

AN ORDINANCE AMENDING THE CATV FRANCHISE ORDINANCE

WHEREAS, an Ordinance entitled "AN ORDINANCE ESTABLISHING THE CONDITIONS FOR AWARDING, TO CHAMPAIGN-URBANA COMMUNICATIONS INC., A FIFTEEN (15) YEAR NON-EXCLUSIVE FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN A COMMUNITY ANTENNA TELEVISION SYSTEM WITHIN THE CITY OF URBANA, ILLINOIS: SETTING FORTH CONDITIONS ACCOMPANYING THE GRANTING OF SAID FRANCHISE: PROVIDING FOR CITY REGULATION AND USE OF THE COMMUNITY ANTENNA TELEVISION SYSTEM: PRESCRIBING PENALTIES FOR VIOLATION OF THE PROVISIONS HEREOF: AND PROVIDING FOR PAYMENT TO THE CITY FOR THE PRIVILEGE OF SAID FRANCHISE", hereinafter called simply "CATV Franchise Ordinance", was passed by the City Council of Urbana, Illinois, on the 19th day of February, 1973, which said Ordinance was approved by the Mayor on the 27th day of February, 1973, and

WHEREAS, the above-said Ordinance has to date been amended by the following Ordinances:

1. Ordinance No. 7273-73
2. Ordinance No. 7273-77
3. Ordinance No. 7475-45
4. Ordinance No. 7677-12

WHEREAS, in order to optimally promote the development of cable television in the cities of Champaign, Illinois, and Urbana, Illinois, it is the desire of both cities to enact ordinances that are basically identical which grant Champaign-Urbana Communications, Inc. the franchise to construct, maintain and operate a CATV system to serve both cities. By enacting ordinances that are basically identical, both cities seek to ensure ease of oversight by their Joint Committee on CATV; and

WHEREAS, the Champaign-Urbana Joint CATV Commission has intensively analyzed Ordinance No. 7273-68 and all amendments thereto and has recommended to the Council further amendments to Ordinance No. 7273-68, and

WHEREAS, the Council accepts and approves as in the best interests of the City the amendments recommended by the CATV Commission; and

WHEREAS, a public hearing in accordance with Section 27 of Ordinance No. 7273-68, as amended, was conducted on August 31, 1977.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

1. That Ordinance No. 7273-68 be and is hereby further amended as follows:

(a) That subsections (8) and (11) of Section 3, entitled "Definitions," be and are hereby amended to read as follows:

"(8) 'Gross receipt' means total receipts of the Grantee of money or its equivalent which the Grantee has received for providing basic CATV services to its subscribers; provided that installation charges actually paid by subscribers and received by the Grantee shall be excluded from gross receipts in determining payments due to the City."

"(11) 'Basic service' means the simultaneous delivery by the Grantee to television receivers, of those broadcast and non-broadcast channels which this Ordinance requires the Grantee to provide including those services specified in Appendix B."

(b) Appendix B shall read as follows:

CHAMPAIGN/URBANA CATV BASIC SERVICE
RATE SCHEDULE

A. CONNECTION CHARGES

1. Primary Outlet. ^{1 2}	\$ 25.00	
2. Additional Outlets (at same time) ²	7.50	
3. Additional Outlets (at later time)	10.00	
4. Relocate Outlet	10.00	
5. FM Only Outlet. ^{1 2}	25.00	
6. FM Outlet (additional) ²	7.50	
7. Reconnect Outlet (same address and same subscriber)	10.00	
8. Commercial Connections (may include hotels, motels, condominiums, hospitals and apartments)		Not to exceed comparable residential rate per unit

B. MONTHLY SERVICE CHARGES

1. Primary Outlet	\$ 8.00	
2. Each Additional Outlet	3.00	
3. FM Only Outlet	7.50	
4. FM Outlet (additional)	3.00	
5. Commercial Outlet		Not to exceed comparable non-commercial rates, and must be uniform and non-discriminatory

C. OTHER CHARGES

- 1. Converter Deposit \$ 20.00

NOTES: 1 - In those cases where the subscriber wants underground routing (where the Grantee is not required to provide it), and where the subscriber wants unusual or special routing or connection, the Grantee will provide this at cost.

2 - There will be no installation charge if the subscriber subscribes within forty-five (45) days of the offer of CATV service. In those cases where the connection charge is based upon the Grantee's actual installation cost, rather than the schedule of connection charges, then the normal connection charge which is being waived will be credited to the subscriber.

(c) That subsections (16) and (17) of Section 3, entitled "Definitions," be and are hereby added immediately after subsection (15) as follows:

"(16) 'Market penetration' means the actual number of subscribers to the CATV System for a given geographic region within the franchise area, expressed as a percentage of the total number of potential subscribers within that area."

"(17) 'Net earnings' means the Grantee's net income from basic CATV services and pay and other auxiliary services as a percent of total investment."

