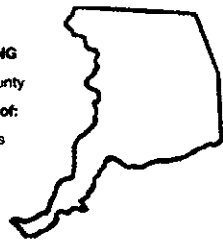


REPRESENTING
Sacramento County
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Citrus Heights
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SACRAMENTO METROPOLITAN

Cable
television
Commission
CTC

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

THURSDAY, JUNE 3, 2010 - 2:30 P.M.

ACTION SUMMARY

CALL TO ORDER / ROLL CALL

Chair Waters called the meeting to order at 2:34 p.m. Steve Miller led the Pledge of Allegiance.

Board Members Present: Robbie Waters, Andy Morin, Cortez Quinn (Alternate for Dickinson), Kevin McCarty, Ted Wolter (Alternate for MacGlashan), Steve Miller, Howard Schmidt (Alternate for Peters), Art Gee (Alternate for Yee), and Ex-Officio Robert McGarvey. Don Nottoli arrived at 2:42 p.m.

Board Members Absent: Steve Detrick, Roger Dickinson, Roberta MacGlashan, Susan Peters, Sandy Sheedy, Jimmie Yee

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.

The Board adjourned to a closed session at 2:37 p.m. The regular meeting was reconvened at 2:45 p.m.

Board Action:

There was no reportable action.

ITEM NO. 2) FISCAL YEAR 2010-11 PROPOSED/FINAL BUDGET

Executive Director Bob Davison presented the Fiscal Year 2010-11 budget by components. Component 6 - PEG Fee Fund was added to the fiscal year budget, as a result of the implementation of a PEG fee in May 2009. The new Fund established will track revenue, interest, and expenditures related to the PEG fees, separate from the franchise fees fund. The approval of Resolution No. 2010-002, to adopt the Sacramento Metropolitan Cable Television Commission's Fiscal Year 2010-11 Proposed/Final Budget, totaling \$12,049,796, will include the approval of all Attachments, to include the following items:

- Approval of the Fiscal Year 2010-11 Annual Funding and Performance Agreements with the Sacramento Community Cable Foundation, DBA Access Sacramento; KXPR-FM, DBA Capital Public Radio; KVIE Inc.; and the Sacramento Educational Cable Consortium (SECC).
- Approval of the Fiscal Year 2010-11 Annual Performance Agreement with Interfaith Services Bureau, DBA Religious Coalition for Cable Television (RCCTV);
- Appropriation of \$200,000 for Closed Captioning Services;
- Appropriation of \$11,140,042 for the FY 2009-10 Revenue Distribution to Parental Agencies;
- Approval of Resolution No. 2010-003, Confirming the Employer's Contribution under the Public Employees' Medical and Hospital Care Act;
- Adoption of Resolution No. 2010-004, Approving an Agreement for Commission Legal Counsel Services with McDonough Holland & Allen;
- Adoption of Resolution No. 2010-005, Approving an Agreement for Commission Consulting Services with Rich Esposto; and
- Authorization for the Chair to execute the Amendments for the Legal Counsel & Consultant Services Agreements.

Board Action:

After some discussion, on a motion by Don Nottoli, seconded by Ted Wolter, the Board approved Resolution No. 2010-002, Adopting the Sacramento Metropolitan Cable Television Commission's Fiscal Year 2010-11 Proposed/Final Budget, with the following modifications:

- Appropriation of \$2,018,919 in the FY 2009-10 Budget for BESTNet's Phase II project costs;
- Increasing the franchise fees revenue assumption for FY 2010-11 by \$700,000, from \$10.5 million to \$11.2 million;
- Decreasing the FY 2010-11 Metro Cable Equipment Reserve (for Contingencies) by \$50,000, from \$150,000 to \$100,000; and
- Increasing the budgeted FY 2010-11 Revenue Distribution to member agencies by \$750,000, from \$9,650,646 to \$10,400,646.

