

RESOLUTION AUTHORIZING RENEGOTIATION OF CABLE COMMUNICATIONS
FRANCHISE AGREEMENT WITH ROGERS CABLESYSTEMS OF MULTNOMAH
EAST UNDER CERTAIN CONDITIONS

WHEREAS, the City of Troutdale has entered into a Franchise Agreement with Rogers Cablesystems of Multnomah East for the construction, operation maintenance of a cable communications system; and

WHEREAS, the City of Troutdale is a member of the Multnomah Cable Regulatory Commission which has authority to oversee and regulate the operation of the cable communication system pursuant to the Franchise Agreement; and

WHEREAS, the Franchise Agreement requires Rogers Cablesystems of Multnomah East to construct and operate an institutional network in the franchise territory; and

WHEREAS, due to uncertainties created by certain actions taken by the Oregon Public Utility Commissioner questioning the authority of Rogers Cablesystems of Multnomah East to actually operate such an institutional network; and

WHEREAS, Rogers Cablesystems of Multnomah East has independently questioned the economic feasibility of such an institutional network; and

WHEREAS, Rogers Cablesystems of Multnomah East has informally requested of the Multnomah Cable Regulatory Commission authority to delay construction of the institutional network; and

WHEREAS, the Multnomah Cable Regulatory Commission requests authority from the City of Troutdale to enter into negotiations with Rogers Cablesystems of Multnomah East to amend the provisions of the Franchise Agreement relating to the construction schedule for the institutional network; and

WHEREAS, if such renegotiations are called for by Rogers Cablesystems of Multnomah East the City of Troutdale wishes to authorize the Multnomah Cable Regulatory Commission to enter into such negotiations if Rogers meets certain minimum conditions; and

WHEREAS, such certain minimum conditions are that:

- (a) Rogers Cablesystems of Multnomah East develop a plan subject to MCRC approval to use the residential network to demonstrate institutional services as provided in Section 5.3 (b) of the Franchise Agreement.

- (b) Rogers meets the year two Franchise Agreement commitment of \$25,000.00 in demonstration projects as provided in Section 6.11 of the Franchise Agreement. The MCRC shall establish procedures and guidelines for allocations of the funds after receiving recommendations from Rogers.
- (c) Rogers shall meet the year one and year two commitments toward developing the home computer demonstration project as provided in Section 6.3 (C) 2c and 2d. The Franchise Agreement provides for expenditures of \$50,000.00 from Rogers Cablesystems of Multnomah East, \$25,000.00 from Rogers Cablesystems of Portland with preliminary and final reports.

NOW, THEREFORE, the City of Troutdale authorizes the Multnomah Cable Regulatory Commission to negotiate on its behalf for amendments to the Franchise Agreement if so requested by Rogers Cablesystems of Multnomah East regarding delay or deferral in the construction of the institutional network, upon Rogers Cablesystems of Multnomah East agreeing to meet the conditions set forth above.

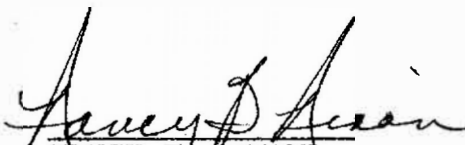
ADOPTED this 23rd day of April, 1985.

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SAM K. COX, MAYOR

DATE SIGNED: 4-24-85

ATTEST:


NANCY B. NIXON
FINANCE DIRECTOR