

RESOLUTION NO. 1774

A RESOLUTION CONSENTING TO THE CHANGE OF CONTROL OF TCI CABLEVISION OF TUALATIN VALLEY, INC. (FRANCHISEE) FROM AT&T CORP., TO AT&T COMCAST CORPORATION

WHEREAS, the City has entered into a cable television service franchise agreement with an indirect subsidiary of AT&T Corporation; and,

WHEREAS, AT&T and Comcast Corporation are proposing a merger to form a new ultimate parent corporation of the franchisee, to be known as AT&T Comcast Corporation, and have made application to the Federal Communications Commission via FCC form 394 to receive federal approval of the transaction; and,

WHEREAS, following merger, the resulting entity will continue to hold and be responsible for performance of the cable franchise; and,

WHEREAS, as provided by the franchise agreement, such a transaction requires the city's consent, based upon an assessment of the financial, legal and technical qualifications of the proposed new controlling entity; and,

WHEREAS, staff has reviewed the information submitted by AT&T, consulted with the company and staff from other jurisdictions considering the matter and have determined that the financial, legal and technical qualifications of the prospective controlling entity favor continuation of the franchise under the new parent company; and,

WHEREAS, in light of the above recitals, the City Council of the City of Wilsonville deems it to be in the public interest to consent to the proposed transfer of control.

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

Section 1. The City Council of the City of Wilsonville hereby consents to the proposed transfer of control of the franchise to AT&T Comcast Corporation, as set forth in the Federal Communications Commission Form 394 submitted by AT&T, Inc., and pursuant to 17.2 of the franchise agreement.

Section 2. The consent granted herein shall become effective upon the completion of the proposed transaction and shall not be construed to constitute a waiver or release of any rights the City may have under the franchise.

Section 3. This resolution is effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 17th day of June 2002, and filed with the Wilsonville City Recorder this date.



CHARLOTTE LEHAN, MAYOR

ATTEST:



Sandra C. King, CMC, City Recorder

SUMMARY OF VOTES:

Mayor Lehan	Yes
Councilor Helser	Yes
Councilor Barton	Yes
Councilor Kirk	Yes
Councilor Holt	Yes