AYES: UNANIMOUS VOICE VOTE:

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

NOES: None

ABSENT: Detrick, Dickinson, MacGlashan, Peters, Sheedy, Yee

ABSTAIN: None

ITEM NO. 3) AGREEMENT FOR COMMISSION MANAGEMENT SERVICES

Executive Director Bob Davison explained the new Agreement will extend the previous Agreement with the County, implemented in February 2006, for the provision of management services of a part-time Executive Director for the Cable Commission. The new Agreement will acknowledge the Executive Director's current title as Chief of the County's Development and Services Division, and shall commence on the date the Agreement is approved by both the Commission and the County. The Agreement may be terminated by either party on sixty (60) days written notice to the non-terminating party.

Board Action:

On a motion by Andy Morin, seconded by Cortez Quinn, the Board approved the Agreement with the County of Sacramento to provide Management Services for the Sacramento Metropolitan Cable Television Commission.

AYES: UNANIMOUS VOICE VOTE:

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

NOES: None

ABSENT: Detrick, Dickinson, MacGlashan, Peters, Sheedy, Yee

ABSTAIN: None

ITEM NO. 4) SECOND AMENDMENT TO CHANNEL LICENSEES' CHANNEL LICENSE AND OPERATIONS AGREEMENTS PERTAINING TO THE USE OF COMMUNITY PROGRAMMING CHANNEL(S)

With the recent implementation of PEG fees funds incorporated into the FY 2010-11 budget, the Commission's Legal Counsel was asked to review the Channel License & Operations Agreements. Executive Director Bob Davison explained the proposed Second Amendment will renew the Channel License & Operations Agreements through June 2012 for four of the Channel Licensees, including Access Sacramento, KVIE, RCCTV, and SECC.

Board Action:

On a motion by Steve Miller, seconded by Don Nottoli, the Board adopted Resolution No. 2010-006, Approving the Second Amendment to the Channel License and Operations Agreements Pertaining to the Use of Community Programming Channel(s), and authorized the Chair to execute the Second Amendment to the Agreements.

AYES: UNANIMOUS VOICE VOTE:

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

NOES: None

ABSENT: Detrick, Dickinson, MacGlashan, Peters, Sheedy, Yee

ABSTAIN: None

ITEM NO. 5) EXECUTIVE DIRECTOR'S DELEGATION OF AUTHORITY AMENDMENT

Executive Director Bob Davison explained the Commission recently received an emergency request from one of the member agencies for financial assistance for an emergency equipment purchase above his delegation of authority. The proposed amendment will amend his Delegation of Authority from \$30,000 to \$50,000 per service or agreement, with an aggregate authority not to exceed \$150,000, from \$100,000, for multiple contracts and services.

The amendment will benefit day-to-day Commission operations and increase efficiencies by allowing the Executive Director to provide timely provision of necessary services to address the needs of the Commission. There will be no budget implications, as emergency (unencumbered) funding for equipment still need to fall within budget allocations established in the effective adopted Commission budget.

Board Action:

On a motion by Don Nottoli, seconded by Cortez Quinn, the Board approved Resolution No. 2010-007, Amending the Executive Director's Delegation of Authority, as proposed.

AYES: UNANIMOUS VOICE VOTE:

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

NOES: None

ABSENT: Detrick, Dickinson, MacGlashan, Peters, Sheedy, Yee

ABSTAIN: None

ITEM NO. 6) CAPTION COLORADO'S AGREEMENT AMENDMENT FOR CLOSED CAPTIONING SERVICES

Executive Director Bob Davison reported the amendment to the Agreement will continue the services of Caption Colorado to provide closed captioning thru June 30, 2012. The amendment will be at the same rate provision of \$120 per hour, a competitive rate in today's market. Staff will continue to monitor the accuracy and reliability of the services provided By Caption Colorado.

Board Action:

On a motion by Andy Morin, seconded by Steve Miller, the Board approved Resolution No. 2010-008, Approving an Amendment to the Closed Captioning Services Agreement with Caption Colorado through June 30, 2012.

