

EXHIBIT "A"

AGREEMENT FOR SERVICES

PARTIES:

THE CITY OF PORTLAND, OREGON, City Hall, 1220 S.W. Fifth Avenue, Portland, Oregon 97204 (City).

PORTLAND CABLE ACCESS (Contractor), which shall be contacted through David R. Maier, 404 Oregon National Building, 610 S.W. Alder Street, Portland, Oregon 97205 - 3690 (226-0500).

RECITALS:

1. City Code Section 3.115.140 authorizes the creation of Portland Cable Access as a nonprofit corporation to exercise regulatory, control, and management powers over community access channels under the Cablesystems Pacific franchise. The Code Section contemplates that the City will grant funds to Portland Cable Access under grant contracts so that the corporation can carry out its activities.
2. The Portland Cable Communications Regulatory Commission has responsibility for making recommendations on grants of funding to Portland Cable Access. The Commission recommends a grant of \$2,964.69 as interim funding for the period September 2, 1981 to January 31, 1982. Funds are available for this purpose in the budget of the Office of Cable Communications, which is based on cable franchise fees.
3. By this contract, the City desires to encourage the development of community access cable television for the benefit of the citizens of Portland.

AGREED:

CONTRACTOR SHALL:

1. Search to establish a staff of two as soon as possible in order to more efficiently fill the community access responsibilities of the Contractor.
2. Begin ambitious outreach programs in an effort to involve the community in cable access programming at the target date when facilities will be available, i.e., approximately April 1, 1982.
3. Place existing community access video programming on the available community access channels as soon as those channels become available, i.e., January 5, 1982.

4. Establish the Contractor as a responsible, viable business entity by paying all debts in a prompt and responsible manner and by insuring the legality and conformance with established standards for a community and/or business corporation of this type.
5. Otherwise apply and use the funds granted by this Contract in substantial conformance to the proposed budget attached hereto as Exhibit 1.

TIME OF PERFORMANCE:

The time of performance covered by this contract is September 2, 1981 through January 31, 1982.

COMPENSATION AND METHOD OF PAYMENT:

City shall upon execution of this contract pay to the Contractor the sum of \$2,964.69.

This sum is paid in consideration of the Contractor's agreement to faithfully perform the above mentioned Contractor obligations.

TERMINATION:

This Contract may be cancelled and any unexpended grant funds received from the City may be recovered by the City for any willful failure or refusal on the part of the Contractor to perform faithfully the contract according to its terms, provided, however, that nothing herein shall entitle the City to funds obtained from any source other than the City.

ASSIGNABILITY:

The Contractor shall not assign any interest in this contract and shall not transfer any interest in this contract without prior written consent of the Cable Regulatory Commission.

LEGAL PROVISIONS:

1. The Contractor shall make payment promptly as due to persons supplying services for work provided under this Contract.
2. The Contractor shall not permit any lien or claim to be filed or prosecuted against the City on account of labor furnished.
3. The term "Approved by the City" means the written approval of the Commissioner in Charge.
4. All Charter, Code and Statutory provisions applicable to contracts of the City hereby are incorporated and the Contractor shall comply herewith.

5. As soon as Contractor hires employees, Contractor shall provide the City with a certificate establishing that it has qualified (a) as a direct responsibility employer as provided pursuant to ORS 656.407 (Workers' Compensation), or (b) as a contributing employer as provided by ORS 656.411.

CITY OF PORTLAND

By _____
Commissioner of Public Affairs

By _____
Auditor of the City of Portland

PORTLAND CABLE ACCESS

By _____
_____ Title

APPROVED AS TO FORM:

City Attorney

CPT:MC
December 2, 1981

NOV 2 5 1981

INTERIM BUDGET OF THE PORTLAND CABLE ACCESS

11/24/81

For the period to and including January 31, 1981

The following budget is submitted by the Portland Cable Access. It represents what that Corporation's Board of Directors has determined to be essential, start-up costs as well as bills incurred in the period of time since September 2, 1981 when that Board first began meeting. The Board reflects in this budget the following priorities:

- (1) Establishing a staff of two as soon as possible in order to more efficiently fill the responsibilities assigned to this Corporation;
- (2) To begin ambitious outreach programs in an effort to involve the community in cable access programming at the target date when facilities will be available, i.e. approximately April 1, 1982;
- (3) To place existing community access video programming on the available community access channels as soon as those channels become available, i.e. January 5, 1982;
- (4) To establish this Corporation as a responsible, viable business entity by paying all debts in a prompt and responsible manner and by insuring the legality and conformance with established standards for a community and/or business corporation of this type.

It is the intention of the Board of Directors of the Portland Cable Access to present to the Portland City Council a full budget and contract stating the goals and objectives of this organization for the period commencing February 1, 1982 and through and including June 30, 1982 during the month of January, 1982. We have diligently pursued completion of that budget and contract since our inception in September, 1981, and request these funds so that we might continue to proceed with necessary and essential start up activities during this period of time.

