

RESOLUTION NO. 579

A RESOLUTION CONCERNING CHANGES TO THE TIME REQUIREMENTS FOR TIDEL COMMUNICATIONS, INC., TO SUBMIT INFORMATION TO COMPLY WITH THE METROPOLITAN AREA COMMUNICATIONS COMMISSION REQUIREMENTS CONCERNING THE TRANSFER OF THE CABLE COMMUNICATIONS FRANCHISE AGREEMENT.

WHEREAS, the Metropolitan Area Communications Commission (hereinafter Commission) recommend to the member jurisdictions in MACC Resolution 86-02 that the Cable Communications Franchise be transferred to Tidel Communications, Inc., from Storer Metro Communications, Inc.; and

WHEREAS, all fifteen member jurisdictions consented to the transfer of the Cable Communications Franchise; and

WHEREAS, MACC Resolution 86-02 required Tidel Communications to submit to the Commission the following items, within forty-five (45) days of the last member jurisdiction to act; and

1. Formal acceptance of the Franchise Agreement indicating that Tidel agrees to be bound by all terms and conditions thereof; and
2. Certificate of Insurance pursuant to Section 9.5 of the Franchise Agreement; and

3. Evidence that a security fund of \$100,000, pursuant to Section 9.2, has been deposited in a bank account maintained by the Commission, or that Tidel has acquired the existing security fund originally deposited by Grantee; and
4. Proof of the posting of a \$100,000 faithful performance bond, pursuant to Section 9.3; and
5. Evidence that the financing of the purchase of the cable system is essentially the same as that presented to MACC staff and legal counsel on June 17, 1986, and that all financing is completed.

WHEREAS, the City of Wilsonville by adopting Resolution NO. 569 consenting to the transfer of the Cable Communications Franchise incorporated MACC Resolution 86-02 by reference; and

WHEREAS, the last member jurisdiction to act did so on July 28, 1986, making Tidel Communications responsible to submit the required information to the Commission by September 11, 1986; and

WHEREAS, the closing date for the sale of the cable system has been postponed so that it will occur after September 11, 1986.

NOW, THEREFORE, BE IT RESOLVED by the City of Wilsonville

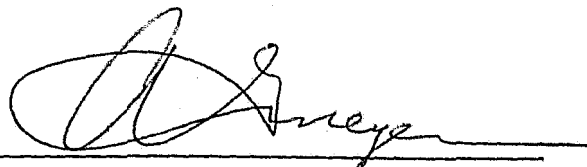
as follows:

A. The City of Wilsonville grants to Tidel Communications that thirty (30) days after the closing date of the sale, they are to submit the following to the Commission:

1. Formal acceptance of the Franchise Agreement indicating that Tidel agrees to be bound by all terms and conditions thereof; and
2. Certificate of Insurance pursuant to Section 9.5 of the Franchise Agreement; and
3. Evidence that a security fund of \$100,000, pursuant to Section 9.2, has been deposited in a bank account maintained by the Commission, or that Tidel has acquired the existing security fund originally deposited by Grantee; and
4. Proof of the posting of a \$100,000 faithful performance bond, pursuant to Section 9.3; and
5. Evidence that the financing of the purchase of the cable system is essentially the same as that presented to MACC staff and legal counsel on June 17, 1986, and that all financing is completed.

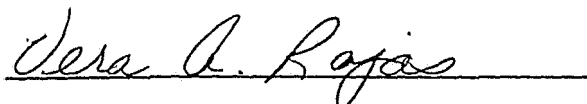
B. The Mayor is authorized to file with the Chairman of the commission, two executed true and correct copies of this resolution.

ADOPTED by the City Council of Wilsonville at a regular meeting thereof this 15th day of September, 1986 and filed with the Wilsonville City Recorder this same date.

A handwritten signature in cursive script, appearing to read "A. G. Meyer", written over a horizontal line.

A. G. MEYER, Mayor

ATTEST:

A handwritten signature in cursive script, appearing to read "Vera A. Rojas", written over a horizontal line.

VERA A. ROJAS, City Recorder

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: DEE THOM
SUBJECT: RESOLUTION CB-R-243-86 DEADLINE EXTENSION FOR
CLOSING OF SALE OF STORER METRO CABLE
DATE: SEPTEMBER 9, 1986

On July 7, 1986, the City Council adopted Resolution No. 569 consenting to the transfer of the Cable Communications Franchise Agreement to Tidel Communications, Inc.

The resolution set a deadline of 45 days from the last jurisdiction acting for Tidel to submit certain evidence complying with the Franchise agreement. The deadline falls on September 11, 1986. The closing transaction has been postponed until September 30, 1986.

It is the opinion of Bill Tierney, MACC Administrator and MACC legal counsel, that the jurisdictions recognize the new closing date and by resolution, extend the 45 day requirement.

RECOMMENDATION

Council adopt Resolution CB-R-243-86 extending the closing date.

dt:vr