

SACRAMENTO METROPOLITAN CABLE TELEVISION COMMISSION

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A Joint Powers Agency Representing Sacramento County and the Cities of Citrus Heights, Elk Grove, Folsom, Galt, Rancho Cordova and Sacramento

SACRAMENTO METROPOLITAN CABLE TELEVISION COMMISSION REGULAR BOARD MEETING

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

THURSDAY, JUNE 2, 2016 - 2:30 P.M.

ACTION SUMMARY

CALL TO ORDER / ROLL CALL

Chair Wolter called the meeting to order at 2:30 p.m. and introduced Dan Skoglund, Ex-officio from Rancho Cordova and Consuelo Hernandez, the appointed Board Alternate for Councilmember Steven Hansen.

Board Member Pollo led the Pledge of Allegiance.

Board Members Present: Ted Wolter (Alternate for MacGlashan), Larry Carr, Steve Detrick, Sarah Pollo (Alternate for Guerra), Consuelo Hernandez (Alternate for Steve Hansen), Isaac Gonzalez (Alternate for Kennedy), Andy Morin, Howard Schmidt (Alternate for Peters), Lisa Nava (Alternate for Serna), Ex-Officio Dan Skoglund

Don Nottoli arrived at 2:38 p.m.

Board Members Absent: Mel Turner

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

ITEM NO. 1) CONFERENCE WITH LEGAL COUNSEL

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Name of Case: SMCTC v. Pacific Bell Telephone Company
Case No: 34-2015-00181803

Board Action:

The Board adjourned to a closed session at 2:32 p.m.

Chair Wolter reconvened the regular meeting at 2:40 p.m. Legal Counsel Harriet Steiner stated there was no reportable action.

ITEM NO. 2) FISCAL YEAR 2016-17 GENERAL FUND & PEG FEE FUND PROPOSED BUDGETS

Executive Director Bob Davison provided an overview of the Fiscal Year 2016-17 Proposed Budgets for General Fund (094A) and PEG Fee Fund (094B).

Director Morin left the meeting at 3:39 p.m.

Board Action:

On a motion by Director Detrick seconded by Director Nottoli, the Board approved Resolution No. 2016-006, Adopting the Fiscal Year 2016-17 Proposed General Fund (094A) Budget and Resolution No. 2016-007, Adopting the Fiscal Year 2016-17 Proposed PEG Fee Fund, to include the following documents in the staff report, along with the direction to grant a 7.9% COLA to channel licensee bases instead of the recommended 5% and to increase the Fiscal Year 2016-17 franchise fee revenue to the actual amount of franchise fee revenue received in Fiscal Year 2015-16:

- Fiscal Years 2015-16 and 2016-17 General Fund Budget Summary (Exhibit 1)
- Fiscal Years 2015-16 and 2016-17 PEG Fee Fund Budget Summary (Exhibit 2)
- Fiscal Year 2016-17 PEG Fee Funding Proposal – Member Agencies, Metro Cable, Channel Licensees (Exhibit 3)
- Resolution No. 2016-008, Approving an Amendment to the Commission Legal Counsel Services Retainer Agreement
- Fiscal Year 2016-17 Amendment to Legal Counsel Retainer Agreement
- Resolution No. 2016-009, Approving an Amendment to the Commission Consulting Services Agreement
- Fiscal Year 2016-17 Amendment to Consultant Services Agreement
- Resolution No. 2016-010, Approving an Amendment to the Caption Colorado Agreement
- Fiscal Year 2016-17 Amendment to Closed Captioning Services Agreement
- Fiscal Year 2016-17 Proposed Staffing
- Resolution No. 2016-011, Approving and Authorizing Execution of the PEG Fee Funding Agreement for Member Agencies
- Fiscal Year 2016-17 PEG Fee Pro Forma Funding Agreement for Member Agency
- Resolution No. 2016-012, Approving and Authorizing Execution of the Annual Funding and Performance Agreement for Channel Licensees
- Fiscal Year 2016-17 Annual Funding & Performance Pro Forma Agreement for Channel Licensee
- Fiscal Year 2016-17 Annual Performance Agreement for Sacramento Faith TV
- Resolution No. 2016-013, Approving the COLA Policy for Channel Licensees
- Cost of Living Adjustment Policy for Channel Licensees
- Fiscal Year 2016-17 PEG Fee Funding Requests from Members Agencies
- Fiscal Year 2016-17 PEG Fee Funding Requests from Channel Licensees

AYES: Wolter (Alternate for MacGlashan), Carr, Detrick, Pollo (Alternate for Guerra), Hernandez (Alternate for Hansen), Gonzalez (Alternate for Kennedy), Nottoli, Schmidt (Alternate for Peters), Nava (Alternate for Serna)

NOES: None

ABSTAIN: None

ABSENT: Morin, Turner

ITEM NO. 3) RESOLUTION NO. 2016-014, APPROVING THE SIXTH AMENDMENT TO THE LICENSE AND OPERATIONS AGREEMENT PERTAINING TO USE OF COMMUNITY PROGRAMMING CHANNEL(S)

Executive Director Bob Davison stated the amendment is the sixth amendment to the License and Operations Agreement pertaining to the use of community programming channels.

