



# Baldwin County Commission

## Legislation Details (With Text)

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**File #:** 20-1125      **Version:** 1  
**Type:** Public Hearings      **Status:** Agenda Ready  
**File created:** 5/8/2020      **In control:** Baldwin County Commission Regular  
**On agenda:** 6/2/2020      **Final action:**  
**Title:** BellSouth Telecommunications, LLC d/b/a AT&T Alabama - Video Services Franchise Agreement  
**Indexes:**  
**Attachments:** 1. AT&T Franchise Agreement - Second Amendment 20200602, 2. AT&T Alabama Franchise Agreement Renewal for Competitive Video Services 20150804, 3. Business Entity Form (AL Secretary of State)

Date	Ver.	Action By	Action	Result
6/2/2020	1	Baldwin County Commission Regular	Approved	Pass

**Meeting Type:** BCC Regular Meeting  
**Meeting Date:** 6/2/2020  
**Item Status:** New  
**From:** Wayne Dyess, County Administrator  
**Submitted by:** Anu Gary, Administrative Services Manager

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### ITEM TITLE

BellSouth Telecommunications, LLC d/b/a AT&T Alabama - Video Services Franchise Agreement

### STAFF RECOMMENDATION

Conduct a public hearing to consider the following:

Approve/authorize the provisions of Resolution #2011-085 of the Baldwin County Commission to be binding to BellSouth Telecommunications, LLC d/b/a AT&T Alabama, pursuant to AT&T Alabama executing an instrument entitled "Second Addendum to Video Services Agreement" between AT&T Alabama and the Baldwin County Commission.

This Agreement shall be for five (5) years commencing upon its effective date on August 10, 2020, as last executed among the parties, and expiring on August 10, 2025, unless terminated in another manner as prescribed by said Agreement.

### BACKGROUND INFORMATION

**Previous Commission action/date:** August 4, 2015 - Last BCC action taken.

**Background:** BellSouth Telecommunications, LLC d/b/a AT&T Alabama has requested a second amendment to the current Video Services Franchise Agreement with the Baldwin County Commission. The current franchise agreement with AT&T Alabama is due to expire on August 10,

2020.

The proposed "Second Addendum to Video Services Agreement" between AT&T Alabama and the Baldwin County Commission, amends the original "Agreement Authorizing AT&T Alabama to provide IP Video Services Within the Unincorporated Areas of Baldwin County, Alabama" (August 10, 2010), as amended by "Acceptance and Addendum to Video Services Agreement" (August 10, 2015).

**NEW REQUEST FOR A CABLE TELEVISION SYSTEM FRANCHISE AGREEMENT:**

Currently, there are five cable or video systems in unincorporated Baldwin County, which have been granted a franchise agreement by the Baldwin County Commission (Local Franchising Authority), which, authorizes their use of county-owned rights-of-way to operate in unincorporated Baldwin County.

The work session and public hearing allows AT&T Alabama an opportunity to participate in a process on this matter before this Local Franchising Authority. Staff requests that this Local Franchising Authority conduct a public hearing to allow the Commission and interested citizens an opportunity to determine if the grant of an Agreement would be in the best interest of the citizens and, if the public hearing does not reveal a legitimate reason to deny, approve such grant.

**FINANCIAL IMPACT**

**Total cost of recommendation:** N/A

**Budget line item(s) to be used:** N/A

**If this is not a budgeted expenditure, does the recommendation create a need for funding?**

N/A

**LEGAL IMPACT**

**Is legal review necessary for this staff recommendation and related documents?**

Yes, County Attorney to review and approve before BCC approval.

**Reviewed/approved by:** Approved by Sarah Young, Stone Crosby 05/18/2020 akq

**Additional comments:** N/A

**ADVERTISING REQUIREMENTS**

**Is advertising required for this recommendation?** N/A

**If the proof of publication affidavit is not attached, list the reason:** N/A

**FOLLOW UP IMPLEMENTATION**

**For time-sensitive follow up, select deadline date for follow up:** N/A

**Individual(s) responsible for follow up:** Administrative Staff

**Action required (list contact persons/addresses if documents are to be mailed or emailed):**

Administration:

Letter and Acceptance Form and Agreement to  
BellSouth Telecommunications, LLC d/b/a AT&T Alabama as follows:

C. Wayne Hutchens, President

**ATTN: Marti Sawzak**

AT&T Alabama

1884 Data Drive

First Floor

Hoover, Alabama 35244

cc: Heather Gwynn [hgwynn@baldwincountyal.gov](mailto:hgwynn@baldwincountyal.gov) <<mailto:hgwynn@baldwincountyal.gov>>

Cian Harrison [cian.harrison@baldwincountyal.gov](mailto:cian.harrison@baldwincountyal.gov)

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**Additional instructions/notes:** N/A