

~~Ayes: Hill, Barnett, Dalton, Duistermars, Golden, Holder, Robbins
Nays: None
Absent: None~~

MOTION CARRIED

11. **REPORTS AND COMMUNICATIONS**

11a. **Continuation of Discussion and Reconsideration of PEG Funds** (Members received copy of memo dated December 10, 1999 from Susan Koliba-Galeczka, City Council Liaison with attachments)

President Hill indicated she had received additional information from the Rochester Community Schools and Avondale Schools. She stated she had spoken to the school districts for clarification of Item 1) on the Agreement regarding PEG Access funding:

- 1) The settlement money collected from the new franchise agreement with AT&T (formerly TCI) will be divided between the Rochester and Avondale school districts

President Hill stated the "settlement money" refers to Three hundred fourteen thousand nine hundred thirty five dollars (\$314,935), a portion of which Rochester Hills will receive based on households during the initial franchise term. The portion received by Rochester Hills will be distributed in the following way:

- a) The Rochester School District will be allocated seventy-five (75) percent of the settlement monies
- b) The Avondale School District will be allocated twenty-five (25) percent of the settlement monies

President Hill noted the Agreement also referred to distribution of the following:

- 2) The full one (1) percent PEG access franchise fee will be allocated to Community Media Network over the life of the contract

President Hill stated the Agreement will allow the school districts to receive the money "up front" to work on projects. She noted the one (1) percent going to CMN will provide public, educational, and government access.

Mr. Charlie Langton, Vice President, Community Media Network (CMN), indicated that CMN would agree that the two school districts receive any additional settlement monies received in the future.

President Hill reminded Mr. Langton that all settlement monies are received by the City, and the City will make a decision regarding the distribution.

Mr. Dalton suggested one-half (1/2) percent PEG access franchise fee be allocated to CMN instead of the one (1) percent.

Ms. Golden stated everyone is getting more than what was expected and the schools are getting more than what they were getting originally.

Following discussion the majority of City Council members agreed to amend Resolution 1999-0488 that was adopted at the November 17, 1999 City Council Meeting.

Resolution 1999-0488

As **Amended** by Resolution 1999-0526 at the December 15, 1999 City Council Meeting

MOTION by Robbins, seconded by Holder,

Resolved, that the City of Rochester Hills contributes 1% of PEG access fee collected by any cable operator, be allocated to public access Community Media Network (CMN); the balance to be distributed by the City of Rochester Hills at their own discretion in conformance with the Cable Act and,

Resolved, that the City of Rochester Hills contributes seventy-five percent (75%) of the settlement money collected from the new franchise agreement with AT&T (formerly TCI) to the Rochester School District and twenty-five percent (25%) of the settlement monies to the Avondale School District, and

Resolved, that ICCA negotiate a five year contract with CMN to operate a PEG access facility utilizing the funds allocated by member communities in addition to whatever other funds CMN raises on its own, and

Resolved, that ICCA recommend that communities allocate PEG access monies to CMN collected for 1998 (and paid to ICCA in 1999 by TCI) under the previous franchise, in substantially equal annual payments during the five year term of the contract. A condition of this allocation is the provision of and staffing of, by CMN, two mobile vans, in addition to any other terms of the contract and

Be It Finally Resolved, that ICCA dedicates all public access equipment received from TCI to CMN after the provision of a floating equipment pool deemed adequate by government and educational users and the ICCA executive director. Excess equipment may be allocated to access users or sold under procedures determined by ICCA.

Ayes: Hill, Barnett, Duistermars, Golden, Holder, Robbins

Nays: Dalton

Absent: None

MOTION

CARRIED

12. ADMINISTRATION

~~12a. **Adoption of Resolution** to accept petitions for proposed Special Assessment District for South Boulevard Gardens Paving and to refer to Department of Public Service Engineering Division for City Engineer's Report (Members received copy of memo dated December 2, 1999 from Kurt A. Dawson, Director of Assessing Department with attachments)~~

Resolution 1999-0527

~~**MOTION** by Robbins, seconded by Golden,~~

~~**Whereas**, the City of Rochester Hills has received petitions requesting the City to created a special assessment district for the purpose of paving the following streets within Section No. 32:~~

~~Nearing and Donley (from South Boulevard north to the north subdivision line or South Boulevard Gardens), Grant (from south Boulevard northerly 336 feet), and Grace (from Crooks westerly to Donley).~~

~~**Whereas**, the City Clerk has referred the petitions to the City Assessor, who has checked the petitions to determine whether or not they conform to the requirements of Section 6-12.05 of the Code of Ordinances and has reported his findings to the~~