

2021 MHCRC Annual Retreat Week Two Packet Contents

We are providing a packet for week two with some grounding documents to help you prepare for the conversations ahead.

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Review the goals and objectives for this fiscal year and start thinking about what you would like to achieve in FY 21-22.	
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Review the summary and proposed goals for the following fiscal year.	



MHCRC - RETREAT AGENDA OUTLINE

Day 2 – Sunday, February 28, 1-5 p.m.

- 1:00 p.m. Welcome/Agenda Review/Goals/Community Agreements (Elisabeth/Martha)
- 1:05 p.m. Intro Question (All)
 - Name, a recent MHCRC grant that you're proud of, and what is the most important "why" of the MHCRC to you?
- 1:20 p.m. Community Building Exercise: Two Truths & A Lie (All)
 - Small groups
- 1:50 p.m. Staff/Commission Work Section 1
 - Finance Report (Michael)
 - o Q & A
 - Jurisdiction Reports (Commissioners)
- 2:30 p.m. Break (5 min.)
- 2:35 p.m. Staff/Commission Work Section 2
 - Report on Grants Program (Rana)
 - o Program Update
 - o Small group work:
 - Equity Considerations, Community Connections
 - o Key questions / decision points
- 3:25 p.m. Break (5 min.)
- 3:30 p.m. MHCRC Trivia – Part II – Grants Trivia! (Cinthia)



- 3:35 p.m. Review Goals & Objectives (Elisabeth)
- Key Questions for 2021
 - Small Group Work
 - Large Group Report Backs
 - Action Items
- 4:40 p.m. Recap of the day / Next Steps (Martha & Elisabeth)
- 4:50 p.m. Evaluation/Appreciations (All)
- 5:00 p.m. Adjourn



Community Building Questions (draft):

(Will pre-assign zoom room groups for Round 1.)

1st Round:

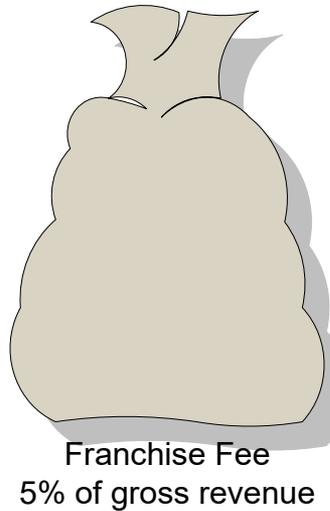
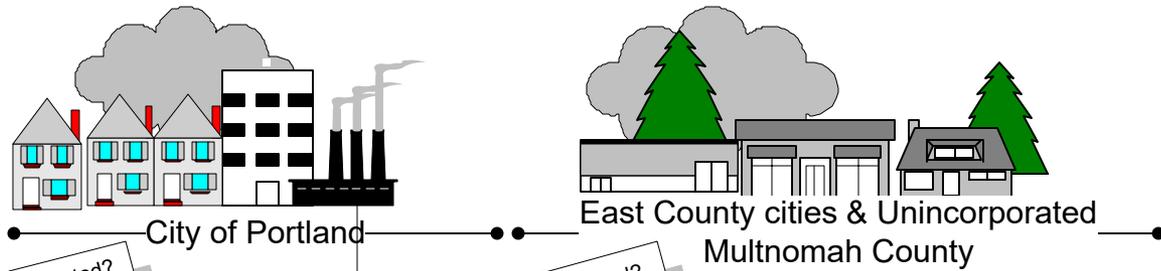
- Where did you grow up and what's an early memory you have about that place?
- If you could meet any famous person in the world, living or dead, who would it be and why?
- What is your favorite dish to cook and/or eat?
- What is your favorite technology tool you use everyday and what does it enable you to do?
- What is a special or unique talent you have?

(Will change up zoom room groups for Round 2.)

2nd Round:

- What's the first job you ever had and what did you like about it?
- What is a book you've read, movie you've seen, or podcast you've listened to recently that has inspired you?
- What's the best concert you've ever attended?
- Talk about a time that someone gave you the resources to do something you wanted to do. How did it impact your life?
- What's a superpower that you bring to your work with the MHCRC?

Flow of Cable Franchise-Related Funds to MHCRC, Programs, and Jurisdictions



The money comes in

Restricted? NO

Per the franchise the cable company pays the whole amount directly to the City of Portland General Fund.

Cable side of OCT and MHCRC is funded via

The City funds the Office for Community Technology (OCT) just like it does any other bureau. When other bureaus suffer across-the-board cuts so does OCT

Access Center operational funding comes from

The City Council decides on PCM's proposed budget and funds it. There have been years where the City gave PCM less than they requested.

Restricted? Primarily

Per the franchise, the cable company pays the whole amount to the MHCRC

Each jurisdiction's pro-rata share of the operating costs for OCT & MHCRC are deducted for each jurisdiction

60% of the East County franchise fees are paid directly to MetroEast.

After all the costs are deducted the pro-rata balance is paid to each jurisdiction

PEG Capital Funds
1% of gross revenues

Restricted? YES

Because of federal law these funds can ONLY be used for capital expenses. Per the franchise they are only for use by the jurisdictions' designated access organizations. Distributed between PCM and MetroEast based on a service area/subscribership formula.

