

RESOLUTION NO. _____

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

WHEREAS, Media One Acquisitions of Northern Illinois (Company) operating as AT&T Broadband was granted a franchise to operate a cable television system within the corporate limits of Downers Grove, Illinois by the Village Council (Village) under Resolution No. 97-39 (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 20A(2) of the Agreement specifically states that between the third and sixth anniversary of the Agreement approved on August, 1997 the Village may authorize collection of PEG Capital in an amount up to \$80,000 without markup; and

WHEREAS, the Village has been committed to providing PEG Programming to subscribers for over 15 years and wishes to enhance and retool local PEG Facilities including those of Community High School District 99 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 20 of the Agreement shall be paid to the Village;

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Downers Grove, DuPage County, Illinois as follows:

SECTION 1. That the Village does hereby request Media One Acquisitions of Northern Illinois, Inc., to initiate an external charge without mark-up to each subscriber's bill sufficient to make the capital payment of \$80,000 within twelve (12) months.

SECTION 2. That the proper officials, agents and employees of the Village 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.

Mayor

Passed:

Attest: _____

Village Clerk