

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER AN  
AGREEMENT TO AMEND THE CABLE FRANCHISE**

**(Emergency Alert Signal Overrides)**

WHEREAS, the cable television franchise agreements between the City of Urbana and Insight Communications of Indiana, and the City of Champaign and Insight Communications of Indiana, each contain the following requirement:

"Within six (6) months of the effective date of this Franchise Agreement, Grantee shall provide the system capability to transmit an emergency alert signal to all participating subscribers, in the form of an audio override capability to permit Grantor to interrupt and cablecast an audio message on all channels simultaneously in the event of disaster or public emergency."

and

WHEREAS, by mutual agreement the City of Urbana and Insight may allow for exemption from this requirement within the City of Urbana; and

WHEREAS, the METCAD Manual Override System remains in place; and

WHEREAS two stations, WCIA and WICD, have requested exemption from the override requirement; and

WHEREAS representatives of those stations have met with the Cities' public safety officials and the Coordinator of the Champaign County Emergency Services and Disaster Agency, and representatives of the Joint Cable and Telecommunications Commission, to develop procedures for announcement of emergencies by the two stations; and

WHEREAS, the 2 stations, WCIA and WICD, will pay for all equipment and maintenance required to exempt the stations from the Automatic E.A.S. Override and to reinstate the Automatic Override; and

WHEREAS, the exempt status will be reviewed at least every 6 months to ensure proper information is broadcast to local residents; and

WHEREAS, the Joint Cable and Telecommunications Commission, by resolution passed at its meeting of January 24, 2001, has recommended approval of the proposed amendment; and

WHEREAS, the Joint Cable and Telecommunications Commission, by the resolution passed at its meeting of January 24, 2001, has recommended approval of a limited exemption from the E.A.S Override for two stations, WCIA and WICD, subject to certain conditions;

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

Section 1. That the City hereby authorizes the Mayor to execute an agreement with Insight Communications to amend the franchise agreement as follows, with underlined text indicating new language:

"Within six (6) months of the effective date of this Franchise Agreement, Grantee shall provide the system capability to transmit an emergency alert signal to all participating subscribers, in the form of an audio override capability to permit Grantor to interrupt and cablecast an audio message on all channels simultaneously in the event of disaster or public emergency. The Grantor may provide exemption to this requirement upon such terms and conditions as it deems appropriate and reasonable to protect public safety."

Section 2. Upon complete execution of an amendment to the Franchise Agreement, the City hereby further authorizes a limited exemption from the Automatic E.A.S. Override for two stations, WCIA and WICD, as follows:

- (a) The two stations, WCIA and WICD, shall be exempt only from weather-related Automatic E.A.S. overrides; and
- (b) Each station will broadcast every weather-related warning no more than two minutes after the station's first notification of the warning by the authorized agency (National Weather Service, ESDA, etc.); and
- (c) Each station must continue the automatic E.A.S. interruption for federal, state and local test and emergency messages; and
- (d) The two stations, WCIA and WICD, will pay for all equipment and maintenance required to implement and maintain the limited exemption from the Automatic E.A.S. Override and, if required, to reinstate the full E.A.S. overrides; and
- (e) The success and effectiveness of the limited exemption shall be reviewed by local public safety officials (the Fire Chief of the City of Urbana, who may consult with the Fire Chief of the City of Champaign and with the Coordinator of the Champaign County Emergency Services and Disaster Agency) as often as deemed appropriate by those officials, and at least once every six months. Such review may be by public comment or personal observation of the officials. Upon a

determination by the Fire Chief that the limited exemption or its implementation by the stations does not adequately protect the public safety or does not otherwise comply with the terms of this authorization, the Fire Chief (or designee) may revoke the limited exemption by notifying the stations in writing and requiring the stations to immediately reinstate the full E.A.S. overrides. The stations may appeal any such decision of the Fire Chief to the Mayor of the City of Urbana, and then to the City Council. The pendency of an appeal shall not excuse a station from immediate compliance with a notice to reinstate the full E.A.S. override.

Section 3. That the Mayor and City Attorney are hereby authorized to take all actions necessary to effectuate the preceding.

PASSED by the City Council this 19<sup>th</sup> day of February,  
2001.



Phyllis A. Clark  
Phyllis A. Clark, City Clerk

APPROVED by the Mayor this 27<sup>th</sup> day of March,  
2001.

Tod Satterthwaite  
Tod Satterthwaite, Mayor