I-Net Funds
1% of gross revenues

Restricted? YES

The MHCRC, based on staff and I-Net liaison recommendations, uses this money to fund connection infrastructure for new and upgrading customers.

Community Access Grants
1% of gross revenues

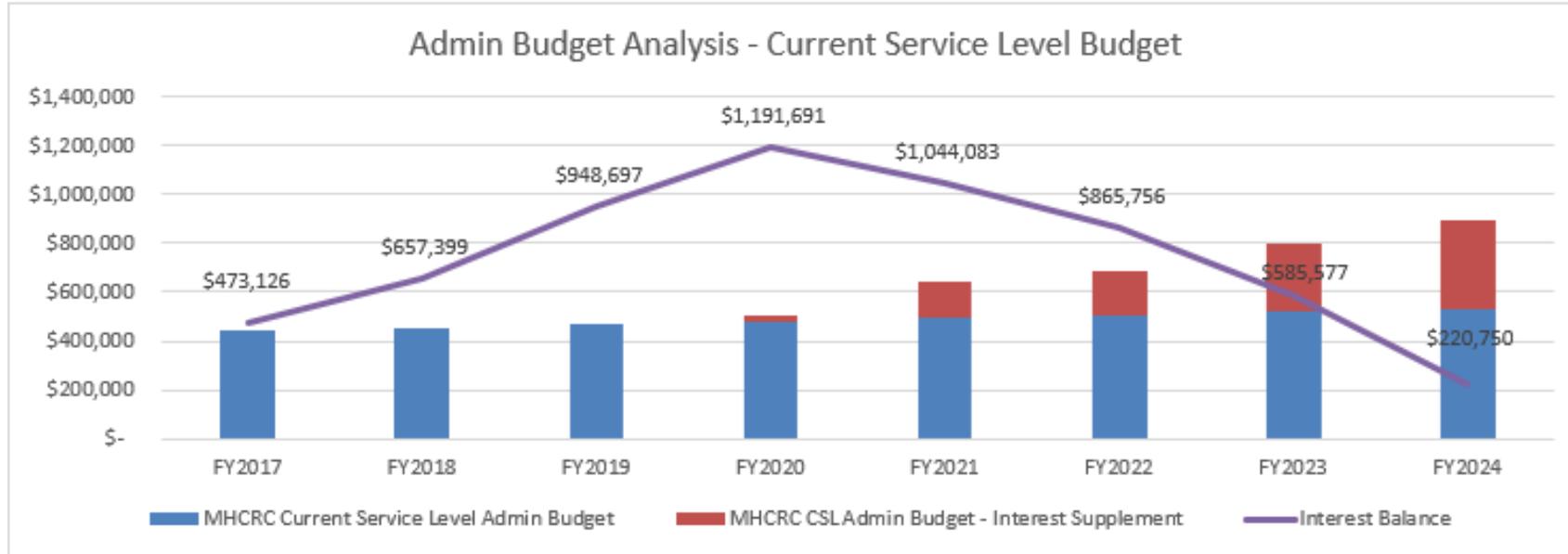
Restricted? YES

Because of federal law these funds can ONLY be used for capital expenses. Per the franchise they can only be used for projects that will make use of the cable system. The MHCRC awards these grants annually. There is no set distribution formula among the jurisdictions. One of the evaluation criteria for the MHCRC's evaluation is "geographic distribution." We usually keep an eye on that but it has never been a point of contention when awarding grants.

MHCRC FY 2018 – 2020 Expenses

	FY 2018 – 2019	FY 2019 - 2020
Admin & Regulation	\$355,971	\$582,432
Capital Compliance	\$350,332	\$352,164
Community Grants	\$2,692,270	\$4,444,185
Community Media Capital	\$1,841,314	\$1,508,259
Community Technology	-	(\$136,028)
East County Franchise	\$1,644,478	\$1,587,597
I-Net Capital	\$568,179	\$838,278
Mult West Franchise	\$106,701	\$91,773
Total	\$7,559,245	\$9,268,660

