

MEETING NOTIFICATION

June 15, 2020

6:30 p.m.

Due to the State of Emergency declared in Oregon and Multnomah County in response to the COVID-19 virus, the meeting will be conducted via participation by phone or computer. Participants can access the meeting as follows:

Join Zoom Meeting

<https://us02web.zoom.us/j/89278779235?pwd=UHHJ3R0Y4OUJ4SHM5aDc3Y0ZlBhGUT09>

Meeting ID: 892 7877 9235

Password: 745839

One tap mobile

+13462487799,,89278779235#,,1#,745839# US (Houston)

+14086380968,,89278779235#,,1#,745839# US (San Jose)

AGENDA

- Roll Call
Commission Participation: One or more members of the Commission may attend and participate by electronic means. The public will be afforded an opportunity to listen to the participation.
- Agenda Review
- Disclosures
- Public Comment (non-agenda items)

CONSENT AGENDA – NO DISCUSSION

All items listed below may be enacted by one motion and approved as consent agenda items. Any item may be removed from the consent agenda and considered separately if a member of the Commission so requests.

*C1. May 18, 2020 Meeting Minutes

REGULAR AGENDA

- *R1. Community Technology Grant: MetroEast Community Media 3 min
- *R2. Community Technology Grant: ChickTech 3 min
- *R3. Community Technology Grant: Luke-Dorf, Inc 3 min
- *R4. Community Technology Grant: Outside the Frame 3 min

- *R5. Community Technology Grant: Portland Community College 3 min
- *R6. Community Technology Grant: Resolutions Northwest 3 min
- *R7. Community Technology Grant: Northeast Coalition of Neighborhoods 3 min
- *R8. Community Technology Grant: Slavic Community Center of NW 3 min
- *R9. Community Technology Grant: The North Northeast Business Association 3 min
- *R10. Contract Amendment: Pacific Resource & Evaluation (PRE) 10 min
- *R11. Election of MHCRC Chair and Vice Chair 10 min

- Staff Activity Reports and Updates
 - Public Policy/Legislative/FCC
 - Comcast Franchise Renewal Process
 - Community Needs Ascertainment
 - FY20-21 Jurisdiction Budget Approval
 - MHCRC Staff Support Transitions
 - Other
- Committee Reports
 - Finance Committee
 - Jurisdiction Needs Assessment Committee
 - Open Signal Board Appointee
 - MetroEast Board Appointee
- New Business; Commissioner Open Comment
 - Commissioner Appointments/ Reappointments
 - Meeting Schedule:
 - July/August – Recess
 - September 21 - TBD
 - October 19 – TBD
 - November – Recess
 - December 21 – TBD
- Franchisee Activity Report
 - Frontier
 - Comcast
 - CenturyLink
- PEG Provider Activity Report
 - Open Signal
 - MetroEast Community Media
- Public Comment
- Adjourn

*Denotes possible action item

Please notify the MHCRC no less than five (5) business days prior to our event for ADA accommodations at 503-823-5385, by the City of Portland's TTY at 503-823-6868, or by the Oregon Relay Service at 1-800-735-2900.

MT. HOOD CABLE REGULATORY COMMISSION
Remote Meeting via phone or computer, Portland OR
May 18, 2020, Meeting Minutes -- DRAFT

SUMMARY MINUTES

Call to Order: 6:35 pm

- Roll Call

Commissioners Present: Leif Hansen, Carol Studenmund, Jeff Dennerline, Norm Thomas, Jacquenette McIntire, Scott Harden, Kory Murphy.

Commissioners Absent: Richard Roche

Staff Present: Elisabeth Perez, Interim Staff Director; Julie Omelchuck, Program Manager; Rana DeBey, Grants Analyst; Cinthia Diaz Calvo, Administrative Specialist

- Agenda Review: No changes.
- Disclosures: None.
- MHCRC Chair – Committee Appointments
Hansen announced his Committee appointments as presented in the chart contained in the meeting packet.
- Public Comment: None.

CONSENT AGENDA – NO DISCUSSION

C1. March 16, 2020 Meeting Minutes

MOTION: Thomas moved to approve the Consent Agenda as presented. Harden seconded.

VOTE: 7-0

REGULAR AGENDA

R1. FY20-21 MHCRC Goals & Objectives

Omelchuck said staff developed the proposed FY20-21 goals and objectives, considering issues identified by the Commission at its February planning retreat and the anticipated workload contained in the MHCRC proposed FY20-21 budget. In response to a question from Studenmund, Perez said the MHCRC FY20-21 budget includes funds to support strategic planning with the Jurisdictions and staff will working with the newly appointed Committee to develop a plan. Omelchuck noted that this work is included in Goal IV, Objective 4.

McIntire asked about feedback or response from Jurisdictions to MHCRC budget presentations. Thomas said each Jurisdiction is different but often there is minimal feedback because the Juridictions trust the work their representatives do as the MHCRC. Hansen suggested that Commissioners reach out to their elected officials to ensure the Jurisdiction is aware of the budget and Commission activities.

MOTION: Harden moved to adopt FY20-21 Goals and Objectives. Dennerline seconded.

VOTE: 7-0

R2. MHCRC FY20-21 Fund Budget

Thomas referred to the Finance Committee recommended budget in the meeting packet and expressed appreciation for the staff work to develop the materials. He said the MHCRC proposed budget includes funding most of the items identified at the MHCRC planning retreat with the interest income on the MHCRC Fund.

