



Legislation Text

File #: ORD-18:065, **Version:** 1

AN ORDINANCE TO AMEND THE RITTER COMMUNICATIONS, INC. FRANCHISE AGREEMENT AND TO ENTER INTO A MEMORANDUM OF AGREEMENT BETWEEN RITTER COMMUNICATIONS, INC. AND THE CITY OF JONESBORO

WHEREAS, the City Council of the City of Jonesboro, Arkansas adopted Ordinance 07:3167 which granted Ritter Communication, Inc., a nonexclusive franchise to construct, operate and maintain a cable television system in the city of Jonesboro and levying a franchise fee in connection with Ritter's provision of cable television service in the City of Jonesboro; and for other purposes; and

WHEREAS, the City of Jonesboro desires to amend the agreement requiring Ritter to make annual contributions to the City to support and extend Public, Educational, and Governmental (PEG) access to cable television channel capacity within the City; and

WHEREAS, the franchise agreement with Ritter Communications, Inc. needs to be amended to reflect said change in PEG payments; and

WHEREAS, the City of Jonesboro would like to enter into a memorandum of agreement to satisfy Ritter Communication, Inc.'s agreed upon 2008-2017 PEG Access contribution amount of \$29,350.24 with a \$10,000 payment to the City of Jonesboro and an upcoming 5-year \$5,000 Joe Mack Campbell Park sponsorship contract.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, THAT:

SECTION 1: The City of Jonesboro repeals and replaces Section 6 of Ordinance 07:3167 with the following language:

Contribution to Public, Educational and Governmental Access. Ritter shall make an annual contribution to the City to support and extend public, educational, and governmental (PEG) access to cable television channel capacity within the City. Ritter's annual contribution was determined by mutual agreement between Ritter Communications and the City of Jonesboro. That contribution will be \$3,000 per year, which can be met with in kind contributions of video production services with a minimum of 40 hours per calendar year. At Ritter's discretion its annual contribution to PEG access within the City may be passed through to its cable television service customers, on a pro rata basis, on monthly subscriber bills

as permitted by federal law and FCC regulation.

SECTION 2: Section 8 is amended to delete the phrase "for fifteen (15) years" and replace it with the phrase "through and including December 31, 2028."

SECTION 3: The City of Jonesboro will enter into a Memorandum of Agreement with Ritter Communication, Inc. that details the satisfaction of the 2008-2017 PEG Access contribution amount of \$29,350.24.

SECTION 4: The Mayor and City Clerk are hereby authorized to execute any documents necessary to effectuate these agreements.

PASSED AND APPROVED this 20th day of November, 2018.