

RESOLUTION NO. ____-2015

RESOLUTION OF THE FORT BRAGG CITY COUNCIL APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH MENDOCINO TV FOR PUBLIC, EDUCATIONAL, GOVERNMENT (PEG) SUPPORT SERVICES AND AUTHORIZING CITY MANAGER TO EXECUTE SAME UPON EXECUTION BY CONSULTANT (AMOUNT NTE \$70,000; FY 2014/15- \$20,000; FY 2015/16-\$50,000; ACCOUNT NO. 110-4190-0623)

WHEREAS, since Mendocino Coast Television (MCTV) went out of business in July 2013, cable television subscribers on the Fort Bragg and the Mendocino Coast have been without Public, Education, Government (PEG) services; and

WHEREAS, in November 2014, the City of Fort Bragg issued a Request for Proposals and one proposal was received from Eric Dwyer, representing an entity to be known as North Coast Television & Theater (NCT&T); and

WHEREAS, the Mayor appointed an ad hoc committee of the City Council comprised of Councilmembers Hammerstrom and Cimolino to review the PEG proposals and work to assemble a viable strategy for reestablishing PEG services to Fort Bragg and the Mendocino Coast; and

WHEREAS, the ad hoc committee met with Mr. Dwyer and determined that his proposal was unresponsive, and

WHEREAS, subsequently, the committee pursued separate negotiations for PEG services with Terrence Vaughn of Mendocino TV; and

WHEREAS, the ad hoc committee has recommended that the City enter into a Professional Services Agreement with Mendocino TV to reestablish PEG services, including engineering, assembly, management, administration and operation of PEG Distribution and Programming Facilities and other services as presented in the Mendocino TV Proposal for PEG Restoral on the Mendocino Coast which is attached as Exhibit A to the Professional Services Agreement; and

WHEREAS, based on all the evidence presented, the City Council finds as follows:

1. The City has determined that it requires the professional services from a consultant: to provide PEG (Public, Educational and Government) Distribution and Programming Services; and
2. Mendocino TV is fully qualified to perform such professional services by virtue of specialized experience and training, education and expertise of its principals and employees.
3. Mendocino TV is willing to accept responsibility for performing such services in accordance with the terms and conditions set forth in a Professional Services Agreement ("Agreement") which is included as Attachment 1 to this Resolution and incorporated herein; and
4. The Council has determined that sufficient funds are available in the adopted FY 2014/15 City of Fort Bragg Budget for the FY 2014/15 costs associated with the Agreement and

funds will be appropriated in the FY 2015/16 Budget for the costs associated with services performed in FY 2015/16.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Bragg does hereby approve a Professional Services Agreement with Mendocino TV for PEG Support Services and Authorizes City Manager to execute same upon execution by Consultant (Amount NTE \$70,000: \$20,000 for Initial Set-Up and \$50,000 for First Year Operations; Account No. 110-4190-0623)

The above and foregoing Resolution was introduced by Councilmember _____, seconded by Councilmember _____, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 13th day of April, 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

DAVE TURNER,
Mayor

ATTEST:

Cynthia M. VanWormer, MMC
City Clerk