

ORDINANCE NO. 091, 2019
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING THE PURCHASING AGENT TO ENTER INTO LICENSING
CONTRACTS WITH A TERM LENGTH IN EXCESS OF FIVE YEARS FOR THE
ACQUISITION OF VIDEO CONTENT RIGHTS IN FURTHERANCE OF FORT COLLINS
CONNEXION'S DELIVERY OF TELECOMMUNICATION SERVICES

WHEREAS, City Council, acting *ex officio* as the Board of the Electric Utility Enterprise (the "Enterprise"), will on this date consider Ordinance No. 006 (the "Enterprise Ordinance") to approve long-term (up to 7 years) licensing contracts for rights to deliver cable or other subscriber video content, programming, and streaming services from local channels, individual channels and channel families, and video content aggregators, all as set forth therein (the "Authorized Obligations") and authorize the City's Purchasing Agent to sign the Authorized Obligations; and

WHEREAS, the Enterprise Ordinance is necessary as a result of the unique and limited nature of the video content licensing market, which involves proprietary content, restrictions imposed by video content developers, and standardized licensing periods and contract provisions, requiring unique contracting terms to obtain necessary video content for the Telecommunication Facilities and Services division (known as Fort Collins Connexion) of the City's Electric Utility and a part of the Enterprise, to provide video services to subscribers; and

WHEREAS, City Code Section 8-186(a) states that no contract for services or professional services, including all renewals, shall be made by the City for a period longer than five years, unless authorized by ordinance, which ordinance shall not be passed as an emergency ordinance; and

WHEREAS, it is in the best interest of the City and the citizens of Fort Collins, including ratepayers of the Enterprise, that the Purchasing Agent be authorized to enter into Authorized Obligations for terms in excess of five years to enable Connexion to secure the video content necessary to meet market demand for and contribute to successful deliver of its telecommunication services.

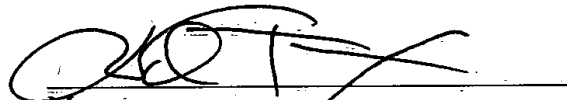
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That the Purchasing Agent is hereby authorized to enter into the Authorized Obligations as defined in the Enterprise Ordinance for rights to deliver cable or other subscriber video content, programming, and streaming services from local channels, individual channels and channel families, and video content aggregators for terms not to exceed 7 years.

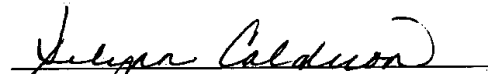
Section 3. That the authorization set forth in this Ordinance is expressly conditioned upon approval of the Enterprise Ordinance by the Board of the Electric Utility Enterprise.

Introduced, considered favorably on first reading, and ordered published this 2nd day of July, A.D. 2019, and to be presented for final passage on the 16th day of July, A.D. 2019.



Mayor

ATTEST:



City Clerk

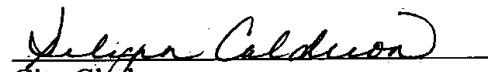


Passed and adopted on final reading on the 16th day of July, A.D. 2019.



Mayor

ATTEST:



City Clerk

