



TOWN OF FAIRFAX

STAFF REPORT

April 2, 2014

TO: Mayor and Town Council

FROM: Michele Gardner, Town Clerk *GA*

SUBJECT: Adopt a resolution in support of AJR 39 to change funding restrictions for public, educational, and government public access television and approve letter of transmittal for Mayor's signature

RECOMMENDATION

1) Adopt the resolution and approve the letter of transmittal for the Mayor's signature

DISCUSSION

Vice Mayor Bragman has requested this item be brought to the Town Council, to support an Assembly Joint Resolution calling for less restricted funding for PEG (Public, Educational and Government) public access television funding. Currently, the law provides PEG franchise fees can only be used for "capital investment" and not operations. This resolution calls on the Legislature and Congress to change that law.

ATTACHMENTS

Resolution

Letter of transmittal

Draft

April 2, 2014

The Honorable Roger Hernández
Chair, Labor and Employment
State Capitol, Room 4146
Sacramento, California 95814

Re: AJR 39 (Hernández, R.) — SUPPORT

Dear Assembly Member Hernández:

The Fairfax Town Council has passed the enclosed resolution in support of Assembly Joint Resolution (AJR) 39 urging Congress to allow states and their municipalities to determine the best use of public, educational, and government (PEG) channel support.

AJR 39 will provide solutions for critical and immediate threats to public, educational, and government (PEG) channels and facilities in California and across the country by removing use restrictions on PEG channel access fees, restoring PEG channel revenue streams, and preventing video providers from charging municipalities for the transmission of the PEG channels.

The Fairfax Town Council is a member of the Marin Telecommunications Agency which oversees the operation of the Community Media Center of Marin, the designated access provider PEG channels for the County of Marin. Public, educational, and government channels are public-access channels that connect citizens to their communities, and to greater political, educational, and cultural information.

The Fairfax resolution endorses AJR 39 and calls on the US Congress to amend Section 542 of Title 47 of the US Code to allow states and their municipalities to determine the best use of PEG channel support, to restore and protect funding for PEG operations, to allow states and local governments the flexibility to use PEG funding for legitimate expenses other than capital expenses, and to ensure PEG channels are transmitted without charge to local governments.

For these important reasons, the Fairfax Town Council strongly supports AJR 39.

Sincerely,

David Weinsoff , Mayor

RESOLUTION 14- __

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FAIRFAX
IN SUPPORT OF ASSEMBLY JOINT RESOLUTION 39
IN SUPPORT OF UNRESTRICTED PUBLIC, EDUCATIONAL, AND GOVERNMENT
FUNDING FOR COMMUNITY MEDIA**

WHEREAS, Public, educational, and government (PEG) channels are one of the last surviving sources for local television programming across the country and PEG channels play a significant role in televising open and public meetings; and

WHEREAS, PEG channels are a unique and valuable resource for local information and discourse for residents; and

WHEREAS, PEG channels televise local government meetings, including town council meetings, planning commission meetings, county board of supervisors meetings, and school board meetings, so that citizens are informed about the actions taken by local officials; and

WHEREAS, PEG channels provide a window through which residents can view the diversity of cultures, educational information, recreational activities, and artistic endeavors in their local community; and

WHEREAS, It is important to preserve PEG channels and funding for PEG channels and to ensure that PEG channels continue to be available to the entire community to serve residents; and

WHEREAS, Section 542 of Title 47 of the United States Code puts limitations on how PEG channel funds can be used, and, if amended, would address critical and immediate threats to PEG channels; and

WHEREAS, These amendments would provide solutions for critical and immediate threats to PEG channels and facilities in California and across the country by removing use restrictions on PEG channel access fees, restoring PEG channel revenue streams, and preventing video providers from charging municipalities for the transmission of the PEG channels; and

WHEREAS, This change to federal law would allow PEG channel fees to once again be used for any legitimate PEG channel expense instead of restricting PEG channel fees to capital expenses only; now, therefore, be it

NOW, THEREFORE, BE IT RESOLVED that the Fairfax Town Council supports Assembly Joint Resolution 39 and urges Congress to allow states and their municipalities to determine the best use of public, educational, and government (PEG) channel support.

BE IT FURTHER RESOLVED that the Fairfax Town Council calls on the United States Congress to amend Section 542 of Title 47 of the United States Code to allow states and their municipalities to determine the best use of PEG channel support; and

BE IT FURTHER RESOLVED that the Fairfax Town Council calls on the United States Congress to eliminate the outdated and unnecessary pre-1984 distinction that does not give flexibility to local governments to utilize PEG channel funds for any legitimate PEG channel expense in addition to capital expenses; and

BE IT FURTHER RESOLVED that a copy of this resolution, together with a letter of transmittal from the Fairfax Mayor, be sent to Assembly Member Roger Hernandez, Assembly Member Marc Levine, Member of Congress Jared Huffman, and Senator Barbara Boxer.

The Foregoing Resolution was adopted at a regular meeting of the Town Council of the Town of Fairfax held in said Town on April 2, 2014, by the following vote, to wit:

AYES:

NOES:

ABSENT:

DAVID WEINSOFF, MAYOR

Attest: _____
Michele Gardner, Town Clerk