**FY 2017-2018 currently unavailable in SAP*

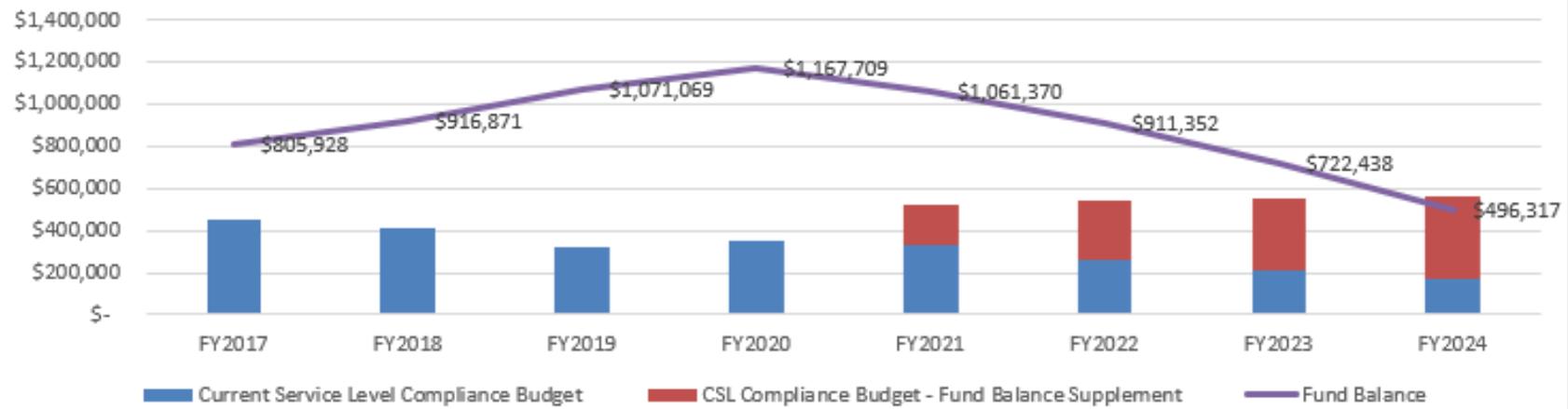


	ACTUAL FY2017	ACTUAL FY2018	ACTUAL FY2019	ACTUAL FY2020	PROJECTED FY2021	PROJECTED FY2022	PROJECTED FY2023	PROJECTED FY2024
PORTLAND								
MHCRC Appropriation	\$ 288,330	\$ 295,827	\$ 304,998	\$ 314,826	\$ 294,418	\$ 301,778	\$ 309,323	\$ 317,056
Admin Cost of Total (%)	3.9%	4.3%	4.8%	5.3%	5.4%	6.0%	6.7%	7.5%
Portland Franchise Fees	\$ 7,151,580	\$ 6,641,925	\$ 6,042,617	\$ 5,577,532	\$ 5,167,197	\$ 4,695,973	\$ 4,302,000	\$ 3,937,722

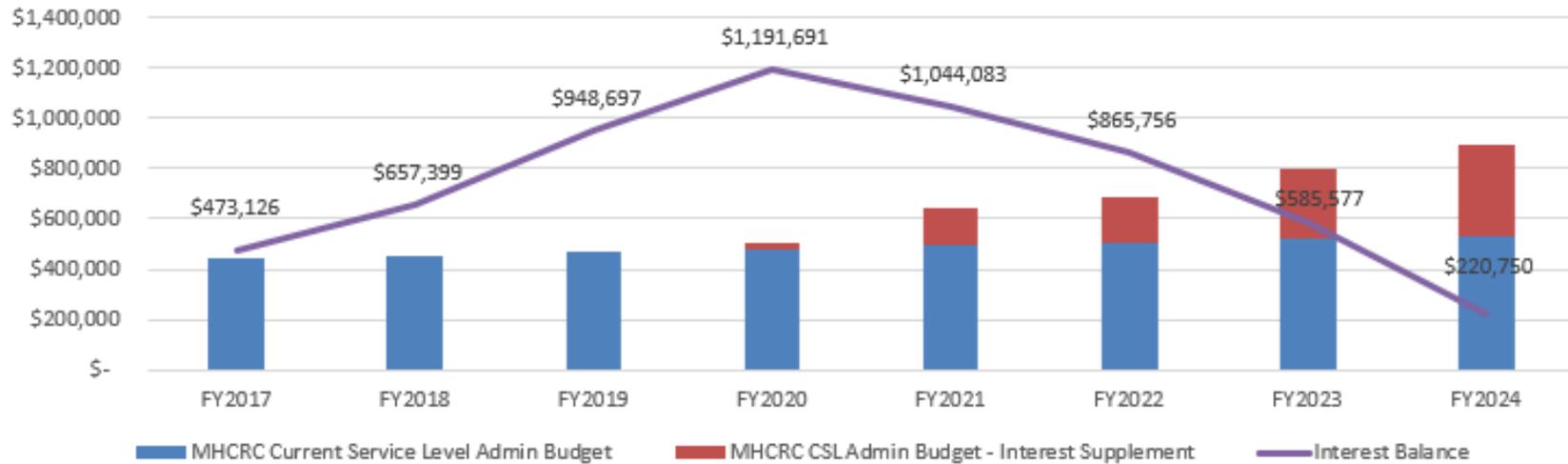
	ACTUAL FY2017	ACTUAL FY2018	ACTUAL FY2019	ACTUAL FY2020	PROJECTED FY2021	PROJECTED FY2022	PROJECTED FY2023	PROJECTED FY2024
EAST COUNTY CITIES/COUNTY								
MHCRC Current Service Level Admin Budget	\$ 155,255	\$ 159,291	\$ 164,230	\$ 165,548	\$ 158,533	\$ 162,496	\$ 166,558	\$ 170,722
Admin Cost of Total (%)	8.7%	9.2%	10.0%	10.4%	10.2%	10.7%	11.1%	11.5%
East County Franchise Fees	\$ 1,793,829	\$ 1,724,113	\$ 1,644,478	\$ 1,587,597	\$ 1,550,691	\$ 1,515,462	\$ 1,494,750	\$ 1,483,785

