

Agenda Report

December 15, 2014

TO: Honorable Mayor and City Council

THROUGH: Economic Development and Technology Committee (Dec. 9, 2014)

FROM: Office of the City Manager

SUBJECT: AUTHORIZATION TO ENTER INTO AN OPERATING AGREEMENT WITH PASADENA COMMUNITY ACCESS CORPORATION (PCAC)

RECOMMENDATION:

It is recommended that the City Council:

1. Find that the Operating Agreement with Pasadena Community Access Corporation is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15301;
2. Authorize the City Manager to enter into the Operating Agreement with PCAC.

OPERATING COMPANY RECOMMENDATION:

On November 4, 2014, the Board of Directors of the Pasadena Community Access Corporation, (PCAC), doing business as Pasadena Media, took action to approve the attached Operating Agreement.

BACKGROUND:

The Pasadena Community Access Corporation (PCAC) is established by Chapter 2.155 of the Pasadena Municipal Code and is one of the City's three operating companies.

Pursuant to the provisions of the Municipal Code, PCAC is the umbrella, non-profit agency that oversees the PEG (Public, Education and Government) cable TV access television stations serving Pasadena; including KPAS (City of Pasadena); Arroyo Channel (public access); KPCC-TV (Pasadena City College) and KLRN-Pasadena (Pasadena Unified School District). Both KPAS and the Arroyo Channel are directly funded by the City for operations while KPCC-TV and KLRN-Pasadena receive operational funding from their respective schools. All four stations share capital improvement funding known as the "1 Percent PEG money" which is a fee received by

the City and administered through PCAC that is collected from cable subscribers for the specific use as capital improvement grants to the four stations.

PCAC has been in operation for more than 30 years, however, PCAC, unlike the other two operating companies, the Rose Bowl Operating Company (RBOC) and the Pasadena Center Operating Company (PCOC), never had a formal Operating Agreement with the City. Rather, there was a Memorandum of Understanding between the City and PCAC for funding operations of the public access cable television (Arroyo Channel) and the public access studio operations and a second, vendor-type services contract between the City and PCAC for the agency to manage and provide programming content for the City's government cable TV station, KPAS.

Staff is recommending the establishment of a formal Operating Agreement between the City and PCAC. Consistent with the RBOC and PCOC operating agreements, the proposed agreement with PCAC delineates the authority of the operating company, addresses issues such as insurance, indemnity, accounting/financial report, procurement and budget. The proposed term for the agreement is twenty-five (25) years.

COUNCIL POLICY CONSIDERATION:

Establishing an Operating Agreement with PCAC, (dba "Pasadena Media") regarding both KPAS and the Arroyo Channel as well as the new Pasadena Media television studio provides for the long-term, hyper-local video and television production and media training opportunities for the public as well as live coverage of City Council meetings, government announcements and special City events that are consistent with the City's vision to provide timely information and support for world-class events; promote Pasadena's scientific and high-tech communities; use and promote innovative technology; support arts, culture and history, and increases emergency preparedness and information about emergencies.

The Operating Agreement will also support the City's mission to deliver exemplary municipal services to residents and businesses; and is consistent with the City's core values of Excellence; Open, Clear and Frequent Communication and Innovation. In addition the agreement is aligned with the Council's Strategic Goals to:

- Improve, maintain, and enhance public facilities and infrastructure (new TV production studio)
- Support and promote the quality of life and the local economy, (local programming & special events coverage)
- Ensure public safety (emergency public information)

ENVIRONMENTAL ANALYSIS:

The Operating Agreement with Pasadena Community Access Corp. (PCAC) is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15301.

FISCAL IMPACT:

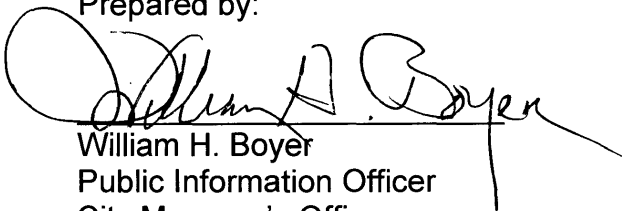
There is no fiscal impact as a result of this action beyond the regular recommended budget cycle process already established to fund PCAC in conjunction with the City's Annual Budget. The anticipated impact to other operational programs or capital projects as a result of this action will be none.

Respectfully submitted,



Steve Mermell
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Approved by:



MICHAEL J. BECK
City Manager