

ORDINANCE NO. 2014-029-ADM

**AMENDMENT TO ORDINANCE NO. 2003-035 –
EXTENSION OF CHARTER FRANCHISE AGREEMENT**

WHEREAS, Marcus Cable of Alabama L.L.C. (the successor to CATV interests in Trussville, Alabama formerly held by A. D. Management, Inc, and its successor companies Southern Cablevision Systems and Alabama Broadband) and d/b/a Charter Communications, Inc., hereinafter “Charter”) previously entered a Cable Television Franchise Agreement (the “Charter Franchise Agreement”) with the City of Trussville Alabama (the “City”), that was authorized by Ordinance No 2003-035 (the “Charter Franchise”) on August 26, 2003; and

WHEREAS, since 2003 Charter has continually provided CATV service in the City pursuant to the Charter Franchise and the associated Charter Franchise Agreement;

WHEREAS, the Charter Franchise Agreement has expired;

WHEREAS, it is in the public interest to extend the Charter Franchise Agreement so that CATV service to the public will not be interrupted.

WHEREAS, following recent corporate transactions affecting Charter, it has acquired and is consolidating certain CATV holdings and operations;

WHEREAS, as a result of Charter’s corporate activities, it (or its affiliates) now controls Bright House Networks, LLC, an entity to whom the City also granted a franchise (the “Bright House Franchise”) and entered an associated Cable Franchise Service Agreement pursuant to Ordinance No. 2014 -014-ADM that was enacted on July 8, 2014;

WHEREAS, the City and Charter desire to extend the existing Charter Franchise Agreement and continue to interact on its terms and conditions until August 1, 2019, the date at which the Bright House Franchise will expire;

WHEREAS, provided Charter fulfills its obligations under the Charter Franchise Agreement that is hereby being extended and the Bright House Franchise, by no later than August 1, 2019, the City and Charter intend to have negotiated and be prepared to enter a new operating agreement that will consolidate all of Charter’s rights, duties and obligations concerning CATV service in the City into the same agreement; and

WHEREAS, by entering this Agreement the parties continue to reserve all rights under the formal procedures of Section 626 of the Cable Act, and they do not waive any rights related to that Section, the Charter Franchise or the Charter Franchise Agreement.

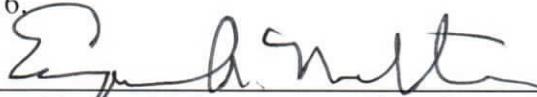
NOW, THEREFORE, BE IT ORDAINED by the City Council for the City of Trussville, Alabama that, as of the effective date of this Amendment to Ordinance 2003-035, the existing Charter Franchise Agreement and associated Charter Franchise shall be extended until August 1, 2019.

ADOPTED this 26th day of July 2016.



Council President, City of Trussville

APPROVED this 26th day of July, 2016.



Eugene Melton, Mayor, City of Trussville

ATTEST this 26th day of July, 2016.



Lynn Porter, City Clerk

CERTIFICATION

I, Lynn Porter, as City Clerk of the City of Trussville, Alabama, hereby certify that the above and foregoing copy of Amendment to Ordinance No. 2003-035 is a true and correct copy of said Ordinance, and that same was duly adopted by the City Council of the City of Trussville on the 26th day of July, 2016, as same appears in the official records of said City.

Posted at Trussville City Hall, Trussville Public Library, and Trussville Civic Center this the 29th day of July, 2016.



Lynn Porter