



**MT. HOOD CABLE REGULATORY COMMISSION**

MetroEast Community Media, Studio A

June 19, 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: 6:35pm

- Roll Call  
Commissioners Present: Carol Studenmund (Chair), Scott Harden, Sue Dicile, Leif Hansen, Mike Bennett, Rich Goheen  
  
Commissioners Absent: Norm Thomas  
  
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.
- Disclosures: None.
- Public Comment (non- agenda items): None.
- **CONSENT AGENDA**

Omelchuck requested that the items be removed from the consent agenda and taken separately as staff had an amendment to the May 22, 2017, meeting minutes. Studenmund concurred.

**C2. May 22, 2017 Meeting Minutes**

Omelchuck noted one amendment to the draft May 22, 2017 Meeting minutes included in the meeting packet: Under Staff Activity Reports and Updates – Digital Equity Action Plan, Omelchuck said the updated draft minutes should include that ‘partners will use income data from various areas to determine neighborhoods for the pilot.’

**MOTION:** Studenmund moved to approve May 22, 2017, meeting minutes as amended. Dicile Seconded.

**VOTE: 6-0 passed**

**C1. April 8, 2017 Retreat Minutes**

**MOTION:** Hansen moved to approve April 8, 2017, MHCRC Retreat minutes. Dicile Seconded.

**VOTE: 6-0 passed**

- **REGULAR AGENDA**

R1. FY17-18 MHCRC Goals & Objectives

**MOTION:** Dicile moved to accept FY17-18 MHCRC Goals and Objectives. Hansen seconded

**VOTE: 6-0 passed**

R2. Election of MHCRC Chair and Vice Chair

**MOTION:** Studenmund nominated Thomas as Vice Chair. Dicile seconded.

**VOTE: 6-0 passed**

**MOTION:** Dicile nominated Leif Hansen as Chair. Goheen seconded nomination.

**VOTE: 6-0 passed**

R3. Authorize Moss Adams to conduct MHCRC FY16-17 Fund Audit

Omelchuck recommended that Moss Adams conduct the MHCRC Fund audit for FY16-17. Staff and the Commission have been pleased with Moss Adams past work. In response to a question from Bennett, Omelchuck stated that the \$13,000 audit amount is within FY17-18 budgeted amount.

**MOTION:** Hansen moved to authorize Moss Adams to conduct the MHCRC FY16-17 Fund Audit. Harden seconded.

**VOTE: 6-0 passed**

R4. MHCRC Comments on Federal Communications Commission Docket – Net Neutrality

Goldenberg requested that the Commission authorize the MHCRC chair to sign a letter to the FCC in support of net neutrality to ensure internet is available for all users. The filing is due July 17, 2017. City Club is having a Friday Forum on the subject, and David Olson, past MHCRC staff director, is leading the discussion. Hansen asked if the Commission had taken a position on the FCC Title 2 Reclassification in the past. Goldenberg stated the MHCRC was responsible for kicking off the debate when AT&T sued the City about net neutrality type provisions in local cable agreements. The Commission has taken a very strong position in past discussions. Walters said Goldenberg and he would draft the letter, and circulate it to all Commissioners for input, prior to finalizing it for the Chair's signature.

**MOTION:** Dicile moved to authorize the MHCRC Chair to sign a letter to file in the Federal Communications Commission Docket about net neutrality, supporting the continuance of the current FCC rules and reflecting the MHCRC's past history on this matter. Hansen seconded.

**VOTE: 5 ayes-1 abstention passed**

- Staff Activity Reports and Updates

- FCC proceedings

Goldenberg stated that the FCC is very active under the new Chairman. The FCC has shown lots of interest in wireless deployment. The City of Portland joined the coalition to fill comments to a

petition from Mobility to ask the FCC make rulings on two new filings; one on wireline services and one on wireless services. Reply comments are due July 10, 2017. The majority of FCC activity is about wireless deployment and local government rights. In response to a question from Bennett about any rules related to regulating spectrum frequencies, Goldenberg stated that the wireless dockets are mostly about level of municipal authority over use of right-of-way and city-owned assets by wireless companies.

- Federal legislative updates  
Goldenberg stated that a new bill was introduced regarding availability of a person's browser activity, sponsored by Marcia Blackburn. There's also a potential federal bill that would address issues of privacy.
- 2017 Oregon legislative session  
Goldenberg stated that the Oregon legislative session is ending soon and that there are no new updates at this time.
- FY17-18 Budget process/information  
Omelchuck stated the MHCRC FY17-18 Fund Budget has been presented and approved by all jurisdictions.
- TechSmart Initiative  
Omelchuck stated that the first Pacific Research & Evaluation TechSmart progress report was mailed to Commissioners. Staff planned to have a work session in July or August to review the report and answer any Commissioner questions. PRE will also attend.
- Digital Equity Action Plan (DEAP)  
Omelchuck said she will present a first-year update to the Portland City Council July 26, 2017, and to the Multnomah County Commission July 27, 2017. Commissioners are invited to attend the presentations.
- Frontier Potential Non-Compliance: Annual Report & Customer Service Standards  
Ellertson stated that for the last two quarters, Frontier did not meet two of the Customer Service Standards. Ellertson has met with Frontier's Government Relations Officer and staff plans to move forward with a formal non-compliance notice for an opportunity to cure the alleged violation.
- Committee Reports
  - Finance Committee: None.
  - Grant Committee: None.
  - Community Ascertainment Committee: None.
  - Open Signal Board Appointee: Dicile noted that Open Signal's revenues are over and above expectations.
  - MetroEast Board Appointee: None.
- New business; Commissioner Open Comment

Dicile is aware of an experience a person had who was trying to get CenturyLink service and CenturyLink asked for the person's social security number to sign up for service. The person declined to provide it and CenturyLink said the SSN was not needed to complete the transaction. Dicile believes this is a consumer protection and privacy issue and wondered if this is an issue that the Commission should address. Goldenberg said staff would consider this issue with all cable companies and get back to Dicile.

- Meeting Schedule: Studenmund reviewed the Commission's upcoming meeting schedule.
- Franchisee Activity Report
  - Steve Sandman, Director of Operations, Frontier, stated Frontier recently underwent a major restructuring. The downsizing impacted Frontier's customer service metrics due to its dispatch center closure in Beaverton. Dispatch processes are beginning to return to normal levels.
  - Samantha Ridderbusch, CenturyLink, stated that CenturyLink wrapped up its Backpack Buddie's Food Drive. Oregon and Southwest Washington areas will be matched with \$238,000 from the company.
- PEG Provider Activity Report
  - Marty Jones, MetroEast Community Media, shared a video during the meeting. MetroEast secured its first corporate sponsor from Gresham Ford. MetroEast has made over \$400,000 in grant requests and to date, has received \$50,000.
  - Open Signal: None.

Studenmund recessed the meeting at 7:35pm and reconvened at 7:39pm.

Studenmund convened an executive session at 7:39pm 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 8:15pm and welcomed the audience back into the meeting room.

Studenmund reconvened the regular meeting.

Adjourned 8:21pm.