



Legislation Text

File #: 991229, Version: 1

991229
SUBSTITUTE 1

THE CHAIR

Substitute resolution approving a Memorandum of Understanding providing for an interim extension of the current Cable Television Franchise Agreement and related matters.

- Analysis -

This resolution authorizes the execution of an Extension of Franchise Agreement extending the term of the City's Cable Franchise Agreement with Time Warner Entertainment ("TWE"). The extension is necessary because the current franchise term expires on November 30, 1999, and the parties will need additional time to either conclude the informal negotiation process for a renewal franchise agreement or, if a franchise renewal cannot be informally arrived at, to conclude the formal renewal process. The agreement will extend the current Franchise Agreement and the City's Conduit Rental Agreement with TWE to February 29, 2000. The Extension Agreement also extends TWE's contract and lease arrangements with the Milwaukee Access Telecommunications Authority for a like period.

Whereas, The parties have been engaged in an informal process to renew the June 1, 1983 Cable Franchise Agreement, as amended (the "Franchise Agreement"); and

Whereas, The Franchise Agreement, as amended by the August 1, 1999 Extension of Franchise, expires on November 30, 1999 and the parties wish to preserve the status quo between them, and among each of them and the Milwaukee Access Telecommunications Authority ("MATA") until either the entry into an informally negotiated Renewal Franchise Agreement or, if a Franchise Agreement cannot be informally agreed to, until February 29, 2000; now, therefore, be it

Resolved, That the proper City officers are hereby authorized and directed to execute the Extension of Franchise Agreement with Time Warner Entertainment, LP ("TWE") attached to this file.

Further Resolved, That if TWE refuses to execute the Extension of Franchise Agreement, the Common Council hereby resolves to preserve the status quo between the City and TWE based upon all terms and conditions of the June 1, 1983 Cable Franchise Agreement, as amended, until the occurrence of any of the following:

1. The parties enter into an informally negotiated Renewal Franchise Agreement;
2. The parties conclude the formal renewal process under federal law resulting in either a Renewal Franchise Agreement or a franchise nonrenewal;
3. TWE gives the City notice that it is abandoning the June 1, 1983 Cable Franchise Agreement and any rights that it may have to seek renewal of that agreement; or
4. TWE fails to comply with a material provision of the June 1, 1983 Cable Franchise Agreement and the City elects to revoke the franchise in accordance with the terms, conditions and procedures of the June 1, 1983 Cable Franchise Agreement.

City Attorney's Office
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