Board Action:

On a motion by Director Carr, seconded by Director Detrick, the Board adopted Resolution No. 2016-014, Approving the Sixth Amendment to the License & Operations Agreements Pertaining to Use of Community Programming Channel(s), with an amended term ending June 30, 2017.

- AYES: Wolter (Alternate for MacGlashan), Carr, Detrick, Pollo (Alternate for Guerra), Hernandez (Alternate for Hansen), Gonzalez (Alternate for Kennedy), Nottoli, Schmidt (Alternate for Peters), Nava (Alternate for Serna)
- NOES: None
- ABSTAIN: None
- ABSENT: Morin, Turner

ITEM NO. 4) BESTNet PHASE III COMPLETION PROPOSAL

Executive Director Bob Davison reviewed the BESTNet Phase III completion proposal submitted by the Sacramento Educational Cable Consortium (SECC).

Board Action:

The Board received and filed the proposal from the SECC on the completion of the Broadband Education Services Technology Network (BESTNet) Phase III Project.

On a motion by Director Carr, seconded by Director Detrick, the Board directed staff to work with SECC and Comcast to negotiate an addendum to the BESTNet Phase II Construction and Maintenance Agreement for consideration at a future Board meeting.

- AYES: Wolter (Alternate for MacGlashan), Carr, Detrick, Pollo (Alternate for Guerra), Hernandez (Alternate for Hansen), Gonzalez (Alternate for Kennedy), Nottoli, Schmidt (Alternate for Peters), Nava (Alternate for Serna)
- NOES: None
- ABSTAIN: None
- ABSENT: Morin, Turner

ITEM NO. 5) AUDIT REPORTS OF FRANCHISE AND PEG FEES REMITTED BY AT&T FOR THE PERIOD JANUARY 1, 2011 THROUGH DECEMBER 31, 2013

Executive Director Bob Davison presented the audit report of franchise and PEG fees remitted by AT&T for the period January 1, 2011 through December 31, 2013 along with the findings.

Board Action:

The Board received and filed the audit report of the review of franchise and Public, Education, Government (PEG) fees remitted to the Sacramento Metropolitan Cable Television Commission by AT&T for the period January 1, 2011 through December 31, 2013.

ITEM NO. 6) CHAIR AND VICE-CHAIR ELECTION

Executive Director Bob Davison indicated a list of past Chairs and Vice-chairs has been provided to the Board for their annual election of a new Chair and Vice-chair.

Board Action:

On a motion by Director Nottoli, seconded by Director Detrick, Director Ted Wolter was re-elected to serve Chair for another year and Director Gonzalez was re-elected as Vice-chair for Fiscal Year 2016-17.

AYES: Wolter (Alternate for MacGlashan), Carr, Detrick, Pollo (Alternate for Guerra), Hernandez (Alternate for Hansen), Gonzalez (Alternate for Kennedy), Nottoli, Schmidt (Alternate for Peters), Nava (Alternate for Serna)

NOES: None

ABSTAIN: None

ABSENT: Morin, Turner

ITEM NO. 7) GENERAL ADMINISTRATION REPORT

Executive Director announced the appointment of Metro Cable's Technical Coordinator; the commencement of the Commission's FY 2013-14 and FY 2014-15 audit; and the remaining meetings in 2016.

Director Nottoli departed at 4:02 p.m.

Director Carr departed at 4:13 p.m.

Ex-Officio Skoglund departed at 4:19 p.m.

ITEM NO. 8) STATE FRANCHISEE REPORTS

There were no State Franchisee representatives present.

ITEM NO. 9) CHANNEL LICENSEE/GRANTEE REPORTS

Gary Martin, Executive Director for Access Sacramento thanked the Board for the support and presented a DVD showcasing their new high definition truck.

Ron Hermann, Programming Coordinator for Sac Faith TV stated the Board's support allows Sac Faith TV to stay on the air.

Liz Rhodes, Executive Director for the Sacramento Educational Cable Consortium thanked the Board for its support and presented a DVD of the 2016 SEVA Awards Night.


ITEM NO. 10) PUBLIC COMMENTS

There were no public comments received.

ADJOURNMENT

With no other business to conduct, Chair Wolter adjourned the regular meeting at 4:23 p.m.

Respectfully submitted,



Karen Liu, Clerk of the Board