

A RESOLUTION OPPOSING IMPLEMENTATION OF FEDERAL COMMUNICATIONS COMMISSION DOCKET NO. 05-311; AND DECLARING AN EMERGENCY.

WHEREAS, the Federal Communications Commission (“FCC”) has proposed in their Docket No. 05-311 to revamp portions of the 1984 Cable Act that allows the City of Hudson (“City”) to receive franchise fees from the local cable television supplier. The City earmarks the currently received franchise fees to provide the principal funding for the operation of Hudson Community Television (“HCTV”); and

WHEREAS, the language of FCC Docket No. 05-311 proposes changes that would allow the cable service companies to reduce, and or eliminate, the franchise fees paid to the City by allowing “in-kind” credits to the cable companies against the current franchise fees. If implemented, said credits could seriously impact, or eliminate, the franchise fees that are the lifeblood of HCTV, while allowing the cable supplier to retain the franchise fees, with no relief for the cable service customers; and

WHEREAS, the Council of the City of Hudson feels that the cable franchise fee structure currently in place is being effectively used to support an important means for citizens to be fully informed and involved with the community via the Government Access opportunities currently offered by HCTV. The Council also feels that the current franchise fee structure allows the citizens to practice their first amendment rights to free speech and to educate the local public on issues via the availability of the free Public Access television opportunities currently offered by HCTV.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hudson, State of Ohio, that:

Section 1. This Council hereby declares its opposition to the implementation of FCC Docket No. 05-311 and asks the elected federal representatives of this region to express their disapproval and to strongly request that the FCC not implement Docket No. 05-311, due to the detrimental affect it will have on the important public service provided by HCTV.

Section 2. The Clerk is directed to send a certified copy of this Resolution to the City of Hudson’s elected representatives in the United States Congress.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4. This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that this Resolution is required to be immediately effective in order to timely advise the City's representatives in the United States Congress of the City's opposition to FCC Docket No. 05-311, which would severely and adversely affect operations of Hudson Community Television; wherefore, this Resolution shall be in full force and effect immediately upon its passage, provided it receives the affirmative vote of five members of Council elected thereto, or six affirmative votes if all members of Council are present at the meeting at which it is passed; otherwise, it shall take effect and be in full force from and after the earliest period allowed by law.

PASSED:

David A. Basil, Mayor

ATTEST:

Elizabeth Slagle, Clerk of Council

I certify that the foregoing Resolution No. 19-97 was duly passed by the Council of the City of Hudson on _____, 2019.

Elizabeth Slagle, Clerk of Council