

RESOLUTION
R _____ 110- 05

**A RESOLUTION AUTHORIZING THE COLLECTION OF AN EXTERNAL
CHARGE FOR PUBLIC, EDUCATIONAL AND GOVERNMENTAL ACCESS
CAPITAL BY MEDIA ONE, INC.**

WHEREAS, Media One, Inc. operating as Comcast Cable was granted a franchise to operate a cable television system within the corporate limits of Lombard, Illinois by the Village Board of Trustees (Village) under Resolution No. 87-98 (Agreement); and

WHEREAS, pursuant to Section 20 of the Agreement the Village may request activation of an external charge to subscribers by the Company for the purpose of raising capital for the Village owned and operated Public, Educational and Governmental (PEG) Access Television Facilities; and

WHEREAS, subsection 5A(2) of the Agreement specifically states that between the fifth and eighth anniversary of the Agreement approved on March, 1998 the Village may authorize collection of PEG Capital in an amount up to \$100,000 without markup; and

WHEREAS, the Village has been committed to providing PEG Programming to subscribers for more than 15 years and wishes to enhance and retool local PEG Facilities using the aforementioned capital; and

WHEREAS, pursuant to the Agreement, the external charge shall be added within One Hundred and Twenty (120) days of the request; and

WHEREAS, the Company shall collect the external charge and make PEG capital payments in installments at the same time and in the same manner as franchise fee payments are made; and

WHEREAS, all PEG capital external charges collected from subscribers pursuant to Section 5 of the Agreement shall be paid to the Village;

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DUPAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That the Village does hereby request Media One, Inc. to initiate an external charge without mark-up to each subscriber's bill sufficient to make the capital payment of \$100,000 within twelve (12) months.

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Re: Media One

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SECTION 2: That the proper officials, agents and employees of the Village of Lombard are hereby authorized and directed to take such further action as they may deem necessary or appropriate to perform all obligations and commitments of the Village in accordance with the provisions of the Agreement.

SECTION 3: That all resolutions or parts of resolutions in conflict with the provisions of this Resolution are hereby repealed.

SECTION 4: That this Resolution shall be in full force and effect from and after its passage as provided by law.

Adopted this 17th day of February, 2005.

Ayes: Trustees Williams, Tross, Koenig, Florey and Soderstrom

Nays: None

Absent: Trustee Sebby

Approved this 17th day of February, 2005.



William J. Mueller
Village President

ATTEST:



Barbara A. Johnson
Deputy Village Clerk



I, **Barbara A. Johnson**, hereby certify that I am the duly qualified Deputy Village Clerk of the **Village of Lombard**, DuPage County, Illinois, as authorized by Statute and provided by local Ordinance, and as such Village Clerk, I maintain and am safekeeper of the records and files of the President and Board of Trustees of said Village.

I further certify that attached hereto is a true and correct copy of RESOLUTION 110-05

A RESOLUTION AUTHORIZING THE
COLLECTION OF AN EXTERNAL CHARGE FOR
PUBLIC, EDUCATIONAL AND GOVERNMENTAL
ACCESS CAPITAL BY MEDIA ONE, INC.
OPERATING AS COMCAST CABLE.

of the said Village as it appears from the official records of said Village duly passed on February 17, 2005.

In Witness Whereof, I have hereunto affixed my official signature and the Corporate Seal of said **Village of Lombard**, Du Page County, Illinois this 21st day of February, 2005.



Barbara A. Johnson

Barbara A. Johnson
Deputy Village Clerk
Village of Lombard
DuPage County, Illinois