

RULES AND REGULATIONS OF THE CHAMPAIGN-URBANA CABLE TELEVISION AND COMMUNICATION TECHNOLOGY COMMISSION

PREAMBLE

The Champaign-Urbana Cable Television and Communication Technology Commission, hereafter referred to as the “Commission” was created by the City of Champaign (“Champaign”) and the City of Urbana (“Urbana”) (collectively, the “Cities”) to act as an advisory Commission to the Cities’ respective Councils. The Commission’s purpose is to oversee the construction, development and operation of the Cable Television system, and the administration of Cable Television franchises, and to monitor and inform the public of changes to telecommunication legislation and policy.

ARTICLE I. AUTHORITY AND DEFINITIONS

The Commission derives authority from city ordinances and its own rules. (See Champaign, Illinois, Code of Ordinances, Chapter 10, Article XI and Urbana Code, Article IV, Sec 24-100.) Terms used in this document shall have the same meanings as in the above referenced ordinances of the Cities unless otherwise defined in this document.

ARTICLE II. MEMBERSHIP-TERMS OF OFFICE

Section A. Membership

The Commission consists of no more than eight (8) members, with no more than three (3) members to be appointed by the Mayor of the City of Champaign with the advice and consent of the City Council, and no more than three (3) members to be appointed by the Mayor of the City of Urbana with the advice and consent of the Urbana City Council. The Chancellor of the University of Illinois Urbana-Champaign Campus (“University”) may appoint one member and the President of Parkland College (“Parkland”) may appoint one member to aid in the accomplishment of the Commission tasks.

Section B. Terms of Office

The initial appointment of Commission members shall be such that their terms and subsequent Commission member terms shall be staggered as hereinafter provided. One Commission appointee from each of Urbana and Champaign shall be initially appointed to serve a one (1) year term; one Commission appointee from each of Urbana and Champaign shall be initially appointed to serve a two (2) year term; and one Commission appointee from each of Urbana and Champaign shall be initially appointed to serve a three (3) year term. In the event that the University and Parkland elect to appoint a Commission member, their respective initial appointees shall serve terms of two (2) years. Thereafter, all successor appointees shall serve three (3) year terms. Nothing

herein shall be deemed or construed as prohibiting Urbana, Champaign, the University, or Parkland from reappointing their respective Commission members to successive terms of appointment. Each Commission member shall continue to serve until his or her successor has been appointed and qualified to serve as a Commission member. Commission members shall begin service as such as of the next regular meeting of the Commission following the respective Commissioner member's appointment.

ARTICLE III. CONDUCT OF MEETINGS-DUTIES OF MEMBERS

Section A. Officers

At the first meeting held after July 1 of each year, the Commission shall hold an election of officers. Nominations may be made by any member of the Commission and no motion second will be need to place a Commission member's name in consideration for the office for which he or she is nominated. An election shall be by an affirmative vote of a majority of those members present. The Commission shall elect the following officers:

1. Chair –The Chair of the Commission shall preside over all meetings of the Commission. The Chair shall be a member of the Commission
2. Vice-Chair –The Vice-Chair shall assume the Chair's duties in the absence of the Chair. The Vice-Chair shall be a member of the Commission.
3. Clerk – The Clerk shall have the duties and responsibilities provided for in Section B. The Clerk need not be a Commission member, but shall be elected or appointed by the Commission.

Nothing herein shall be deemed or construed as prohibiting the Commission from creating such additional officers as it deems necessary and appropriate to carry out the duties and functions of the Commission. Any such additional office shall be created on the affirmative vote of the Commission members present at a duly constituted meeting. Each officer shall hold office until a successor has been elected and qualified, or until a resignation from the elective position is received. If a vacancy exists in any elective office, the Commission shall hold a special election, without notice, to choose a new officer, who shall serve for the duration of the unexpired term of his/her predecessor.

