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DATE: September 11, 2023

TO: Honorable Mayor and Members of the City Council through City Manager

FROM: Ingrid Alverde, Director of Economic Development & Open Government

SUBJECT: Resolution Approving a 3-Year Professional Service Agreement With Petaluma Community Access to Operate Petaluma's Public Access Cable Channel, Broadcast Governmental and Educational Programming, and Provide Other Services as Needed

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### **RECOMMENDATION**

It is recommended that the City Council adopt the attached Resolution approving a 3-year professional service agreement with Petaluma Community Access to operate Petaluma's public access cable channel, broadcast governmental and educational programming, and provide other services as needed.

### **BACKGROUND**

The City of Petaluma collects fees from Comcast Cable Communications, through a statewide franchise agreement, to pay for the operations of local public, education, and government (PEG) access channels. Since 2001, the City has contracted with the nonprofit organization, Petaluma Community Access (PCA), to operate and broadcast content to the local channels using the fees collected through the franchise agreement. As part of the ongoing agreement, the City passes through the funds received through the statewide agreement to PCA to pay for the necessary equipment and operational expenses to operate the channels. PCA has also provided supplementary services to the City such as recording and broadcasting City meetings on the public access channels.

### **DISCUSSION**

The public access cable channels continue to offer a valuable platform for our community to stay informed about activities related to government and education, all through freely available cable channels. It also offers a way for our community to develop and broadcast their own content - allowing them to share perspectives, thoughts, and creativity through video to local cable channels at minimal cost.

PCA is a non-profit membership organization that not only operates our local, free cable channels, but also supports members wishing to produce and broadcast original content. Recently, PCA amended its Articles of Incorporation (check this title) to include members living outside of Petaluma but within Sonoma County. This expansion will help them generate necessary revenue to ensure the sustainability of the organization and program.

The PEG fees currently collected by the City and paid to PCA are approximately \$200,000 per year and can only be spent on costs associated with operating, and broadcasting to, local community access channels. As cable subscriptions decline, PEG fee revenues are expected to drop. Consequently, PCA is proactively devising a long-term strategy that will enable the continuity of the local cable channels, even as the PEG fees collected and transferred by Petaluma diminish. PCA is also working with Petaluma City Schools to expand their program to local students.

The term of the proposed contract is 3 years with 2, 1-year extensions.

### **PUBLIC OUTREACH**

This agenda item appeared on the City's tentative agenda document on August 7, 2023, which was a publicly noticed meeting.

### **COUNCIL GOAL ALIGNMENT**

This item supports the City Council Goal to be a "City that Works for Everyone." Within that goal this item supports the objective to "maximize all opportunities to be transparent, effectively inform, and meaningfully engage our community through innovation, accessibility, and excellent customer service."

### **CLIMATE ACTION/SUSTAINABILITY EFFORTS**

This contract supports Petaluma's cable channels and provides a platform for City Committees and Commission to broadcast discussions and policies about sustainability efforts. The cable channels also offer a valuable channel for the City or any other entity or person to present information about climate action to our community.

### **ENVIRONMENTAL REVIEW**

This action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061 it can be seen with certainty that there is no possibility that approving a service agreement to provide public access will have a significant effect on the environment.

### **FINANCIAL IMPACTS**

It is estimated that this contract will result in the City passing through approximately \$600,000 - \$1,000,000 in cable franchise fees collected to PCA. These funds are restricted and can only be

spent on costs associated with operating, and broadcasting to, local, community access cable channels.

### **ALTERNATIVES**

The City Council could not approve the resolution approving the contract between the City and PCA. The City would then be required to identify another way to assure operation of, and broadcasting to, the local, community access channels.

### **ATTACHMENTS**

1. Professional Services Contract
2. Resolution