



# City of Maricopa

## Legislation Text

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**File #:** RES 12-20, **Version:** 1

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A Resolution of the Mayor and City Council of the City of Maricopa, Arizona authorizing the transfer of control of cable television franchise from Orbitel Holdings, LLC to Schurz Communications, Inc. Discussion and Action.

Orbitel Communications, L.L.C. (“Orbitel Communications”) currently owns and operates a cable television system in Maricopa pursuant to a License Agreement dated October 19, 2004. Subsequently, pursuant to Resolution 11-16, the City authorized the assignment of another License Agreement, dated October 19, 2004, between the City and Maricopa Broadband, LLC to Orbitel Communications and merged the two Licenses.

Pursuant to a stock purchase agreement, Orbitel Holdings, LLC, and Schurz Communications, Inc. (“Schurz”) has submitted an application to the Federal Communications Commission (“FCC”) on a Form 394. This form and supporting documentation for the Transfer of Control of its cable television franchise to Schurz Communications, Inc. (“Schurz”) was also submitted to the City for review and approval.

This stock purchase agreement transfers the rights, title and interest in the outstanding shares of capital stock of Orbitel Holdings, LLC to Schurz. Although Schurz will acquire all of the outstanding shares of capital stock of Orbitel Holdings, LLC, Orbitel Communications will continue to operate the cable service in the City.

In accordance with the City of Maricopa Cable Television Code adopted September 21, 2004, a transfer of control cannot occur without the prior written consent of the City. In addition, the Code requires submittal of certain information prior to approval. Staff and the City Attorney has reviewed the Code and the information accompanying the FCC Form 394 and determined all the requirements have been met. A copy of the FCC Form 394 is attached. The complete submittal packet is on file with the City Clerk and is available for public inspection upon request.

Representatives from Orbitel Communications, LLC and Schurz Communications, Inc. will be present for additional questions.

Staff recommends approval of the resolution authorizing the transfer of control of cable television franchise from Orbitel Holdings, LLC to Schurz Communications, Inc.