

IN THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO. 95-6-21-1

) IN THE MATTER OF AUTHORIZING
) THE COUNTY ADMINISTRATOR TO
) EXECUTE AN INTERGOVERNMENTAL
) AGREEMENT WITH THE LANE
) COUNCIL OF GOVERNMENTS FOR
) THE DEVELOPMENT AND
) MANAGEMENT OF CABLE FRANCHISE
) AGREEMENTS

The Board of County Commissioners of Lane County orders as follows:

WHEREAS, Lane County Ordinance No. 15-90 requires cable television companies to have a franchise agreement to operate in Lane County, and

WHEREAS, the Lane Council of Governments, through intergovernmental agreement with Lane County, has managed the County's cable television franchise agreements since 1991, and

WHEREAS, the proposed intergovernmental agreement for the development and management of cable franchise agreements is beyond the authority of the County Administrator to execute without Board authorization, as set forth in Lane Manual 21.105(a)(x).

NOW THEREFORE IT IS HEREBY RESOLVED AND ORDERED that the County Administrator be authorized to execute a one-year renewal agreement with the Lane Council of Governments for the development and management of cable television franchise agreements, a copy of which is attached as Exhibit "A".

DATED this 21st day of June, 1995.

FILED

JUN 26 1995

COUNTY CLERK

BY Pam DeWille

Alie Jundi
Chair, Board of County Commissioners

APPROVED AS TO FORM

Date 6/19/95 Lane County
David J. Williams
OFFICE OF LEGAL COUNSEL

IN THE MATTER OF AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH THE LANE COUNCIL OF GOVERNMENTS FOR THE DEVELOPMENT AND MANAGEMENT OF CABLE FRANCHISE AGREEMENTS

EXHIBIT A---SCOPE OF WORK

I. PURPOSE

Lane County (COUNTY) has adopted ordinance number 15-90 to require cable television companies to have a franchise agreement to operate in Lane County. The COUNTY has also adopted resolution number 90-4-25-1 which authorizes participation in the Regional Cable Commission (COMMISSION). The purpose of this agreement is to contract with L-COG for staff support to administer the development and management of the franchise agreements with the cable companies and to provide staff support and materials for the COMMISSION.

II. STAFF SUPPORT

- A. L-COG will provide all staff support for the administration of Cable Ordinance number 15-90. This will include informing and working with cable companies in the development and renewal of cable franchise agreements for consideration by Lane County Legal Counsel and the Board of County Commissioners.
- B. L-COG will provide all necessary staff support and material necessary for the ongoing management of the franchise agreements. This will include receiving and responding to customer service complaints relative to the franchise agreement, providing staff support to Lane County Administration, County Counsel and Board of Commissioners, corresponding with the cable companies on issues pertaining to the franchise agreement, administering the collection and accounting of franchise fees for the unincorporated non-metropolitan areas, and serve as the county representative in franchise negotiations.
- C. L-COG will provide all staff support for the administration of rules adopted by the Board of County Commissioners regarding the regulation of rates for the basic tier of cable television service.
- C. Provide all staff support to the COMMISSION for the purpose of coordinating the delivery of fair and equitable cable television to all served areas of Lane County. The COMMISSION will also be responsible for coordinating the delivery of county-wide public, government, and educational access to the cable systems.

III. FINANCES

- A. Cable franchise fees collected from nonmetropolitan unincorporated areas shall be used to support administration of the COUNTY franchise agreement and functions of the COMMISSION. It is expected that franchise fee revenue will be sufficient to support these two activities, if however the revenue is not sufficient to perform both functions, the revenue will first be used to administer the COUNTY franchise agreements.
- B. The COUNTY agrees to authorize L-COG annually develop a proposed budget for administration of the County franchise agreements and functions of the COMMISSION. The COUNTY shall annually receive the proposed budget and act to approve or amend the proposal.

IV. SPECIAL PROVISIONS

- A. L-COG, its subcontractors, if any, and all employers working under this Agreement are subject employers under the Oregon Workers' Compensation Law and shall comply with ORS 656.017, which requires them to provide workers' compensation coverage for all their subject workers.
- B. L-COG shall grant access to the COUNTY or any authorized representatives to any books, documents, papers, and records of L-COG which are directly pertinent to that specific contract for the purpose of making audit, examination, excerpts, and transcriptions.

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