	ACTUAL FY2017	ACTUAL FY2018	ACTUAL FY2019	ACTUAL FY2020	PROJECTED FY2021	PROJECTED FY2022	PROJECTED FY2023	PROJECTED FY2024
EAST COUNTY CITIES/COUNTY								
To MetroEast	\$ 1,007,526	\$ 969,022	\$ 923,538	\$ 889,617	\$ 868,628	\$ 850,177	\$ 840,315	\$ 836,188
To Open Signal (County 60%)	\$ 68,772	\$ 65,446	\$ 63,149	\$ 62,941	\$ 61,786	\$ 59,101	\$ 56,535	\$ 54,083

Compliance Budget Analysis - Compliance Composition in Stacked Columns



Admin Budget Analysis - Current Service Level Budget

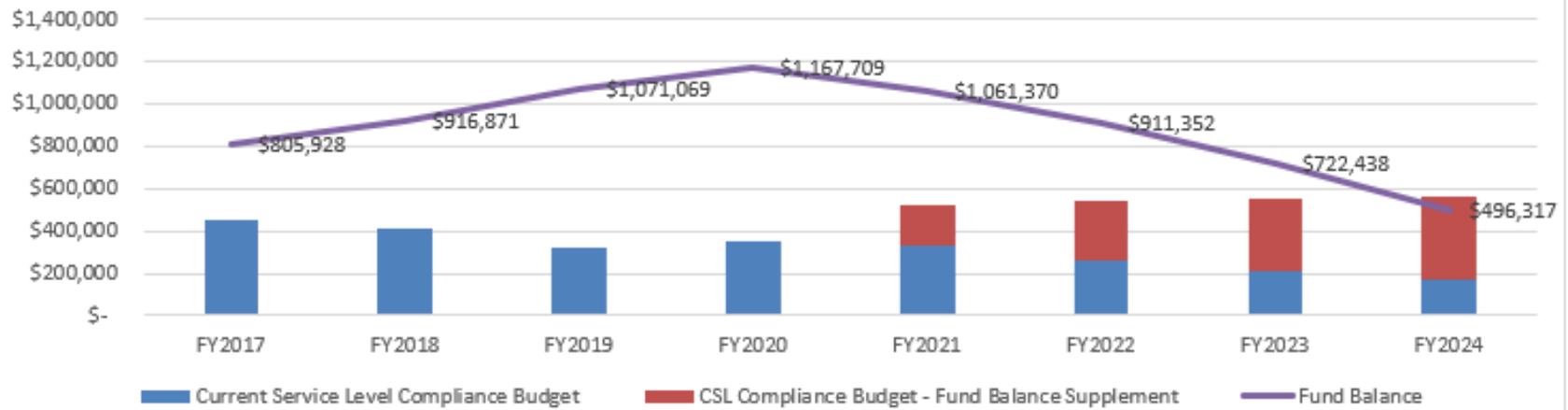


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Compliance Budget Analysis - Compliance Composition in Stacked Columns



**Before the
Mt. Hood Cable Regulatory Commission
1211 SW Fifth #1160
Portland, OR 97204**

Adoption of Community Access)
Capital Grant Purpose and) Resolution No. 98-6
Evaluation Criteria) Adopted: June 15, 1998

Section 1. Findings.

- 1.1 Under Paragon’s and TCI’s current franchise agreements with Multnomah County and the cities of Portland, Gresham, Troutdale, Fairview, and Wood Village (the “Jurisdictions”), the companies have agreed to provide funds to support the Community Access Capital Grant program.
- 1.2 The Mt. Hood Cable Regulatory Commission ("Commission") was created by intergovernmental agreement (“IGA”) to carry out cable regulation and administration on behalf of the Jurisdictions. Among other things, the Commission is authorized to allocate Community Access Capital Grant funds.
- 1.3 Under the IGA, the Jurisdictions reserved the right to exercise discretionary review regarding certain Commission actions, including determining PEG capital grant purposes and evaluation criteria. Commission actions subject to discretionary review are effective 30 days after the decision unless a majority of the affected Jurisdictions acts within 60 days of the Commission action to overturn the Commission’s decision. The Commission must file the decision with each Jurisdiction within 10 days of taking action.
- 1.4 The Commission directed its Access Committee to develop Community Access Capital Grant purpose and evaluation criteria. The Access Committee completed its work and recommends the Commission adopt the following purpose and criteria for the Grant program.

Section 2. NOW, THEREFORE THE COMMISSION RESOLVES:

- 2.1 In accordance with the cable services franchise agreements, the purpose of the Community Access Capital Grant funds is to provide funding:
 1. to designated access providers, educational institutions and government agencies for community communication and information needs;
 2. for these organizations to utilize Paragon’s and TCI’s cable systems’ technical capabilities; and
 3. for capital services, products, equipment or other resources, whose useful life can be expected to exceed one year.
- 2.2 The Commission will make its grant funding decisions based on evaluation of a grant applicant’s degree of success at fulfilling the following criteria:
 1. Quality of Grant Project: Does the applicant successfully describe the project, demonstrate why the project needs to be done, define how the project will respond

to the needs of the targeted end user(s), and explain how the community might be changed as a result of successful implementation of the project?

