



CITY OF MARSHALL AGENDA ITEM REPORT

Meeting Date:	Tuesday, March 26, 2019
Category:	CONSENT AGENDA
Type:	ACTION
Subject:	Consider Resolution regarding FCC Form 394 – Consent to Assignment or Transfer of Control of Cable Television Franchise
Background Information:	<p>On January 23, 2019, 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. Pursuant to Minnesota state 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 – Python Intermediate II, LLC ("Python"). 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 & Barnett's review does not address the legal and technical qualifications of Clarity, but rather focuses solely on the financial qualifications as directed by the City.</p>
Fiscal Impact:	N/A
Alternative/ Variations:	None suggested.
Recommendations:	Staff recommends approval of resolution as presented.