Each member of the Commission is expected to attend all regular meetings of the Commission. Any member of the Commission who fails to attend more than half of the scheduled meetings in any one fiscal year (July 1 through June 30) may be asked to resign, or may have his or her name submitted to their respective appointing authority with a recommendation for termination and replacement.

Champaign and Urbana Council members may attend all meetings of the Commission as nonvoting ex officio members of the Commission.

Section B. Clerk

The Clerk of the Commission shall:

1. Keep the minutes of the Commission meetings.
2. Be the custodian of all files and records pertaining to the business of the Commission.
3. Keep a record of all resolutions passed.
4. Perform other duties that the Commission may prescribe.

Section C. Meetings

Regular Meetings of the Commission shall be held quarterly on the third Thursday of the first month of each quarter at the hour of 3:30 p.m. The regular meetings will be held in the City Council Chambers of Urbana at 400 South Vine, Urbana, unless otherwise announced.

The Chair of the Commission may call special meetings of the Commission by notifying the Clerk at least three (3) business days prior to the time of the special meeting. Special meetings shall be held at such places and times as provided in the notice of said meetings.

The Commission shall provide for the keeping of minutes of its proceedings, and those minutes shall be a public record.

Section D. Quorum

For the purpose of holding meetings and conducting any business, a quorum shall be required. A quorum shall consist of a majority of those members then duly appointed to the Commission.

Section E. Closed Meetings or Sessions

All meetings of the Commission shall be open to the public; provided, however, that the Commission may close meetings or portions of meetings as provided for in the State Open Meetings Act.

Section F. Notices and Agenda

1. All notices of Commission meetings, whether regular or special, shall be published in conformance with the State Open Meetings Act. Such notices and the posting thereof shall include the agenda for the respective meeting being so

noticed and, where reasonable, any materials which shall be distributed to Commission members in advance of each such meeting. Notices, along with their respective accompanying agendas and materials, shall be sent to Commission members and posted as required by the State Open Meetings Act at least forty-eight hours prior to the holding of any such meeting.

2. The Clerk of the Commission, at the direction of the Chair, shall prepare an agenda for each meeting of the Commission
3. Any member may provide items to the Clerk for addition to the agenda by providing those items, in writing, to the Clerk on or before seven (7) business days prior to the meeting.

Section G. Order of Business

At any regular meeting, the Commission shall proceed to transact the business before it in the following order:

1. Call to Order
2. Roll Call
3. Modifications to and Approval of Agenda
4. Approval of Minutes
5. Public Input
6. Correspondence
7. Unfinished Business
8. Reports
9. New Business
10. Commissioner's Comments
11. Adjournment

Section H. Voting

All matters requiring action by the Commission shall be by vote of Commission members and a simple majority, unless such larger number is provided for in these Rules, shall be necessary to approve such action. The Clerk shall record each vote by number. Roll call votes are necessary for resolutions and the Clerk shall record each vote by name if by roll call.

Section I. Motions

Robert's Rules of Order shall govern all proceedings before the Commission. However, in no action taken by the Commission shall be deemed ineffective or inoperative in the event that such action was taken in a manner which does fails to strictly comply with Robert's Rules of Order.

Section J. Amendment to Rules

1. Commission members may propose amendments to the rules of the Commission. Amendments require the affirmative vote of a simple majority which simple majority must be comprised of at least one affirmative vote by a Commission member appointed by Urbana and one affirmative vote by a Commission member appointed by Champaign.
2. The Commission, in an effort to solicit information from all concerned, will provide in writing a draft of any proposed amendment to these Rules to the Clerk and to both the Champaign City Attorney and the Urbana City Attorney, no fewer than seven (7) business days prior to the date scheduled on the Commission agenda for consideration of such proposed Rule change.
3. The Clerk shall post notice of any amendment in a publicly accessible location no fewer than ten (10) business days prior to the effective date of the amendment.

Section K. Resolutions

1. Commission members may propose resolutions for the Commission's consideration provided the proposed resolution is submitted in writing to the City Attorneys for Champaign and Urbana at least two (2) weeks before the regular Commission meeting at which the respective proposed resolution is to be considered by the Commission.
2. After review by the Attorneys for each City, the proposed resolution will be included in the agenda materials for the next Commission meeting.