Omelchuck highlighted the Jurisdictional appropriations were reduced for FY20-21 from current service level amounts. The reduced revenue is offset through staff being required to take furlough unpaid days and no cost of living or merit increases in FY20-21. She noted that the consulting support for one-time projects is included in the professional services line item for the Franchise Administration program.

Studenmund appreciates that the special projects identified at the retreat are included in the budget. Hansen noted that the franchise fees are forecasted based on past subscriber numbers and actual revenue through current year 2nd quarter so the Commission will need to closely monitor these going forward.

McIntire mentioned that the budget process can be complicated and expressed appreciation for the work of the Finance Committee and staff.

MOTION: Studenmund moved to adopt the FY 2020-21 MHCRC Fund Budget and forward it to the member Jurisdictions with a recommendation for approval. Harden seconded.

VOTE: 7-0

Hansen encouraged Commissioners to reach out to staff if they need support presenting the MHCRC budget at their Jurisdiction meeting.

- Staff Activity Reports and Updates
 - Public Policy/Legislative/FCC: Perez mentioned that all efforts are focused in COVID-19 response. As of FCC In-Kind Cable Order, the appeal to stay was denied; briefings will start May 15th; and oral arguments will take place in 2021. Perez and Harden expressed appreciation for staff member Bea Coulter public policy memo contained in the meeting packet. Harden encouraged Commissioners to share the information with their Jurisdictions.
 - Comcast I-Net End-Fund Report: Omelchuck referred to the staff report in the meeting packet and noted that there have not been expenditures from this fund for several years. Discussions are still underway with Comcast on ideas to use the funds in the upcoming fiscal year.
 - Community Needs Ascertainment: Omelchuck said the work continues mostly on track; however, the final draft report for discussion by the Commission has been delayed one month and won't be available until end of June due to COVID related issues. In response to a question from McIntire, Omelchuck said staff has not yet reviewed CBG's draft analysis so staff did not have much to share at this point. Omelchuck noted the ascertainment provides a unique data set as the data collection activities concluded just before the COVID-19 situation started in Multnomah County. In response to a question from Studenmund, Omelchuck said that participation in some areas of data collection was sufficient and in others lower than anticipated. However, the report will include robust qualitative and quantitative data on communications technology needs of Multnomah County residents and organizations.
 - Comcast Franchise Renewal: Perez has had some preliminary conversations and she is developing a renewal process and timeline. Perez said things to consider include Commissioner involvement, COVID-19 impacts, and communications with the Jurisdictions.
 - Comcast Updated Subscriber Count: Perez said there was an error in Comcast's 2018 annual report, which has since been corrected, that resulted in subscriber numbers increasing while revenues declined.
 - Comcast Force Majeure – Phone Answering Standard: Perez said Comcast provided notice that it did not meet the phone-answering standard for Jan-Feb. 2020 due to Force Majeure related to COVID closures. Staff agreed and no corrective action is warranted at this time. Comcast is working to rectify the issues by the next quarterly report.
 - Frontier/Northwest Fiber Transfer/ New Name/Frontier Bankruptcy Filing: Perez confirmed that Frontier filed for Chapter 11 Bankruptcy and Frontier affirmed there will be no impact on franchise fee and PEG/I-Net fee payments. Frontier is now named Ziplly in our service areas. In response to Commissioners' comments, Omelchuck said Frontier has paid fees through March 2020 so non-payment risk is low at this point and Ziplly is obligated to make payments going forward.
 - Other: The MHCRC Annual Report is anticipated to be ready by May 22 for inclusion in the Jurisdictional budget packets.
- Committee Reports
 - Finance Committee: None.

- Jurisdiction Needs Assessment Committee: None.
- Open Signal Board Appointee: Murphy said that Open Signal has a very adaptable staff. Studenmund said Open Signal had great services prior to the COVID-19 situation and the Board is very capable.
- MetroEast Board Appointee: Dennerline said the MetroEast Board will have its first virtual meeting next week.
- New Business/ Commissioner Open Comment: Hansen said his term on the Commission ends in June and he is not seeking reappointment. He also noted the Commission will elect a new chair and vice chair at its June meeting. Perez said she is working on a possible extension for Hansen's term with the Portland Mayor's office.
- Meeting Schedule:
 - June 15 – TBD
 - July/August – Recess
 - September 21 - TBD
 - October 19 – TBD
 - November – Recess
 - December 21 – Open Signal
- Franchisee Activity Report
 - Frontier/Zipty: none.
 - Comcast: Tim Goodman, Senior Director of Government Regulatory Affairs at Comcast, mentioned several COVID related business system transitions: In three weeks 6,500 employees in West Division call centers transferred to working from home and call center traffic increased five-fold in March, which impacted the call response times. April standards are back on track to meet call answering standards. Internet Essentials changes responsive to COVID, included a speed increase, first two months free and then \$9.99/month, and waived prior debt restrictions. Comcast has Sponsored Service agreements with Portland Public Schools, Reynolds School District, and Portland Community College for Internet Essentials; six-month agreements where service free first two months and partner pays next four months. Goodman said the subscriber numbers were skewed in 2018 due to a couple subscriber categories were double counted. Comcast cancelled its Cares Day and instead invested \$300,000 with non-profit organizations to provide flexible funding. Studenmund and McIntire commended Comcast for its expansion of the Internet Essentials program and for reaching people who need connectivity. In response to a question from Hansen, Goodman said the drop-in subscribers in this region was slightly more than the national average; however, they are seeing an increase in on-demand movies, the Flex program for streaming video, and the Peacock streaming service.
 - CenturyLink: Samantha Ridderbusch, State and Local Government Affairs Director, said she has been impressed with CenturyLink's responsive approach to customer needs and quick transitions for employee safety. CenturyLink is matching employee contributions to food security organizations and improved support for front-line workers. Teachers and Technology Grant awarded \$500,000 in grants, four to teachers in the Oregon market. CenturyLink is investing in more fiber across the country and Portland is targeted for fiber deployment.
- PEG Provider Activity Report
 - Open Signal: Provided update by email sent to Commissioners.
 - MetroEast Community Media: None.
- Public Comment: None.
- Adjourned at 8:15 pm.

