

RESOLUTION NO. RES-2017-023

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING AN AGREEMENT WITH SONOMA COUNTY LIBRARY FOR FUNDING TO ASSIST IN THE CREATION OF VIDEO PUBLIC ACCESS FACILITIES

WHEREAS, On August 26, 2008, City enacted title 3 Chapter 3-50 of the Santa Rosa City Code entitled "DIVCA Ordinance" for the purpose of implementing relevant provisions of the Digital Infrastructure Video Competition Act ("DIVCA") and the rules of the California Public Utilities Commission promulgated thereunder; and

WHEREAS, Under DIVCA, the DIVCA Franchisees (City of Santa Rosa) must provide public, educational, and government ("PEG") access channels, and City may establish a fee to support PEG channel facilities consistent with federal law. City has established a PEG support fee of 1% of gross revenues, payable to City. Under federal law, PEG fees may be used for capital expenses associated with the construction of PEG access facilities, which may include equipment, but not training, staff time or other operations costs; and

WHEREAS, the City desires to enter into an agreement with the Sonoma County Library, under which City will assist in the creation of new video public access facilities in library branches within the territorial limits of the City of Santa Rosa through the provision of PEG fees to the Library.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa approves the Agreement between the City of Santa Rosa and Sonoma County Library, in substantially the same form as attached hereto as Exhibit A, subject to approval as to form by the City Attorney.

IN COUNCIL DULY PASSED this 14th day of February, 2017.

AYES: (7) Mayor Coursey, Vice Mayor Tibbetts, Council Members Combs, Olivares, Rogers, Sawyer, Schwedhelm

NOES: (0)

ABSENT: (0)

ABSTAIN: (0)

ATTEST: \_\_\_\_\_  
City Clerk

APPROVED: \_\_\_\_\_  
Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Interim City Attorney

Exhibit A -Agreement between City of Santa Rosa and Sonoma County Library