## [Please use City/Town/County / Agency letterhead]

## Date

## [Insert Legislator Name]

## California State Assembly

## State Capitol Building, Room ###

## Sacramento, CA 95814

## RE: AB 185 (Hernández). Televised Public Meetings. *(as amended 04/23/13)*

## NOTICE OF OPPOSITION

## Dear Assembly Member or Senator \_\_\_\_\_\_\_\_\_\_,

## While the City/Town/County / Agency of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(“City”/”Town”/”County”/ “Agency”) strongly believes in transparency in local government, it opposes AB 185 (Hernández) that would require any city/town/county/agency that collects franchise fees to televise council meetings and planning commission meetings on its public, educational, and government (PEG) channels. This bill would create a severe burden on local finances at a time in which municipal revenues are already extremely limited, and we oppose the bill for two primary reasons.

## The bill strips local decision-making in formulating its PEG programming content. AB 185 takes away local governments’ ability to decide for itself what programming will be aired on its PEG channels. Moreover, AB 185 seems to neglect the fact that not all PEG channels are government channels, or a channel that airs public meetings. The City channel currently airs its council meetings but does not air its planning commission meetings. In order for the City to do so, it would be forced to utilize resources already allotted for another City service. Further, AB 185 limits local control over PEG channels and the manner in which the legislative body engages its citizens. The City prefers to encourage our community to attend and actively participate in public meetings of our various boards and commissions, not to stay at home and watch them on television.

## Franchise fees are not intended to operate as a backdoor mandate to televise public meetings. The bill’s requirement for telecasting council meetings and planning commissions, with funding from the City’s franchise fees, is inconsistent with federal and state law. Neither Congress nor the Legislature intended franchise fees to be collected to provide PEG programming. AB 185 inappropriately links the two. In fact, the collection of a franchise fee reimburses the City for the cable carriers’ use of the right-of-way to install and maintain infrastructure (i.e. “rent”). This rent rightfully belongs in the general fund to be used for local maintenance of the right-of-way and other municipal services.

## For these reasons, we oppose AB 185.

## Sincerely,

## PRINTED NAME:

## TITLE: [Ideally it should be the Mayor who signs. If he is not available, the City/Town/County/Agency Manager should sign]

## CITY/TOWN/ COUNTY/AGENCY:

## cc: Assembly Member Roger Hernández, Fax: (916) 319-2148

## Christy Marie Lopez (SCAN NATOA Inc.), email: [clopez@awattorneys.com](mailto:clopez@awattorneys.com)