Respectfully submitted by:
Cinthia Diaz Calvo, Administrative Specialist

COVER SHEET – AGENDA ITEMS #R1 – R9

For Commission Meeting: June 15, 2020

“Community Technology Grant Agreements: 2020 Cycle”

Recommendation:

Staff recommends that the Commission approve the following nine Community Technology grant agreements:

- R1. MetroEast \$200,850.00
- R2. ChickTech \$22,349.91
- R3. Luke-Dorf, Inc. \$31,696.40
- R4. Outside the Frame \$32,250.00
- R5. Portland Community College \$54,823.00
- R6. Resolutions Northwest \$21,453.00
- R7. Northeast Coalition of Neighborhoods \$50,351.00
- R8. Slavic Community Center \$38,205.00
- R9. The North Northeast Business Association \$56,200.00

Background:

At its January meeting, the Commission selected 13 Pre-Applications to invite to apply for funding. Following the Commission’s decision, MHCRC staff engaged all 13 applicants in a process to complete full grant applications and contracts. In follow-up to specific Commissioner comments at the January meeting, staff collaborated with applicants to make suggested revisions to the pre-applications including clearly defining measurable outcomes and evaluation measures, expanding on programmatic details surrounding beneficiaries, and the development of a detailed project budget that would more clearly identify the matching resources necessary to successfully implement the project.

One applicant, Open Signal, has since withdrawn its application due to changes in staff capacity and organizational priorities due to COVID-19. MetroEast originally submitted two pre-applications but withdrew one application (“Reynolds High School Multi-Camera Local Origin Studio” Project) due to COVID-19 related capacity issues within Reynolds High School. As a result, additional grant funds (the withdrawn grants totaled \$181,379) were released back into the pool of available funds to grant in this funding cycle.

One additional applicant, Portland Public School District - Community Involvement & Public Affairs (TVS), has put their application on hold due to uncertainty around budget cuts and associated staff capacity in the coming year. If able to move forward, the application and grant agreement for PPS TVS will be presented at the September Commission meeting.

NW Documentary had an anticipated project start date of September 2020, and requested additional time to complete their application due to COVID-19 related delays in establishing

project partners. Staff anticipates that this application will be presented to the Commission for approval at the September 2020 meeting.

MHCRC staff has reached agreement with the nine applicants on final grant agreements recommended for approval for a total amount of \$508,178.31 in grant funds.

Additional COVID-19 Considerations:

Beginning in March, staff engaged in discussions around managing potentially elevated risk levels associated with COVID-19 closures and related economic impacts to the nonprofit sector. Staff created a set of guidelines to use when evaluating both current grant agreements and the 2020 applicant pool. These measures included assessing applicants past experience as an MHCRC grantee, length of time operating as an organization, and recent significant changes in number of personnel or programs offered due to COVID-related fiscal impacts.

In addition, staff undertook additional due diligence measures when reviewing applications particularly in regard to applicants who need a lump sum payment of grant funds upfront in order to make grant project purchases. In consultation with legal counsel, staff included in these advance-payment grant agreements an additional financial report due approximately three months after the grant term begins (additional financial reports documenting advanced grant fund expenditures are submitted approximately every six months after the grant term begins). Adding in this checkpoint early in project implementation will allow staff an opportunity to work closely with grantees to ensure proper use of advanced grant funds during COVID influenced project roll out.

Grant Agreements for Approval - Summaries:

R1. MetroEast Community Media

Grant Request: \$200,850 (Pre-Application Grant Request: \$110,300)

Total Project Budget: \$419,830 (Pre-Application Total Project Budget: \$343,300)

In response to identified transportation barriers to participation, the “Mobile Media Education Initiative” Project will reach 250 underserved youth in East County through co-programmed workshops with schools and community organizations by bringing hands-on media experiences and educational programming alongside a complete gear library in an outfitted mobile van. MetroEast will reach an additional 400 community members through targeted community event programming such as the I Heart Rockwood festival.

The request was increased to include \$61,000 for additional equipment for the gear library and \$25,000 for the purchase of a new vehicle when the donation of a used vehicle fell through. The purchase of the new vehicle will reduce potential vehicle downtime and repair costs; the complete gear library will allow MetroEast to deliver youth programming without tapping into their in-demand facility equipment, as previously planned.

R2. ChickTech

Grant Request: \$22,349.91 (Pre-Application Grant Request: \$18,985)

Total Project Budget: \$141,022.41 (Pre-Application Total Project Budget: \$115,128)

ChickTech's "ACT-W+: Increasing Underrepresented Populations in Technology Careers Through Media and Technical Training" Project will serve under-represented populations in technology fields from high school aged youth to mid-career level adults within the Portland area.

