

RESOLUTION NO. 5-1997  
MILWAUKIE, OREGON

**A RESOLUTION PROVIDING FOR THE RECOVERY OF COSTS FOR REVIEWING, ANALYZING, AND PROCESSING APPLICATIONS FOR FRANCHISE TRANSFER,**

**WHEREAS, franchising authorities, including the City of Milwaukie are charged under the 1992 Cable Act (§617) with the review of proposed transfers in franchise control; and**

**WHEREAS, the Cable Act imposes a 120-day time limit on franchising authorities to make decisions regarding whether to grant transfers; and**

**WHEREAS, the City is vested with all the powers and rights necessary to carry out its functions and is specifically empowered to condition transfers as it deems appropriate; and**

**WHEREAS, the review of proposed transfers of control are costly, time-consuming, and place financial burdens upon the City beyond those normally budgeted; and**

**WHEREAS, the possibility of a Jones Intercable sale exists;**


**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE THAT:**

**Section 1. As a condition of franchise transfer, a fee shall be paid to the City in an amount equal to the City's reasonable costs above normal operating expenses for reviewing the transfer, including staff time, consultant fees, attorney's fees, and other related expenses. No consent to this transfer will become effective until this fee is paid. This fee is above the franchise fee and shall not be an offset against franchise fee payments.**

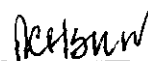
**Introduced and adopted by the City Council of the City of Milwaukie, 21st day of January, 1996.**

  
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Craig Lomnicki, Mayor

ATTEST:

  
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Pat DuVal, City Recorder

APPROVED AS TO FORM

  
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City Attorney