

ORDINANCE

APPROVING THE SETTLEMENT OF LITIGATION STYLED *City of San Antonio v Time Warner Cable Texas, LLC, d/b/a Spectrum and Charter Communications*, Case No. 5:17-CV-01232-JKP.

* * * * *

WHEREAS, the City of San Antonio has disputed payment of franchise and public, educational, and governmental (“PEG”) fees by Time Warner Cable Texas, LLC Spectrum and Charter Communications (hereinafter “Spectrum”) to the City; and

WHEREAS, on October 23, 2017, the City filed a lawsuit against Spectrum in the District Court of Bexar County, Texas, which suit was later removed to the United States District Court for the Western District of Texas, San Antonio Division, under the style *City of San Antonio v Time Warner Cable Texas, LLC, d/b/a Spectrum and Charter Communications*, Case No. 5:17-CV-01232-JKP ;

WHEREAS, while the City diligently prepared for a trial on the merits, it is in the City’s best interest to settle this matter to avoid uncertainties and risks associated with further litigation; and

WHEREAS, the parties have reached an agreement to resolve the City’s claims as set forth in the attached Settlement Agreement and Mutual Release subject to City Council approval; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Attorney is hereby authorized to execute a Settlement Agreement and Mutual Release that substantially conforms to the agreement attached hereto as Exhibit “A.”

SECTION 2. This ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 2nd day of February, 2023.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

DLK
February 2, 2023
Item No.

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney

DRAFT