ChickTech will train 25 people (targeted populations are girls and women, including female-identifying, non-binary, and transgender people, referred to as womxn) in the technical aspects of video production. Through the creation of videos from ChickTech events throughout the year, the participants will build their technical leadership and career development skills, connect with other like-minded womxn, and increase awareness of social justice issues related to diversity and inclusion in technology.

The request was increased to include revised cost estimates for equipment and the addition of grant-funded overhead.

R3. Luke-Dorf, Inc

Grant Request: \$31,696.40 (Pre-Application Grant Request: \$28,816.52)

Total Project Budget: \$466,416.40 (Pre-Application Total Project Budget: \$441,318)

Luke-Dorf's "Ascending Flow" Project is designed for older adolescents and young adults (18 to 24) from Multnomah County who are moving out of the children's foster care and mental health system and into adult mental health services. Students will learn introductory hands-on technical skills from audio recording to digital music composition, camera and lighting techniques to video editing, in the hope that the newly acquired skills will assist students in pursuing their career path and inspire students to seek additional training/education. Completion of this 11-month program will culminate in the production of an individual music video and a group music video shared through Open Signal.

The request was increased to include support of infrastructure/construction to create soundproofing for video production purposes.

R4. Outside the Frame

Grant Request: \$32,250 (Pre-Application Grant Request: \$32,250)

Total Project Budget: \$110,085 (Pre-Application Total Project Budget: \$120,928)

The "Expanding Film Making Opportunities for Youth Experiencing Homelessness" Project will support 60 youth who have experienced homelessness through participation in production assistant bootcamps, apprenticeship film projects, freelance support programs, and a workforce development group. Through these expanded and improved trainings on how to use

professional-grade film equipment, youth will become certified as producers for community media centers, increase their employable technical skills, and increase their connections to internships and paid work.

R5. Portland Community College (PCC)

Grant Request: \$54,823 (Pre-Application Grant Request: \$54,804)

Total Project Budget: \$165,639 (Pre-Application Total Project Budget: \$146,777)

Portland Community College's Project "Connecting to Community: New Equipment and Tools for Improving Student Video Production Skills and Workforce Readiness (PCC C2C)" addresses needs of video production, visual special effects, and animation students at PCC for expanded access to professional video production technology, more up-to-date curricula, and community connections. PCC Multimedia and Video Production students will benefit from new and revised curricula integrating new technology; learning with new, up-to-date technology that will prepare them for today's multimedia careers; and will complete create documentary and narrative video projects within the wider Portland community, supporting diverse organizations, causes, and stories.

R6. Resolutions Northwest (RNW)

Grant Request: \$21,453 (Pre-Application Grant Request: \$21,453)

Total Project Budget: \$64,623 (Pre-Application Total Project Budget: \$64,623)

Resolution's Northwest "Moving the Equity Conversation Video" Project aims to raise awareness and promote action to dismantle white supremacist systems that continue to disproportionately impact Black, Indigenous and People of Color (BIPOC). Utilizing newly acquired video production equipment, RNW will interview, record, edit and produce 20 engaging videos with and for 20 BIPOC equity practitioners throughout Multnomah County, who will bring their knowledge and lived experience to the greater public. The videos produced will be shared with community media centers and used in equity-related trainings throughout the area.

R7. Northeast Coalition of Neighborhoods: Roots and Beats Project*

**Roots and Beats Project operates under the fiscal sponsor, Northeast Coalition of Neighborhoods*

Grant Request: \$50,351 (Pre-Application Grant Request: \$32,259)

Total Project Budget: \$231,391 (Pre-Application Total Project Budget: \$120,144)

Roots and Beats' "Youth Cultural Media Arts" Project seeks to address the educational opportunity gap of low-income minority youth by providing culturally responsive, project-based digital media education and mentorship as a way to expose youth to new resources and opportunities that encourage creative expression and the development of employable skills.

Upwards of 90 youth within the Portland area will participant in hands-on learning with audio, video, lighting, and rigging equipment resulting in 16 student-led audiovisual projects.

The request was increased due to revised cost estimates for equipment necessary to implement the project, the decision to set up a production studio to strengthen programming, and the inclusion of overhead costs (not included in pre-application).

R8. Slavic Community Center of Northwest

Grant Request: \$38,205 (Pre-Application Grant Request: \$38,425.86)

Total Project Budget: \$85,758.18 (Pre-Application Total Project Budget: 79,338.14)

The “Slavic Immigrant and Refugee Stories/Video Series” Project will benefit the underserved immigrants and refugees that came from Eastern Europe and former Soviet Republics within the Portland area. Through the creation of a video series highlighting 12 members of their immigrant community that have successfully crossed cultural barriers to become involved in community building, the Slavic Center of Northwest aims to increase civic engagement amongst Slavic immigrants, who experienced persecution and discrimination for civic engagement in the former Soviet republics.

R9. The North Northeast Business Association

Grant Request: \$56,200 (Pre-Application Grant Request: \$53,000)

Total Project Budget: \$125,400 (Pre-Application Total Project Budget: \$125,000)

The “PDX Black Rose Podcast & Video Series” Project aims to provide empowerment for 20 aspiring young black filmmakers and the Black community at large. Newly purchased video production equipment and supportive materials will be used by youth to create a series of video podcast episodes that will focus on showcasing the stories of 20 Black newsmakers within the Portland area. Participation in 175 hours of technical training and creative mentorship will culminate in a public screening and leave participants with a professional portfolio of their work.

