

CITY OF NORTHFIELD, MN
CITY COUNCIL RESOLUTION 2018-122
APPROVING THE ASSIGNMENT OF THE CHARTER CABLE FRANCHISE

- WHEREAS, Charter Cable Partners, LLC (hereinafter referred to as “Grantee”), currently holds a cable television franchise (“Franchise”) granted by the City of Northfield, Minnesota (“City”); and
- WHEREAS, Grantee operates a cable television system (“System”) that provides cable services and other communication services in the City; and
- WHEREAS, Charter Communications, Inc., (“Charter”) is the ultimate parent company of Grantee; and
- WHEREAS, on or about October 1, 2018 the City received from Grantee, FCC Form 394 - Application for Franchise Authority Consent to Assignment or Transfer of Control of Cable Television Franchise (“Application”); and
- WHEREAS, under the Application Grantee and Charter have requested the City’s approval of the proposed assignment of the Franchise (“Assignment”) from Grantee to Spectrum Mid-America, LLC, a Delaware limited liability company (“Spectrum”); and
- WHEREAS, Spectrum will become the new holder of the Franchise in the City; and
- WHEREAS, Federal law and the terms of the Franchise require that the City take action to consider the Application within one hundred twenty (120) days of the date of receipt, or on or before January 29, 2019; and
- WHEREAS, Minnesota state law and the Franchise require the City’s advance written consent prior to the proposed Assignment; and
- WHEREAS, the City has reviewed the Application and the proposed Assignment, and based on information provided by Grantee and information otherwise publicly available, the City has elected to approve the Assignment subject to certain conditions as set forth herein.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL THAT:

1. All of the above recitals are hereby incorporated by reference as if fully set forth herein.
2. The Franchise is in full force and effect and Grantee is the lawful holder of the Franchise.
3. The City hereby consents and approves of the Assignment as set forth in the Application.
4. The City’s consent to the Assignment shall not serve to waive any rights the City may have under applicable law to hold the Grantee or Spectrum liable for any and all liabilities, known and unknown, under the Franchise.
5. The City expressly reserves any and all rights it may have under applicable law to enforce compliance with the terms of the Franchise against Grantee and Spectrum.
6. In the event the Assignment contemplated by the Application is not completed, for any reason, the City’s consent shall not be effective and shall be null and void.

This Resolution shall take effect and continue and remain in effect from and after the date of its passage, approval, and adoption.

PASSED by the City Council of the City of Northfield on this 20th day of November, 2018.

ATTEST

City Clerk

Mayor

VOTE: ___ POWNELL ___ COLBY ___ DELONG ___ NAKASIAN
 ___ NESS ___ PETERSON WHITE ___ ZWEIFEL