

RESOLUTION NO. 01-08-49

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, REQUESTING TCI CABLEVISION OF FLORIDA, INC. L/K/A AT&T BROADBAND TO PROVIDE WEATHER FORECAST INFORMATION TO THE RESIDENTS OF MARATHON WITHIN THE BASIC CABLE SERVICE TIER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on September 26, 2000, the City Council of Marathon, Florida ("Council"), adopted Ordinance No. 00-00-09 (the "Ordinance") of the City of Marathon, Florida ("City"), and provided for the issuance and regulation of cable franchises for, and the installation, construction and operation of Cable Systems within the City; and

WHEREAS, the City approved a Franchise Agreement with TCI Cablevision of Florida, Inc., l/k/a AT&T Broadband ("AT&T Broadband"), dated May 22, 2001; and

WHEREAS, AT&T Broadband carries The Weather Channel on Channel 52 as part of its Expanded Basic Service package; and

WHEREAS, the City Council has received comments from the residents stating that they rely on weather information provided by The Weather Channel and requesting that AT&T Broadband provide such information on a channel that is part of the basic cable service tier offered by AT&T Broadband; and

WHEREAS, the City often has severe weather emergencies, including Hurricanes, and is currently in "Hurricane Season;" and

WHEREAS, the City Council believes it would be in the public interest to offer weather information to residents over a basic cable channel.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, AS FOLLOWS:

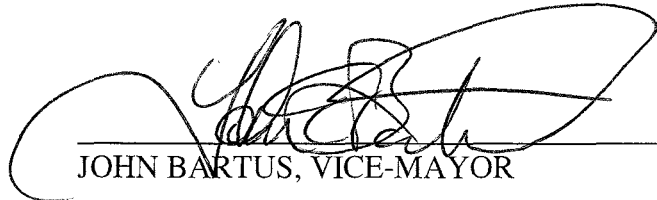
Section 1. **Recitals.** The above recitals are true and correct and are incorporated herein by this reference.

Section 2. The City Council of Marathon hereby requests that AT&T Broadband carry The Weather Channel on a channel in the Basic Cable tier on its cable system.

Section 3. If AT&T Broadband is unwilling or unable to move The Weather Channel to a Basic Service channel, the City Council requests that AT&T Broadband explore and report back to the City Attorney the possibility of obtaining other non-commercial weather programming, either distributed via a video service or via the Internet, that may be suitable for distribution to AT&T Broadband's cable subscribers over the City's access channel.

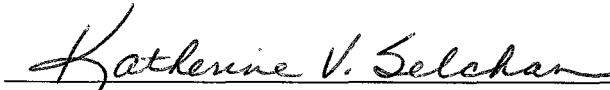
Section 3. **Effective Date.** This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 14th day of August, 2001.



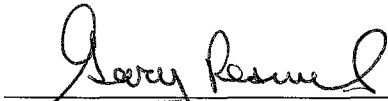
JOHN BARTUS, VICE-MAYOR

ATTEST:



KATHERINE V. SELCHAN
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:



GARY RESMER
CITY ATTORNEY

SCANNED

8/31/01 #4038 KS✓