000  | 2    | COMMON COUNCIL     | ADOPTED                   | Pass   | 17:0  |
| 3/1/2000   | 2    | MAYOR              | SIGNED                    |        |       |

980529  
SUBSTITUTE 2

**THE CHAIR**

Substitute resolution relating to the designation of an access manager for the public and educational access channels on the cable system serving the City of Milwaukee.

- Analysis -

This resolution authorizes the City Clerk to commence negotiations with the Milwaukee Access Telecommunication Authority ("MATA") for a services contract as the City's public access manager under the recreated version of Chapter 99, Milwaukee Code of Ordinances, and the January 1, 2000 Renewal Cable Television Franchise Agreement ("Renewal Agreement") with Time Warner of Southeastern Wisconsin, LP ("Time Warner"). MATA is the entity which operated cable access programming under the prior 1983 Cable Franchise Agreement. Pursuant to Resolution File No. 981230, MATA was given an interim access management agreement, commencing on January 1, 2000, for a period not to exceed 180 days. During this interim period, the City Clerk would negotiate the terms and conditions of the long term access manager contract with MATA and make a recommendation to the Common Council to either designate MATA as the City's access manager and enter into a long term access management contract with MATA or report that a proposed contract could not be reached with MATA. The Common Council would make the final decision on both the designation of MATA and entry into the access management agreement with MATA.

Whereas, Under File No. 981230, the Common Council approved a Renewal Cable Television Franchise Agreement ("Renewal Agreement") with Time Warner Cable of Southeastern Wisconsin, LP ("Time Warner"); and

Whereas, The term of the Renewal Agreement commenced on January 1, 2000, thereby terminating the 1983 Franchise Agreement ("1983 Agreement") pursuant to the terms of the extension of the 1983 Agreement granted under Common Council File No. 991229; and

Whereas, The termination of the 1983 Agreement terminated all rights and interest under that agreement of the Milwaukee Access Telecommunication Authority ("MATA"), the entity operating public access programming on the City's cable television system under the 1983 Agreement; and

Whereas, Under File No. 981230, the Common Council authorized the City Clerk to enter into a temporary agreement with MATA to operate public access. The term of the temporary agreement would end at the sooner of the entry into a long term access management contract or 180 days; and

Whereas, The Office of the City Clerk has developed a proposed form of Access Manager Contract ("Access Contract"), a copy of which is attached to this file, for use in retaining MATA as the access manager to operate public access programming under the Renewal Agreement and the recreated provisions of Chapter 99, Milwaukee Code of Ordinances, currently being considered by the Common Council under File No. 980530; and

Whereas, During the period of the 180 day temporary agreement, the City Clerk will attempt to finalize negotiations with MATA for the long term Access Contract, consistent with the attached proposed Access Contract, and make a recommendation to the Common Council for the designation of MATA as the City's access manager and the approval of the final version of the Access Contract with MATA; now, therefore, be it

Resolved, That the Common Council hereby directs the City Clerk to commence negotiations with MATA for a long term Access Contract based upon that proposed form of Access Contract attached to this file; and be it

Further Resolved, That upon the conclusion of negotiations with MATA, but in no case later than 180 days after January 1, 2000, the City Clerk shall either recommend a final Access Contract with MATA to the Common Council for its review and approval or report back to the Common Council that a proposed contract could not be reached with MATA.

City Atty.  
PBMCD:dms  
2/2/00  
26710