

**AN ORDINANCE APPROVING AN AGREEMENT WITH AT&T MISSOURI  
FOR THE PROVISION OF VIDEO SERVICES IN THE CITY.**

**WHEREAS**, AT&T Missouri has applied to the City for an agreement regarding the provision of video services within the City, and

**WHEREAS**, provision of competitive alternatives to the services offered by the current cable television company will be beneficial to the City and its residents and businesses, and

**WHEREAS**, the City's current Cable Communications Regulatory Code ("CCRC") requires an application fee of \$1,000.00 for an initial franchise, and

**WHEREAS**, AT&T Missouri has submitted the aforesaid fee, and

**WHEREAS**, under the circumstances presented, including the rapid changes in technology and the need for further competition, the City finds that submission of the proposed agreement signed by AT&T Missouri constitutes a sufficient application, and therefore provisions of the CCRC concerning the contents of applications should be deemed satisfied, and

**WHEREAS**, the City Council held a Public Hearing regarding AT&T Missouri's proposed agreement as required by section 12.1 of the Charter and the CCRC at the Creve Coeur Government Center on October 23, 2006, beginning at 7:00 p.m. or immediately following the close of the previous Public Hearing, after having given fifteen (15) days prior public notice of the time, place and purpose of said hearing by publication in the St. Louis Countian on October 3, 2006, and in the West County Journal during the week of October 9, 2006, newspapers of general circulation in the City and after written notice was given to AT&T Missouri, and

**WHEREAS**, all persons who presented themselves at said Public Hearing and desiring to be heard were given an opportunity to be heard and a copy of the proposed ordinance and agreement has been made available for public inspection prior to its consideration by the City Council; and this Bill having been read by title in open meeting three times before final passage by the City Council, and

**WHEREAS**, in consideration of all relevant factors, it is in the public interest to approve the proposed agreement pursuant to applicable law,

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CREVE COEUR, AS FOLLOWS:**

**Section 1.**

AT&T Missouri's application and fee are hereby approved. The Agreement attached hereto as Exhibit A proposed by AT&T Missouri is hereby approved. The Mayor is hereby authorized to sign the Agreement on behalf of the City.

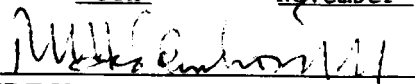
**Section 2.**

It is hereby declared to be the intention of the City Council that each and every part, section and subsection of this Ordinance shall be separate and severable from each and every other part, section and subsection hereof and that the City Council intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect.

**Section 3.**

This Ordinance shall become effective at the expiration of 15 days after adoption by the City Council and the signing hereof by the Mayor pursuant to the provisions of Section 3.11(g) of the Charter.


ADOPTED BY THE CITY COUNCIL THIS 13th DAY OF November, 2006.

  
\_\_\_\_\_  
ROBERT HADDENHORST  
PRESIDENT OF THE CITY COUNCIL

APPROVED THIS 13th DAY OF November, 2006.

  
\_\_\_\_\_  
HAROLD DIELMANN, MAYOR

ATTEST:

  
\_\_\_\_\_  
LAVERNE COLLINS,  
CMC  
CITY CLERK