The request was increased to include revised cost estimate of one-time, up front instruction on the new equipment necessary for project implementation.

As part of the normal grantmaking process, Comcast is given the opportunity to review all final grant applications and contracts prior to staff moving the contracts forward for Commission consideration.

Attachments: Final Application Summary Chart 2020; Draft Community Technology Grant Agreements for Nine Grants

FINAL APPLICATION SUMMARY CHART 2020

Applicant	PreApp Grant Request	FinalApp Grant Request	Geographic Area /Beneficiaries	Noted Changes/Shifts	Staff Comments
MetroEast Community Media - Mobile Media Education Initiative	\$ 110,300.00	\$ 200,850.00	East County / 250 youth and 400 community members	Request increased to include \$61,000 for additional equipment for gear library and \$25,000 for the purchase of new vehicle when donation of used vehicle fell through	The purchase of the new vehicle will reduce potential vehicle downtime and repair costs; the complete gear library will allow MetroEast to deliver youth programming without tapping into their in-demand facility equipment, as previously planned.
ChickTech	\$ 18,985.00	\$ 22,349.91	Portland area / 25 high school youth and/or mid-career adults	Request increased to include revised cost estimates for equipment and the addition of grant-funded overhead.	In response to commissioners questions during pre-application review, staff worked with the applicant on the development of a more detailed project budget that would more clearly identify the people resources (match) needed to implement the project.
Luke-Dorf, Inc.	\$ 28,817.00	\$ 31,696.40	Multnomah County / 40 youth aged 18-24 who have aged out of the foster care system	Request increased to include infrastructure/construction - related costs to create soundproofing for video production purposes	In response to commissioners questions during pre-application review, staff worked with the applicant on the development of a more detailed project budget that would more clearly identify the people resources (match) needed to implement the project.
MetroEast Community Media - Reynolds High School	\$ 42,000.00	\$ -	Reynolds School District / students, staff, administrators, parents, and general public	Withdrawn	Application withdrawn due to lack of staff capacity to implement the project (with COVID-19 school closures)
NW Documentary	\$ 75,000.00		Portland area / first time filmmakers, emerging and established filmmakers, local audiences	Anticipate presentation to Commission in September 2020 for \$74,670; applicant requested to have additional time to complete application due to COVID-related delays.	NW Documentary received grants in 2011, 2014, 2016 and has an active 2018 grant for \$47,200 that is on track to meeting project outcomes (due to expire September 2020).
Outside the Frame	\$ 32,250.00	\$ 32,250.00	Portland area / 60 experienced young filmmakers aged 16 - 28		Outside the Frame received a grant in 2019 for \$35,000 that is on track to meeting project outcomes (due to expire September 2021).
Portland Community College	\$ 54,804.00	\$ 54,823.00	Multnomah County / 180 students in eight specific courses	Additional students will likely be served however plans have been revised due to uncertainties related to COVID-19.	PCC received grants in 1999, 2000, 2004 and 2018 and met all proposed outcomes.
Open Signal	\$ 139,379.00	\$ -	Portland area / low-income and communities of color including incarcerated and homeless youth	Withdrawn	Application withdrawn due to shifted organizational priorities due to COVID-19 closures.

Applicant	PreApp Grant Request	FinalApp Grant Request	Geographic Area /Beneficiaries	Noted Changes/Shifts	Staff Comments
Portland Public Schools TVS	\$ 25,027.00	\$ -	Portland Public Schools students, teachers, administrators, parents, and general public	On Hold	Application on hold due to undetermined staff capacity to implement project with forecasted budget reductions; potential presentation at September Commission meeting
Resolutions Northwest	\$ 21,453.00	\$ 21,453.00	Multnomah County / Black, brown, and indigenous racial equity practitioners and community members interested in deepening equity		In response to commissioners questions during pre-application review, staff worked with the applicant on the development of a more detailed project timeline and project budget that would more clearly identify the people resources (match) needed to implement the project.
Northeast Coalition of Neighborhoods/Roots and Beats Project	\$ 32,259.00	\$ 50,351.00	Portland area / 90 low-income minority youth aged 12-21 years	Request increased due to revised cost estimates for equipment, a studio build-out, and the inclusion of overhead costs.	Roots and Beats Project is fiscally sponsored by Northeast Coalition of Neighborhoods. Staff confirmed support of the project overall with NECN Associate Director, who also confirmed agreement to manage the fiscal oversight of the project.
Slavic Community Center	\$ 38,426.00	\$ 38,205.00	Multnomah County / immigrants and refugees from Eastern Europe and former Soviet Republics		Slavic Community Center received a grant in 2016 and met all proposed outcomes.
North Northeast Business Association	\$ 53,000.00	\$ 56,200.00	Portland area / 20 Black community members and 20 Black youth ages 16-24	Request increased to include revised cost estimate of one-time, up front instruction necessary for project implementation.	The North Northeast Business Association received a grant in 2016 and met all proposed outcomes.
June Amount Requested		\$ 508,178.31			
Amount Requested in Pre-Applications	\$ 671,700.00				
<i>Anticipated September Amount*</i>		\$ 99,697.00	<i>*Staff anticipates presenting finalized grant applications to the Commission in September 2020 for applicants NW Documentary and Portland Public Schools TVS.</i>		
Total Amount Anticipated for CT 2020 Cycle		\$ 607,875.31			

NOTE: Draft Grant Agreements and Attachments provided in separate PDF due to document size.