(d) That subsection (1) of Section 4, entitled "Grant of Authority," be and is hereby amended to read as follows:

"(1) There is hereby granted by the City of Champaign-Urbana Communications, Inc., the right, privilege and franchise to construct, operate and maintain a CATV System in the streets of the City for a period of fifteen (15) years, this time period to begin six months after the passage, acceptance and effective date of this ordinance, as amended on October 3, 1977, subject to the rights, obligations, conditions and restrictions as hereinafter provided."

(e) That the existing Section 6(1) as amended is repealed and in its place is enacted the following:

"(1) The Grantee shall pay to the City for the use of the streets and other facilities of the City in the operation of the CATV System and for the municipal supervision thereof a fee in the amount of 3% of the annual gross receipts of the Grantee, as defined in Section 3 (8) herein, during the full-term of the franchise granted by this Ordinance. The Grantee shall file with the City within thirty (30) days after the expiration of each half year ending on January 1, and July 1, during the period this franchise shall be in force, a financial statement showing in detail the gross annual receipts of the Grantee during the preceding semi-annual period. It shall be the duty of the Grantee to pay to the City at the time of filing such statement the franchise fee prescribed. The Grantee shall also file within ninety (90) days following the conclusion of each fiscal year of the Grantee an Annual

Report prepared and audited by an Independent Certified Public Accountant, showing the yearly total gross receipts and payments to the City and any further relevant financial information in regard to the company as may be required by the Mayor.

(f) That a new subsection (2) of Section 6, entitled "Franchise Payments," be and is hereby added immediately after subsection (1) as follows:

"(2) On or following September 30, 1979, the CATV Commission will review the status of FCC rules and regulations with regard to including revenues from pay and other auxiliary services in the base for franchise fee purposes, and the CATV Commission reserves the right to impose such a fee on pay and other auxiliary service revenues, if FCC rules and regulations so permit, to a maximum of three percent (3%). Such review will include consideration of the Grantee's services, levels of income and profitability of basic and pay and other auxiliary services, and the opportunities of the Cities to use those revenues for enhancement of the CATV System."

That subsections (2), (3), (4) and (5) be and are hereby redesignated as subsections (3), (4), (5) and (6); and that subsection (3), redesignated as subsection (4), be and is hereby amended to read as follows:

"(4) In the event that any payment is not made on or before the applicable date fixed in Subsections (1) and (2) hereof, interest on such payments shall apply from such date at the yearly rate of 8%, plus cost of collection, including reasonable attorney's fees."

(g) That subsections (1) and (2) of Section 7, entitled "Books and Records of the Grantee," be and are hereby amended to read as follows:

"(1) The Grantee shall file with the Director of Public Works an accurate copy of maps and/or plats of the location and character of all existing and proposed installations over, upon, or under the streets. These maps and plats shall conform to the requirements of the Director of Public Works, shall be kept continuously up-to-date by requiring prompt submission by the Grantee of information pertaining to any changes or additions within 60 days of such changes."

"(2) The Grantee shall continually keep on file with the City a current list of its officers with their current addresses, and its shareholders holding 5% or more of the outstanding stock. These lists must also be included in the Annual Report of the Grantee."

(h) That subsections (2) and (7) of Section 10, entitled "The Use of City Streets," be and are hereby amended to read as follows:

"(2) In case of any disturbance of pavement, sidewalk, driveway, or other surfacing, the Grantee shall, at its own expense, and in the manner required by City Ordinances or policies, replace and restore all paving, sidewalk, driveway or other surface of any street or alley disturbed. In case of any disturbance on either private or public property, the land surface, including plantings and trees, shall be restored by the Grantee to substantially its previous condition."

"(7) The Grantee shall have the authority, except when in conflict with existing City Ordinances, to trim any trees upon and overhanging the streets, alleys, sidewalks and public places of the City so as to prevent the branches of such trees from coming in contact with the wire and cables of the Grantee, except that at the option of the City, such trimming may be done by it, or under its supervision and direction, at the expense of the Grantee."

(i) That subsection (2) of Section 11, entitled "Type and Capacity of Equipment to be Installed," be and is hereby amended to read as follows:

"(2) The cable television system shall be a single cable with converters (with a minimum 27-channel capacity) and shall be engineered and installed in accordance with the regulations of the Federal Communications Commission now in effect or which may be promulgated, and have the capacity to originate programming at sources other than said cable system's head end."

(j) That Section 12, entitled "Services to be Provided by Grantee," be and is hereby amended to read as follows:

"SECTION 12. SERVICES TO BE PROVIDED BY GRANTEE

(1) The Grantee shall install, maintain and operate its system in accordance with the highest standards of the art of cable communications and in accordance with any Code of Conduct which has been adopted or shall be adopted by the National Cable Television Association.

