



## CITY OF MARSHALL AGENDA ITEM REPORT

<b>Meeting Date:</b>	Tuesday, December 8, 2020
<b>Category:</b>	CONSENT AGENDA
<b>Type:</b>	ACTION
<b>Subject:</b>	Consider Resolution regarding FCC Form 394 – Consent to Assignment or Transfer of Control of Cable Television Franchise
<b>Background Information:</b>	<p>On October 22, 2020, Clarity Telecom, doing business as Vast Broadband, submitted to the City Form 394 - Application for Franchise Authority Consent to Assignment or Transfer of Control of Cable Television Franchise.</p> <p>Pursuant to applicable law and the City’s franchise, this proposed change of control is prohibited without the written consent of the City. Federal law provides the City with a period of one hundred twenty (120) days to examine the legal, technical and financial qualifications of the proposed transferee – GI DI Rushmore TopCo, LLC (“Rushmore”). Under federal law, if the one hundred twenty (120) days expires without action by the City, the Application is deemed granted. Given that Clarity will retain control of the Franchise as the "Grantee" following completion of the proposed transaction Moss &amp; Barnett’s review does not address the legal and technical qualifications of Clarity, but rather focuses solely on the financial qualifications.</p>
<b>Fiscal Impact:</b>	N/A
<b>Alternative/ Variations:</b>	None
<b>Recommendations:</b>	Staff recommends approval of Resolution as presented.