

RESOLUTION NO.: 35- 2010
INTRODUCED BY: Alexander

A RESOLUTION TO AUTHORIZE THE MAYOR TO ENTER INTO AN AGREEMENT WITH TIME WARNER ENTERTAINMENT COMPANY, L.P. FOR CABLE BUSINESS CLASS SERVICE.

WHEREAS, pursuant to Ohio Revised Code § 1332.21, et seq., the City no longer has free cable service pursuant to a franchise with a cable operator in the City and, therefore, there is a need for the City to contract with a cable operator for cable service going forward; and

WHEREAS, the Director of Public Service has recommended a thirty-six (36) month contract with Time Warner Entertainment Company, L.P. to provide cable service to the Service Department building at 26260 Chardonview Drive;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Richmond Heights, State of Ohio, that:

Section 1: The Mayor is authorized to enter into a contract with Time Warner Entertainment Company, L.P. for cable service for a term of thirty-six (36) months at a rate of Sixty-Nine and 95/100 Dollars (\$69.95) per month, as set forth in the Agreement attached hereto and incorporated herein as Exhibit A.

Section 2: The Director of Finance is authorized to appropriate to a proper account the funds necessary for the contract authorized in Section 1 of this Resolution.

Section 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____

Daniel J. Ursu, Mayor

APPROVED: _____

ATTEST:

Betsy Traben
Clerk of Council

David H. Roche
President of Council

**TIME WARNER CABLE BUSINESS CLASS SERVICE AGREEMENT
CONFIRMATION OF SERVICE ORDER**

This Agreement is made by and between Time Warner Entertainment Company, L.P. through its Northeast Ohio Division ("TWC") and the Customer below ("Customer").

<u>Service Location</u>		<u>Authorized Contact Person(s)</u>		
Company	RICHMOND HTS SERVICE DEPT 2582371-01	<u>Primary</u> Y	<u>Secondary</u>	<u>Secondary</u>
Address	26260 CHARDONVIEW DR	Phone		
		Fax		
City, State, Zip	CLEVELAND OH 44143-1212 60	E-Mail		
<u>Service Package or Feature</u>		<u>Term (Mo)</u>	<u>Monthly Fee*</u>	<u>Non-Recurring Fee</u>
SOHO: Time Warner Cable Business Class SOHO. 3 Mb/s downstream x 384 Kb/s upstream. (5) non-vanity email addresses		36 Mo	\$69.95	Renewal
		<u>\$Waived</u>		

(Service Packages and Features are described on the Schedule of Time Warner Cable Business Class Service Specifications and can be viewed online at <http://geohio.twcbc.com/terms06>. The term of this Agreement is Customer's minimum committed period for the services as listed on this confirmation of service order, commencing on the date of installation of each service. Customer is responsible for providing a conduit or an aerial route from the utility right of way to the building entrance. CUSTOMER HAS READ AND AGREES TO THE TIME WARNER CABLE BUSINESS CLASS SERVICE AGREEMENT TERMS AND CONDITIONS AND SCHEDULE(S) OF TIME WARNER CABLE BUSINESS CLASS SERVICE SPECIFICATIONS. ACKNOWLEDGEMENT AND ACCEPTANCE OF THIS AGREEMENT BY CUSTOMER SHALL CONSTITUTE AN ORDER FOR SERVICE. COMMENCEMENT OF THE PROCESS TO CONSTRUCT NEW FACILITIES OR THE SPECIAL ORDERING OF MATERIALS REQUIRED FOR INSTALLATION OF THE SERVICE BY TIME WARNER CABLE SHALL CONSTITUTE ACCEPTANCE OF CUSTOMER'S ORDER SUBJECT TO THE TERMS AND CONDITIONS OF THIS AGREEMENT.

ACKNOWLEDGED AND ACCEPTED:

CUSTOMER: _____ Tax Identification No. _____

By: X _____ ← PLEASE SIGN HERE and FAX TO 1 866 390 0730

Name: _____

Title: _____

Date: _____

*Fees specified in the Agreement do not include applicable taxes and franchise fees which will be added to Customer's bill in accordance with statutes and regulations governing provision of the Service.

** Fees for Commercial Cable Television Services are subject to Annual Rate review. CMG

