



Action Requested/Required:

- Vote/Action Requested
- Public Hearing
- For Discussion Only
- Presentation Only

Department: Finance **Presenter(s) & Title:** Melissa Forrester, Finance Director

Agenda Item Title:

Resolution to Establish a Standard Cable and Video Franchise Fee of 5%

Summary:

The City is a participant of the Georgia Municipal Association's Telecommunications & Right of Way Management program. Our advisor is auditing cable and telephone franchise fee payments and contracts.

Our advisor recommends passing the attached resolution as soon as possible. This will establish a standard cable franchise fee rate of 5% within our jurisdiction for future and existing service providers. The City had been operating with a franchise agreement solely with Comcast- that had recently expired and is automatically renewing month-to-month.

Georgia Code (§ 46-5-1) establishes statutory franchise fee rates for telephone and broadband service providers.

Budget Implications:

Budgeted? Yes No N/A

Total Cost of Project: Check if Estimated

Fund Source: General Fund Water & Sewer Sales Tax Other:

Staff Recommendations:

No action requested at the July 11 meeting. We will be asking for a "Motion to Approve the Resolution to Establish a Franchise Fee for Holders of Cable and Video Franchises Issued by the State of Georgia" at the July 18 meeting.

Reviews:

Has this been reviewed by Management and Legal Counsel, if required? Yes No

Attachments:

Resolution to Establish a Franchise Fee for Holders of Cable and Video Franchises

RESOLUTION

A RESOLUTION OF THE CITY OF CANTON THROUGH THE COUNCIL TO AUTHORIZE THE MAYOR TO ESTABLISH A FRANCHISE FEE APPLICABLE TO HOLDERS OF CABLE AND VIDEO FRANCHISES ISSUED BY THE STATE OF GEORGIA

WHEREAS, the City currently collects a franchise fee from any current cable or video providers;

WHEREAS, the City considers collecting a franchise fee from a cable or video provider utilizing the public rights of way as compensation to the public for the use of the rights of way and a means of promoting the public health, safety, welfare and economics development of the City and to protect public works infrastructure;

WHEREAS, the City of Canton is authorized to collect a franchise fee of 5%, the maximum amount established by federal and state law, of each cable or video providers gross revenues received from the provision of cable or video service generated within the City;

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the City of Canton hereby requires a franchise fee of 5% of any cable or video state franchise holder's gross revenues received from the provision of cable or video service generated within the corporate boundaries of the City of Canton, pursuant to a franchise issued by the State of Georgia pursuant to O.C.G.A. 36-76-1 et seq. known as the "Consumer Choice for Television Act" of 2007.

RESOLVED by the Mayor and Council of the City of Canton this ___th day of _____ 2024.

ATTEST:

By _____

City Clerk

Mayor: _____

City of Canton

(SEAL)