AYES: UNANIMOUS VOICE VOTE:

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

NOES: None

ABSENT: Detrick, Dickinson, MacGlashan, Peters, Sheedy, Yee

ABSTAIN: None

ITEM NO. 7) CHAIR / VICE-CHAIR ELECTION FOR FISCAL YEAR 2010-11

Per Commission By-laws, Executive Director Bob Davison recommended the Board elect a Chair and Vice Chair for Fiscal Year 2010-11.

Board Action:

On a motion by Don Nottoli, seconded by Art Gee, the Board elected Andy Morin to serve as the Commission's Chair in Fiscal Year 2010-11.

AYES: UNANIMOUS VOICE VOTE:
Waters, Morin, Quinn (Alternate for Dickinson), Wolter (Alternate for MacGlashan), McCarty, Miller, Nottoli, Schmidt (Alternate for Peters), Gee (Alternate for Yee)

NOES: None

ABSENT: Detrick, Dickinson, MacGlashan, Peters, Sheedy, Yee

ABSTAIN: None

On a motion by Cortez Quinn, seconded by Ted Wolter, the Board elected Steve Miller to serve as the Commission's Vice Chair in Fiscal Year 2010-11.

AYES: UNANIMOUS VOICE VOTE:
Waters, Morin, Quinn (Alternate for Dickinson), Wolter (Alternate for MacGlashan), McCarty, Miller, Nottoli, Schmidt (Alternate for Peters), Gee (Alternate for Yee)

NOES: None

ABSENT: Detrick, Dickinson, MacGlashan, Peters, Sheedy, Yee

ABSTAIN: None

The Board thanked outgoing Chair Robbie Waters for his service in the past year.

ITEM NO. 8) STAFF STATUS REPORTS

Executive Director Bob Davison informed the Board staff will provide a status of the Sunset Study at the next Board meeting. The item, discussed at the last meeting was delayed due to his recent medical leave. The County auditors have audited the Commission's financial statements for the fiscal years ended June 30, 2007, 2008, and 2009. A report of the audit will be forwarded to the Board upon receipt. Staff recommends the Board cancel the July 1, 2010 Commission meeting due to the summer recesses of the County Board of Supervisors and City Council.

Board Action:

On a motion by Howard Schmidt, seconded by Ted Wolter, the Board approved Resolution No. 2010-009, Canceling the July 1, 2010 regular Board meeting.

AYES: UNANIMOUS VOICE VOTE:
Waters, Morin, Quinn (Alternate for Dickinson), Wolter (Alternate for MacGlashan), McCarty, Miller, Nottoli, Schmidt (Alternate for Peters), Gee (Alternate for Yee)

NOES: None
ABSENT: Detrick, Dickinson, MacGlashan, Peters, Sheedy, Yee
ABSTAIN: None

The cancellation of the August 5, 2010 meeting would be at the discretion of the Commission Chair.

On behalf of the Board, Ted Wolter welcomed Executive Director Bob Davison back from medical leave. Cortez Quinn asked for a brief overview of DIVCA and indicated he would be in touch with staff to learn more about the topic.

ITEM NO. 9) FRANCHISEE/LICENSEE STATUS REPORTS

There were no verbal reports received from Franchisees/Licensees AT&T, Comcast, and SureWest.

ITEM NO. 10) CHANNEL LICENSEE/GRANTEE STATUS REPORTS

Board Action:

The Board received verbal reports from Carl Burton, Access Sacramento's Chair and Ron Cooper, Access Sacramento's Executive Director.

The Board received a report from Liz Rhodes, Executive Director of the Sacramento Educational Cable Consortium, highlighting the 2010 Student Educational Video Awards (SEVA) Night, attended by nearly 1,400 students, teachers and parents, celebrating the talents and visions of student video producers.

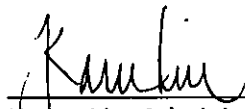
ITEM NO. 11) PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA BUT WITHIN COMMISSION JURISDICTION

There no public comments received.

ADJOURNMENT

With no additional business to conduct, Chair Waters adjourned the June 3, 2010 Board meeting at 4:24 p.m.

Respectfully submitted,



Karen Liu, Administrative Services Officer
Sacramento Metropolitan Cable Television Commission