



# City of San Antonio

## Agenda Memorandum

**File Number:**13-1032

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**Agenda Item Number:** 21.

**Agenda Date:** 12/5/2013

**In Control:** City Council A Session

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**DEPARTMENT:** Downtown Operations Department

**DEPARTMENT HEAD:** Jim Mery

**COUNCIL DISTRICTS IMPACTED:** 1

### **SUBJECT:**

Belo Corporation, Inc. d/b/a KENS 5 TV - Antenna License Agreement Amendment 1

### **SUMMARY:**

This ordinance authorizes Amendment No. 1 (Amendment) to the Antenna License Agreement (Agreement) between the City of San Antonio and Belo Corporation, Inc. d/b/a KENS 5 TV to extend the Agreement for an additional five (5) year term commencing January 1, 2014 at an initial annual license fee of \$22,960.00 for the purpose of operating and maintaining an electronic news gathering relay station and associated equipment at the Tower of the Americas.

### **BACKGROUND INFORMATION:**

On December 4, 2008, City Council approved Ordinance 2008-12-04-1095, which authorized an Antenna License Agreement with KENS 5 TV for the purpose of operating and maintaining an electronic news gathering relay station and associated equipment at the Tower of the Americas. The Agreement was for a term of five (5) years commencing January 1, 2009 to December 31, 2013 and included an option to extend for an additional five (5) year period, subject to City Council approval.

On September 25, 2013 KENS 5 TV notified the City of its desire to exercise the Agreement's extension option. The extended term of the agreement will be from January 1, 2014 to December 31, 2018 at initial annual license fee \$22,960.00 and increasing by 3.00% annually thereafter.

**ISSUE:**

Approval of this Amendment is consistent with the City's policy of licensing public facilities to generate revenue.

**ALTERNATIVES:**

The City may elect to not approve this Amendment, which would result in KENS 5 TV reverting to a monthly license agreement or ceasing operation of the electronic news gathering relay station from the Tower of the Americas.

**FISCAL IMPACT:**

The initial annual license fee for the extended term of the Agreement will be \$22,960.00 and will increase by 3.00% annually thereafter. The total value of this Amendment is \$121,898.00. Funds associated with this amendment will be deposited into the General Fund in accordance with the 2014 Adopted Budget.

**RECOMMENDATION:**

Staff recommends approval of this Amendment with KENS 5 TV to extend their current Antenna License Agreement for an additional five (5) year term commencing January 1, 2014 at an initial annual license fee of \$22,960.00 for the purpose of operating and maintaining an electronic news gathering relay station and associated equipment at the Tower of the Americas.