2. The Project's Public Benefit or Community Impact: Does the project target underserved communities and seek to reduce disparities of those communities; support and encourage improved community involvement in issues of importance to a community; provide not-for-profit or public services or functions less expensively than traditional means; and/or improve the delivery or increase the effectiveness of public or non-profit services to the general public or to targeted individuals, groups or organizations?
 3. The Project's Partnership and Community Support: Are community involvement and partnerships demonstrated throughout the development and implementation of the proposed project?
 4. The Project's Feasibility: Is the overall proposed project feasible considering the technical approach; the proposed budget; the implementation plan and timeline; and the applicant's plan for sustaining the project beyond the grant period?
 5. The Project's Evaluation Plan and Reporting: Does the project's evaluation plan measure both the effectiveness and efficiency of the proposed technology solution and the anticipated outcomes of the project? In addition, will evaluation reports provide sufficient information for the Commission to determine accountability of grant funds?
 6. Innovativeness and Replicability of the Project: Is the proposed project novel or unique, either in the technology to be used or in the application of the technology, and is the project able to be widely replicated or adapted by others if the project were a success.
 7. The Geographic Location of Beneficiaries: To what extent have the proposed project's targeted end users benefitted from past grants and/or are beneficiaries geographically located in an area served by successful grant projects since FY 1998-99?
- 2.3 The Commission directs staff to file a discretionary review notice with the Jurisdictions of the Commission's action to establish the Community Access Capital Grant purpose and evaluation criteria within 10 days of the adoption of this Resolution.

ADOPTED BY THE COMMISSION on June 15, 1998.

Stan Saunders, Chair

Reviewed by:

Ben Walters, Legal Counsel

**Before the
Mt. Hood Cable Regulatory Commission
1211 SW Fifth #1160
Portland, OR 97204**

Adoption of Guidelines for)	
Commissioners Contacts Regarding)	Resolution No. 98-11
the Community Access Capital Grant)	Adopted: Nov. 16, 1998

Section 1. Findings.

- 1.1 Under Paragon’s and TCI’s current franchise agreements with Multnomah County and the cities of Portland, Gresham, Troutdale, Fairview, and Wood Village (the “Jurisdictions”), the companies have agreed to provide funds to support the Community Access Capital Grant program.
- 1.2 The Mt. Hood Cable Regulatory Commission ("Commission") was created by intergovernmental agreement (“IGA”) to carry out cable regulation and administration on behalf of the Jurisdictions. Among other things, the IGA authorizes the Commission to allocate Community Access Capital Grant funds. Under the grant allocation process, the Commission determines annual grant awards.
- 1.3 As the final decision maker, the Commission’s determinations need to be fairly based on the adopted grant criteria. Furthermore, the process should provide applicants with the perception that these determinations were arrived at equitably.
- 1.4 The Commission is obligated to comply with the requirements established by the Oregon Government Standards and Practices Laws regarding conflicts of interest. In addition, the Commission recognizes the need to establish more specific guidelines than state laws provide regarding Commission member contacts with potential and actual grant applicants.

Section 2. NOW, THEREFORE THE COMMISSION RESOLVES:

- 2.1 The Commission approves the Guidelines for Processing Grant Applications, attached as Exhibit A to this Resolution 98-11.

ADOPTED BY THE COMMISSION on November 16, 1998.

Norman D. Thomas, Chair

Reviewed by:

Ben Walters, Legal Counsel

EXHIBIT A -- Guidelines for Processing Grant Applications

1. Some of these grant processing guidelines reflect requirements of federal, state, or local law. For example, the commissioners are obligated to comply with the requirements established by the Oregon Government Standards and Practices Law. Other elements set forth in these guidelines are based on a desire to achieve equitable results. The provisions of these guidelines which are not elsewhere enforced by law shall be considered advisory only.
2. A potential conflicts of interest occur when an action potentially could affect the financial interests of a commissioner, or the commissioner's relatives or associated businesses. An actual conflict would definitely have an effect on the financial interests of a commissioner, or their relatives or associated businesses. Such effects may include financial benefits, or avoiding negative financial effects, on the commissioners, their relatives or business associates. No conflict exists if the action will potentially affect a "class", rather than individuals.
 - a. Commissioners will publicly declare a potential or actual conflict of interest prior to discussion, recommendation, vote or other official action on an issue, and explain the nature of the conflict.
 - b. With a potential conflict, the Commissioners may participate in the action, once the announcement has been made. In the case of an actual conflict, the Commissioner must refrain from taking any official action on the issue.
3. Commissioners will publicly declare any contacts they have had regarding grants.
4. Commissioners will make decisions based on the merits of the applications, after considering the recommendations and applying the criteria. Commissioners' final determinations will be independent and objective.
5. Applicants will have a fair and equal opportunity to express their views to Commissioners.
6. Individual commissioners are appointed by the jurisdictions participating in the Commission. The jurisdictions expect, and are entitled to, regular reporting from the commissioners on the Commission's activities, and on developments as they occur. However, in this instance, the jurisdictions may themselves be participants in the grant application process. The commissioners should balance their responsibilities for reporting to their jurisdictions about the Commission's grant process and the opportunities presented by this process, with the desire for applicants to have equal opportunities to receive grant information and to be treated equitably in the decision making process.
7. Commissioners will avoid the appearance of bias or favoritism by not intervening at any point in the application process on behalf of friends, relatives or business associates. However, commissioners may provide information in response to specific questions to assure the fairness of procedures or to clarify policies. Commissioners may discuss the process and the criteria factually. Commissioners should not respond to solicitations for interpretation of applicant guidelines.

