

CHAPTER 26

CABLE REGULATORY COMMISSION

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26.01 PURPOSE. The Council desires to assure full compliance with its cable franchise, that the franchise be interpreted and applied to the benefit of the City and its residents, that quality and updated services be delivered throughout the City, and that the public interest be protected in all matters relating to the cable services delivery system.

26.02 COMMISSION ESTABLISHED. The Council hereby establishes a commission to be known as the Cable Regulatory Commission. The Commission shall consist of five (5) members appointed by the Council. In its appointments the Council shall endeavor to develop a commission versed and competent in telecommunication administration, finances and regulation. The Council shall appoint only bona fide residents of the City over the age of eighteen (18) years and shall attempt to give preference to applicants who possess professional or experiential backgrounds in law, finances, administration, public relations or telecommunication technologies. The City Administrator, city employees and anyone who is an owner, shareholder, employee or agent of the City's cable franchise holder or any prospective franchise holder are ineligible to serve as a member of the Commission.

26.03 TERM OF OFFICE AND COMPENSATION. The term of each member shall be three (3) years with terms expiring each June, except those of the initial appointees, one of whom shall have a one-year term and two appointees shall have two-year terms. If a vacancy occurs before the expiration of a term, the appointment shall be for the unexpired portion of that term. If the Council fails to make an appointment upon the expiration of a term, the incumbent shall continue to serve until an appointment is made. If any member fails to attend at least two-thirds (2/3) of the regularly scheduled Commission meetings in a twelve-month period, the Commission may request the Council to declare that member's seat vacant. Attendance of all members shall be entered in the minutes. Members shall receive such compensation as established by resolution of the Council. Members not wanting to receive said compensation shall submit a written statement to the City Clerk stating the desire not to be compensated.

26.04 OFFICERS AND MEETINGS.

1. In odd-numbered years, the members shall elect a presiding officer from among themselves, and an official secretary. The City Administrator shall be advisor to the Commission and City staff shall perform secretarial and administrative duties for the Commission as requested by the Commission.
2. The members shall meet on the third Wednesday of each month at 5:30 PM. in the Cascade City Hall Council Chambers. The public meetings shall be video recorded for broadcast on the Cascade Local Access Channel. A quorum of three (3) members shall be required for members to conduct their business. All meetings and proceedings of the Commission shall conform with applicable open meeting requirements.
3. The presiding officer of the Commission may call a special meeting of the Commission at his or her sole discretion. Such special meeting shall comply with applicable open meeting requirements.
4. The Commission shall file with the Council a copy of the minutes of each regular and special meeting within ten (10) days after such meeting.

26.05 POWERS AND DUTIES. The Commission has the following powers and duties:

1. To keep abreast of developments in cable technologies, services and programming;
2. To become competent in cable regulation, finances and standards of operation;
3. To act through the City Administrator as the local regulatory agent of the cable franchise;
4. To develop policies for the day-to-day regulation and administration of the cable franchise;
5. To encourage cordial relations between cable subscribers and the local cable manager and his or her staff;
6. To develop policies for handling and resolving subscriber complaints which could not be resolved satisfactorily by the cable manager;
7. To monitor the operation of the cable system;
8. To advise the Council regarding rates and possible revocation procedures;
9. To advise the Council on any matter relating to the cable franchise or system;

10. To consult with the City Administrator and the local cable manager on the best updating of the cable system, services and programming, and to advise the Council on expending the updating funds;
11. To advise the City Administrator in all matters relating to the regulation of the cable system including the cable budget;
12. To evaluate its own proceedings and actions and all cable related activities;
13. To submit an annual report to the Council regarding:
 - A. The state of cable regulation;
 - B. The state of cable services and technologies; and
 - C. Any recommendations it may have for the future of cable in the City;
14. To negotiate the terms and conditions of the cable television franchise agreements, said agreements subject to final Council approval.

All administrative, personnel, accounting, budgetary and procurement policies of the City shall govern the Commission in all of its operations.