

RESOLUTION NO. 2020-XX

**RESOLUTION IN SUPPORT OF
THE PROTECTING COMMUNITY TELEVISION ACT**

WHEREAS, the _____ Commission (the “Commission”) is a Joint Powers Commission organized pursuant to Minn. Stat. § 471.59 [or 238.08], as amended, and includes the municipalities of _____, Minnesota (collectively the “Member Cities”);

WHEREAS, the Commission negotiates and manages the cable franchise agreements of the Member Cities and operates _____, a local community public educational and governmental (“PEG”) access facility on behalf of the Member Cities;

WHEREAS, _____ provides coverage of local community events and issues, non-profits and charities, local high schools and academic programs, business and chamber of commerce programs, government meetings, candidate information and election coverage, local history, public health information, and many other programs that local broadcast stations (i.e. WCCO, KSTP, KMSP, and KARE) typically will not cover, and, in light of rapidly decreasing local print media, _____ is the principal, and may soon be the sole local media source providing local coverage;

WHEREAS, _____ is funded through franchise fee and PEG fee revenues negotiated in the cable franchise agreements with local cable providers;

WHEREAS, the Member Cities require, as part of the cable franchise agreements, that cable companies meet demonstrated community needs by providing non-monetary franchise requirements such as live signal transport from schools or city halls to master control facilities and complimentary cable television services that benefit the Member Cities, local schools, public safety buildings, as well as _____;

WHEREAS, in 1984 Congress defined a franchise fee as a “tax, fee, or assessment,” and for the past 35 years, it has been solely a monetary fee;

WHEREAS, in 2019 the FCC departed from the clear language of the Cable Act and ruled that a franchise fee is both a monetary and non-monetary fee and permits cable companies to unilaterally assign a value to the non-monetary franchise requirements and then subtract that amount from the franchise fees the cable operator pays to the local community;

WHEREAS, the FCC Order results in substantial reductions in vital funding to the Member Cities and _____;

WHEREAS, the *Protecting Community Television Act* (currently S. 3218 / H.R. 5659) has been introduced in Congress with the goal of maintaining the status quo by reversing the FCC Order and allowing franchise fees to be calculated as they have been for over 35 years as monetary only fees; and

WHEREAS, this legislation is supported by the National League of Cities, the U.S. Conference of Mayors, the National Association of Counties, the Alliance for Community Media, the League of Minnesota Cities, NATOA and MACTA.

NOW, THEREFORE, BE IT RESOLVED that the Commission calls on Congress to pass legislation, such as the *Protecting Community Television Act*, which would undo the FCC's action;

BE IT FURTHER RESOLVED that the Commission urges all House members and Senators from Minnesota to cosponsor the *Protecting Community Television Act*; and

BE IT FURTHER RESOLVED that the Commission recommends that the Member Cities adopt a similar Resolution.

Passed and adopted this ____ day of March, 2020.

_____ **COMMISSION**

By: _____
Its Chair

ATTEST:
