

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA RESCINDING RESOLUTION NO. 13-049, ENTITLED "ESTABLISHING A PUBLIC, EDUCATION, AND GOVERNMENT ACCESS FEE ON STATE FRANCHISED VIDEO SERVICE PROVIDERS FOR USE IN PROVIDING PUBLIC, EDUCATIONAL AND GOVERNMENT ACCESS VIDEO SERVICES", EFFECTIVE MAY 17, 2017

WHEREAS, the Digital Infrastructure and Video Competition Act of 2006 ("DIVCA"), authorizes the state of California Public Utilities Commission to grant franchises to video providers for the provision of video services in local jurisdictional areas;

WHEREAS, DIVCA establishes statewide standards for video service providers, including requirements for the support of public, education and government ("PEG") access programming;

WHEREAS, DIVCA provides that a PEG fee of up to one percent (1%) may be established by each local jurisdiction on state franchised video providers for the support of public, educational and government access programming upon adoption of an ordinance of the governing body of the local jurisdiction;

WHEREAS, the Council of the City of Santa Barbara has established Ordinance No. 5540 establishing a PEG fee of up to one percent (1%) and said ordinance provides that the exact PEG fee percentage shall be adopted by Council resolution; and

WHEREAS, Ordinance No. 5540 shall expire by operation of law pursuant to Public Utility Code Section 5870(n) on April 27, 2017 with the expiration of Cox Communication's DIVCA Franchise No. 003; and

WHEREAS, the City Council is required to reauthorize the PEG fee due to the expiration of the franchise agreement between the California Public Utilities Commission and is doing so with a new ordinance to be effective May 17, 2017, which will set the PEG fee at 1% thereby eliminating the need for Resolution No. 13-049.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA THAT:

Section 1. The Council hereby rescinds Resolution No. 13-049, entitled Establishing a Public, Education, and Government Access Fee on State Franchised Video Service Providers for Use in Providing Public, Educational and Government Access Video Services.