



**Telecommunications Commission  
Meeting Minutes from September 16, 2009 2:30 - 4:30 p.m.**

**Location: 600 A Street, City training Room**

Commissioners Present: Jesse Drew, Jim Frame, Bob Kehr, Stephen McMahon, Darrick Servis,  
Commissioners Absent: Amy Slavich, Zackary O'Donnell  
Staff Present: Rick Guidara, Information Services Manager (Liaison)  
Samantha Wallace, Assistant Community Services Director  
Robert Schulz, Community Services, Media Services Specialist

***Minutes in bold and italics***

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- 2:30 PM 1. Welcome – ***by Bob Kehr (co-chair)***
- 2:35 PM 2. Approve Agenda – ***approved by consensus***
- 2:40 PM 3. Approve Minutes  
a. 6/10/09 – ***approved by consensus***
- 2:45 PM 4. Commissioner/Staff Announcements –
- 3:00 PM 5. Public Comments – ***Comments made by N. Fong indicating that there needs to be better broadband options in Davis, West Davis cannot even get DSL, Comcast is expensive. He asked the commission if we could do anything about increasing options- we made him aware we couldn't regulate broadband access but the information was helpful***
- 3:05 PM 6. Standard Updates  
a. I-net (Rick Guidara/Bob Kehr) – ***no change***  
b. Pending City Telecomm Requests (Rick Guidara/Samantha Wallace) – ***Yolo County is looking to add microwave dishes to the PD tower to extend the Yolo County wireless backbone***  
c. Power Backup for DMA Building – ***nothing new***
- 3:30 PM 7. **Discussions:**  
1. Subcommittee Findings/Recommendations  
a. Presentation by Zack O'Donnell – ***Zack not available***  
b. Discussion by Group – ***of report submitted (attached) by Zack, no motions made just discussion of Zack's findings and the need to discuss them with him at the next meeting***
- 4:30 PM 2. Discuss next steps to clarify the mission and purpose of Commission
8. **Adjourn**  
a. Proposed: Next Meeting: 10/14/09 : Location 600 A Street.  
b. Potential topics for Next Meeting – ***follow up from Zack's draft report***
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**BACKGROUND:** Over the past year the Telecommunications Commission has been overly focused on the funding and budget decisions related to the cable franchise fees and how these fees are distributed to the community cable partner organizations. As funding became tighter due to the poor economic conditions of the nation, state, county and city, these issues seemed to consume all discussions. The issue was made more confusing for Commission members when conflict of interest issues surfaced in the late spring, overshadowing an already stressful budget situation. In June of 2009, the Commission was unable to find consensus on the allocation of cable fees and the proposed estimated budgets presented. There was informal agreement by members that the environment surrounding Commission meetings was not satisfactory for open discussion of issues. With these issues in front of us, the Chair motioned for the establishment of a subcommittee to review the existing purpose of the Commission, interview the represented organizations and come back with recommended actions. The subcommittee membership is comprised of the Chair Zack O'Donnell-UC Davis, Jesse Drew-Public member, and Amy Slavich-Public member.

**METHOD:** The subcommittee met with membership from DMA, DJUSD, City of Davis, and DCN. Subcommittee members openly discussed with each of the organizations their views of the Commission's purpose/function, the issues that have surfaced for the past year, and what, if anything should be done to create a Commission that could move forward with focusing on topics broader than budgets and funding allocations.

**RECOMMENDATIONS:** The following recommendations are presented to Commission members for consideration and discussion.

- The existing functions/purpose of the commission need to be revised. (see Appendix A for original purpose document)
  - Many statements focus on functions that are already managed by city staff.
  - The commissions' 'Cable resource' function has dominated most of the commission's meeting time.
  - The purpose of the commission needs to be reshaped around a community media focus.
  - Existing statements appear to be redundant.
- Given the current functions of the commission, the mandated membership creates conditions of remote conflict of interest and in some cases direct conflict of interest for commission membership as long as the commission focuses on budgets and funding.
- The Commission should be focused on enhancements of media that benefit the community. (e.g.: "What we have" vs. "What we could have")
- The Commission membership should be comprised of more community organizations or customers that are users of the services offered by the various non-profit media groups in order to expand community participation. Examples include school PTAs, and the Davis Downtown Business Association.
- The City staff should recommend to Council that the ordinance for the allocation of PEG capital and equipment fees and franchise fees be reviewed and rewritten to allow for a broader use of the funds for community media infrastructure and content. There is a soft line between media infrastructure maintenance & support and media content creation. These two functions are complimentary but do not entirely overlap. The City needs to find a way to allocate some funding opportunities for community media content efforts.

- The City staff should review the current process for the annual allocation of cable franchise funds with the goal of creating a process that funds primary media infrastructure on a multi-year basis, but allows for some flexible annual funding for special community media projects.
- The commission should not be involved in City negotiations and funding processes for the use of funds generated by the current or future cable agreements. Those funding decisions are a City function and should follow appropriate funding/budgeting processes. The commission should instead advise the funded entities on the programs and services they are providing the community and inject new ideas and suggested changes based on community input.
- The subcommittee does not believe that changing the existing purpose statement to “guiding principles” will resolve the conflict of interest or current stressful environment, as any principle focused on funding or budgeting or resources will bring the group right back to where we are today.
- The City Council must improve communications and direction to the commission. The Council liaison should be required to attend every meeting and the Council should seek commission input on issues. The commission exists to advise the Council. To date the Council has yet to request the commission’s advice. If our advice is not needed perhaps the commission has the wrong purpose, the wrong structure, or the wrong membership. Something needs to change.
- The membership of the Commission should include non-paid board members from all non-profit organizations and include operational ex-officio members from each of these organizations.
- The commission should meet on a quarterly basis.

#### Revised Purpose Statement for the Telecommunications Commission

- ~~To monitor pending legislation, rulings and court opinions which seek to limit the city’s right to manage local rights-of-way and other telecommunication matters and~~ advise staff in developing letters of support or non-support of legislation affecting city telecommunication issues using already established criteria.
- To facilitate [media projects,] communication and shared information between the city, [the Davis community], and community cable partners in a pro-active, clear, effective and straightforward manner [to improve community media services.]
- ~~To monitor the roll-out and implementation of the Institutional network (I-Net) in Davis, including the development~~ [Advise staff on the establishment] of an Institutional Network operational structure [and its community uses.]
- ~~To act as a liaison in the city’s partnership in community media-center projects.~~
- ~~To recommend actions about the use of cable resources—~~
- To advise Council about the development of subsequent cable franchises and other telecommunication agreements.
- To recommend ways to bridge the digital divide for all Davis residents.

## Appendix A

### Current Telecommunications Commission Purpose Statement

- To monitor pending legislation, rulings and court opinions which seek to limit the city's right to manage local rights-of-way and other telecommunication matters and advise staff in developing letters of support or non-support of legislation affecting city telecommunication issues using already established criteria.
  - To facilitate communication and shared information between the city and community cable partners in a pro-active, clear, effective and straightforward manner.
  - To monitor the roll-out and implementation of the Institutional network in Davis, including the development of an Institutional Network operational structure.
  - To act as a liaison in the city's partnership in community media center projects.
  - To recommend actions about the use of cable resources
  - To advise Council about the development of subsequent cable franchises and other telecommunication agreements.
  - To recommend ways to bridge the digital divide for all Davis residents.
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