



SACRAMENTO METROPOLITAN Cable Television Commission

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ROBERT A DAVISON, EXECUTIVE DIRECTOR

**SACRAMENTO METROPOLITAN CABLE TELEVISION COMMISSION
REGULAR BOARD MEETING
Sacramento County Board Chambers – 700 H Street, Suite 1450
Sacramento, California**

THURSDAY, OCTOBER 6, 2011 - 2:30 P.M.

ACTION SUMMARY

CALL TO ORDER / ROLL CALL

Chair Morin called the meeting to order at 2:30 p.m. and led the Pledge of Allegiance.

Board Members Present: Andy Morin, Steve Detrick, Darrell Fong, Ted Wolter (Alternate for MacGlashan), Don Nottoli, Howard Schmidt (Alternate for Peters), Panorea Avdis (Alternate for Serna), Sandy Sheedy, Aaron Chong (Alternate for Yee)

Board Members Absent: Roberta MacGlashan, Kevin McCarty, Mel Turner, Susan Peters, Phil Serna, Jimmie Yee, and Ex-Officio Robert McGarvey

Staff Present: Executive Director Bob Davison, Legal Counsel Harriet Steiner, and Administrative Services Officer Karen Liu

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.

Board Action:

Legal Counsel Harriet Steiner announced it would not be necessary for the Board to adjourn to a closed session since there is no relevant update on the litigation matter.

ITEM NO. 2) RESOLUTION NO. 2011-009, RESCINDING RESOLUTION NO. 2011-004, CONFIRMING THE EMPLOYER'S CONTRIBUTION UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT AND ADOPT REPLACEMENT RESOLUTION NO. 2011-010, WHICH INCLUDES MANDATED LANGUAGE REGARDING GOVERNMENT CODE 7507

Executive Director Bob Davison explained Resolution No. 2011-004, as approved by the Board in June 2011, Confirming the Employer's Contribution Under PEMHCA, did not include the mandated language regarding Government Code 7507, as required by CalPERS. Staff was asked to revise the Resolution to include the mandated language requirements.

Board Action:

On a motion by Director Andy Morin, seconded by Director Steve Detrick, the Board adopted Resolution No. 2011-009, Rescinding Resolution No. 2011-004, Confirming the Employer's Contribution under the Public Employees' Medical and Hospital Care Act (PEMHCA); and adopted replacement Resolution No. 2011-010, Confirming the Employer's Contribution Under the PEMHCA, which includes mandated language regarding Government Code 7507.

AYES: UNANIMOUS VOICE VOTE:
Andy Morin, Steve Detrick, Darrell Fong, Ted Wolter (Alternate for MacGlashan), Don Nottoli, Howard Schmidt (Alternate for Peters), Panorea Avdis (Alternate for Serna), Sandy Sheedy, Aaron Chong (Alternate for Yee)

NOES: None

ABSENT: Roberta MacGlashan, Kevin McCarty, Mel Turner, Susan Peters, Phil Serna, Jimmie Yee

ABSTAIN: None

ITEM NO. 3) RESOLUTION NO. 2011-011, APPROVING THE REVISED BY-LAWS OF THE SACRAMENTO METROPOLITAN CABLE TELEVISION COMMISSION

Executive Director Bob Davison explained the By-laws, adopted in 1982 were last updated in October 1984. Staff felt this was the appropriate time to bring them up-to-date. The revised By-laws, as reviewed by Legal Counsel, supplement the Commission's Agreement of Formation as reflected in the Sacramento County Ordinance and the City Ordinances (JPA Agreement). The changes also clarify some of the Commission's current practices.

Board Action:

On a motion by Director Don Nottoli, seconded by Director Steve Detrick, the Board adopted Resolution No. 2011-011, Approving the Revised By-laws of the Sacramento Metropolitan Cable Television Commission.

AYES: UNANIMOUS VOICE VOTE:
Andy Morin, Steve Detrick, Darrell Fong, Ted Wolter (Alternate for MacGlashan), Don Nottoli, Howard Schmidt (Alternate for Peters), Panorea Avdis (Alternate for Serna), Sandy Sheedy, Aaron Chong (Alternate for Yee)

NOES: None

ABSENT: Roberta MacGlashan, Kevin McCarty, Mel Turner, Susan Peters, Phil Serna, Jimmie Yee

ABSTAIN: None

ITEM NO. 4) REVIEW OF FRANCHISE & PEG FEES REMITTED TO THE SACRAMENTO METROPOLITAN CABLE TELEVISION COMMISSION BY COMCAST CABLE COMMUNICATIONS, INC. FOR CALENDAR YEARS 2009 AND 2010

Executive Director Bob Davison reported the review of franchise and PEG fees remitted to the Commission by Comcast for the period January 1, 2009 through December 31, 2010 was performed by Alan Matre, Sacramento County's Chief of Audits. Comcast's internal control procedures appear sufficient in properly reporting the correct gross revenue amounts and proper fees due to the Commission.

