

CLARK COUNTY
STAFF REPORT



DEPARTMENT: City/County Cable Television Office

DATE: December 16, 2014

REQUEST: AWARD OF GRANT FUNDS FROM THE PEG CAPITAL SUPPORT
FUND TO TV ETC, AND CVTV

CHECK ONE: Consent Routine

BACKGROUND: The current franchise agreements between Clark County, the City of Vancouver, and Comcast Corporation provide for a capital contribution in the amount of \$1/month per subscriber for support of Public, Education, and Government (PEG) access and monthly transport costs for public I-NET users. This contribution may only be awarded to designated access providers and public I-NET users.

The Vancouver Educational Telecommunications Consortium (TV ETC), the Designated Access Provider for Education and Clark/Vancouver Television ("CVTV") the Designated Access Provider for Government each submitted grant applications for PEG capital support funds under the criteria and requirements established by the City/County Telecommunications Commission ("Commission"). In total, fifteen proposals were received totaling \$494,812. Estimated funds available for distribution in 2014 are approximately \$703,000. The grant applications were reviewed by outside technical experts and the PEG Committee, a subcommittee of the Commission.

The Telecommunications Commission through Resolution 2014-06 (attached) recommends that the Clark County Board of Commissioners award \$265,660 to TV ETC and \$184,339 to CVTV for purchase of certain capital expenditures. The funds, totaling \$449,999, will be used to purchase equipment for the Battle Ground, Evergreen and Vancouver School Districts along with Educational Service District 112 and Clark Vancouver Television. A list of grants and equipment is included in the Telecommunications Commission resolution.

ACTION REQUESTED: On December 16, 2014, adopt a resolution under the terms of the interlocal agreement between Clark County and the City of Vancouver, awarding PEG Capital Support Funds of \$265,660 to TV ETC and \$184,339 to CVTV. (Note: Under the terms of the Interlocal agreement between the County and the City, both the Board and Council must approve the grants for funds to be awarded.)

POLICY/BUDGET IMPLICATIONS: Monies have been separately appropriated for funding these capital projects.

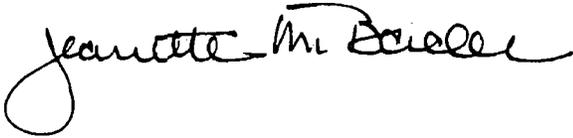
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COMMUNITY OUTREACH: The City/County Telecommunications Commission held a public hearing, on December 3, 2014 regarding the grant requests.

Attachments: Board Resolution plus attachments

DISTRIBUTION:

Christine Cook, Prosecuting Attorney's Office



Jeanette Bader
Program & Policy Development Manager



Approved
**CLARK COUNTY BOARD OF
COMMISSIONERS**

Dec. 16, 2014

SR 290-14

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12-16-14

RESOLUTION NO. 2014 - 12-11

A RESOLUTION relating to cable television and to the award of Public, Educational and Governmental (“PEG”) capital contribution funds to TV ETC and Clark/Vancouver Television (“CVTV”) respectively, the designated educational, and government access providers for the City of Vancouver and Clark County for certain capital expenditures.

WHEREAS, the PEG Capital Support Fund, established by Ordinance 1999-10-15 has funds available and appropriated for the purpose of financing PEG capital purchases by designated access providers; and

WHEREAS, the Vancouver/Clark County Telecommunications Commission (“Commission”) by Resolution 1999-03 adopted criteria for the award and administration of PEG capital grants; and

WHEREAS, after review of applications for PEG capital grant awards from TV ETC and CVTV the Commission recommended in Resolution 2014-06 to the Vancouver City Council and the Clark County Board of Commissioners an award from the PEG Capital Support Fund of \$265,660 to TV ETC and \$184,339 to CVTV for purchase of certain capital expenditures; and

1 WHEREAS, Clark County and the City of Vancouver have entered into an
2 interlocal agreement whereby all grants will require approval by both the Clark County
3 Board of Commissioners and the City Council; and

4 NOW, THEREFORE,

5 BE IT ORDERED AND RESOLVED BY THE BOARD OF COUNTY
6 COMMISSIONERS OF CLARK COUNTY, STATE OF WASHINGTON, AS
7 FOLLOWS:

8 Section 1. As recommended in the City/County Telecommunications
9 Commission Resolution 2014-06 attached hereto as Exhibit "A", TV ETC and CVTV are
10 hereby awarded grants to be paid from funds appropriated by Ordinance 1999-10-15 from
11 the PEG Capital Support Fund for the capital purchases described as follows

Applicant	Total Amount Requested	Total Amount Funded
TV ETC	\$310,473	\$265,660
CVTV	\$184,339	\$184,339
Total PEG Grant Funds	\$494,812	\$449,999

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13 Section 2. Award of the grants described in Section 1 is conditioned upon:

- 14 (a) Approval of such grants by the City Council; and
15 (b) Compliance by TV ETC and CVTV with the PEG grant guidelines
16 and criteria set forth in Vancouver/Clark County
17 Telecommunications Commission Resolution 1999-03.

