

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA REAUTHORIZING A FEE FOR PUBLIC, EDUCATIONAL, AND GOVERNMENT ACCESS PURPOSES (PEG FEE) ON STATE VIDEO FRANCHISE HOLDERS WITHIN THE CITY OF SANTA BARBARA

THE COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

WHEREAS, Public Utilities Code Section 5870(n), which was enacted as part of the Digital Infrastructure and Video Competition Act of 2006, authorized the City of Santa Barbara to adopt an ordinance establishing a fee on state-franchised video service providers to support public, educational and governmental (“PEG”) access channel facilities;

WHEREAS, in 2007, the City of Santa Barbara adopted Ordinance No. 5540 establishing such a fee;

WHEREAS, Public Utilities Code Section 5870 (n) states that such an ordinance shall expire, and may be reauthorized, upon expiration of the state franchise;

WHEREAS, the first state franchise to include the City, California Video Franchise Certificate Franchise No. 0003 granted to Cox Communications California, LLC dba Cox Communications, will expire on or about April 26, 2017;

WHEREAS, this ordinance is not intended to impose a new or increased fee, but rather is intended to reauthorize the already existing PEG fee at the same level, to the extent such reauthorization may be needed to continue to collect said fee.

NOW, THEREFORE, the City Council of the City of Santa Barbara ordain as follows:

SECTION 1. For any state video franchise holder operating within the boundaries of the City of Santa Barbara, there shall be a PEG fee to support public, educational and government access (PEG) purposes of 1% of Gross Revenues (as defined and as required by state law and Chapter 5.62 of the Santa Barbara Municipal Code) of that state franchise holder, which shall be used by the City for PEG purposes consistent with state and federal law.