


## REPORT TO CITY COUNCIL

**DATE:** MARCH 8, 2017  
**TO:** HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL  
**FROM:** GREG RAMIREZ, CITY MANAGER *hrl For G.R.*  
**BY:** LOUIS CELAYA, DEPUTY CITY MANAGER   
**SUBJECT:** ADOPTION OF ORDINANCE NO. 17-426, OF THE CITY OF AGOURA HILLS, REAUTHORIZING AND READOPTING THE CITY'S PUBLIC, EDUCATIONAL, AND GOVERNMENTAL (PEG) ACCESS SUPPORT FEE

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At the February 22, 2017, City Council meeting, on a 5-0 vote, the City Council introduced, read by title only, and waived further reading of Ordinance No. 17-426.

The Ordinance would reauthorize and readopt the City's 1% PEG access support fee that the City currently receives, and the governmental channel facilities codified in Section 6926.2 of the Agoura Hills Municipal Code, therefore preserving funding available to support PEG programming facilities.

### RECOMMENDATION

Staff respectfully recommends the City Council adopt Ordinance No. 17-426 reauthorizing; and readopting the City's Public, Educational, and Governmental (PEG) access support fee.

Attachment: Ordinance No. 17-426

**ORDINANCE NO. 17-426**

**AN ORDINANCE OF THE CITY OF AGOURA HILLS,  
CALIFORNIA, REAUTHORIZING AND READOPTING THE  
CITY'S PUBLIC, EDUCATIONAL, AND GOVERNMENTAL  
ACCESS (PEG) SUPPORT FEE**

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

**WHEREAS**, on December 12, 2007, the City adopted Ordinance No. 07-349 establishing such a fee, which is codified in Section 6926.2 of the Municipal Code; and

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

**WHEREAS**, the first state franchise to include the City, California Video Franchise Certificate Franchise No. 0002 granted to Pacific Bell Telephone Co. d/b/a SBC Pacific Bell Telephone Co. d/b/a AT&T California will expire on March 30, 2017;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AGOURA HILLS  
DOES ORDAIN AS FOLLOWS:**

Section 1. The City Council hereby reauthorizes and readopts the fee on state-franchised video service providers to support public, educational, and governmental channel facilities codified in Section 6926.2 of the Municipal Code, which fee shall remain unchanged and in full effect as to all state-franchised video service providers.

Section 2. The City Clerk shall certify to the adoption of this Ordinance and cause the same to be published as required by law.

Section 3. This Ordinance shall go into effect on the 31<sup>st</sup> day after its adoption.

**PASSED, APPROVED, AND ADOPTED**, this 8th day of March, 2017, by the following vote to wit:

AYES:        ( )  
NOES:        ( )  
ABSENT:     ( )  
ABSTAIN:    ( )

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Denis Weber, Mayor

ATTEST:

\_\_\_\_\_  
Kimberly M. Rodrigues, MMC, City Clerk

APPROVED AS TO FORM:

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Candice K. Lee, City Attorney