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SACRAMENTO METROPOLITAN Cable Television Commission

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SACRAMENTO METROPOLITAN CABLE TELEVISION COMMISSION REGULAR BOARD MEETING

Sacramento County Board Chambers – 700 H Street, Suite 1450
Sacramento, California

THURSDAY, MARCH 4, 2010 - 2:30 P.M.

ACTION SUMMARY

CALL TO ORDER / ROLL CALL

Chair Waters called the meeting to order at 2:36 p.m. Art Gee led the Pledge of Allegiance.

Board Members Present: Robbie Waters, Andy Morin, Steve Detrick, Cortez Quinn (Alternate for Dickinson), Ted Wolter (Alternate for MacGlashan), Howard Schmidt (Alternate for Peters), Sandy Sheedy, James Shelby, Art Gee (Alternate for Yee), and Ex-Officio Robert McGarvey. Kevin McCarty and Don Nottoli arrived during the Closed Executive Session.

Board Members Absent: Roger Dickinson, Roberta MacGlashan, Susan Peters, Jimmie Yee

Staff Present: Legal Counsel Harriet Steiner and Senior Office Clerk Katie Lee

ITEM NO. 1) **CLOSED EXECUTIVE SESSION:**

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Pursuant to subdivision (a) of Government Code Section 54956.9) – CITY OF LOS ANGELES, SACRAMENTO METROPOLITAN CABLE TELEVISION COMMISSION, and CITY OF EL SEGUNDO vs. PACIFIC BELL TELEPHONE COMPANY, d/b/a SBC PACIFIC BELL TELEPHONE COMPANY, d/b/a AT&T CALIFORNIA, Los Angeles Superior Court, Central District, Case No. BC414272.

The Board adjourned to a closed session at 2:39 p.m. The regular meeting was reconvened at 2:46 p.m.

Legal Counsel Harriet Steiner announced there was no reportable action.

ITEM NO. 2) SACRAMENTO EDUCATIONAL CABLE CONSORTIUM'S REQUEST FOR MATCHING FUNDS FROM SMCTC, FOR ITS APPLICATION FOR FEDERAL FUNDING FROM NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION'S BROADBAND TECHNOLOGY OPPORTUNITIES PROGRAM, TO EXPAND SACRAMENTO'S BESTNet INFRASTRUCTURE TO ELEMENTARY SCHOOLS AND SELECT PUBLIC LIBRARIES

Legal Counsel Harriet Steiner summarized the request from SECC in matching funds for its application for federal funding available through the National Telecommunications and Information Administration's (NTIA's) Broadband Technology Opportunities Program (BTOP).

SECC's Executive Director Liz Rhodes, Philip Arndt, Comcast's Director of Franchising and Government Affairs for the Central Valley, and Greg Linder, EGUSD Director of Technical Services / Chair of the SECC Board co-presented the request to the Board.

Access Sacramento Executive Director Ron Cooper voiced his support of the request.

Board Action:

On a motion by Steve Detrick, seconded by Cortez Quinn, the Board adopted Resolution No. 2010-001, approving Sacramento Educational Cable Consortium's request for \$3 million in matching funds, as mandated to apply for federal funding from NTIA's Broadband Technology Opportunities Program.

AYES: UNANIMOUS VOICE VOTE:

Waters, Morin, Detrick, Quinn (Alternate for Dickinson), Wolter (Alternate for MacGlashan), McCarty, Nottoli, Schmidt (Alternate for Peters), Sheedy, Shelby, Gee (Alternate for Yee)

NOES: None

ABSENT: Dickinson, MacGlashan, Peters, Yee

ABSTAIN: None

ITEM NO. 3) RECEIVE AND FILE THE LIST OF TITLE I SCHOOLS PARTICIPATING IN SACRAMENTO EDUCATIONAL CABLE CONSORTIUM'S (SECC's) MEDIA PRODUCTION PROGRAM

Legal Counsel Harriet Steiner reported the list of Title I Schools was a request from the Board at a previous meeting.

