

DRAFT

RESOLUTION 20xx-xxx

RESOLUTION CONSENTING TO ASSIGNMENT AND ASSUMPTION OF MEDIA AGREEMENTS FOR AS NEEDED DISTRICT MARKETING AND OUTREACH CAMPAIGNS FROM MIDWEST TELEVISION, INC. TO KFMB TV, LLC (dba KFMB-TV, NFMB-TV, KFMB-FM, KFMB-AM) DUE TO A CHANGE IN STATION OWNERSHIP

WHEREAS, the San Diego Unified Port District (“District”) is a public corporation created by the Legislature in 1962 pursuant to Harbors and Navigation Code Appendix I; and

WHEREAS, the Board of Port Commissioners (BPC) adopted BPC Policy No. 110 to establish a policy governing the processing and administration of public projects, consulting and service agreements, the purchasing of supplies, materials and equipment, and grants; and

WHEREAS, on January 9, 2018, the BPC adopted a resolution authorizing agreements with Midwest Television Inc. for as-needed broadcast media services for KFMB-TV TV and KFMB-FM radio; and

WHEREAS, contracts with Midwest Television Inc. were executed in order to carry out the resolutions, and to provide as-needed services to the District’s Marketing & Communications Department; and

WHEREAS, the stations are part of a broadcast television and radio pool with seven television and eight radio media advertising service providers in the local market for various District branding, marketing and outreach campaigns; and

WHEREAS, effective February 14, 2018, Virginia based Tegna, Inc. Broadcasting Company (Tegna) purchased all operations and assets of Midwest Television, Inc.; and

WHEREAS, Tegna subsequently established a legal entity to transact all business formerly conducted by Midwest Television, Inc.: KFMB-TV, LLC; and

WHEREAS, this entity will conduct all business for the San Diego based portion of the broadcasting group including the television, radio and digital stations KFMB-TV, NFMB-TV, KFMB-FM, and KFMB-AM; and

WHEREAS, District Marketing & Communications staff has done due diligence and determined that project budgets and timelines will not be affected

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by this transfer of rights and obligations; therefore, staff recommends this assignment and assumption of the District's agreements to KFMB-TV, LLC.

NOW, THEREFORE, BE IT RESOLVED that the Board of Port Commissioners of the San Diego Unified Port District, hereby consents to the assignment and assumption of as-needed District marketing and outreach campaign agreements from Midwest Television, Inc. to KFMB-TV, LLC, due to change in station ownership.

APPROVED AS TO FORM AND LEGALITY:
GENERAL COUNSEL

By: Assistant/Senior/Deputy

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 8th day of May 2018, by the following vote: