

# ORDINANCE RECORD

No. 728—REDFIELD & COMPANY INC., OMAHA

## ORDINANCE NO. 1283

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO AMEND THE NONEXCLUSIVE CABLE FRANCHISE AGREEMENT, CERTIFICATE OF FRANCHISE AND COMMUNITY SERVICES AGREEMENT AND PERMIT COX COMMUNICATIONS OMAHA, L.L.C. TO CONTINUE TO OPERATE A CABLE SYSTEM; TO REPEAL CONFLICTING ORDINANCES, PROVIDE FOR SEVERABILITY AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL FO THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA:

SECTION 1. Proposed Amendment. The Mayor and City Council by Ordinance No. 805 on May 16, 2000 approved a nonexclusive franchise agreement between the City and Cox Communications Omaha, L.L.C. ("Company"), as subsequently amended by Ordinance No. 827 on February 20, 2001, and by Ordinance No. 1248 on May 5, 2015 ("Franchise Agreement"). The City and Company desire to amend the Franchise Agreement and related certificate of franchise and community services agreement as set forth in the Amendment presented at this City Council meeting ("Amendment").

SECTION 2. Approval of Amendment. The Amendment and modification of Section 12.18 of the Franchise Agreement is hereby adopted and approved.

SECTION 3. Further Authorization. The Mayor and City Clerk are hereby authorized to execute the Amendment and take such further actions as necessary or appropriate to carry out said amendment or actions approved herein.

SECTION 4. Repeal. All ordinances in conflict with this Ordinance, or any parts of ordinances in conflict with any parts of this Ordinance, are hereby repealed.

SECTION 5. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this Ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this Ordinance and each section, subsection, sentence clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION 6. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 17TH DAY OF MAY, 2016.

CITY OF LA VISTA

  
Douglas Kindig, Mayor

ATTEST:

  
Mandy Garrod  
Deputy City Clerk