Board Action:

The Board received and filed the review of franchise & PEG fees remitted to the Sacramento Metropolitan Cable Television in Calendar Years 2009 and 2010 by Comcast Cable Communications, Inc.

ITEM NO. 5) RESOLUTION NO. 2011-012, APPROVING A FIXED ASSETS CAPITALIZATION POLICY AND A FIXED ASSETS DISPOSAL POLICY

Executive Director Bob Davison stated the Commission's current threshold of \$500 for capitalization of tangible capital assets was established in August 1995. As recommended by the County Auditor during a recent audit, the proposed Fixed Assets Capitalization Policy increases that threshold to \$5,000. The Auditor also recommended the Commission establish a Fixed Assets Disposal Policy.

Board Action:

On a motion by Director Sandy Sheedy, seconded by Director Darrell Fong, the Board adopted Resolution No. 2011-012, Approving a Fixed Assets Capitalization Policy and a Fixed Assets Disposal Policy.

AYES: UNANIMOUS VOICE VOTE:

Andy Morin, Steve Detrick, Darrell Fong, Ted Wolter (Alternate for MacGlashan), Don Nottoli, Howard Schmidt (Alternate for Peters), Panorea Avdis (Alternate for Serna), Sandy Sheedy, Aaron Chong (Alternate for Yee)

NOES: None

ABSENT: Roberta MacGlashan, Kevin McCarty, Mel Turner, Susan Peters, Phil Serna, Jimmie Yee

ABSTAIN: None

ITEM NO. 6) STAFF STATUS REPORT / MISCELLANEOUS ITEMS

Executive Director Bob Davison provided status reports on the following Commission matters & miscellaneous items:

- a) The elementary school phase of the BESTNet project is underway as all parties have signed the Addendum to the BESTNet Phase II Agreement.
- b) Comcast's 18th Amended Application for a State Video Franchise was approved by the Public Utilities Commission. As a result, the City of Galt is now under the same regulatory footing as the rest of the Commission's member agencies.
- c) Metro Cable's Synergy Project, funded by PEG fees has been completed.
- d) The Commission website re-design allows users to review specific items of interest from the Board agenda packet. In addition, cable subscribers can now fill out a complaint form at the website and submit a complaint on-line, in addition to calling or e-mailing staff.

- e) Legal Counsel Harriet Steiner reported on FCC's Notice of Inquiry regarding local government rights-of-way and tower siting policies.
- f) KVIE submitted a request to spend \$28,000 out of their FY 2011-12 PEG fee funding for a server upgrade instead of a production vehicle.
- g) The November and December Board meetings will be held on an as-needed basis; the meeting(s) will be cancelled with the Chair's concurrence, if deemed not necessary.

ITEM NO. 7) STATE FRANCHISEE / LICENSEE REPORTS

Philip Arndt, Comcast's Director of Government Affairs provided an update of Comcast's broadband initiative called Comcast Internet Essentials. The Initiative's aim is to close the digital divide and increase broadband adoption by offering a low-cost program to provide high-speed Internet access to low-income families, deemed eligible for free lunches under the National School Lunch Program. Comcast partnered with school districts to offer Internet service to students for \$9.95 per month, as well as the opportunity to purchase a personal computer for \$150 to access digital literacy training and programs.

Director Steve Detrick informed Mr. Arndt he would be glad to assist with the implementation of the program in Elk Grove.

ITEM NO. 8) CHANNEL LICENSEE / GRANTEE REPORTS

Ron Cooper, Executive Director of Access Sacramento provided highlights of their activities, programs, and upcoming events.

Liz Rhodes, Executive Director of SECC thanked the Board for the continual support of BESTNet. Meetings will be scheduled to develop a timeline to implement the elementary school phase of the project.

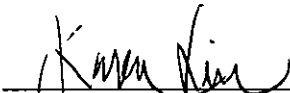
ITEM NO. 9) PUBLIC COMMENTS

There were no public comments received.

ADJOURNMENT

With no additional business to conduct, Chair Morin adjourned the regular meeting at 3:10 p.m.

Respectfully submitted,



Karen Liu, Clerk/Secretary to the Board
Sacramento Metropolitan Cable Television Commission