

**ORDINANCE NO. 18-950**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA PUENTE, CALIFORNIA, REAUTHORIZING THE CITY'S PUBLIC EDUCATIONAL AND GOVERNMENT (PEG) FEES BY AMENDING CHAPTER 5.56 OF TITLE 5 (BUSINESS LICENSES AND REGULATIONS) OF THE LA PUENTE MUNICIPAL CODE BY ADDING SECTION 5.56.130 (REAUTHORIZATION)**

**WHEREAS**, Public Utilities Code Section 5870(n), enacted as part of the Digital Infrastructure and Video Competition Act of 2006, authorized the City to adopt an ordinance establishing a fee on state-franchised video service providers to support public, educational, and governmental access channel facilities; and

**WHEREAS**, on March 25, 2008 the City Council adopted Ordinance No. 08-871 (An Ordinance of the City Council of the City of La Puente Amending Chapter 5.56 of Title 5 (Business Regulations and Licenses) of the La Puente Municipal Code, Relating to Regulations for the Provision of Video Service by State Franchise Holders; and

**WHEREAS**, Section 5870(n) of the Public Utilities Code states that such an ordinance shall expire, and may be reauthorized, upon the expiration of a state franchise; and

**WHEREAS**, the California Video Franchise granted to Time Warner, d/b/a Spectrum, will expire on January 1, 2018.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LA PUENTE DOES ORDAIN AS FOLLOWS:**

Section 1. Findings.

The City Council finds that the above Recitals are true and correct, and are incorporated herein by reference.

Section 2. La Puente Municipal Code Amendment.

Chapter 5.56 of Title 5 (Business Licenses and Regulations) of the La Puente Municipal Code is hereby amended by adding a new Section 5.56.130 as follows:

Section 5.56.130 Reauthorization. The City Council of the City of La Puente hereby reauthorizes the PEG fees adopted by Ordinance 08-871. The fees shall remain unchanged and in full effect as to all state video franchise holders operating within the boundaries of the City of La Puente.

Section 3. CEQA Findings.

The City Council finds that the Ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Code of Regulations CEQA Guidelines Section 15061(b)(3) in that it is no possibility it may have significant effect on the environment.

Section 4. Clerical Errors.

The City Council directs the City Clerk to correct any clerical errors found in this Ordinance including, but not limited to, typographical errors, irregular numbering and incorrect section references.

Section 5. Severability.

Should any section, subsection, clause, or provision of this Ordinance for any reason be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this Ordinance; it being hereby expressly declared that this Ordinance, and each section, subsection, sentence, clause, and phrase hereof would have been prepared, proposed, approved, and ratified irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid, unenforceable, or unconstitutional.

Section 6. Effective Date.

In accordance with California Government Code section 36937, this Ordinance shall take effect and be in force thirty (30) days from passage and adoption.

Section 7. Publication.

The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause this ordinance to be published and posted as required by law.

**PASSED, APPROVED AND ADOPTED** this 23<sup>rd</sup> day of January, 2018, by the following vote:

AYES:	COUNCILMEMBERS: Lewis, Holloway, Munoz, Solis
NOES:	COUNCILMEMBERS: None
ABSENT:	COUNCILMEMBERS: Argudo
ABSTAIN:	COUNCILMEMBERS: None



Violeta Lewis, Mayor

ATTEST:

  
\_\_\_\_\_  
Sheryl Garcia, City Clerk