

BILL NO. \_\_\_\_\_

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

AN UNCODIFIED ORDINANCE OF THE CITY OF  
FRESNO, CALIFORNIA, REAUTHORIZING THE PUBLIC,  
EDUCATION, AND GOVERNMENT ACCESS (PEG) FEE  
ON STATE VIDEO FRANCHISE HOLDERS OPERATING  
WITHIN THE CITY.

WHEREAS, the Digital Infrastructure and Video Competition Act of 2006 (DIVCA), authorized the City of Fresno to adopt an ordinance establishing a fee on state video franchise holders to support public, education, and government access (PEG) channels; and

WHEREAS, in 2007, the City adopted Fresno Municipal Code (FMC) Section 9-235 establishing such a fee; and

WHEREAS, DIVCA contains language that such ordinances shall expire, and may be reauthorized, upon the expiration of a state franchise; and

WHEREAS, the franchises issued by the state are beginning to expire, and AT&T, Comcast, and other state franchise holders have already begun to renew their franchises upon expiration; and

WHEREAS, the City wishes to ensure that, to the extent any action is required of it, FMC Section 9-235 is reauthorized so that each provider continues to provide PEG support; and

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.

1 of 3

Date Adopted:

Date Approved

Effective Date:

City Attorney Approval: 

Ordinance No.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. The City Council hereby reauthorizes the fee on state-franchised video service providers to support PEG facilities codified in Fresno Municipal Code Section 9-235, which fee shall remain unchanged and in full effect as to all state-franchised video service providers.

2. This ordinance shall become effective and in full force and effect at 12:01 a.m. on the thirty-first day after its final passage.

\* \* \* \* \*

STATE OF CALIFORNIA )  
COUNTY OF FRESNO ) ss.  
CITY OF FRESNO )

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing ordinance was adopted by the Council of the City of Fresno, at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

AYES :  
NOES :  
ABSENT :  
ABSTAIN :

YVONNE SPENCE, CMC  
City Clerk

BY: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:  
DOUGLAS T. SLOAN,  
City Attorney

BY: \_\_\_\_\_  
Katie Doerr Date  
Chief Assistant City Attorney