(2) The Grantee shall render efficient service in accordance with such rules and regulations as promulgated by the Federal Communications Commission and other federal and state regulatory agencies.

(3) The Grantee shall provide a uniform, strong signal, free from distortion and interference, and shall not interrupt services unless absolutely necessary.

(4) The Grantee shall provide cable television services which are identical to those services which the Grantee described in the Grantee's proposal, except as specifically modified herein; provided, that said Grantee shall not have to provide any proposed services which have been disapproved by the Federal Communications Commission; provided further that the Grantee shall, upon petitioning the Federal Communications Commission for a certificate of compliance, request that said Grantee be allowed to provide all of those services which said Grantee has formally proposed to the City.

(5) Said cable system shall provide one channel for carrying each of the following commercial television stations:

- (a) WCIA-TV, Channel 3 (CBS), Champaign, Illinois
- (b) WICD-TV, Channel 15 (NBC), Champaign, Illinois
- (c) WAND-TV, Channel 17 (ABC), Decatur, Illinois
- (d) WGN-TV, Channel 9 (independent), Chicago, Illinois
- (e) WSNS-TV, Channel 44 (independent), Chicago, Illinois

(6) Said cable system shall possess the capability for carrying the signals of the following television stations when network exclusivity or non-duplication protection require that authorized signals be blacked out:

- (a) WTWO-TV, Channel 2 (NBC), Terre Haute, Indiana
- (b) WTHI-TV, Channel 10 (CBS), Terre Haute, Indiana
- (c) WIIL-TV, Channel 38 (ABC), Terre Haute, Indiana

(7) Said cable system shall carry the signal of WILL-TV, Channel 12 (educational) Urbana-Champaign, Illinois.

(8) Said cable system shall provide an automated news-weather channel.

(9) Said cable system shall provide an automated sports, financial, and program guide channel.

(10) Said cable system shall provide at least one channel for use by the government of the city. Said channel shall have the technical capability of cablecasting one program to both cities, or of cablecasting a different program to each city. All city buildings within the city limits shall be linked together by said cable system, at no charge to the city.

(11) Said cable system shall provide at least one channel for locally produced programs.

(12) Said cable system shall provide at least one channel for education within the City. Said channel shall have the technical capability of cablecasting one program to both cities, or of cablecasting a different program to each city.

(13) Said cable system shall provide one fully operational channel as a non-commercial public access channel available to the public on a first-come, non-discriminatory basis. Production facilities on this channel shall be made available without cost for live studio, or video taped or filmed presentations of five (5) minutes or less. If such presentation exceeds five (5) minutes, fees for the use of the public access channel shall be limited to production costs attributed solely to personnel and equipment utilized in live studio presentations. The Grantee shall provide, at no cost to the public access users, equipment and personnel for cablecasting one-half ($\frac{1}{2}$) and three-fourth ($\frac{3}{4}$) inch color video tape, super eight millimeter (8 mm) and sixteen millimeter (16 mm) sound movie film, and 35 mm color slides.

(14) Said cable system shall carry the following FM radio stations and shall carry said stations in stereo when said stations broadcast in stereo:

- (a) WDWS, Champaign, Illinois
- (b) WLRW, Champaign, Illinois
- (c) WPGU, Urbana, Illinois
- (d) WILL-FM, Urbana, Illinois
- (e) WTWC, Urbana, Illinois
- (f) WSOY-FM, Decatur, Illinois
- (g) WIAI, Danville, Illinois
- (h) WFMT, Chicago, Illinois
- (i) WEFM, Chicago, Illinois

(j) WVON or WGRT, Chicago, Illinois

(15) Said cable system shall carry the following AM radio stations:

- (a) WDWS, Champaign, Illinois
- (b) WCCR, Urbana, Illinois
- (c) WILL, Urbana, Illinois
- (d) WDAN, Danville, Illinois
- (e) WITY, Danville, Illinois
- (f) WDZ, Decatur, Illinois
- (g) WSOY, Decatur, Illinois

(16) Said cable system shall carry the following shortwave radio stations:

- (a) Voice of America
- (b) BBC
- (c) Foreign Language stations, in as many languages as possible.

(17) Said cable system shall carry all other radio stations which the Federal Communications Commission requires or which local interest desires.

(18) Said cable system shall provide at least one fully equipped color studio located within the City limits of Champaign/Urbana. This studio shall be constructed to enable preparation of simultaneous live and/or taped or filmed programming in separate facilities within the studio, and at least one studio shall provide for audience participation. Said cable system shall also provide at least one mobile unit with remote origination capability. Said studio and mobile unit shall be available to Parkland College, the government of the City, public and private educational authorities and users of the public access channel according to reasonable operating rules and regulations formulated by the Grantee in such a manner as to not unduly interfere with the cable television operations of the Grantee.

