

ORDINANCE NO. 358

AN ORDINANCE CONSENTING TO THE TRANSFER AND ASSIGNMENT OF THE CABLE TELEVISION FRANCHISE OF FALCON CABLE SYSTEMS COMPANY, L.P. TO FALCON CABLE SYSTEMS COMPANY II, L.P. IN DRAIN, OREGON.

WHEREAS, Falcon Cable Systems Company, L.P. (hereafter referred to as "CABLE SYSTEMS") owns and operates a cable television system serving residents of Drain, OR (hereafter referred to as "CITY"); pursuant to a valid franchise; and,

WHEREAS, CABLE SYSTEMS is legally required to be dissolved under the terms of its master limited partnership agreement; and,

WHEREAS, the present managing general partner of CABLE SYSTEMS, Falcon Holding Group, L.P. has created a successor partnership called Falcon Cable Systems Company II, L.P. (CABLE SYSTEMS II:), to own and operate the partnership's assets; and,

WHEREAS, the managing general partner and all other aspects of system management and system operations of the old and the new entities will remain unchanged; and,

WHEREAS, CABLE SYSTEMS has requested the City to consent to the transfer of its franchise to CABLE SYSTEMS II; and,

WHEREAS, the City has determined that there will be no substantive change in the management or operations of the cable system serving local residents, and that the public health, safety and welfare of the residents of the City will be served by consenting to the transfer of the franchise; and,

WHEREAS, Falcon Cable Systems Company II, L.P. has agreed to comply with the material provisions of the franchise, Ordinance No. 351; and,

WHEREAS, Falcon Cable Systems Company II, L.P. has provided proof of its legal, technical, financial and character qualifications to operate the cable system;

NOW, THEREFORE, the City of Drain ordains as follows:

Section One. The City of Drain hereby consents to the transfer of the franchise currently held by Falcon Cable Systems Company, L.P. to Falcon Cable Systems Company II, L.P.. In order for the cable systems entity to fulfill its existing and immediate obligations and responsibilities, an emergency is hereby declared to exist, and this ordinance shall take effect upon enactment.

PASSED BY THE CITY COUNCIL OF THE CITY OF DRAIN, DOUGLAS COUNTY, OREGON THIS 12TH DAY OF AUGUST, 1996.

Margrette Sparks
Margrette Sparks, Mayor

ATTEST:

Carl A. Patenode
Carl A. Patenode, City Admin.