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**CITY OF SAN ANTONIO
OFFICE OF THE CITY COUNCIL
COUNCIL CONSIDERATION REQUEST**

08 MAY -2 PM 3:44

TO: Mayor & City Council

FROM: Councilwoman Jennifer V. Ramos, District 3

COPIES TO: Sheryl Sculley, City Manager; Leticia Vacek, City Clerk; Edward Benavides, Executive Assistant to the City Manager; Chris Callanen, Assistant to the City Council; Michael Bernard, City Attorney; Catherine J. Hernandez, Special Projects Manager; Ramiro Gonzales, Senior Management Analyst

SUBJECT: Request for Placement of Item on Governance Committee Agenda

DATE: May 1, 2008

Issue Proposed for Consideration

I ask for your support for the inclusion of the following item on the agenda of the earliest available meeting of the Governance Committee:

Your support is requested to direct the Department of Finance to explore the feasibility of conducting an audit of Time Warner Cable, AT&T, Grande Communications and other cable television providers of this sort. A review of the accurate remittance of franchise fees and public, education, and government (PEG) fees, by the City's Public Utilities Supervisor, is intended to ensure that all revenue required by the terms of municipal franchise agreements are being collected by the City of San Antonio.

Brief Background

For the purpose of providing a functional example of the intent of this initiative, an industry case study is provided for your review. Time Warner Cable's Franchise Agreement with the City expired on December 31, 2005. Under provisions of state legislation which became effective in 2005, cable franchise agreements with municipalities were replaced with State issued franchise agreements through the Public Utility Commission of Texas. Time Warner Cable now operates under the provisions of a State issued certificate in San Antonio. A recent audit, conducted by the City of Austin's Auditor's office, found that Time Warner Cable owed the City of Austin \$1,072,148 in fees. According to the April 22, 2008 audit report referenced here, the City of Austin's Auditor's office is recommending immediate payment of all fees owed by Time Warner Cable. A review of the full report can be viewed on-line under **Reports** at <http://www.ci.austin.tx.us/auditor>. Time Warner Cable may be one among other cable providers in need of a review of fees owed to the City. Your favorable consideration is therefore requested.

Submitted for Council consideration
by:


Councilwoman Jennifer V. Ramos

Supporting Councilmembers' Signatures (4 only)

District No.

1. Lourdes Salvan
2. Marykristi Cisneros
3. [Signature]
4. [Signature]

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