(19) The equipment list for the cities is attached to this Amendatory Ordinance and appears as Appendix A and is incorporated herein by reference. It represents agreements reached with the Grantee as to quality, service level and price, and contemplates purchase of the full component, exclusive of the contingency line item, within one(1) year of the onset of actual CATV System constructions.

There will be a final review at the time of purchase. The substitution of comparable or better equipment within the total dollar value (list price) of the equipment model may be required at that time by the CATV Commission. Any purchase savings from list price shall be retained by the Grantee. Installation, necessary construction, and maintenance of the equipment is to be the responsibility of Grantee for the duration of the Ordinance.

(20) The studio facility and equipment are intended primarily for local production of programming for broadcast on the local CATV System. The Grantee shall expend at least \$30,000 per year for local origination programming, such amount to be adjusted annually in accordance with the Champaign-Urbana Consumer Price Index (CPI).

(21) A leasing and usage policy for studio equipment, for both CATV and non-CATV use, shall be developed by the Joint CATV Commission with the intent being to place any monies derived in excess of normal operating expenses into the general production budget to supplement production funds.

(22) To the extent that the cities' equipment is not being utilized, and cannot reasonably be expected to be utilized in the foreseeable future, the CATV Commission may authorize modification of the cities' CATV production equipment list, subject to conditions established by the CATV Commission.

(23) The Grantee shall provide all reasonable technical and programming assistance to all parties programming on the Grantee's cable system.

(24) The Grantee shall make all reasonable efforts to encourage the use of its non-broadcast channels.

(25) The Joint CATV Commission shall establish, and provide for the scope of activities of, a Program Advisory Board. This Board shall be composed of community leaders who possess experience and knowledge in various areas of community life, members of the Joint CATV Commission, and representatives of the Grantee.

(26) In the event of an emergency as declared by the Mayor, or disaster, the Grantee shall upon request of the Mayor make available its facilities to the City for emergency use during the period of such emergency or disaster and shall provide such personnel as necessary to properly operate under the circumstances.

(27) The Grantee shall maintain an office serving both cities at a central location which shall be open during all usual business hours, have a listed telephone, and be so operated that complaints and requests for repairs or adjustments may be received at any time.

(28) The Grantee shall respond to all service calls and correct malfunctions in its equipment as promptly as possible."

(k) That subsections (1), (2) and (3) of Section 13, entitled

"Rates", be and are hereby amended to read as follows:

"(1) The Grantee shall be permitted to charge subscribers for its services rates not exceeding those set forth as follows:

- (a) For Basic Service to residential subscribers a sum not to exceed \$8.00 per month for the first outlet and the sum not to exceed \$3.00 per month for each additional outlet.
- (b) For installation, a sum not to exceed \$25.00 and for moving and reconnecting each outlet the sum not to exceed \$10.00.

(c) Rates for all other services to be provided over the CATV system by the Grantee shall be as set forth in the Champaign/Urbana CATV Basic Service Rate Schedule, which is hereby incorporated into this Ordinance and appears as Appendix B.

(2) The rates and charges for television signals distributed hereunder shall be fair, reasonable and non-discriminatory. The Grantee may decrease the rates to subscribers at any time at its option. Any request for change in rates must be approved by the City Council, subject to the provisions of subsections (6) and (7) below, and the Grantee must furnish to the Council such showing as the Council may require to substantiate the necessity for the rate change. A public hearing shall be held at the time of any rate change request.

(3) The maximum rates set forth in the above schedule shall not be subject to increase through the first two (2) years following commencement of service.";

and that subsections (6), (7) and (8) be and are hereby added immediately after subsection (5) as follows:

"(6) After the initial two (2) year period during which the rate for basic CATV service is herein specified, except for items as affected by footnotes No. 1 and No. 2 of Appendix B, rates shall be set by the Grantee, with no rate control by the Grantor of basic services, except under either of the following conditions:

- (a) Basic subscriber penetration exceeds the minimum market penetration during the first six (6) years of service, as set forth in subsection (7) below, or
- (b) Grantee's net earnings, including all revenues, exceed seventeen percent (17%).

(7) The following end of service year penetration levels shall be utilized with regard to item (6)(a) above:

<u>TIME PERIOD</u> <u>(YEARS)</u>	<u>MINIMUM MARKET</u> <u>PENETRATION</u>
0 (System Start-Up)	
1	50%
2	52%
3	54%
4	56%
5	58%
6	60%

This penetration level at the end of each service year shall be utilized to determine whether subsection (6)(a) is applicable for the following year. Following year six, if sixty percent (60%) market penetration has not been reached, then rate deregulation will continue until such time that sixty percent (60%) market penetration has been reached during a calendar year. At such time, rate regulation will be reinstated for as long as sixty percent (60%) market penetration is maintained, or net earnings exceed seventeen percent (17%).

