

ORDINANCE NO 9942 (NEW SERIES)

AN ORDINANCE AMENDING THE
COUNTY OF SAN DIEGO ADMINISTRATIVE CODE
RELATING TO THE CABLE TELEVISION
REVIEW COMMISSION

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1: ARTICLE XXXII of the County of San Diego Administrative Code is hereby amended to read as follows:

ARTICLE XXXII CABLE TELEVISION REVIEW COMMISSION

SEC. 630.1. CABLE TELEVISION AND TELECOMMUNICATIONS
REVIEW COMMISSION.

There is hereby created and established in the County of San Diego the Cable Television and Telecommunications Review Commission, hereafter referred to in this Article as "Review Commission."

SEC. 630.2. NUMBER OF MEMBERS.

The Review Commission shall consist of seven (7) members all of whom shall be residents of the County of San Diego. Members shall be citizens who have no direct financial interest in the cable television industry.

SEC. 630.3. VACANCIES.

Whenever a vacancy exists in the position of a member of the Review Commission, the Board of Supervisors shall appoint a person to fill the vacancy.

SEC. 630.4. NOMINATION, APPOINTMENT AND TERM OF OFFICE.

(a) Each member of the Board of Supervisors shall be responsible to nominate one member for appointment to the Commission. Such members shall be the first, second, third, fourth and fifth members of the Commission corresponding to the number of the supervisorial district of the member of the Board of Supervisors who makes the nomination. The Chairman of the Board of Supervisors shall nominate the sixth member for appointment to the Commission. The seventh

member of the Commission shall be appointed by the Board of Supervisors. The members of the Commission shall be appointed by an affirmative vote of a majority of the members of the Board of Supervisors.

(b) The first, second, third, fourth and fifth members of the Commission shall serve a term which shall run concurrently with the term of the member of the Board of Supervisors who nominated that Commission member. The term shall expire on the date of expiration of the term of the nominating member of the Board of Supervisors, or at such time as said Supervisor ceases to hold office, whichever first occurs. The reelection of a member of the Board of Supervisors for a succeeding term shall not automatically extend the term of any member of the Commission.

(c) The sixth and seventh members of the Commission shall serve for a term of three years, but may not serve for more than three full consecutive terms or more than ten consecutive years.

(d) Any member whose term has expired hereunder shall continue to discharge the duties as a member until a successor has been appointed and qualified.

SEC. 630.5. OFFICERS.

A Chairman and Vice Chairman of the Review Commission shall be elected each calendar year by the Commission at its first meeting of the calendar year.

SEC. 630.6. [RESERVED.]

SEC. 630.7. RULES.

The Review Commission may prepare and adopt such rules and regulations for the internal government of its business as it may deem necessary or advisable, all subject to the approval of the Board of Supervisors.

SEC. 630.8. DUTIES AND RESPONSIBILITIES.

(a) The Review Commission is an administrative fact finding and review body. As such, it may make investigations, conduct hearings, and render administrative decisions which, if not appealed to the Board of Supervisors within thirty (30) days of their issuance, shall become final and binding upon the parties involved. The Review Commission may investigate, conduct hearings and render decisions concerning any of the following cable television matters:

(1) License transfer requests

- (2) Operator request for waivers
 - (3) Consumer complaints
 - (4) License contract compliance
 - (5) Impact of Federal Communications Commission rules and regulations
 - (6) Legislation affecting cable television
- (b) In addition to the above duties, the Review Commission shall review and report to the Board of Supervisors on technology, regulatory and legal developments in telecommunications.

SEC. 630.9. REQUIRED MEETINGS.

The Review Commission shall designate a time and place for its regular meetings. Any member failing to attend two consecutive meetings without valid excuse is subject to removal by the Review Commission.

SEC. 630.10. QUORUM.

Four (4) members shall constitute a quorum. A majority of these members in attendance shall be required to carry any motion or proposal.

SEC. 630.11. MINUTES.

The Review Commission shall keep written minutes of its regular meetings, a copy of which shall be filed with the Clerk of the Board of Supervisors.

SEC. 630.12. COMPENSATION.

Members of the Review Commission shall be compensated as provided by ordinance; provided, however, that the number of meetings for which members shall be compensated shall not exceed twenty (20) during any fiscal year.

SEC. 630.13. EXPENSES.

Members of the Review Commission shall be reimbursed for travel expenses to or from regular Commission meetings. The members shall be entitled to reimbursements for unusual expenses when authorized by the Board of Supervisors. Members are not, however, authorized to incur any obligation or expenses unless first authorized by the Board of Supervisors or the Chief Administrative Officer.

SEC. 630.14. REMOVAL.

The members of the Review Commission shall serve at the pleasure of the Board of Supervisors and any member may be removed at any time by a majority vote of the Board of Supervisors.

SEC. 630.15. [RESERVED.]

Section 2: Effective Date. This ordinance shall take effect thirty (30) days after its adoption. Within fifteen days after the date of adoption of this ordinance, a summary shall be published once with the name of those members voting for and against the same in the newspaper of general circulation published in the County of San Diego.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of San Diego this 24th day of June, 2008.