EXPENSES:Staff Recruitment:

Paid advertising:

The Oregonian, two ads, one week	\$ 200.00
The Willamette Week, two ads, one week	70.00

Development of Logo; Graphic Image

Retainer of graphic artist for design	\$ 250.00
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Administrative Expenses:

Secretary (take and transcribe minutes)

Existing debt to 11/28/81	\$ 90.00
Incurred 12/1 - 1/31/82	
4 mtgs x 5 hrs x \$10 =	200.00

Legal Fees:

Attorneys fees through 12/31/81	\$1000.00
Board Individual Liability Insurance	1000.00
Corporate Filing Fee	10.00

Stationary and Envelopes

	\$ 500.00
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Postage:

Existing debt to 11/28/81	\$ 60.00
Projected to 1/31/81	
2 mos. x \$20.00/mo. avg.	40.00

Printing

Existing debt to 11/28/81	\$ 135.00
Projected to 1/31/81	
2 mos. x \$42./mos avg.	84.00

Cost of setting up accounting books,
bank account (cost of checks and
checking account)

	\$ 100.00
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Telegrams sent 10/81 regarding pending
federal legislation effecting
city's franchise rights

	\$ 90.00
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Technical Consultant retained re:

facility evaluation prior to approval of blueprint plans	\$ 45.00
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Oregonian advertisement soliciting
public input regarding SE facility
location

	\$ 55.72
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NW Media Project: subscription, 20 copies
of Copyright Primer, back issues
of periodical

	\$ 90.00
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Programming :

Borrow tapes for 1/5/82 - 1/31/82 for
cablecasting from master control on
access channels; 3 hours/day x 3 days
per week x 4 weeks = 36 hours programming

	\$ 200.00
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Expenses - continued

<u>N.W. Election Process:</u>	\$ 270.00
Publication: Short Course in Cable, 20 copies @ \$3./each, Board and library	\$ <u>60.00</u>
Subtotal, expenses	\$ 4549.72
10% contingency	\$ <u>454.97</u>
TOTAL EXPENSES -----	\$ 5004.69
 <u>PROJECTED REVENUE, 1/1/82 - 1/31/82:</u>	
Contributions: Cablesystems Pacific and public contributions already on hand	(\$ 2040.00)
TOTAL REVENUE -----	\$ <u>(2040.00)</u>
NET BALANCE REQUESTED OF CITY OF PORTLAND -----	\$ <u>2964.69</u>

ORDINANCE No. 152604

An Ordinance authorizing an agreement with Portland Cable Access in the amount of \$2,964.69 for the delivery of certain services and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. City Code Section 3.115.140 authorizes the creation of Portland Cable Access as a nonprofit corporation to exercise regulatory, control, and management powers over community access channels under the Cablesystems Pacific franchise. The Code Section contemplates that the City will grant funds to Portland Cable Access under grant contracts so that the corporation can carry out its activities.
2. The Portland Cable Communications Regulatory Commission has responsibility for making recommendations on grants of funding to Portland Cable Access. The Commission recommends a grant of \$2,964.69 as interim funding for the period September 2, 1981 to January 31, 1982. Funds are available for this purpose in the budget of the Office of Cable Communications, which is based on cable franchise fees.
3. By this contract, the City desires to encourage the development of community access cable television for the benefit of the citizens of Portland.

NOW, THEREFORE, the Council directs:

- a. The Auditor and Commissioner of Public Affairs to execute on behalf of the City a contract similar in form to Exhibit "A" with Portland Cable Access.
- b. The Mayor and Auditor to draw and deliver warrants pursuant to Exhibit "A" for Portland Cable Access in the amount of \$2,964.69 to be charged to the Office of Cable Communications (30000013) Professional Services (210).

Section 2. The Council declares that an emergency exists because a delay in proceeding with the contract may unnecessarily deprive the citizens of the City of Portland of the services being provided; therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, DEC 9 1981

Commissioner Schwab
CPT:Thomas:mc
December 2, 1981

Attest:


Auditor of the City of Portland

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
JORDAN	/	
LINDBERG	/	
SCHWAB	/	
STRACHAN	/	
IVANCIE	/	

FOUR-FIFTHS CALENDAR	
JORDAN	
LINDBERG	
SCHWAB	
STRACHAN	
IVANCIE	

Calendar No. 3711

ORDINANCE No. 152604

Title

An Ordinance authorizing an agreement with Portland Cable Access in the amount of \$2,964.69 for the delivery of certain services and declaring an emergency.

Filed DEC 4 1981

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By 

Deputy

INTRODUCED BY

Commissioner Schwab

NOTED BY THE COMMISSIONER

Affairs

Finance and
Administration

Safety

Utilities

Works

BUREAU APPROVAL

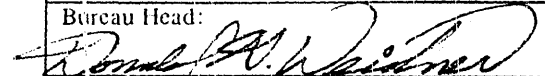
Bureau:
Office of Cable Communications

Prepared By: Christopher P. Thomas
Date: 12/2/81

Budget Impact Review:

☒ Completed ☐ Not required

Bureau Head:



CALENDAR

Consent ☒

Regular

NOTED BY

City Attorney

CPT

City Auditor

City Engineer