

ORDINANCE NO. 2023-15

AN ORDINANCE BETWEEN THE CITY OF SEWARD AND SPECTRUM MID-AMERICA, LLC EXTENDING A NON-EXCLUSIVE FRANCHISE TO SPECTRUM MID-AMERICA, LLC TO CONSTRUCT, OPERATE AND MAINTAIN A CABLE TELEVISION SYSTEM IN SEWARD, NEBRASKA SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OF THE FRANCHISE; AND PROVIDING FOR REGULATION AND USE OF THE SYSTEM; TO REPEAL ANY ORDINANCE OR PARTS THEREOF IN CONFLICT WITH THIS ORDINANCE; TO PROVIDE FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; TO PROVIDE FOR A TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SEWARD, NEBRASKA:

WHEREAS, Spectrum Mid-America, LLC (“Charter”) currently holds a Cable Television Franchise Agreement with The City of Seward, Nebraska (“City”), which took effect on January 1, 2015 (“Franchise”); and

WHEREAS, the Franchise will expire by its terms on December 31, 2024; and

WHEREAS, Charter filed timely notice of intent to renew its Cable Franchise with the City pursuant to section 626 of the Cable Communications Policy Act of 1984 (The “Cable Act”); and

WHEREAS, the City finds that Charter has substantially complied with the material terms of the Franchise under applicable laws, and that Charter’s financial, legal, and technical ability is sufficient to provide services, facilities, and equipment necessary to meet the future cable-related needs of the community; and

NOW, THEREFORE, the Franchise, as amended, is hereby extended until December 31, 2034, subject to the following modification:

Section 15.9 is modified as follows: Courtesy Service. Upon request, the Grantee shall furnish, without installation charge and without monthly fees one standard installation of Basic Service at the following locations provided that such location can be served by a drop of 150 feet or less and such location is, at the time of the request and at all times while receiving complimentary Basic Service, receiving both voice and internet services from Grantee. In the event the application location and/or applicable applicant is not receiving both voice and internet services from Grantee, Grantee shall have no obligation to provide complimentary Basic Service and shall have the right to terminate the applicable location’s courtesy Basic Service. The cost of any drop in excess of 150 feet shall be borne by the party requesting service.

City Hall
537 Main Street
Seward, NE 68434

Public Library
233 South Fifth Street
Seward, NE 68434

Municipal Civic Center
616 Bradford Street
Seward, NE 68434

Municipal Senior Center
1010 Manor Drive W
Seward, NE 68434

Municipal Youth Center
211 South Fourth Street
Seward, NE 68434

Seward High School
532 Northern Heights Drive
Seward, NE 68434

Seward Middle School
2401 Karol Kay Blvd.
Seward, NE 68434

Seward Elementary
200 East Pinewood Avenue
Seward, NE 68434

Police Department/Law Enforcement Building
148 S. 1st Street
Seward, NE 68434

Fire Department
223 N. 3rd Street
Seward, NE 68434

THE CITY COUNCIL OF THE CITY OF SEWARD, NEBRASKA, DOES ORDAIN AS FOLLOWS:

Section 1. The Franchise, as amended, is hereby extended subject to the terms and conditions set forth above until December 31, 2034. All terms and conditions of the existing Franchise shall remain in full force and effect during the extension period.

Section 2. This Ordinance shall take full force and effect on the date of Charter's acceptance and be published in pamphlet form and shall be in full force and effective from after its passage, approval, and publication or posting as required by law and city ordinance.

APPROVED this 7th day of November, 2023

The City of Seward, Nebraska

By: Joshua Eickmeier

Print Name: Joshua Eickmeier

Title: Mayor

ACCEPTED this 11th day of January, 2024

Spectrum Mid-America, LLC

By: Charter Communications Inc., its Manager

By: Paul Abbott

Print Name: Paul Abbott

Title: Vice President, Local Government Affairs &
Franchising
Charter Communications, Inc.