Section L. Annual Reports and Budget

1. The Commission shall submit an annual report to the city councils, which shall include (but not be limited to) the total number of hours of utilization of access channels, a review of any plans submitted during the year by the grantee and for development of new service, and hourly subtotals for various programming categories, and summary of access channel activities during the prior fiscal year.
2. The Commission shall submit annual budget requests to each City to cover expenses anticipated to be incurred with respect to the administration of a Franchise and the performance of the functions imposed by Ordinance and any amendments thereto. Each such budget request shall be in a form which is consistent the respective Cities' budgets. Budget requests shall be timed to coincide with each Cities' budgeting process. TV staff from both Cities' shall provide form and process timing information to the Commission.

Section M. Commission Committees

1. The Commission shall establish those committees deemed necessary to perform its responsibilities as an advisory body to the City Councils of the City of Champaign and the City of Urbana. Such committees may include persons who are not members of this Commission. These committees shall be subject to and governed by the same rules and regulations as the Commission, including the State Open Meetings Act. Membership on committees will be by appointment of the Chair of the Commission, subject to approval of the Commission.
2. Each committee shall develop a mission statement. The Chair of each committee shall be a Commission member. The Chair of the Commission shall appoint the committee chair subject to approval of the Commission. Each committee shall keep a record of each committee meeting and report to the Commission as needed.

Section N. Commission's Powers, Duties and Functions

1. Hold public hearings and hear testimony concerning applications for the renewal of a Cable Television Franchise, rate increases and/or changes in service, and related matters, and make a report of findings and recommendations to the City Councils.
2. Propose regulations and arbitration procedures as deemed necessary by the Commission or requested by the City Councils, and/or provide any other services to the City Councils that may be reasonably required by the City Councils.
3. Advise the City Councils on matters which might be violations of the franchise, and which constitute grounds for penalties and/or revocation of any franchise.
4. Serve as a forum for resolving complaints and disagreements between the grantee and subscriber and users of the Cable Television System, public and private.
5. Advise the City Councils on changes of rates in accordance city ordinances and applicable law.
6. Review all grantee records required by the Cities and in the Commission's discretion, require the preparation and filing of additional information with the Cities.
7. Conduct evaluations of the Cable Television System at least every year, and pursuant thereto, make recommendations to the City Councils.
8. Recommend to contract, as necessary, to both City Councils, for consultant services that are needed by the Commission to assist it in the analysis of any matter relative to any franchise administered by the Commission.

9. Develop and publish, and amend as necessary from time to time, the “Rules and Regulations of the Champaign-Urbana Cable Television and Communications Technology Commission”, this document, to define the Commission’s functions and responsibilities, and adopt rules and procedures in relation thereto.
10. Maintain a record of the grantee’s subscriber complaints, and make such information available to the City Councils upon request of either.
11. Monitor the telecommunications legislation and policy at federal and state levels, and inform the public and private sector and citizenry of changes of such.
12. Serve as a forum for citizen input in telecommunication issues.
13. Identify community telecommunications resources, both financial and advisory.
14. Promote public/private sector and citizen involvement in existing and emerging telecommunications technology by sponsoring seminar and/or workshops on relevant issues.
15. Encourage public/private cooperative relationships in telecommunications.
16. Promote community coalitions, which enhance the effective and efficient use of telecommunications technology.
17. Serve as a liaison between local providers of telecommunications services and the consumer.
18. Encourage local service providers to use Champaign-Urbana as a testing site for new technologies as they emerge, to the extent appropriate and consistent with Commission purposes and policies.
19. The Commission shall have such other powers, duties and functions as are given by the applicable ordinances and amendments thereto. However, the Commission shall have no authority to take any action which is expressly prohibited by federal and/or state statute, rule, regulation, or letter ruling.

Date Adopted by the Commission:

Effective Date: