



City Council Report

Date: October 1, 2018
To: City Council
Through: Kari Kent, Assistant City Manager
From: Elizabeth Huning, City Engineer
Marc Ahlstrom, Assistant City Engineer
Subject: Second License Amendment to the Cox Communications (CoxCom) Nonexclusive, 2003 Cable Television License (Citywide)

Purpose and Recommendation

The purpose of this report is to request Council approval for execution of a Second Amendment to the existing Nonexclusive, 2003 Cable Television Renewal License with CoxCom, Inc. (Cox.)

Staff recommends that Council authorize the City Manager to enter into the Amendment on behalf of the City.

Background & Discussion

City of Mesa and Cox entered into a "Nonexclusive, 2003 Cable Television Renewal License" effective October 19, 2003, which is set to expire on October 19, 2018.

In May 2018, the Arizona State Legislature approved, and the Governor signed into law Senate Bill 1140, which amended Title 9, Chapter 13 of the Arizona Revised Statutes relating to video services. State statutes now require that local governments adopt a standard form of uniform video service license agreement by July 1, 2019, which video service providers may elect to accept on or after January 1, 2020.

Because the current license is set to expire before the changes to state law take effect, Cox has agreed to extend the current License until no later than March 15, 2020. This extension will bridge the gap of time between the expiration of the current license and the creation and adoption of the new uniform video service license agreement.

City staff is in the process of drafting the standard form of uniform video service and reviewing applicable Mesa City Code to comply with changes to state law. This new agreement will be brought to Council for approval at a future date.

Alternatives

City Council could choose not to authorize this Amendment. This is not recommended because Cox would be operating without a license. Furthermore, City Council could consider different Amendment language.

Fiscal Impact

There is no fiscal impact to the City with the execution of this Amendment.

Coordinated With

This Amendment was coordinated with the City Attorney's Office.