

ORDINANCE NO. _____

**ORDINANCE AMENDING CHAPTER 5.26 OF THE SANTA CRUZ COUNTY
CODE REGARDING VIDEO PEG FEES.**

The Board of Supervisors of Santa Cruz County hereby finds and declare the following:

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 County to adopt an ordinance establishing a fee on state-franchised video service providers to support public, educational, and governmental access channel facilities; and

WHEREAS, on March 18, 2014, the Board of Supervisors adopted Ordinance 5180 § 1, 2014, the "Video PEG Fees Ordinance," to establish such a fee; 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

WHEREAS, California Video Franchise Certificate Franchise number 0007 granted to Charter Communications, the first state franchise to include the County of Santa Cruz, expired on January 2, 2018;

NOW, THEREFORE, the Board of Supervisors of the County of Santa Cruz does hereby ordain as follows:

SECTION I

The Santa Cruz County Code is hereby amended by adding new Section 5.26.040 to Chapter 5.26 to read as follows:

**Chapter 5.26
VIDEO PEG FEES**

Sections:

- 5.26.010 PEG fee.**
- 5.26.020 Audit authority.**
- 5.26.030 Customer service penalties under state franchises.**
- 5.26.040 Re-authorization.**

5.26.040 Re-authorization.

The Board of Supervisors of the County of Santa Cruz hereby re-authorizes the fee on state franchised video service providers to support public, educational, and governmental channel facilities adopted by Ordinance 5180 § 1, 2014. The fee shall remain unchanged and in full effect as to all state-franchised service providers.

SECTION II

This ordinance shall take effect and be operative on the 31st day after the date of final passage.

PASSED AND ADOPTED this ____ day of _____, 2018, by the Board of Supervisors of the County of Santa Cruz, by the following vote:

AYES : SUPERVISORS
NOES: SUPERVISORS
ABSENT: SUPERVISORS
ABSTAIN: SUPERVISORS

Chairman of the Board of Supervisors

ATTEST:

Clerk of the Board

APPROVED AS TO FORM:

Jim Heat 2/20/18
County Counsel