



Portsmouth
Cable Commission Meeting
3:30 p.m. – November 2, 2006
City Hall/City Manager's Conference Room

DRAFT

The Portsmouth Cable Commission met on Thursday, November 2, 2006 at 3:30 p.m.

- I. Call to Order** - The following were present:
- John Gregg, Chairman
 - City Manager John Bohenko
 - Louis Vinciguerra, Commissioner
 - Brian Gregg, Commissioner
 - Kathleen Pearce, Commissioner
 - Nancy Beach, Commissioner

Also present were Alan Brady, City of Portsmouth Webmaster and Suzanne Woodland, Assistant City Attorney.

Chairman John Gregg called the meeting to order at approximately 3:30 p.m.

- II. Approval of Minutes** - Voted to approve and accept the minutes of the October 5, 2006 Cable Commission meeting. Motion passed.

- III. PEG Access Channel Discussion** – Kathleen Pearce referred to the 2005/2006 Ascertainment Hearings and Public Comment Summary presented to the Committee members. The totals do include if someone spoke 2 or 3 times, they are listed 2 or 3 times. The Chair asked if anyone had commented on Comcast's performance. Kathleen responded no, other than an e-mail stating that competition should be allowed. Most were specific to Cable Access. There were concerns about the City funding it but people were in favor if it were not City funded.

Louis Vinciguerra informed the Committee that he received a telephone call from Comcast conducting their survey and was dismayed by the phrasing of some question which appeared to be misleading and leading.

The Chair asked if there were any other comments regarding the work that Brian and Kathy have done putting this together. The Committee thanked them.

The Chair stated this will be included in the packet that will be given to the City Council.

The Chair informed the Committee that since the last meeting he and Alan Brady met with Pam McCartney and Nat Hurd, the new Media teacher at the High School. There are presently 60 students that they are teaching and they are moving toward offering a vocational certificate similar to certificates already offered in the areas of culinary arts, auto repair, architecture, construction and early childhood. A student would graduate with a high school diploma and also have a Certificate for TV Production and Broadcasting. They would be eligible for up to 6 hours of college credit as well. They hope this program will be in effect sometime during the next year in 2007 and are starting

the actual curriculum course now. It is a two year certification program. They also have a Media Club. They are looking at starting some production that can be produced by students and then aired over the classrooms. They have not done anything with their potential studio since we were there a year ago, it still is not equipped. Nat Hurd has intent to bring in some of his own equipment to set up the studio and Alan Brady may have something they may use. We gave them an update of where we are regarding working through negotiations keeping them in mind protecting their interest for educational channel and equipment.

The Chair next presented Motion in four parts regarding our recommendations to the City Council on November 20th. The Chair read the four parts and asked they be voted one at a time.

1. That the City of Portsmouth negotiate a new Franchise Agreement with Comcast to take effect upon the expiration of the existing contract on December 31, 2007.
2. That the City of Portsmouth request of Comcast the right to operate an educational channel and a public access channel, subject to future review and approval by the City Council of governance and operational plans to do so.

Discussion: Nancy Beach suggested adding “in addition to the current Government channel”.

3. That \$30,000 per year for the next 3 years be set aside in the City of Portsmouth Capital Improvement Plan for future expenses related to cable equipment and facilities.

Discussion: The City Manager suggested using the percentage of annual franchise fee received.

4. That the Cable Commission develop a plan for a public access channel to be operated as a nonprofit organization and this plan be presented to the City Council during 2007.

The Chair stated, for the record, that the primary purpose of our Ascertainment Hearings is to find out what the needs and views of Comcast are. Basically we have had no complaints or concerns expressed there. We have had some concerns in the survey we had done, but not at a high level and seems we should move forward and negotiate with Comcast.

MOTION made by Kathleen Pearce to approve No.1. Seconded by Nancy Beach. Motion passed.

2. That the City of Portsmouth request of Comcast the right to operate an educational channel and a public access channel in addition to the current government channel, subject to future review and approval by the City Council of governance and operational plans to do so.

Discussion: Louis Vinciguerra stated the need to make sure that the City Council and Comcast realizes that we are not going to open them up unless we have programming to fill them with. The Chair stated that it would be our intent to negotiate so that it is not contingent upon the number of hours of the current channel, it is simply on the expressed approval of the City Council to support it.

MOTION made by Nancy Beach to approve No.2 as amended. Seconded by Louis Vinciguerra. Motion passed.

3. That \$30,000 per year for the next 3 years to set aside in the City of Portsmouth Capital Improvement Plan for future expenses related to cable equipment and facilities.

Discussion: Nancy Beach asked if this is clear enough for the Council that it also includes the Government channel? Suzanne Woodland stated the narrative in draft form does include both reference to the existing Government channel as well as to a potential public access. The City Manager stated we may want to identify over the 6 years, the \$30,000, as expenses are going to come up, equipment ages, people have become enthused about using the Government Channel and as time goes on there will be capital costs associated with that and it may be in our best interest. Have it identified in the 2008 – 2013 CIP.

The Chair read the amended motion as follows:

3. That \$30,000 per year be identified in the City of Portsmouth FY 2008-2013 Capital Improvement Plan for future expenses related to Cable equipment and facilities which currently equates to approximately 10% of the annual Franchise Fee which is received.

MOTION made by Nancy Beach to accept #3 as amended. Seconded by Kathleen Pearce. Motion passed.

4. That the Cable Commission develop a plan for a public access channel to be operated as a nonprofit organization and that this plan be presented to the City Council during 2007.

MOTION made by Brian Gregg to accept #4. Seconded by Kathleen Pearce. Motion passed. Louis Vinciguerra abstained.

The Chair asked Nancy Beach for an update on the video she is preparing. Nancy reported that she started with an hour and a half of videos, has cut it down to a 20-minute piece and would like to reduce this to 5 minutes. She wants to make it clear that public access television is a lot more than just one type of programming, a compilation of a lot of things, is hoping to have the video completed by the end of next week. She will let Alan know when it is completed. The Chair thanked Nancy for her work.

There was then general discussion about preparing to meet with the City Council on November 20 at 6:30 pm. It will be a work session – a chance to interact with the Council. No votes will be taken. It will be a public meeting but will not have a public comment portion.

Kathleen Pearce stated there is a total of 49 individuals or organizations plus the 41 on the petition for a total of 90. There were 5 subtracted that spoke more than once, which would be 85 individuals and organizations. This covers all comments from e-mails, phone calls, letters, ascertainment hearings, and a meeting here that a few people spoke.

Suzanne Woodland stated she didn't have anything new to report.

MOTION made by Brian Gregg to go into non-public session. Seconded by Kathleen Pearce. Motion passed.

IV. The Commission then went into non-public session.

MOTION made by Brian Gregg to come out of non-public session. Seconded by Louis Vinciguerra. Motion passed.

The next meeting is scheduled for December 7, 2006 at 3:30 p.m.

V. Adjournment – MOTION to adjourn made by Kathleen Pearce. Seconded by Nancy Beach. Motion passed.

Respectfully submitted,

Elaine E. Boucas