(8) If CATV service to a subscriber is unavailable for more than forty-eight (48) hours, the subscriber's monthly fee shall be reduced 3.3 percent for every day thereafter that service is not available, unless the ability to provide repairs within said period is beyond the control of the Grantee. This fee reduction shall take effect only when the Grantee is informed of the lack of service."

(1) That the third sentence in subsection (1) of Section 15, entitled "Employment Practices of the Grantee," be and is hereby amended to read as follows:

"Such discriminatory action shall include, but not be limited to the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship.";

and that subsection (2) be and is hereby amended to read as follows:

"(2) The Grantee shall undertake affirmative actions in the hiring of members of minority groups and unskilled laborers and shall establish on the job training programs for said employees in all the field and skills necessary to construct, operate and maintain the Grantee's CATV system."

(m) That subsections (1) and (2) of Section 16, entitled "Compliance With Local, State, and Federal Law," be and are hereby amended to read as follows:

"(1) The Grantee shall construct, operate and maintain the CATV System subject to the supervision of the City and in strict compliance with all laws and City ordinances."

"(2) If at any time the powers of the City Council or any agency or official of the City are transferred by law to any other board, authority, agency or official, such board, authority, agency or official shall have the power, rights and duties previously vested under this Ordinance or by law in the Council or any agency or official of the City."

and that subsection (4) be and is hereby amended to read as follows:

"(4) Neither the Grantee, nor any other person, agency, or entity shall monitor, or arrange for the monitoring, of any cable, line, signal input device, or subscriber outlet or receiver for any purpose whatsoever, without the specific authorization of the Joint CATV Commission expressed by resolution, after a public hearing which shall be announced by written notice published in a newspaper of general circulation at least ten (10) days before the date of the hearing. The foregoing notwithstanding, the Grantee shall be allowed to perform monitoring which is necessary to the normal delivery of the Grantee's services; provided, however, that such monitoring shall be done in a manner that does not infringe upon the rights of subscribers, and provided further that the Grantee shall disclose to the CATV Commission all such monitoring activities within thirty (30) days of inception of the activities.

and that subsections (5) and (6) be and are hereby added immediately after subsection (4) as follows:

(5) The Grantee and the Grantor shall maintain constant vigilance with regard to possible abuses of the right of privacy or other human rights of any subscriber or programmer resulting from any device or signal associated with the cable television system. If possible, technological solutions shall be provided by the Grantee as problems are identified, and when reasonable financial arrangements can be made.

(6) The Grantee shall not sell, or otherwise make available, lists of the names and addresses of its subscribers; or any list which identifies by name, subscriber viewing habits, to any person, agency or entity, for any purpose whatsoever, without the specific authorization of the Grantor, expressed by resolution, after a public hearing which shall be announced by written notice published in a newspaper of general circulation at least ten (10) days before the date of the hearing."

(n) That paragraph (b) of subsection (1) of Section 17, entitled "Revocation of Franchise," be and is hereby amended to read as follows:

"(b) Becomes insolvent, unable or unwilling to pay its debts, or is adjudged bankrupt, and fails to deliver normal CATV service.";

and that the second sentence in subsection (2) be and is hereby amended to read as follows:

"In the event that such termination and cancellation depends upon a finding of fact, such finding of fact, as made by the Council, shall be reviewable by a Court of proper jurisdiction."

(o) That the word "Board" in subsection (2) of Section 18, entitled "Restrictions Against Assignment" be and is hereby changed to "City Council."

(p) That the sentence, "Amendments shall be accepted in the same manner as provided for acceptance of this Ordinance.", be and is hereby added to subsection (1) of Section 21, entitled "Acceptance.", at the end thereof.

(q) That Section 22, as amended, entitled "Supervision of the Grantee," be and is hereby further amended to read as follows:

"SECTION 22. SUPERVISION OF THE GRANTEE

(1) There is hereby established a Champaign-Urbana Joint CATV Commission, which shall act as an advisory body to the City Councils of the City of Champaign and the City of Urbana for the purpose of overseeing the construction, development and operation of the CATV System, and the administration of the CATV Franchise Agreement.

(2) Membership

- (a) The Champaign-Urbana Joint CATV Commission shall consist of eight (8) members, with four (4) members to be appointed by the Mayor of the City of Champaign with the advice and consent of the Champaign City Council, and four (4) members to be appointed by the Mayor of the City of Urbana with the advice and consent of the Urbana City Council.
- (b) At least one (1) member appointed from each City to the Champaign-Urbana Joint CATV Commission shall be a current member of the City Council of that City.
- (c) The Chancellor of the University of Illinois at Urbana may appoint one (1) observer to the Champaign-Urbana Joint CATV Commission to aid in the accomplishment of its tasks.
- (d) The Champaign and Urbana City Council members who are not regular members of the Champaign-Urbana Joint CATV Commission may attend meetings of the Commission as non-voting ex-officio members of the Commission.

