

**ORDINANCE NO. 4-2007**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
AMENDING SUBSECTIONS 2.A. AND 9 OF SECTION 5.50.112 OF THE ELK  
GROVE MUNICIPAL CODE, THE AGREEMENT OF FORMATION – SACRAMENTO  
METROPOLITAN CABLE TELEVISION COMMISSION, TO PROVIDE FOR ONE  
ANNUAL MEETING PER YEAR AND TO EXTEND THE TERM OF THE  
COMMISSION TO DECEMBER 31, 2024.**

The City Council of the City of Elk Grove, State of California, ordains as follows:

SECTION 1. 5.50.112 of Chapter 5.50, Title 5 of the City of Elk Grove

Municipal Code is hereby amended to read as follows:

Subsection 2. BOARD OF DIRECTORS

a. Meetings of the Board of Directors and or such advisory or other committees as the Board may appoint, shall be governed by the provisions of the Ralph M. Brown Act (Government Code Section 54950 et seq.). The Board of Directors shall establish a time and place for its regular meetings, which shall be held not less frequently than once per year.

SECTION 2. 5.50.112 of Chapter 5.50, Title 5 of the City of Elk Grove

Municipal Code is hereby amended to read as follows:

Subsection 9. Term

9. Term. Except as hereinafter provided, this Agreement shall terminate and the Commission shall be deemed dissolved on December 31, 2024.

The Commission shall review the status of the franchise and the status of state and federal law related to cable franchises no later than June 30, 2010 and shall make a recommendation to the member agencies on whether the Commission shall be dissolved prior to December 31, 2024. Nothing in this section shall preclude the Commission from making a recommendation regarding the continuation or early dissolution of the Commission either prior to or after June 2010.

Section 3: No Mandatory Duty of Care.

This ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care towards persons and property within or without the City, so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 4: Severability.

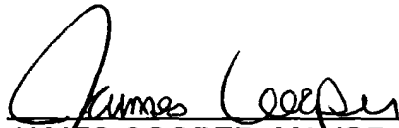
If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.

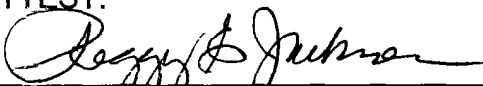
Section 5: Effective Date and Publication

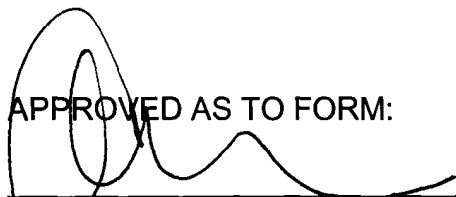
This Ordinance shall take effect thirty (30) days after its adoption. In lieu of publication of the full text of the ordinance within 15 days after its passage, a summary of the ordinance may be published at least five days prior to and fifteen (15) days after adoption by the City Council and a certified copy shall be posted in the office of the City Clerk, pursuant to GC 36933(c)(1).

ORDINANCE NO. 4-2007

INTRODUCED: January 10, 2007  
ADOPTED: January 24, 2007  
EFFECTIVE: February 23, 2007

  
\_\_\_\_\_  
JAMES COOPER, MAYOR of the  
CITY OF ELK GROVE

ATTEST:  
  
\_\_\_\_\_  
PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:  
  
\_\_\_\_\_  
ANTHONY B. MANZANETTI,  
CITY ATTORNEY

**CERTIFICATION**  
**ELK GROVE CITY COUNCIL ORDINANCE NO. 4-2007**

STATE OF CALIFORNIA        )  
COUNTY OF SACRAMENTO    )       ss  
CITY OF ELK GROVE         )

*I, Peggy E. Jackson, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing ordinance was duly introduced on January 10, 2007 and approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on January 24, 2007 by the following vote:*

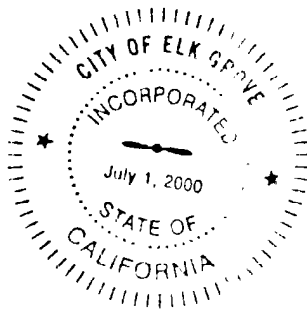
**AYES :**       **COUNCILMEMBERS:**       *Scherman, Cooper, Hume, Davis, Leary*

**NOES:**       **COUNCILMEMBERS:**       *None*

**ABSTAIN:**   **COUNCILMEMBERS:**       *None*

**ABSENT:**   **COUNCILMEMBERS:**       *None*

**A summary of the ordinance was published pursuant to GC 36933(c) (1).**



*Peggy E. Jackson*  
\_\_\_\_\_  
**Peggy E. Jackson, City Clerk**  
**City of Elk Grove, California**