COVER SHEET - AGENDA ITEM #R11

For Commission Meeting: June 15, 2020

“Contract Amendment: Pacific Research & Evaluation”

Recommendation

Staff recommends that the MHCRC approve a contract amendment with Pacific Research & Evaluation to extend the contract through June 30, 2023 and increase the contract amount by \$283,450 to perform the TechSmart evaluation for three additional fiscal years.

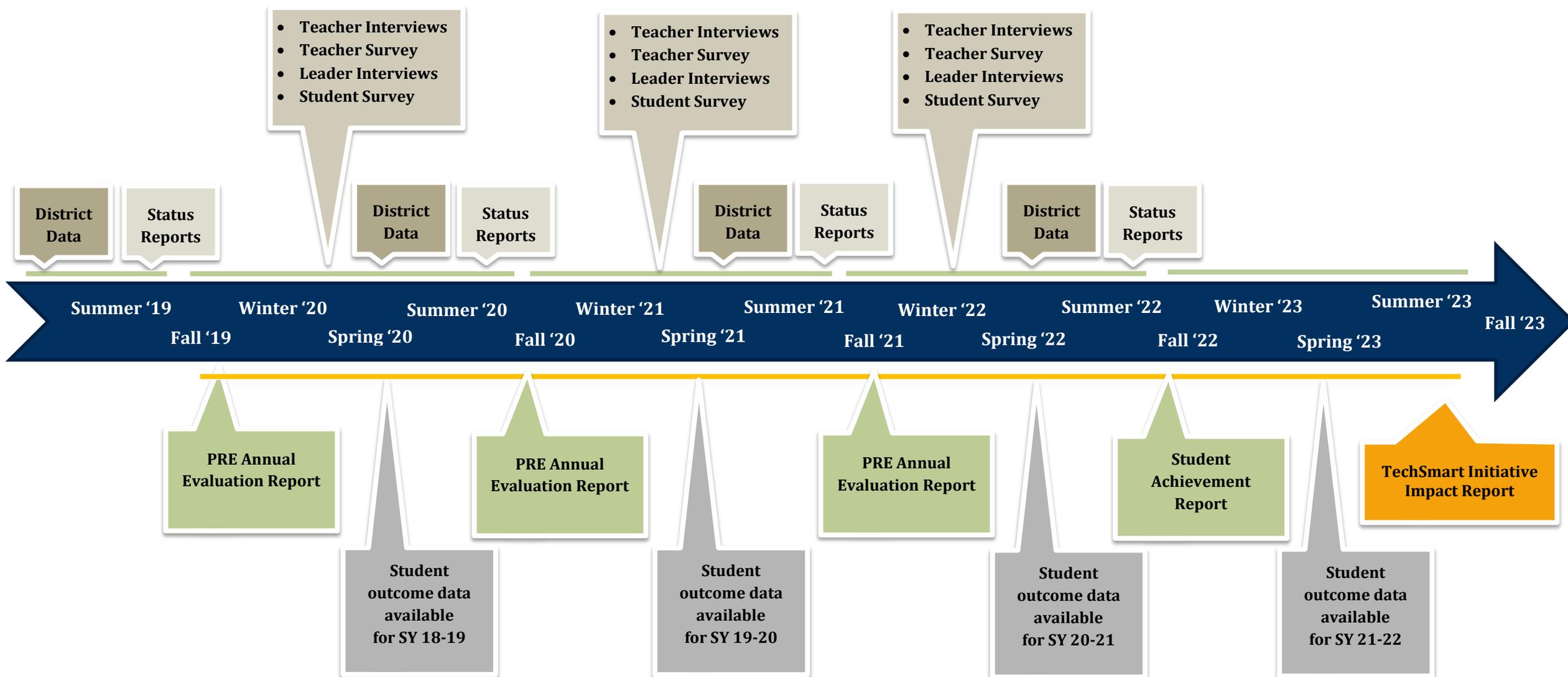
Background

The TechSmart Initiative for Student Success grant projects with all school districts wrap up in FY21-22, with final student data for each project available by Fall 2022. As discussed at the MHCRC retreat, this contract amendment retains Pacific Research and Evaluation (PRE) to continue the evaluation of progress under the TechSmart Initiative and to provide a final Initiative impact report (see attached TechSmart Evaluation Timeline). Staff believes that continuing with PRE is the most viable option for the evaluation work as it has satisfactorily conducted the evaluation since the Initiative’s beginning and has developed trusted relationships with district leads, which contributes to transparent and candid information and data. The staff recommended amendment includes data collection and analysis through fiscal year 2022-23 (see attached PRE contract scope of work and related amounts).

The MHCRC FY20-21 budget provides funding for the TechSmart Initiative evaluation services; and the contract contains language that allows the Commission to terminate the contract if, for whatever reason, funding isn’t available for the contract.

