

**CITY OF WATTERSON PARK  
MUNICIPAL ORDER NO. 2, SERIES 2019  
A MUNICIPAL ORDER APPROVING A RIGHT OF WAY USAGE FRANCHISE  
AGREEMENT RELATING TO COMMUNICATIONS SERVICES WITH  
CHARTER COMMUNICATIONS**

**WHEREAS**, the city council of Watterson Park, Kentucky (hereinafter "City") has considered a certain Right of Way Usage Franchise Agreement with Spectrum Mid-America, LLC, locally known as Charter Communications (hereinafter "Charter"), who remains the current franchise holder, due to the presumption of renewal in Section 626 of the Cable Act (47 U.S.C. Sec. 656),

**WHEREAS**, City further acknowledges that Charter has substantially complied with the material terms of the current cable-related Franchise under applicable law and that further that the applicable section of the Kentucky Constitution, when read in conjunction with the federal Cable Act, can be fairly interpreted to mandate that cable franchises must be put out for bid only when a new franchise is granted,

**WHEREAS**, City further finds that Charter has the reasonably sufficient financial, legal and technical ability to provide services, facilities and equipment necessary to meet the future cable-related needs of the community,

**WHEREAS**, City further finds that Charter has afforded the public adequate notice and opportunity for comment concerning its provision of cable-related services to the community,

**NOW THEREFORE**, based on the foregoing findings the City therefore desires to enter into a Right of Way Usage and Franchise Agreement with Charter, relating to the operation of a cable system on the terms set forth in the Right of Way Usage Franchise Agreement,

**BE IT ORDERED BY THE CITY OF WATTERSON PARK, KENTUCKY:**

**SECTION 1:** That a certain Right of Way Usage Franchise Agreement relating to the award of a non-exclusive franchise agreement for cable related telecommunication services by and between the City of Watterson Park and Spectrum Mid-America, LLC., locally known as Charter Communications, be and herein is approved by the city council of Watterson Park. Further the City Mayor is hereby authorized to sign the franchise agreement, along with any other documents required to effectuate the terms of the referenced agreement, attached and fully incorporated herein as Exhibit One.

**SECTION 2:** This Municipal Order shall take effect from and after passage and approval as required by law.

**ENTERED THIS 10<sup>TH</sup> DAY OF JUNE 2019.**

Introduced by: PHIL JOHNSON

*Linda Chesson*

Linda Chesson, Mayor

Attest: *Aggie Keefe*  
Aggie Keefe, City Clerk

Council	Yea	Nay
Ms. Arnold	<u>✓</u>	___
Mr. Ashley	<u>✓</u>	___
Ms. Garrett	<u>✓</u>	___
Mr. Johnson	<u>✓</u>	___
Ms. Welsh	<u>✓</u>	___
Ms. Woodson	<u>ABSENT</u>	___