



MEMORANDUM

TO: Mary Katherine Greenlaw, Mayor, and members of City Council
FROM: Kathleen Dooley, City Attorney; Melissa Steiniger, Project Manager
SUBJECT: Extension of Verizon Cable franchise
DATE: April 1, 2022 (for the April 12, 2022 Council Meeting)

ISSUE

Shall Council extend the term of the 2007 Verizon cable television franchise for approximately six months, to permit the conclusion of renewal negotiations?

RECOMMENDATION

Yes, by adoption of the attached resolution. The 15-year franchise will expire April 15, 2022. City staff is negotiating renewal terms with Verizon representatives. The renewal terms should be ready for Council review and approval by the last meeting of November.

DISCUSSION

As additional background, City Council also created a Cable Franchise Renewal Steering Committee, which is meeting with City staff and outside counsel Matt Ames of Hubacher Ames & Taylor, PLLC. Working together, this group created a term sheet for the renewal, which has been presented to Verizon representatives.

The Verizon representatives have pledged to present a draft renewal franchise during the month of April. City staff proposes to meet with the Steering Committee to review this draft in early May, and to meet again with Verizon in mid-May. Meanwhile, the cable franchise legal environment is highly regulated by state and federal law. Thus, the staff recommend that Council act formally to extend the current franchise for sufficient time to wrap up renewal negotiations.

FISCAL IMPACT

None



MOTION:

**April 12, 2022
Regular Meeting
Resolution 22-**

SECOND:

RE: Extending the Term of the Verizon Cable Television Franchise

ACTION: APPROVED: Ayes: 0; Nays: 0

City Council adopted Ordinance No. 07-30, "Granting a Fifteen Year Non-exclusive Franchise to Verizon Virginia, Inc. to Provide Cable Television Services Throughout the City," on July 10, 2007. The term of the 15-year franchise will expire on April 15, 2022.

City staff and Verizon have been engaged in discussions concerning the renewal of the franchise, but those discussions have not yet been completed.

The Council wishes to extend the term of the franchise to allow time for the parties to complete negotiation.

By letter from Verizon dated April ___, 2022, Verizon consented to the proposed extension of the franchise to November 23, 2022. Both the Council and Verizon desire to reserve the respective rights under state and federal law, including, without limitation, 47 U.S.C. §546.

Therefore, the City Council hereby resolves that the term of the Verizon Virginia, Inc. cable television franchise is hereby extended from April 15, 2022 to November 23, 2022.

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

Clerk's Certificate

I certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Resolution No. 22-__, adopted at a meeting of the City Council held Date, 2022, at which a quorum was present and voted.

***Tonya B. Lacey, MMC
Clerk of Council***