



Legislation Text

File #: Res 2018-27, **Version:** 1

RESOLUTION APPROVING INTERGOVERNMENTAL AGREEMENT FOR EDUCATION ACCESS PROGRAMMING WITH ADAMS COUNTY SCHOOL DISTRICT 14

Summary and Background Information : Channel 8 is part of a programming category known as public, educational, and government access television. The requirements for government access television are included in franchise operating agreements between cable systems (Comcast) and local governments (Commerce City). The City has had a franchise agreement with Comcast since 1995; the current 10-year franchise agreement expires in 2023.

Commerce City and the Adams 14 School District adopted an intergovernmental agreement in 2000 to govern operations of a single public, education, and government (PEG) access channel managed by the District. To facilitate live broadcasts of council meetings and meet franchise requirements, Commerce City expended PEG funds to add new and upgrade equipment at the Civic Center and the Adams 14 Educational Service Center in 2010.

The City and District recognize the value PEG programming provides residents within the community. Both agencies desire to replace the prior agreement to more accurately reflect the current operating environment and to more fully implement the Franchise Agreement to make use of separate government and educational cable channels managed by the City and District. This has been part of the city's administrative work plan since 2014; both parties have worked diligently the last 18 months to lay the operational and technical groundwork for implementing a two-channel PEG system consistent with the franchise agreement that allows both agencies to improve service delivery.

A new intergovernmental agreement between the City and the District is needed to accomplish the task. City and District staff have negotiated the attached document to replace the prior agreement and determine operational parameters for government and educational access programming. Key elements include:

- Establishing Channel 8 as government access, with the City operating and programming the channel from the Civic Center
- Establishing Channel 22 as educational access and designating the Adams 14 School District as the operator and programmer
- Requiring the District certify that programming requirements of the Franchise are being met on an annual basis
- Requiring the District to maintain equipment to standards that align with the city's Franchise requirements
- Allowing the City to inspect and audit equipment, with an established cure period for any deficiencies
- Completing a one-time equipment upgrade not to exceed \$50,000 at the District's Educational Service Center to facilitate PEG broadcasting
- Provides a portion of PEG funds to District as an annual grant to support needed capital upgrades and equipment maintenance. In the first year, the grant would be \$5,000, escalating \$1,000 each year of the Agreement to an annual cap of \$10,000
- Holds each party harmless for any unfulfilled 2000 IGA commitments
- Does not obligate future appropriations if the availability of PEG funding changes.

The School District is scheduled to take action on the agreement April 10. Implementation would occur over the next few months, including a new branding and awareness campaign, with two-channel operations beginning in June 2018.

Staff Responsible (Department Head): Director of External Affairs Halstead

Staff Member Presenting : Director of External Affairs Halstead

Financial Impact : \$95,000

Funding Source : PEG Funds