(3) Terms of Office

- (a) The terms of the members of the Champaign-Urbana Joint CATV Commission shall be for three (3) years each, with such terms to be staggered and to commence on July 1.
- (b) With respect to the original appointments to the Champaign-Urbana Joint CATV Commission, each City shall appoint two (2) members for three (3) years each, one (1) member for two (2) years, and one (1) member of one (1) year, all such terms beginning July 1, 1976, with all subsequent appointments being for three (3) years each.
- (c) All members of the Champaign-Urbana Joint CATV Commission shall serve until a replacement has been appointed and all vacancies shall be filled for the duration of the unexpired term.
- (d) Each CATV Commission member shall be expected to attend all regular meetings of the CATV Commission. Any CATV Commission member who fails to attend more than half of the scheduled meetings in any one fiscal year (July 1 through June 30) may be asked to resign, or may have his or her name submitted to their respective Mayor and City Council with a recommendation for termination and replacement of such member.

(4) Meetings

- (a) The Champaign-Urbana Joint CATV Commission shall meet regularly at least once in every month at such place, day and time as the Commission may determine and designate.
- (b) All meetings of the Champaign-Urbana Joint CATV Commission shall be public as required by law.
- (c) The Champaign-Urbana Joint CATV Commission shall provide for the keeping of minutes of its proceedings, and those minutes shall be a public record.

(5) Organization and Procedures

- (a) At its first meeting after July 1 of each year, the Champaign-Urbana Joint CATV Commission shall elect a Chairperson and a Vice-Chairperson from among its members.

- (5) (b) The Champaign-Urbana Joint CATV Commission shall determine and set forth its own rules and procedures concerning, but not necessarily limited to, the conduct of the meetings, the order of business, the manner of voting, the scheduling of groups or individuals, the receiving and handling of correspondence, and such other related matters.
 - (c) In exercising and fulfilling its duties and functions as are now or may later be prescribed by the City Councils of the City of Champaign and the City of Urbana, the Champaign-Urbana Joint CATV Commission may make investigations into the operation of the CATV System, and for this purpose may call witnesses, take testimony and require the production of evidence or information.
- (6) Powers, Duties, and Functions.

The Champaign-Urbana Joint CATV Commission shall have the following powers, duties and functions:

- (a) Hold public hearing and hear testimony concerning applications for and renewals of a CATV Franchise Agreement, requests for rate increases and/or changes in services, and related matters, and make a report of findings and recommendations to the City Councils.
- (b) Propose regulations and arbitration procedures as deemed necessary by the CATV Commission or requested by the City Councils, and/or provide any other services to the City Councils that may be reasonably required by the City Councils under the authority of this Ordinance.
- (c) Advise the City Councils on matters which might be violations of the Franchise Agreement, and which might constitute grounds for revocation of the Franchise Agreement in accordance with this Ordinance.
- (d) Develop an appeal process, including necessary forms and procedures, to resolve complaints and disagreements between the Grantee and users of the CATV System, public and private. The appeal process shall be substantially as follows:
 - (1) User submits a complaint to the Grantee.
 - (2) Grantee reviews and acts upon the complaint.
 - (3) CATV Commission, by appeal of the user, reviews the grantee's action and renders a decision, which decision shall be final.
- (e) Advise the City Councils on the regulations of rates in accordance with this Ordinance.
- (f) Review, evaluate and make recommendations concerning the procedural rules established by the Grantee for the use of the public access channels, with an emphasis on promoting the sharing of equipment and channel time among access users.

- (g) Submit an Annual Report within sixty (60) days from Commission receipt of Grantee's report to the City Councils, such Annual Report to include, but not be limited to, the total number of hours of utilization of access channels, a review of any plans submitted during the year by the Grantee for development of new services, and hourly subtotals for various programming categories.
- (h) Submit an annual budget request to the City Councils to cover expenses anticipated to be incurred with respect to the administration of the CATV Franchise Agreement and the performance of the functions imposed by this Ordinance, and any amendments herein.
- (i) Review all Grantee records required by this Ordinance and, in the Commission's discretion, require the preparation and filing of information additional to that required herein.
- (j) Conduct evaluations of the CATV System at least every year, and pursuant thereto, make recommendations to the City Councils.
- (k) Contract, as necessary, and with the prior approval of both City Councils, for consultant services which are needed by the CATV Commission to assist it in the analysis of any matter relative to any Franchise Agreement under this Ordinance.
- (l) Develop and publish, and amend as necessary from time to time, a Cable Communication System Rules and Procedures Manual to define the CATV Commission's functions and responsibilities, and adopt rules and procedures in relation thereto.
- (m) Maintain a record of Grantee's subscriber complaints, and make such information available to the City Councils upon the request of either.
- (n) The CATV Commission shall have such other powers, duties and functions as are given by this Ordinance, or subsequent amendments hereto. However, the CATV Commission shall have no authority where expressly prohibited by FCC Rules and Regulations.

