



# City of San Antonio

## Agenda Memorandum

**File Number:**

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**Agenda Item Number:** 8

**Agenda Date:** February 2, 2023

**In Control:** City Council A Session

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**DEPARTMENT:** Office of the City Attorney

**DEPARTMENT HEAD:** Andy Segovia

**COUNCIL DISTRICTS IMPACTED:** Citywide

**SUBJECT:**

Settlement of litigation styled City of San Antonio v Time Warner Cable Texas, LLC, d/b/a Spectrum and Charter Communications, Case No. 5:17-CV-01232-JKP

**SUMMARY:**

This item will approve the settlement of a lawsuit styled City of San Antonio v Time Warner Cable Texas, LLC, d/b/a Spectrum and Charter Communications, Case No. 5:17-CV-01232-JKP pending in the United States District Court, Western District of Texas, San Antonio Division.

**BACKGROUND INFORMATION:**

The City of San Antonio brought suit against Time Warner Cable contending underpayment of various cable franchise fees. The parties have reached an agreement whereby Time Warner Cable will pay specific percentages in franchise and PEG fees for the next ten years with an estimated value of more than \$3 million. The parties have also established guidelines for audit of records moving forward.

**ISSUE:**

Settlements over \$50,000 require City Council approval.

**ALTERNATIVES:**

If this settlement is not approved by the City Council, this case will likely proceed to a jury trial. It is in the best interest of the City to settle this matter to avoid the uncertainties and risks associated with litigation.

**FISCAL IMPACT:**

If approved, the additional revenue will be paid to the City of San Antonio over a period of ten years, 83% will be paid into the General Fund and 17% into the PEG fund in accordance with state law.

**RECOMMENDATION:**

Staff recommends approval of this item.