8. After applications have been submitted and are being reviewed, commissioners will refrain from commenting on the progress of the review process or on the applications, until they are before the Commission for final determinations.
9. Commissioners should refrain from privately discussing any of the applications with any of the applicants or other interested parties. Commissioners may discuss the applications in the evaluation process with staff, in public meetings or in the process of making final determinations regarding the decision to award grants.

Federal Communications Commission (FCC) 621 Order: Overview of Possible Impacts

Protected Community Benefits

The Cable Act reserves and protects a local franchise authority's (LFA) right to require franchise fees and PEG fees in exchange for a cable franchise and the ability to store business-related equipment in the public right-of-way.

In addition to franchise fees and PEG fees, the Cable Act reserves the right for LFAs to require any of a number of other community benefits when negotiating a cable franchise agreement. The inclusion of these benefits during franchise negotiations is supported by outcomes from the Community Technology Needs Assessment. The community benefits protected by and available through the Cable Act have not changed as a result of the 621 Order.

What the 621 Order Does

The 621 Order reinterprets specific sections of Cable Act language and asserts that these protected community benefits are in fact franchise fees being paid "in-kind." The reinterpretation attempts to cap the total possible compensation to municipalities at the equivalent of 8% of gross revenues derived from cable: a maximum of 5% in unrestricted franchise fees, and 3% in restricted PEG fees.

By assessing an "exempt" or "non-exempt" status to community benefits, the 621 Order effectively limits (or at worse, eliminates) benefits our communities rely upon – specifically Community Media. The list below shows how each benefit may be affected by the 621 Order:

Cable Franchise Benefits:

- ❖ **Franchise Fee** (5% of gross revenue from cable)
 - Before 621 Order: Protected by Cable Act; Cash, unrestricted
 - **After 621 Order: No change**

- ❖ **PEG & Grant Program Funding** (3% of gross revenue from cable)
 - Before 621 Order: Protected by Cable Act; Cash, restricted to capital
 - **After 621 Order: No change**

- ❖ **PEG Signal Transport: Capital Infrastructure** (cables, encoders, decoders, switches, etc.)
 - Before 621 Order: Protected by Cable Act
 - **After 621 Order: Exempt** – Expense **does not offset** franchise fee payment

- ❖ **PEG Signal Transport: Maintenance** (cable operator maintenance of service)
 - Before 621 Order: Not called out explicitly
 - **After 621 Order: Not Exempt** – Expense **may offset** franchise fee payment

- ❖ **I-Net: Capital Build-Out of Network Infrastructure** (cables, encoders, decoders, switches, etc.)

- Before 621 Order: Protected by Cable Act
- **After 621 Order: Not Exempt** – Expense **may offset** franchise fee payment
- ❖ **I-Net: Capacity and Service** (Bandwidth and managed service)
 - Before 621 Order: Protected by Cable Act; Managed through BTS; Rates negotiated
 - **After 621 Order: No change**
- ❖ **Cable System Build-Out Requirements** (non-standard service extensions)
 - Before 621 Order: Protected by Cable Act
 - **After 621 Order: Exempt** – Expense **does not offset** franchise fee payment
- ❖ **Consumer Protection Requirements** (customer service standards; minimum service requirements)
 - Before 621 Order: Protected by Cable Act
 - **After 621 Order: Exempt** – Expense **does not offset** franchise fee payments
- ❖ **PEG Channels on Cable System** (8 HD and 8 SD channels; signal transport)
 - Before 621 Order: Protected by Cable Act
 - **After 621 Order: TBD** – not yet decided by the FCC; **may offset** franchise fee payments
- ❖ **Channel Listings in Program Guide and Search; Video on Demand Capacity**
 - Before 621 Order: Negotiated in good faith between MHCRC and Cable Provider; Exchanged PEG channel capacity to gain these benefits
 - **After 621 Order: Not Exempt** – Expense **may offset** franchise fee payment

Issues (Not Exhaustive)

The 621 Order goes beyond identifying community benefits as franchise fees by suggesting that the Cable Provider may establish the Fair Market Value for these services, rather than establishing “at-cost” or using a market comparison of competitive providers. This results in a total compensation actually worth less than the equivalent of 8% of gross revenues due to the potential for values to be inflated.

The 621 Order is inconsistent in application of “exempt” and “non-exempt” status to community benefits. For example, PEG capital expenditures for cables, encoders, decoders and switches associated with the transport of cable channel signals is identified as exempt and does not offset the franchise fee payments, however I-Net capital expenditures for the same items is identified as “non-exempt” and would therefore offset (reduce) franchise fee payments to the municipality. Meanwhile, Customer Service Protections which have no associated capital costs have been exempted and do not offset the franchise fee payments.

In addition to the impact on community benefits as a result of the assignment of monetary value, the 621 Order implements new language that limits the ability for LFAs to gain compensation from a cable franchisee’s other lines of business. In fact, the “Mixed-Use” portion of the 621 Order only allows a municipality to realize revenue from cable-related franchise fees. In Oregon, the State has established law that allows municipalities to assess a right-of-way fee on any business using the right-of-way to install and store technology associated with delivery of service. The 621 Order attempts to pre-empt this State law.