(q) That the phrase, "Champaign-Urbana Joint Committee on CATV," in Section 27, entitled "Amendment of the Ordinance," be and is hereby changed to "Champaign-Urbana Joint CATV Commission."

2. That all ordinances or parts thereof in conflict or inconsistent with the provisions of this ordinance be and they are hereby repealed.

3. That this ordinance shall become effective ten (10) days after its passage and publication as required by law.

This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Section 1 - 2 - 4 of the Illinois Municipal Code.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the Members of the Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 3rd day of October, 1977.

PASSED by the City Council this 3rd day of October, 1977.

Duane Eckerty, City Clerk
Beverly Amberger, Deputy Clerk

APPROVED by the Mayor this 6th day of October, 1977.

Jeffrey T. Markland, Mayor

CERTIFICATE OF PUBLICATION

I, Duane Eckerty, City Clerk, City of Urbana, Illinois, do herewith certify that I caused the above Ordinance to be duly published in the Champaign-Urbana Courier on the 19th day of October A.D., 1977, and a Certificate of Publication is attached hereto.

Duane Eckerty, City Clerk
Beverly Amberger, Deputy Clerk

APPENDIX A

CATV PRODUCTION EQUIPMENTA. COLOR PORTAPAC EQUIPMENT

1. Sony Model DXC-1600 Portable Color Camera with F2.5, 18-108 MM zoom lens and center resolution of better than 300 lines . . .	\$ 5,000
2. Battery Pack (Custom) Ni-Cad 12VDC x 8.0 AH	150
3. Camera Tripod - Quick Set, Samson 5-95534-9	110
4. Sony Portable Video Cassette Recorder BVU-100	4,500
5. Colortran Portable lighting kit No. 150-004	1,067
6. (2) Microphones, EV Model 635A with desk stands & windscreens .	180
7. (4) Mic extension cords, balanced 150 ohm with connectors, 50 ft.	100
8. Sony Portable color monitor, 9" Model PVM-9100	475
	<u>\$ 11,582</u>

B. BLACK/WHITE PORTAPAC EQUIPMENT

1. Sony Model AV-8400/AVC-3450 Camera/Recorder ensemble	\$ 2,000
2. Large equipment carrying case, holding:cam, rec. tripod, charger E	130
3. AC-1000 AC Adapter/battery charger	230
4. Sony Model BP-30 3 hour battery	129
5. Sony Model AV8400 Carrying case	32
6. 32' Audio/Video extension cord	77
7. Sony 1/2" Color editing VTR Model 8650	2,750
8. Sony Portable color video monitor PVM-9100, 9"	475
9. Tripod, Quick-Set, Samson 5-95534-9	150
	<u>\$ 5,973</u>

C. MAIN STUDIO/REMOTE EQUIPMENT

1. Remote Truck - 10/12 ft Van similar to Dodge B300	\$12,000
a. Truck airconditioning/heating 120VAC, 60cy	1,500
b. Truck modifications for permanent control room	2,500
2. Portable lighting - Colortran No. 150-004	\$ 1,067
a. Power Extension cords for truck and lighting	300
3. Lighting - Studio (Fixed)	
a. Switching control panel-Custom with A & B banks, presentable with 20 - 20amp circuitbreaker circuits switchable in preset form to both or either A or B banks. Plus (4) 30 amp house circuits. No dimmers	800

C. MAIN STUDIO/REMOTE EQUIPMENT (Cont.)

- b. Similar to a. panel above except for only (8) 20 amps circuits and one 30 amp utility circuit \$ 350
- c. (6) Adjustable 1 KW spots, Mole-Richardson No. 2831 or Colortran No. 104-171, at \$117 each 702
- d. (6) 4 way barndoors Colortran 113-013 \$20 each 120
- e. (6) Broads, Mole-Richardson 1 KW No. 3211-90 at \$90 each . . . 540
- f. (2) Scoops, 2 KW, No. 8181+31885 at \$171 each 342
- g. (10) Lighting grid power channels 13 ft long, with 4 circuits each strip, Model 5102A by Channel Mounts Co. at \$375 each. . . 3,750
- h. (6) Chanel leg stands No. 152-003 Colortran at \$43.33 each . . . 260
- 4. Sync/Test Generator, Tektronix Model 1470 with gen lock 2,400
- 5. Video Switcher and effects generator - 3M Model 1114 with 6 inputs, color backgrounds, keys and wipes, etc 5,300
- 6. Character generator - 3M Model D-2000 2,700
- 7. Two-Studio Color Cameras Panasonic WV-2150 with newvicom tubes (2 per camera) at \$6,500 each 13,000
 - a. Zoom lens for above 15-150mm, F2.8 with man. remote control cable-Model FZ-210 at \$1,900 each 3,800
 - b. Tripod/dollies for above, Hurcles-Quickset Model VP-200. 1,200
 - c. Four 100 ft Camera extension cables No. 233-100 1,600
- 8. Film Chain.
 - a. Panasonic PMX-200 Complete with WVP2100 camera, AF55S lens, MS-200 multiplexer (3 port) 13,075
 - b. Projectors - all video compatable 12,000

