



MT. HOOD CABLE REGULATORY COMMISSION
Annual Planning Retreat
McMenamins Edgefield, Troutdale, OR 97060
April 8, 2017 Retreat Minutes -- **DRAFT**

SUMMARY MINUTES

THESE MINUTES ARE UNOFFICIAL UNTIL APPROVED BY THE COMMISSION AT A SUBSEQUENT MEETING. PLEASE REFER TO SUBSEQUENT MINUTES FOR APPROVAL OR CHANGES

Retreat called to order at approximately 9:00 am

Commissioners Present: Carol Studenmund (Chair), Leif Hansen, Sue Dicile, Mike Bennett, Scott Harden, Norm Thomas, Rich Goheen

Commissioners Absent: none

Staff: Julie Omelchuck, Ann Goldenberg, Scott Ellertson (departed following “Updates on OCT/MHCRC Staff Roles agenda item)

Other: Paula Manley, Facilitator, Ben Walters, Legal Counsel (For “Conflict of Interest Rules” agenda item only)

Retreat Goals:

- Develop a shared understanding of recent developments in the communications technology and policy landscape
- Review the past year’s challenges and successes
- Refresh on the Commission's next steps with planning
- Provide opportunities for Commissioners to get to know each other and strengthen working relationships
- Provide updated information about conflict of interest rules for appointed Commissioners
- Revisit the Commission’s operating agreements and meeting protocols

Conflict of Interest Rules for Appointed Commissioners

Walters provided an overview of conflict of interest rules and distributed a Guide for Volunteer Boards & Commissions, which was developed by the City of Portland’s Office of the City Attorney.

Key points:

- The State Ethics Requirements are actual *requirements* - there are significant consequences for failure to comply. The City’s conflict of interest rules are guidelines and as such are more “aspirational.”

- Commissioners are public officials. They have been appointed by a government body and represent a government body. They must act for the public benefit and not act based on personal or business gain.
- For a *potential* conflict of interest, the public official must announce the potential conflict publicly prior to taking action.
- For an *actual* conflict of interest, the official must publicly announce the nature of the conflict and refrain from participating in discussing and voting on the issue.
- Public officials may not accept gifts, from any source “with a legislative or administrative interest,” valued at more than a total of \$50 in one calendar year.

Reflections on the Past Year

Commissioners and staff met in pairs and as a full group to highlight proud accomplishments and challenges of the past year.

On behalf of the Commission, Chair Studenmund recognized the dedication of Julie Omelchuck, who has shouldered an extraordinary workload with numerous staff transitions, while maintaining her always-high standards.

Updates on OCT/MHCRC Staff Roles

Goldenberg provided updates on recent changes in OCT/MHCRC staff:

- Rebecca Gibbons made a lateral move within OCT to the Digital Equity Program Coordinator. She continues to manage the Community Technology Grants annual granting process.
- Scott Ellertson is the new OCT/MHCRC Program Coordinator, primarily working on regulatory, legislative and community media issues and projects.
- Tyler Dice is the new OCT/MHCRC Assistant Program Specialist. He provides administrative support to OCT staff and the Commission.
- Lexi Meek was recently hired to fill the compliance program specialist position working on grants, community media centers, and I-Net related projects.

Recent Developments in the Communications Technology and Policy Landscape

Goldenberg described the distinctions between the cable TV and broadband internet service landscapes with each experiencing rapid technological change. The industries have sought legislative solutions to enhance their positions in deploying new technologies and state and local regulators and communities are responding to ensure consumer protection, fiscal stability and local public benefits for their respective jurisdictions. Net neutrality, broadband internet access consumer privacy, and public right-of-way protections are currently being debated at a national level with MHCRC staff actively responding. In addition, staff is working on both the regulatory and policy levels to ensure the equitable deployment of broadband availability and promotion of the definition of broadband as a necessary utility.

Goldberg said some cable company trends include:

- Revenues are up slightly but subscriber numbers are flattening, so revenues are expected to decline in future years.
- Broadband Internet subscriptions are growing.
- Younger people are using their phones to watch video rather than watching TV.
- Google is looking into moving away from building fiber to the home and instead using a combination of fiber and wireless connections.

Commissioners discussing the following:

- The viability of municipal fiber initiatives and the local examples from Sandy, Lake Oswego and Monmouth. Looking ahead to possible municipal fiber networks, thinking should be in terms of “both/and” rather than “either/or” with regard to ownership and operation of a fiber network.
- Cable TV subscribers may have been declining but “reports of its death have been greatly exaggerated” based on recent information from industry.
- Over-the-top (OTT) offerings by Comcast and CenturyLink and the potential effect of OTT on cable revenues.
- Coordination and planning is key to negotiating use of the public right-of-way and other government owned assets, including a coordinated effort to secure public benefits.
- In response to a question about the Institutional Network (I-Net), Omelchuck expected that the CTC needs assessment will assist the stakeholders in considering what the “next generation” I-Net might look like.

Omelchuck highlighted a few aspects related to digital equity and inclusion:

- Digital equity refers to ensuring that everyone has access to, and the ability to effectively use, the Internet and digital technologies. Digital inclusion is a term used for three broad strategies to close the digital access gap and create digital equity. Those strategies include access to technology devices, training and distribution.
- The greatest challenge is connecting low-income households with broadband internet at a price they can afford since slow connections and slow services create frustration and contribute to widening the digital access gap.

Aspirations in Light of the Commission’s Operating Environment

Commissioners and staff identified aspirations for the future in light of the Commission’s operating environment. The Ascertainment Committee will launch in June to move forward with this work.

Aspirational themes included:

- Provide leadership in the broadband era with possible expansion to serving a broader area.
- Expand partnerships to address community needs.

- Sustain the staff team.
- Engage with the jurisdictions and their communities.

Review of Commission's Operating Agreements and Protocols

Commissioners discussed administrative processes, including staff services evaluation, the identification of the third City of Portland appointee to the MHCRC, and possible periodic presentations by some grantees at the Commission's monthly meetings.

Special recognition and appreciation was expressed for Chair Studenmund's leadership and her skill in creating a welcoming environment for all. The MHCRC staff's commitment and year-after-year high quality of work were also acknowledged.

The Retreat adjourned at 4:35 p.m.

Respectfully submitted,

Julie Omelchuck
Program Manager