Impact to Grants Program

The impact to the Community Grants Program from the 621 Order is minimal. The barrier faced by the Grants Program is instead in the restriction of the PEG fees to capital, and the requirement for grants to utilize, or result in content for distribution on Community Media Channels.

Legal Appeal and Determination

The legal appeal has been ongoing in the 6th Circuit throughout 2020. Oral arguments are scheduled for April 13, 2021. A final determination can be expected from the Court in July/August 2021.

MISSION

The Mt. Hood Cable Regulatory Commission advocates for and protects the public interest in the regulation and development of cable communications systems in Multnomah County and the Cities of Fairview, Gresham, Portland, Troutdale and Wood Village; provides consumer protection and complaint resolution assistance to cable subscribers; and participates in the planning and implementation of community uses of communications technologies.

GOALS AND OBJECTIVES

Effective: July 1, 2020 – June 30, 2021

The Commission acknowledges that its policy and regulatory work is undertaken in a dynamic communications technology environment. Consequently, the Commission retains flexibility to modify or revise these Goals and Objectives as may be required from time to time.

Goal I: *Effectively administer cable services franchise agreements to serve our member jurisdictions and their residents.*

Objectives

1. Identify and address franchise compliance issues in response to and, when possible, prior to cable company actions.
2. Provide consumer protection for citizens and subscribers in cable service matters by helping to resolve complaints, enforcing customer service standards and addressing other consumer-related franchise compliance issues.
3. Conduct three-year franchise and PEG/I-Net fees review of payments from Comcast, Century Link and Frontier.
4. Develop franchise terms and community benefits responsive to findings of the Community Technology Needs Ascertainment for inclusion in a renewal franchise with Comcas, which expires December 2021.
5. Ensure cable TV subscribers' and City of Portland interests are addressed with CenturyLink related to expiration of its cable services franchise agreement in December 2021.

Goal II: *Focus the community grants program on key impacts for addressing needs and equity issues identified through the MHCRC's Your Voice, Our Communications Technology initiative to guide the financial investment of capital funds in the community.*

Objectives

1. Conduct the annual Community Technology Grants round to continue development of public, educational and governmental uses of cable system technology.
2. Continue TechSmart Initiative grant partnerships with school districts in Multnomah County to implement and share effective instructional practices and strategies, which

- use technology to foster improvement in student academic outcomes and reduce the achievement gap.
3. Conduct the annual TechSmart Initiative evaluation for school year 2019-20.
 4. Organize and facilitate the annual TechSmart “shared learning” work session among school districts.
 5. Utilize the grants management system, financial models and evaluation tools to provide efficiencies overall in managing fund allocation, accountability and evaluation of impact.
 6. Monitor grant projects to ensure accountability for grant funds and project activities.

Goal III: *Ensure access to and use of current and new services available through the cable system technology by citizens, local governments and community institutions.*

Objectives

1. Facilitate Community Institutional Network (I-Net) partnership for public organizations to communicate, inform and deliver services to their constituencies.
2. Work with public agencies, schools, and libraries to develop I-Net obligations in the Comcast renewal franchise responsive to findings in the Community Needs Ascertainment.
3. Monitor and ensure accountability for capital funds paid to Open Signal and MetroEast Community Media.
4. Collaborate with organizations, at the federal, state and local levels, to advocate for the community’s access to cable system technology.
5. Participate in the Digital Inclusion Network and other efforts focused on digital inclusion to aide in capacity-building and partnerships to address findings of the Community Needs Ascertainment.

Goal IV: *Communicate, educate, and respond in a timely, accurate, and clear manner to our jurisdictions, cable subscribers and the general public regarding communications technology policy and regulatory issues.*

Objectives

1. Communicate with jurisdictions’ elected officials and key staff in order to educate and support them about cable franchising regulatory and funding issues and what’s at stake for our communities.
2. Support our member jurisdictions in implementing FCC rules and federal laws related to cable communications systems.
3. Support and provide resources for the development of Commissioners’ education and expertise.
4. Engage Jurisdictions in strategic planning to review the Commission’s role, authority, and structure responsive to the findings of the Community Technology Needs Ascertainment and the changing policy and technology landscape.

Goal V: *Advocate for continued local authority regarding cable franchises and use of the public right-of-way by communication providers.*

Objectives

1. Continue cross-jurisdictional collaborations for information-sharing and coordinated strategies on issues of common concern.
2. Participate in statewide committees or groups that address local government authority, management and control of public rights of way, such as the Oregon Broadband Advisory Council and League of Oregon Cities committee.
3. Participate in FCC proceedings on behalf of our jurisdictions' and citizens' interests.
4. Advocate for local authority and public interest benefits at the federal legislative level.

Goal VI: *Lead Commission operations efficiently and effectively.*

Objectives

1. Fulfill Intergovernmental Agreement and Rules of Procedure administrative responsibilities.
2. Continue to engage with the City of Portland on the placement and structure of the MHCRC staff services within the City of Portland to ensure transparency and continued provision of a high level of service to MHCRC's stakeholders and communities.
3. Plan and conduct Commission meetings in a way that respects the volunteer nature of Commission positions and is in accordance with Oregon Open Meeting laws.
4. Conduct annual strategic planning and goal-setting process.
5. Conduct annual MHCRC evaluation of staff services.
6. Conduct annual MHCRC Fund Audit and transmit it to the Oregon Secretary of State's Office.
7. Present an annual budget request to the Jurisdictions that supports the Commission's mission and respects the Jurisdictions' budget considerations.
8. Conduct a review of the MHCRC Fund balance within the City of Portland financial system to ensure accurate records and Fund balance.