Attachment: TechSmart Evaluation Timeline
PRE Contract Amendment 4 (draft)

Prepared by: Julie S. Omelchuck
June 9, 2020



**CONTRACT AMENDMENT 4
FOR
Evaluation Services for MHCRC Grants in Public Education**

Pacific Research and Evaluation, LLC, (“Consultant”), and the Mt. Hood Cable Regulatory Commission, (the “Commission”) have an existing contract for the provision of services. The Commission desires the Consultant to continue its evaluation of integration of technology into student learning. The Commission further desires the Consultant to continue analyzing effectiveness of implementing digital technology in instructional uses of digital literacy, curriculum, and technology tools in supporting and improving student learning and achievement, including under-served students and students with learning disabilities. The Commission believes that the analysis of impact of technology in implementing effective instructional strategies and practices in fostering improvement in student academic outcomes serves to identify the effectiveness of technology in supporting teachers in the classroom and inform future decisions in the Commission’s grant program. Consultant and the Commission have agreed upon terms for amending the contract (“Contract Amendment”). Now, therefore, the parties agree to the following terms:

1. This contract is hereby extended through June 30, 2023.
2. Additional work is necessary as described in the Statement of Work and Budget identified in Attachment 1 to this Contract Amendment.
3. Additional compensation is necessary in an amount not to exceed \$283,450, in order to complete the Statement of Work.

All other terms and conditions of the contract shall remain unchanged and in full force and effect.

This Contract Amendment may be signed in two (2) or more counterparts, each of which shall be deemed an original, and which, when taken together, shall constitute one and the same contract amendment.

The parties agree the Commission and Consultant may conduct this transaction by electronic means, including the use of electronic signatures.

PACIFIC RESEARCH & EVALUATION, LLC

BY: _____ Date: _____

Name: _____

Title: _____

Mt. HOOD CABLE REGULATORY COMMISSION

By: _____ Date: _____
Leif Hansen, MHCRC Chair

Approved as to Form:

By: _____ Date: _____
MHCRC Legal Counsel

ATTACHMENT 1 – Pacific Research & Evaluation Contract Amendment 4

Statement of Work and Annual Budget

<i>FY 2020-21</i>	Cost
Data Cleaning and Analysis of Student Outcome Data for 5 districts with Round 1 grants (DD, Reynolds, PPS, Centennial, & Gresham-Barlow)	\$13,300
Data Cleaning and Analysis of Student Outcome Data for 3 districts with Round 2 grants (DD, Reynolds, Gresham-Barlow)	\$7,980
Provide Summary Evaluation Report: Includes teacher survey data, teacher and district leader interview data, status report data, student survey data where applicable, student outcome data. Evaluation report will include data from 5 districts	\$39,510
Teacher Interviews with DD, Reynolds, PPS, Centennial, & Gresham-Barlow (6-8 per district)	\$3,990
District Leader Interviews with DD, Reynolds, PPS, Centennial, & Gresham-Barlow (6-8 per district)	\$3,990
Collect teacher and student survey data from those districts engaged in grant projects (5 districts)	\$3,990
District Feedback Infographics	\$15,000
Shared Learning Event	\$3,050
Total =	\$90,810.00

<i>FY 2021-22</i>	Cost
Data Cleaning and Analysis of Student Outcome Data for 5 districts with Round 1 grants (DD, Reynolds, PPS, Centennial, & Gresham-Barlow)	\$13,300
Data Cleaning and Analysis of Student Outcome Data for 3 districts with Round 2 grants (DD, Reynolds, Gresham-Barlow)	\$7,980
Provide Summary Evaluation Report: Includes teacher survey data, teacher and district leader interview data, status report data, student survey data where applicable, district observation data where applicable, student outcome data. Evaluation report will include data from 5 districts	\$39,510
Teacher Interviews with DD, Reynolds, PPS, Centennial, & Gresham-Barlow (6-8 per district)	\$3,990
District Leader Interviews with DD, Reynolds, PPS, Centennial, & Gresham-Barlow (6-8 per district)	\$3,990
Collect teacher and student survey data from those districts engaged in grant projects (5 districts)	\$3,990
District Feedback Infographics	\$15,000
Shared Learning Event	\$3,050
Total =	\$90,810.00

<i>FY 2022-23</i>	Cost
Data Cleaning and Analysis of Student Outcome Data for 5 districts with Round 1 grants (DD, Reynolds, PPS, Centennial, & Gresham-Barlow)	\$13,300
Data Cleaning and Analysis of Student Outcome Data for 3 districts with Round 2 grants (DD, Reynolds, Gresham-Barlow)	\$7,980
District Feedback Infographics	\$15,000
Shared Learning Event	\$3,050
Final Making Meaning Report (including interviews/focus groups with district leaders and/or teachers)	\$40,000
Videography, graphic design, photography for Making Meaning Report	\$20,000
Incentives for interviews/focus groups with district leaders and/or teachers	\$2,500
Total =	\$101,830.00

COVER SHEET – AGENDA ITEM #R11

For Commission Meeting: June 15, 2020

“Election of MHCRC Chair and Vice-Chair”

Commissioner Term Status

All Commissioners are eligible for the Chair position, except the current Chair, Leif Hansen, as he has service three full consecutive terms. All Commissioners are eligible for the Vice Chair position.

Background

The Intergovernmental Agreement empowers the Commission to adopt Rules of Procedure governing its conduct of business. With regard to the election of officers, the Commission’s Rules of Procedure state:

Officers. The Commission shall elect a Chair and Vice Chair (Officers) from among its members.

Term of Office. The Officers' terms of office shall be for one year from July 1 through June 30. Officers may be elected to no more than three full consecutive terms.

Election. Commissioners may nominate Officers by oral motion. After the close of nominations, the Commission shall vote in writing or by oral motion upon the names nominated. The election of officers shall be by a majority of Commissioners.