Consisting of:

 - (1) Cross-fading slide changer, 35 mm.
 - (2) 16 mm projector - Sound
 - (3) Super 8 mm - Sound
 - c. Phasing unit for WV-2100 1,100
- 9. 3/4" Video Cassette player/recorders
 - a. Two Sony VO-2850 VCRS at \$6,000 each 12,000
 - b. One Sony VO-2800 VCR 3,400
 - c. One editing interface with full counters and preview, model to be determined later. 2,500
- 10. CVS-504B Time Base Corrector 11,000
- 11. Waveform Monitor-Tekronics No. 528 1,200

- 12. Vectorscope - Tekronics No. 1420 \$ 1,420
 - Rack to mount waveform and Vectorscope 250
- 13. Monitors:
 - a. Three-Unimedia 12" Color monitors 2,100
 - b. Two-Unimedia 9" PVM-9100 at \$475 each 1,425
 - c. Six-B/W for video inputs in 19" racks 2,400
 - d. Three-23" Color Minotors-Unimedia 2,100
- 14. B/W Studio graphics camera Sony AVC 3260 with VCL-1206,
Fl.8 77 mm lens 1,170
 - a. Tripod Samson 5-95534-9 110
 - b. Extension cords, live card stand and projection screen 400
- 15. Audio mixer console, Stereo, low imped. mic and aux inputs.
Ampex 1220AC minimum 3,000
- 16. Audio tape recorder 1/4" - 1/4" track stereo Revox with 10" hubs
and broadcast quality 1,000
- 17. Cartridge recorder/player deck with auto cue 600
- 18. Two Cassette audio recorder players, 1-AC 1-battery 650
- 19. Microphones:
 - a. Four miniature condensor lavalier bal low-imp 300
 - b. Four stand mics with adjustable stands EV635 400
 - c. Boom mic - EV 644 150
 - d. Boom assembly with sound isolator 150
- 20. Transcription Turntable Broadcast Quality with multispeed, and
stereo mag. cartr. and arm 500
- 21. Art/Graphics supplies - Art board, dry transfer materials,
table/light 500
- 22. Tapes:
 - a. 3/4" VCR all types to be determined 1,000
 - b. 1/2 reel to reel, to be determined 200
 - c. Audio tape, to be determined 200
- 23. Intercom, to interconnect camera, switcher and production posts
with boom headsets ect. 600

\$131,131

D. MISCELLANEOUS EQUIPMENT

For various needs not covered in the above, miscellaneous equipment including special cabinetry, wiring, and other such equipment \$ 10,000
\$ 10,000

SUB-TOTAL \$158,686

E. CONTINGENCY

A special account, to be available to the CATV Commission, for future expansion and equipment requirements where an immediate need or a potential use can be shown. Cost effectiveness of such equipment will be a consideration of the CATV Commission in such selection. The Grantee's recommendations concerning the expenditure of these funds will be considered. \$ 50,000

TOTAL \$208,686

24477

Certificate of Publication

STATE OF ILLINOIS }
Champaign County } ss.

CHAMPAIGN-URBANA COURIER, Inc., a corporation hereby certifies that it is the publisher of THE COURIER, a daily secular newspaper of general circulation in said County, printed in the City of Urbana, and published in the City of Urbana and in the City of Champaign, in said County and State, and that said newspaper is a newspaper as defined in "An Act to revise the law in relation to notices," approved February 13, 1874, as amended, and that the printed notice hereto annexed and hereby made a part of this certificate has been published in said

newspaper at least once each week for one successive weeks in each and every copy

and impression thereof; that the date of the first newspaper containing said publication was

Oct. 19 A.D. 1977, and that the date of the last newspaper containing said

publication was _____ A.D. 19____; and that _____

Barbara A. Rees by resolution of the Board of Directors of said CHAMPAIGN-URBANA COURIER, Inc., has been authorized to make this certificate.

IN TESTIMONY WHEREOF said CHAMPAIGN-URBANA COURIER, Inc., has caused this certificate to be executed in its name by said Barbara A. Rees

this 19th day of Oct. A.D. 1977.

CHAMPAIGN-URBANA COURIER, Inc.

Publication Fee, \$ _____

By *Barbara A. Rees*

CERTIFICATE OF PUBLICATION

in

THE COURIER

CHAMPAIGN AND URBANA, ILLINOIS

In the Matter of

7778-26 amending CATV
ordinance

Solicitors or
Attorneys

City of Urbana
