

MOTION

I HEREBY MOVE that the Council ADOPT the following recommendation of the City Attorney in order to effect settlement in the case entitled City of Los Angeles, et al. v. Pacific Bell Telephone Company (dba AT&T California), Los Angeles Superior Court Case No. BC 414 272, **SUBJECT TO THE APPROVAL OF THE MAYOR:**

REQUEST the City Attorney to settle the case on the following terms, subject to a final agreement between the parties:

- a. AT&T will make a custom application channel located at channel 35 on the U-Verse system available to the City to purchase AT&T will consult with City staff in designing the channel application. AT&T will also work with City staff to facilitate access by non-English speaking audiences and persons with disabilities.
- b. AT&T will pay a total of \$750,000 to the three Plaintiffs, and will also waive the \$36,000/year maintenance costs for six years, with the option of another four years if the City agrees to continue with the custom application channel and not sue.
- c. AT&T will not reduce the functionality, accessibility or quality of PEG programming made available via the custom channel application and AT&T will offer on the same terms and conditions any alternative method for delivering PEG programming that it provides any other municipality in the United States.
- d. For the purpose of monitoring PEG programming, AT&T will provide the City with a U-verse subscription at a location within the City where U-verse is available.

(Information Technology and General Services Committee waived consideration of the above matter)

PRESENTED BY _____
PAUL KREKORIAN
Councilmember, 2nd District

SECONDED BY _____
MITCHELL ENGLANDER
Councilmember, 12th District

ME
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