Board Action:

The Board received and filed the list of Title 1 Schools participating in Sacramento Educational Cable Consortium's Media Production Program.

ITEM NO. 4) RECEIVE AND FILE THE AUDIT OF FRANCHISE FEES REMITTED TO THE SACRAMENTO METROPOLITAN CABLE TELEVISION COMMISSION BY AT&T, INC. FOR CALENDAR YEARS 2007 & 2008

Legal Counsel Harriet Steiner provided an overview of the audit of franchise fees remitted to the Sacramento Metropolitan Cable Television Commission by AT&T, Inc. for Calendar Years 2007 & 2008.

Board Action:

The Board received and filed the audit of franchise fees remitted to SMCTC by AT&T, Inc. for Calendar Years 2007 & 2008.

ITEM NO. 5) RECEIVE AND FILE SACRAMENTO COUNTY'S CALENDAR YEAR 2010 INVESTMENT POLICY OF THE POOLED INVESTMENT FUND

Legal Counsel Harriet Steiner stated as a participant in the County of Sacramento's Pooled Investment Fund, the 2010 Investment Policy is to be received and filed by the SMCTC Board at a public meeting.

Board Action:

The Board received and filed the Sacramento County's Calendar Year 2010 Investment Policy of the Pooled Investment Fund.

ITEM NO. 6) STAFF STATUS REPORTS:

A) Miscellaneous Items

Legal Counsel Harriet Steiner reported Executive Director Bob Davison is out on medical leave. It is anticipated he will return to work in mid-April.

Staff has met with Channel Licensees/Grantees on the preparation of budget requests for Fiscal Year 2010-11, based on available PEG fee funds for capital facilities and equipment. All funding requests will be forwarded to staff, and then forwarded to the Board for consideration at their annual June budget hearing.

The Board concurred with staff's recommendation to cancel the April 1, 2010 Board meeting. The May 6, 2010 will be scheduled on an as needed basis, with the annual budget hearing scheduled for June 3, 2010.

ITEM NO. 7) FRANCHISEE / LICENSEE PRESENTATIONS

- A) AT&T
- B) Comcast
- C) SureWest

For clarification purposes related to the audit of franchise fees remitted to SMCTC in Calendar Years 2007 & 2008, Tim Ray, AT&T, Inc.'s Executive Director of External Affairs stated it was through AT&T's own internal audit that determined shopping channels' franchise fees were not paid in Calendar Years 2007 & 2008. The outstanding amount was included in the franchise fee payment made in the first quarter of 2009. AT&T is researching why they have not received income from the Home Shopping Channel, as identified in Attachment I of the audit. Once a determination is made, the appropriate franchise fees will be remitted to SMCTC accordingly.

Philip Arndt, Comcast's Director of Franchising and Government Affairs in the Central Valley area introduced himself to the Board and presented information about Comcast's Digital Project in the Sacramento region.

ITEM NO. 8) CHANNEL LICENSEE / GRANTEE PRESENTATIONS

- A) ACCESS Sacramento
- B) Capital Public Radio (CPR)
- C) KVIE
- D) RCCTV
- E) Sacramento Educational Cable Consortium (SECC)

Ron Cooper, Access Sacramento's Executive Director provided an update of Access's programs and activities.

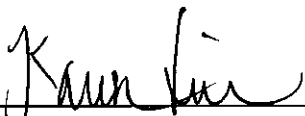
ITEM NO. 9) PUBLIC OPPORTUNITY TO DISCUSS MATTERS NOT ON THIS AGENDA BUT WITHIN COMMISSION JURISDICTION

There were no comments received from the public.

ADJOURNMENT

With no additional business to conduct, Chair Waters adjourned the March 4, 2010 Board meeting at 3:31 p.m.

Respectfully submitted,



Karen Liu, Administrative Services Officer
Sacramento Metropolitan Cable Television Commission