

Mayor and City Council Agenda Item Request

Meeting Date: 11/21/2016

Type: Ordinance / Regulations / Resolution

Call to Podium:

Tony Tomasello

Agenda Item Title:

Resolution of the Mayor and City Council Approving the Change of Indirect Control of the Franchisee Under the RCN Telecom Services, LLC (RCN) Cable Franchise Agreement

Responsible Staff and Department:

Tony Tomasello, City Manager

Desired Outcome from Council:

Vote on Resolution

SUPPORTING BACKGROUND ON NEXT PAGE

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Supporting Background Information:

Radiate Holdings, L.P. (an affiliate of TPG Capital) has entered into an agreement to acquire RCN Telecom Services, LLC. Although indirect control of the community's franchisee will change, the franchise will continue to be held by the same legal entity that holds the franchise today and will continue to provide service pursuant to that franchise. Furthermore, the same company that manages the system today will continue to do so under ownership and indirect control of TPG affiliate Radiate Holdings, L.P.

RCN and Radiate have requested that the City draft a resolution "approving the change of indirect control of the franchisee under the cable television franchise." Furthermore, the resolution is required under §6-3 of the City Code which states, "No franchise may be transferred without the approval of the Council by resolution duly enacted" and §6-10 which specifies similarly that such prior approval is needed for cable system transfers. Attached is the draft resolution.