

MT. HOOD CABLE REGULATORY COMMISSION  
Open Signal Community Media, Studio A  
May 22, 2017 Meeting 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.

Call to Order: 7:16 p.m.

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

Commissioners Absent: None

Staff: Ann Goldenberg, Staff Director; Ben Walters, Legal Counsel; Julie Omelchuck, Program Manager; Scott Ellertson, Program Coordinator; Tyler Dice Assistant Program Specialist

- Agenda Review: Studenmund reminded Commissioners that she will convene an executive session prior to adjourning the regular meeting and that the MHCRC meeting packet contained a notice regarding the executive session. Studenmund removed item C2, Retreat Minutes and stated they would be added to the next meeting agenda.
- Disclosures: Harden stated that he and Marc Farrar, Comcast, had been exchanged emails regarding Comcast Cares Day. Thomas stated that he attended the MetroEast Community Media Volunteer Recognition Dinner.
- Public Comment : None
- **\*CONSENT AGENDA – NO DISCUSSION**

C1. March 20, 2017 Meeting Minutes

**MOTION:** Hansen moved to approve consent agenda, Dicile seconded  
**VOTE:** 7-0 pass

- **REGULAR AGENDA**

\*R1. Comcast's I-Net End Fund Report

Omelchuck reviewed the I-Net End fund report contained in the meeting packet.

In response to a question from Bennett, Omelchuck stated that she is unable to confirm if the fund is accruing interest and that she would need to research the MHCRC's ability to track any interest related to the fund since the fund is retained by Comcast.

**MOTION:** Thomas moved to accept Comcast's 2016 I-Net End-Fund Report. Bennett seconded.

**VOTE:** 7-0 pass

- Staff Activity Reports and Updates
  - FCC proceedings

Goldenberg said Portland joined the NATOA Smart Cities Siting Coalition to file comments on the Mobilite petition, which questions about how municipal public right-of-way (PROW) authority impacts wireless deployment. The issue of PROW in the wireless era is also being disputed with two new FCC Notices of Potential Rule Making (NPRM). Portland and the MHCRC are also part of the national coalition that will file comments on both wireline and wireless notices later in June. Comments on the Net Neutrality NPRM are due June 19, 2017, and the MHCRC and the City of Portland will be filing comments. Consumer privacy is also a hot topic, partially due to the City of Seattle recently passing new code language that affects the cable operators in its area. Staff is developing a brief regarding this issue and Goldenberg plans to provide additional info on this topic at the next meeting.
  - Federal legislative updates

Goldenberg discussed the Mobile Now Act, which is currently being considered in Congress and features similar PROW local authority challenges. In response to a question from Dicile, Goldenberg stated there are PROW issues for cities at the federal level in both Congress and the FCC. The implications are loss of control over municipal assets, such as light poles, and loss of income from the use of PROW.
  - 2017 Oregon legislative session

Goldenberg said similar PROW challenges had emerged in Oregon's legislative session, but no bills are moving forward. One bill moving forward that might affect Comcast's withheld property taxes due to a dispute at the state level. Goldenberg stated Ballot Initiative 20 would direct how much the municipalities could collect from franchising PROW. This initiative is not certified at this time.
  - FY17-18 Budget process

Omelchuck stated that Fairview, Gresham, Woodvillage and Troutdale have approved the proposed MHCRC Fund Budget. She stated that Portland and Multnomah County are due to present next.
  - Election of MHCRC Chair and Vice-Chair – Omelchuck reminded Commissioners of their election of officers at the June Meeting.
  - MHCRC position appointments

Omelchuck stated that Thomas, Hansen and Goheen are all up for reappointment. Goheen was kind enough to agree to renew his term until a new Fairview rep is located and appointed. Thomas stated that his reappointment is on the consent agenda for Troutdale's next Council meeting.