Chair. The Chair shall have the duties and powers to:

- A. Direct the preparation and distribution of an agenda for all Commission meetings;
- B. Preside over all deliberations and meetings of the Commission;
- C. Vote on all questions before the Commission;
- D. Call special meetings of the Commission in accordance with these Rules of Procedure;
- E. Sign all resolutions, orders, contracts and other documents memorializing Commission action;
- F. Establish committees and appoint members and chairs.

Vice Chair. During the absence, disability or disqualification of the Chair, the Vice Chair shall assume all the duties and powers of the Chair. In the absence of both Officers, the Commission shall elect an acting Chair.

Prepared by: Julie S. Omelchuck
June 10, 2020

INFORMATION ONLY

Media Policy Update

Prepared by Bea Coulter: June 10, 2020

Federal Communications Commission Meeting

The FCC will meet on June 9, 2020. The agenda can be found at the [FCC website](#)¹. The meeting included two items of interest that are not directly related to cable but have the potential to impact cable and media services and consumption.

1) **State/Local Approval of Wireless Equipment Modifications**

The FCC adopted a declaratory ruling and Notice of Proposed Rulemaking. The declaratory ruling will further hamper the ability of local governments to impose wireless siting guidelines on behalf of the community, does not address many practical issues of siting facilities in a metropolitan area, may require substantive and costly changes to established regulatory processes and goes into effect immediately.

Also known as the 6409 ruling, the City of Portland joined a national coalition to submit comments and reply comments prior to this meeting. This item was adopted by the Commission and will likely result in a legal appeal. While this is not a cable policy issue the MHCRC should anticipate receiving questions and comments on the siting of wireless facilities from the concerned public.

2) **Promoting Broadcast Internet Innovation through ATSC 3.0**

The FCC adopted a declaratory ruling and a Notice of Proposed Rulemaking that would allow broadcast TV licensees to deploy a variety of new services such as Broadcast Internet over the air. The concept of *Next Gen TV* and the possible uses of this new platform are interesting, but regulatory oversight will be needed to ensure appropriate use of the public airwaves.

As identified in the FCC's introduction to [The Public and Broadcasting](#)², "In exchange for obtaining a valuable license to operate a broadcast station using the public airwaves, each radio and television licensee is required by law to operate its station in the "public interest, convenience and necessity." Generally, this means it must air programming that is responsive to the needs and problems of its local community of license. To do this, each non-exempt station licensee must identify the needs and problems and then specifically treat these local matters in the news, public affairs, political and other programming that it airs. "

The MHCRC should keep an eye on the progress of this item to understand if and how it may impact the future of content delivery, connectivity and digital equity. The press release [can be found here](#)³.

¹ <https://www.fcc.gov/news-events/events/2020/06/june-2020-open-commission-meeting>

² <https://www.fcc.gov/media/radio/public-and-broadcasting#REGULATION>

³ <https://docs.fcc.gov/public/attachments/DOC-364764A1.pdf>

Open Commission Meetings stream live at the FCC.gov website.

Updates

FCC Cable Order on In-Kind and Mixed-Use

The FCC Order allows cable operators to reduce franchise fees by the fair market value of non-monetary benefits identified in the cable franchise. The Order introduces ambiguity in the franchise process that may result in litigation, and it allows a cable operator to use the public rights-of-way (ROW) for non-cable related lines of business without paying rent for access to the ROW. The FCC adopted the order on August 1, 2019. The MHCRC is participating in a legal coalition to fight implementation of the order.

Update 6-5-20: Briefings will run May 15 through October 14. Oral argument is not expected until 2021.

FCC *Restoring Internet Freedom* Docket

In February 2020 the FCC posted notice that it would accept comments in regard to the specific areas of the *Restoring Internet Freedom* order that were remanded by the Court in the Mozilla v. FCC decision. Comment and reply comment periods have closed.

Update 6-5-20: There has been no recent action on this item.

Protecting Community Television Act ([H.R. 5659](#) & [S. 3218](#))

Introduced in January 2020, this legislation seeks to clarify the definition of “franchise fees” in the Cable Act, returning to the definition understood by local franchise authorities and cable television providers since the Cable Act’s inception in 1984. This clarification would require the FCC to withdraw its recent order on cable in-kind and would protect against the potential loss of community media channels. Representative Eshoo (D-CA) released companion legislation in the House.

Update 6-5-20: No movement on this issue.

Cable Service Change Notification

At its meeting on December 12, 2019 the FCC considered a Notice of Proposed Rulemaking (NPRM) that would seek comment on changing current requirements for notices that cable companies must provide to customers and local franchise authorities. In March 2020, the MHCRC participated in filing comments and supported the filing of reply comments on this issue.

Update 6-5-20: No movement on this issue.

MHCRC Franchise Renewal Timeline

For MHCRC meeting: June 15, 2020

June 2019 - June 2020:

MHCRC staff design, conduct and finalize Multnomah County-wide cable-related community technology needs ascertainment

June – October 2020:

MHCRC staff conduct Comcast performance review, identify key community needs and interests from community technology needs ascertainment, develop list of open issues to be negotiated and prepare draft proposal

November 2020 – July 2021:

Begin informal negotiations – transition to formal process if necessary; develop final recommended franchise agreement

August - September 2021:

MHCRC conduct Public Hearing on recommended franchise terms; finalize documents; MHCRC recommendation to jurisdictions

October – December 2021:

Complete jurisdictional approval process; implement City of Portland extension due to Charter requirements

April 2022:

Complete City of Portland approval process