



City of San Antonio

Agenda Memorandum

File Number: 15-3634

Agenda Item Number: 45.

Agenda Date: 6/18/2015

In Control: City Council A Session

DEPARTMENT: Communications and Public Affairs

DEPARTMENT HEAD: Di Galvan

COUNCIL DISTRICTS IMPACTED: City Wide

SUBJECT:

Educational Access Channel

SUMMARY:

The purpose of this Ordinance is to execute an extension of the current Interlocal Agreement between the City of San Antonio and Alamo Community College District (ACCD) to continue ACCD's operation of the City's Education Access Channel including annual compensation consistent with Chapter 66 of the Public Utilities Regulatory Act (PURA).

BACKGROUND INFORMATION:

The mission of the Education Access Channel is to provide the San Antonio community with quality educational programming and enhanced educational opportunities. The educational programming includes distance-learning courses, original programming from universities and K-12 schools.

On December 31, 2005, the cable franchise agreement between the City and TWC expired and TWC began to provide cable services in San Antonio under a Public Utility Commission (PUC) issued certificate of authority. At that time, Alamo Community College District (ACCD) agreed to continue its association with the Education Access Channel at its San Antonio College campus and to expand its role to manage daily operations of the access channel. The expiration of the cable franchise agreement eliminated governance authority and SAC has operated the Education Access Channel on behalf of the City since January 1, 2006 on a basis of ad hoc regulations established by the City's Communications & Public Affairs Department through an Interlocal Agreement that provides governance regulations and a budget process under which SAC may request financial

support for capital expenses on an annual basis consistent with the City's budget process

The current Interlocal Agreement provides for an extension of its terms for two, two -year terms. This ordinance authorizes the Director of Communications and Public Affairs to execute both two-year extensions so that ACCD may continue to provide educational programming on the Education Access Channel that is transmitted to cable subscribers on Time Warner Cable, Channel 99.98; Grande Communications, Channel 21, and AT&T U-Verse, Channel 99. The point of origin for the Education Access Channel is located on ACCD's San Antonio College (SAC) campus on the sixth floor of the Moody Learning Center.

The Interlocal Agreement requires the City to provide capital resources on an annual basis, contingent on the availability of revenues in the PEG fund. These capital funds from the City will provide funding to SAC to update studio and transmission equipment and technology. PEG funding is paid to the City by cable providers pursuant to Chapter 66 of the Public Utilities Regulatory Act (PURA), which was authorized by the SB 5 approved by the Texas Legislature in 2005. Chapter 66 further authorized local governments to negotiate cable franchise agreements and operate PEG access channels.

ISSUE:

The City of San Antonio is proposing to renew the current Interlocal Agreement with Alamo Community College District to continue to manage the daily operations of the City's Education Access Channel. The proposed renewal is for two consecutive two-year terms, to be executed by the Director. This renewal will allow for the continued operation of the Education Access Channel for the residents of the San Antonio viewing area. Contingent on the availability of PEG funds, the Agreement will also provide for the payments by the City to ACCD for capital expenses to be considered through the City's annual budget process.

ALTERNATIVES:

If the City does not renew the Interlocal Agreement, SAC runs the risk of operational failure and temporary or long-term technical difficulties in providing educational programming. If this were to occur, the City may be compelled to assume the daily operation of the Education Access Channel.

FISCAL IMPACT:

Funding is available from the PEG Fund in the Adopted Budget upon appropriation of the FY16 Budget.

RECOMMENDATION:

City staff recommends approval of an extension to the interlocal agreement between the City of San Antonio and Alamo Colleges to continue to operate the City's Educational Access Channel and the authority to administratively approve the second 2-year extension if warranted.