- Parkrose School District TechSmart grant extension
  - Omelchuck stated that she extended the Parkrose TechSmart grant by one year in order to allow additional time for project completion. The Grant Committee discussed this at its meeting and had no objections.
- CTC I-Net needs assessment
  - Omelchuck stated that an I-Net stakeholder needs assessment would be completed this summer.
- Digital Equity Action Plan (DEAP):
  - Omelchuck said she attended the national PAWR Wi-Fi Supercluster meeting in San Jose, which related to the MHCRC partnership with other public agencies for work on a pilot program that would provide public wifi in low income neighborhoods. The partners are still in the planning stages for a pilot project. In response to a question from Goheen, Omelchuck stated that partners will use income levels in various areas. She said the DEAP first annual report out is scheduled for mid July and presentations are scheduled for Multnomah County Commissioners and Portland City Council. Once dates have been confirmed, staff will send commissioners a meeting invite.
- Other
- Committee Reports
  - Finance Committee: none
  - Grant Committee: none
  - Community Needs Ascertainment Committee: none
  - Open Signal (PCM) Board Appointee: Chair Studenmund announced her appointment of Commissioner Dicile as the MHCRC's board member on Open Signals Board. The appointment was effective as of May 22, 2017.
  - MetroEast Board Appointee: Thomas attended last board meeting.
- New business; Commissioner Open Comment
  - Meeting Schedule:
    - June 19 – MetroEast
    - July/August – recess
  - Budget Approval Schedule:
    - May 31 - City of Portland
    - June 15 – Multnomah County
- Franchisee Activity Report
  - Frontier: none
  - Marc Farrar, Comcast, stated that April 22 was Earth Day and Comcast Cares Day. Comcast had over 2,100 volunteers across the region. May 20 was Comcast's leaders and achievers scholarship event. Comcast provided \$80,000 in scholarships to 69 seniors; two seniors are Oregon residents and were awarded \$10,000 each. Farrar provided information on Title II designations under Federal law and on net neutrality. Farrar expressed interest in partnering with the DEAP on the Wi-Fi project.
  - Samantha Ridderbush, CenturyLink, described CenturyLink's Teachers and Tech Awards, which provided \$65,000 in teacher technology grants. Ridderbush stated that in June CenturyLink is doing a backpack buddy food drive, where the company will match online funds up to \$1 million. Last year Oregon's match was \$132,000.

- Reliance Connects: none
- PEG Provider Activity Report
  - Marty Jones, MetroEast Community Media, hosted the annual volunteer appreciation dinner. MetroEast is continuing to collaborate with Free Geek and Multnomah County Library in Rockwood and are wrapping up the fourth cohort of students. MetroEast has found translators to offer classes in seven languages and has expanded hours so that Reynolds School District's youth program can attend. MetroEast received a \$25,000 grant for piloting a summer program in Rockwood. MetroEast also recently received a grant from the Multnomah Bar Association to continue voter education and participation in the community.
  - Justen Harn, Open Signal, noted that Open Signal has completed its replenishment of capital funds from operations. Open Signal has increased hours by 1,248 hours, the rebrand is complete, and the building has been partially renovated. Open Signal supporters were successful in actively working for full funding of Open Signal's budget at Portland Council and it was the first time in seven years Open Signal did not have to take a budget reduction. Harn shared a video from a recent advocacy efforts.
- Public Comment
- Executive Session:

Studenmund convened Executive Session at 8:25pm pursuant to ORS 192.660(2)(h), which allows the Commission to meet in executive session to consult with the Commission's legal counsel regarding the Commission's legal rights and duties in regard to currently pending litigation.

Representatives of the news media and designated staff were allowed to attend the executive session. All other members of the audience were asked to leave the room. Representatives of the news media were specifically directed not to report on or otherwise disclose any of the deliberations or anything said about these subjects during the executive session, except to state the general subject of the session as previously announced. No members of the news media were in attendance. No decisions were made in executive session.

Walters provided an update regarding the Ranck complaint. Commissioners discussed the court process as it relates to MHCRC work and programs.

Studenmund adjourned the Executive Session at 8:58 and welcomed the audience back into the meeting room.

Studenmund reconvened the Regular meeting at 8:59.

- Adjourn 9:00 p.m.

Respectfully Submitted,

Tyler N. Dice  
Assistant Program Specialist