

Minutes
Joint City/County Subcommittee
on
Cable Television

Meeting began at the hour of 4:20 p.m. and roll call was answered as follows:

PRESENT: Members Collin, Connelly, Pope, Sheedy

ABSENT: Member Isenberg

ANTI-COMPETITIVE PRACTICES

Lee Elam, County Counsel, spoke to the issue of Anti-Competitive Practices. It is staff recommendation to retain the section entitled "Anti-Competitive Practices" on page 13 of the April 22, 1981 Re-draft of Ordinance Provisions. If the recommendation is rejected, it is requested that the staff be authorized to retain an anti-trust attorney.

Jim Jackson, City Attorney, spoke to concern if anti-trust regulations are violated, then Civil Rights Statutes could also be violated.

Member Collin supported staff recommendation.

Member Sheedy moved to adopt staff recommendation. No second received.

Member Pope opposed staff recommendation and supported obtaining outside counsel.

Following discussion, Member Connelly moved to adopt staff recommendation. Seconded by Member Sheedy and motion carried by the following vote:

AYES: Members Collin, Connelly, Sheedy

NOES: Member Pope

ABSENT: Member Isenberg

Member Pope left the meeting at the hour of 4:32 p.m.

RESERVED CHANNELS FOR ENFORCEMENT PURPOSES

Lee Elam, County Counsel, spoke to the staff recommendation of establishing a bank for 20% uncommitted channels (page 1, Item 2 of report).

Member Isenberg arrived at 4:37 p.m.

Member Connelly spoke to the definition of operable channels and does the 20% apply to all channels or to balance after observing FAA rules.

Member Collin spoke to the unresolved issues (page 3, Item 4 of report).

Following discussion, Member Connelly moved to adopt the staff recommendation of the 20% banking concept; requested a precise definition of operable channels; larger portion at time of completion with annual distribution near end of franchise period; and report back on the shadowing concept. Seconded by Member Collin.

8/12/81

Minutes
Joint City/County Subcommittee
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Mr. Elam then spoke to FAA rules and 20% applies to practical operating channels.

Member Isenberg stated supports watered down proposal reluctantly.

Member Sheedy spoke to access and community channels and banking, that the issues be separated. He spoke to the concept that he and Councilmember Hoeber supports community access and competitive bidding.

Member Collin spoke to the enforcement purposes of the motion.

Motion then carried by the following vote:

AYES: Members Collin, Connelly, Isenberg, Sheedy

ABSENT: Member Pope

CHANNEL ALLOCATIONS FOR COMMUNITY ACCESS

Lee Elam gave a verbal presentation on the staff's recommendation (pages 9 and 10 of report).

Member Connelly spoke to unused channel to revert to Bank.

Member Isenberg spoke to unused channel revert to community use first, then Bank.

Following discussion, Member Connelly moved to adopt staff recommendation No. 1 with the understanding that language be prepared on reversion to community use, then Bank. Seconded by Member Sheedy with understanding that KVIE and others meet and come back with resource requirements.

Discussion followed and Member Connelly preferred Use Authority make decisions later on revocation language if breached.

Motion carried by the following vote:

AYES: Members Collin, Connelly, Isenberg, Sheedy

ABSENT: Member Pope

COMMUNITY USE PERFORMANCE STANDARDS

Member Isenberg moved to adopt staff recommendation on Community Use Performance Standards. Seconded by Member Collin.

There then followed comments on what it means. Mr. Elam spoke to Item 5 which changes focus from channels to use.

William Freeman spoke to letter just handed to him by Public Access of Sacramento which was given to Committee members. Committee reaffirmed policy that written comments are to be submitted early so that it can become part of the member's packets.

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Cable Television

Motion carried by the following vote:

AYES: Members Collin, Connelly, Isenberg, Sheedy

ABSENT: Member Pope

LOW POWER TELEVISION:

Mr. Freeman spoke to the report. The Committee stated that they have not had a chance to read it and it was continued to the next Committee meeting.

Mr. Freeman requested that the August 19, 1981 meeting not be held as staff needs time to do the work pursuant to the Committee's action.

Mr. Jackson stated that the Affirmative Action policy is ready for review.

Following a discussion of possible subjects, such as buy-out and service areas, it was decided that 4:00 p.m., August 26, 1981 would be the next meeting. Subjects to be determined by the staff.

Meeting adjourned at the hour of 5:10 p.m.

LORRAINE MAGANA
CITY CLERK FOR THE
CITY OF SACRAMENTO