18 Section 3. The County Administrator is authorized to execute all necessary
19 agreements with TV ETC consistent with Vancouver/Clark County Telecommunications
20 Commission Resolution 1999-03, to assure compliance with the terms of the grant.

ADOPTED on this 16th day of December, 2014.

Attest:

BOARD OF CLARK COUNTY
COMMISSIONERS


Clerk to the Board

By: 
Tom Mielke, Chair

Approved as to form only
Anthony F. Golik
Prosecuting Attorney:

By: _____
David Madore, Commissioner


Jane E Vetto
Deputy Prosecuting Attorney

By: _____
Jeanne Stewart, Commissioner

Attachments:

Exhibit "A" – Telecommunications Commission Resolution 2014-06

City/County Telecommunications Commission

RESOLUTION 2014 – 06

**Regarding Recommendations to Award PEG Capital Support
Funds to Designated Access Providers TV ETC and CVTV**

Section 1. Findings

- 1.1 Under the terms of the cable television franchise agreements between the City of Vancouver (“City”), Clark County (“County”) and Comcast of Washington V, LLC (“Comcast”) adopted June 2013, funding is available to support Public, Educational and Governmental (“PEG”) Access capital costs and monthly transport costs by public users related to the Institutional Network (“iNET”).
- 1.2 As stated in Section 9.9 “Support for Access Capital Costs” of the franchise, “During the term of this Agreement, Grantee (Comcast) shall provide for a maximum of one dollar (\$1.00) per month, per Residential Subscriber (the “Capital Contribution”) for Public, Educational and Governmental (“PEG”) Access capital.
- 1.3 The City/County Telecommunications Commission (“Commission”) is authorized under Section 5.19.300 of the Vancouver Municipal Code and under Clark County Code 36.12.160 to administer Ordinances and any Franchise granted pursuant to the implementation of Franchise compliance procedures.
- 1.4 The Commission’s authorized duties, pursuant to the codes mentioned in Section 1.3 of this Resolution, include “To have primary responsibility for advising the City and County regarding public, educational and governmental access programming including the development of processes for the selection of designated access providers, and for evaluating their performance, for assigning and designating access channels, for allocating access funds and for making written reports and recommendations to the City Council or Board of County Commissioners.”
- 1.5 The Commission is further charged by the ordinances to work with any and all grantees, designated access providers and the public to encourage maximum feasible use of access channels by institutions, groups, and individuals in the community and to promote, in cooperation with cable franchise grantees, designated access providers and others, local programming for the community.
- 1.6 The Commission Chair appointed a subcommittee of the Commission to review applications from Designated Access Providers and present recommendations to the Commission, which if approved by the Commission, are forwarded to the Vancouver City Council and the Clark County Board of Commissioners for review and appropriate action.

- 1.7 The Vancouver Educational Telecommunications Consortium ("TV ETC"), the Designated Access Provider for Education and Clark/Vancouver Television ("CVTV"), the Designated Access Provider for Government each submitted applications to the Commission for PEG Capital Support Fund consideration.
- 1.8 Grant applications were reviewed by the PEG Committee in concert with outside experts who reviewed the applications from a technical perspective. The PEG Committee also met with each designated access provider on October 29, 2014.
- 1.9 The Committee presented their recommendations and findings to the Commission in the **Recommendations Regarding the Award of PEG Capital Support Funds** (Exhibit A.) Estimated funds available for distribution in 2014 are approximately \$703,000. The Commission reviewed and approved the recommendations and findings of the PEG Committee as outlined in the report.

NOW, THEREFORE BE IT RESOLVED:

Section 2.

- 2.1 The Commission recommends, barring any substantial issues raised by the City and County governing boards, and upon signing the required PEG Capital Grant agreements, that TV ETC and CVTV be awarded PEG Capital Support Funds as follows:

Applicant	Total Amount Requested	Total Amount Funded
TV ETC	\$310,473	\$265,660
CVTV	\$184,339	\$184,339
Total PEG Access Capital Grant Funds	\$494,812	\$449,999

The City/County Telecommunications Commission, through this Resolution, adopts the findings and recommendations contained herein and as outlined in Exhibit A: **Recommendations regarding the 2014 Award of PEG Capital Support Funds**

- 2.2 The Commission directs staff to forward this Resolution and finalized copies of the **PEG Committee Recommendations Regarding the 2014 Award of PEG Capital Support Funds** to the Vancouver City Council and the Clark County Board of Commissioners, as well as to the applicants.
- 2.3 The Commission recommends that the Vancouver City Council and Clark County Board of Commissioners award funds to TV ETC and CVTV as outlined in this Resolution.

Approved (Date): December 3, 2014

A handwritten signature in black ink, appearing to read "Robert Coletti", written over a horizontal line.

Robert Coletti, Chair, City/County Telecommunications Commission