MHCRC PROGRAM AREA SUMMARIES

Updated: February 2021

Franchise Management and Compliance

The Commission is charged with negotiating, overseeing and enforcing cable services franchise agreements - areas include: public benefits (such as grants, I-Net, community media), customer service standards and consumer protection, subscriber complaint resolution, insurance and bonding issues, emergency override requirements, line extension policies, universal service issues, etc. The Commission conducts community technology needs ascertainments, which forms the legal basis for public benefits contained in cable services franchises.

Proposed Goals:

- Complete Comcast franchise negotiation within the necessary time frame keeping provisions generally intact
- Ensure all jurisdictions are included in franchise negotiation updates and approve the final franchise.
- Begin Zply franchise negotiations within the necessary time frame and ensure provisions are substantially similar to the Comcast franchise.

Institutional Network (I-Net)

The Community Institutional Network (I-Net) is a fiber communications network, interconnected to Portland's IRNE network, serving over 18 public agencies with about 300 sites throughout Multnomah County (including local governments, libraries, K-12 schools, community colleges, public access providers, Metro and state courts – referred to as "I-Net Stakeholders"). Comcast is obligated, under its franchises to provide data transport services (I-Net facilities and fiber infrastructure) and the City of Portland's Bureau of Technology Services (BTS) provides service to the I-Net Stakeholders. Commission staff facilitate the I-Net partnership and network planning with BTS and I-Net Stakeholders. The Commission also manages I-Net capital funds and compliance with capital expense restrictions under the franchises. The funds are used for I-Net infrastructure, connections, and other capital expenses related to use of the I-Net.

Proposed Goals:

- Reach a deal with Comcast regarding the I-Net end fund.

MHCRC Community Grants

The Commission is the grant-making body for the Community Grants program which provides funds to community organizations, libraries, educational institutions and local government agencies for capital expenses of technology projects. Projects must use the community access channels or the Institutional Network. The program includes two funding opportunities: Community Technology Grants (about 32 active grants) - an annual, competitive grant round open to nonprofits, local public agencies, schools, and libraries – and the TechSmart Initiative for Student Success – a 10-year, \$17 million investment in local school districts to identify and share learnings about effective instructional strategies that use technology to improve outcomes for all students.

Proposed Goals:

- Continue to expand the outreach for Community Grants.
- Use the Community Grants evaluation to inform and follow through on improvements to meet community needs and expand equity goals.

Community Media

The Commission manages and oversees the community access resources provided under the cable services franchise agreements. The Commission has a grant agreement with MetroEast Community Media, for both operational and capital funding, to provide media and digital literacy services in Gresham and the other East County jurisdictions. Open Signal provides similar services in Portland. Open Signal has a grant agreement with the City of Portland for operations funding and with the Commission for capital funding. The cable services franchises also include other access resources provided through the companies, such as digital and HD channels on the cable system, live video transport capabilities, listing of local programs in subscriber guides and video-on-demand. Portland Community College and the Portland Public School District also run educational access channels in Portland.

Proposed Goals:

- Engage community media centers on updates to their annual grant contract to focus on priority areas.
- Engage community media centers on updates to reporting requirements to simplify the process and ensure essential information is transmitted efficiently.

Advocacy and Legal

The Commission advocates for and protects the public's and Jurisdiction's interests at federal and state policy and regulatory bodies related to the scope of authority localities have to manage use and receive compensation (or similar value) for use of the public right-of-way (ROW) for cable services. On national and statewide levels, the communications companies advocate for their corporate interests and work to narrow the local jurisdiction's scope of authority and to rid themselves of public interest requirements and obligations. In addition to national and state legislative bodies, the Federal Communications Commission (FCC) and the Oregon Public Utility Commission (PUC) are regulatory bodies that implement policies in ways which may impact the Jurisdiction's scope of authority and ability to provide for community technology benefits.

This program area incorporates the broader regulatory policy work of the Commission and staff. The Commission and staff engage in discussions, national debates and local processes about the intersections and changing landscape of broader media, telecommunications, digital equity, and cable-related policies and issues that impact our local communities. In the past, this program area has included work on the Open Access (Net Neutrality), hybrid franchises, and broadband issues.

Proposed Goals:

- Begin annual legislative priority planning.

MHCRC Administration

The Commission retains fiscal accountability for about \$12 million annually. The Jurisdictions have entrusted the Commission with oversight responsibilities for nearly all financial resources collected under the franchise agreements. As part of this responsibility, the Commission must receive approval by all six Jurisdictions of its annual fund budget. The Commission also engages an annual audit of its fund.

Proposed Goals:

- Ensure internal controls meet audit standards.
- Pass an FY 21-22 annual MHCRC with every jurisdiction and provide regular reporting on funds.
- Continue monthly newsletter to provide regular updates to Commissioner members.
- Update MHCRC website.