



City of Chicago



R2010-1391

Office of the City Clerk

Tracking Sheet

Meeting Date:	12/8/2010
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Sponsor(s):	Schulter, Eugene Balcer, James Mell, Richard
Type:	Resolution
Title:	Veterans and veteran groups urged to work through Chicago Access Corporation for cablecast programming of veterans' affairs, and Chicago Cable Commission urged to hold hearing to report on status and volume of veterans' programming
Committee(s) Assignment:	Committee on License and Consumer Protection

License

RESOLUTION

WHEREAS, Enough cannot be said or written to laud the honorable service that United States veterans who served in all branches of its military have performed in the defense of this nation and in securing its vital strategic interests throughout the world; and

WHEREAS, Many Veterans and their families, as a result of their military service to the nation, have been put at risk for, or are currently suffering from a range of medical and psychological conditions thereby rendering them in need of legal and medical assistance, jobs, housing, education and counseling; and

WHEREAS, Many veterans are unaware of the many programs and benefits to which they may be entitled; and

WHEREAS, Enhanced public access veteran's programming would provide valuable and vital assistance in finding the resources necessary to procuring the services necessary to redress and ameliorate these needs; and

WHEREAS, The Federal Cable Act provides that:

(a) "A franchising authority may establish requirements in a franchise with respect to the designation or use of channel capacity for public, educational or government use only to the extent provided in this section...

(d) In the case of any franchise under which channel capacity is designated under subsection (b), the franchise authority shall prescribe—

(1) rules and procedures under which the cable operator is permitted to use such channel capacity for the provision of other services if such channel capacity is not being used for the purposes designated..."

WHEREAS, the City Council created the Chicago Access Corporation the purpose of which is stated in 4-280-350 of the Municipal Code:

"A nonprofit Chicago Access Corporation (CAC) shall be created as hereinafter provided to promote and develop maximum community involvement in and use of cable television for cultural, educational, health, social service, civic, community and other nonprofit purposes and to administer use of access channels."

WHEREAS, 4-280-360 of the Municipal Code required that all franchises provide that CAC control the use of all public access channels and that 4-280-400 detailed the powers of CAC including the powers to:

1. "Conduct public informational and educational activities...
2. Allocate access channel space and time...for nonprofit use, on a reasonable nondiscriminatory basis;
3. Provide financial, technical and other assistance for nonprofit programming and other nonprofit uses of the cable system;
4. Retain ownership of studios and other program production facilities and equipment and employ staff"

WHEREAS, 4-280-410 of the Municipal Code place restrictions on CAC by providing "The CAC shall not... Permit operation of its channels to be subject to direct or indirect governmental interference with or control of program content."

WHEREAS, All of the Chicago franchises require CAC access channels. "All such channels shall be provided to the CAC free of charge and be under the exclusive use and control of the CAC; provided, however, that such channels are utilized by the CAC for non-commercial programming and purposes and without any charges by the CAC to any subscriber or advertiser...Pursuant and in addition to Section 4-280-360 (B) of the Cable Ordinance, the Grantee shall be given prior written notice six (6) months before the CAC utilizes any unused channel."

WHEREAS, Our goal should be to facilitate the opportunity for veteran groups to expeditiously enhance veteran's programming on access channels in Chicago in a manner consistent with the Federal Cable Act, the Municipal Code and our franchising agreements.

WHEREAS, The CAC contends that it currently has available capacity on its five channels to handle programming being created and submitted by veterans and veteran's groups: now, therefore

BE IT RESOLVED THAT veterans and veteran's groups work through CAC to cablecast programming that meets the needs of veterans and their families and that the CAC continue to provide training, facilities and channel time to facilitate that work

BE IT FURTHER RESOLVED that the Cable Commission hold a hearing in December of 2011 pursuant to its duty as set forth in 4-280-460(A)(4) of the Municipal Code and report the status and volume of veteran' programming to the Committee on License and Consumer Protection.

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