

MONDAY, FEBRUARY 26--5:30 P.M.

CITY CABLE TV OFFICE, 10 S. LINN ST.-TOWER PLACE PARKING FACILITY

MEMBERS PRESENT: Saul Mekies, Nicholas Parker, Margaret Wieting, Gary Hagen, Brett Gordon

MEMBERS ABSENT:

STAFF PRESENT: Drew Shaffer, Dale Helling, Bob Hardy, Mike Brau

OTHERS PRESENT: Beth Fisher, Alex Johnson, Susan Rougsky, Jon Koebrick, Josh Goding, Laura Lowe, Cameron Coker

RECOMMENDATIONS TO CITY COUNCIL

None at this time.

SUMMARY OF DISCUSSION

Mekies reported he made a presentation to the City Council at their budget session to encourage them to restore the \$100,000 subsidy to the general fund from the franchise fee to the Cable TV Division. Some members of the Council asked if the community needs as many access channels it has. Mekies said this makes the best utilization of the channels, particularly the school channel, that much more important. Koebrick reported that the ice storm caused outages for less than 1000 subscribers. All outages have been corrected but there are still about 25 individual drops that are down and they should be connected tomorrow. Hagen asked about the Sinclair dispute. Koebrick said essentially Sinclair got what they wished for. Mediacom basically gave in to their demands. Given the difference in the two company's sizes Mediacom could not hold out forever. The outcome will have negative consequences for consumer rates. Rogusky and others from SCTV will be attending and giving a presentation at the National Conference on Aging on the streaming video web site and their relationship with the University. Lowe reported that the local option sales tax passed and the school district channel has received authorization to purchase significant equipment upgrades. Mekies asked when those purchases would be made. Lowe said she was informed that it would be after the first check from the increased sales tax is received in September. It is anticipated a video server will be among the first purchases. Mekies said he was skeptical of the school district's commitment to making improvements and said any movement by the school district is the result of efforts by the Commission. Many improvements don't have to do with technology upgrades but rather with developing content for the channel. These types of improvements need not wait until after September when funds may be available for equipment upgrades. Lowe said that content development for the channel does not fall within anyone's job description at the school district and asked that program ideas be forwarded to her. Hardy reported that the first phase of the wi-fi database on the citychannel4 website showing the location of free and some pay hotspots is now available. Additional features, including a mapping tool, will be added. A survey feature that will enable the gathering of user input will be added to the website shortly. Shaffer reported that he and Brau attended the Iowa Senate Commerce subcommittee dealing with the proposed legislation that would initiate a statewide franchising system. Shaffer, officials from the Iowa League of Cities, and lobbyists from the phone companies spoke. The Iowa League of Cities is working on amendments to the bill.

Shaffer and Brau have been working closely with the League. Shaffer said it is quite likely some form of the bill will pass.

APPROVAL OF MINUTES

Hagen moved and Parker seconded a motion to approve the corrected January 22, 2007 minutes. The minutes were approved unanimously.

ANNOUNCEMENTS OF COMMISSIONERS

Mekies reported he made a presentation to the City Council at their budget session to encourage them to restore the \$100,000 subsidy to the general fund from the franchise fee to the Cable TV Division. Mekies said the Cable TV Division has been well managed and that is the reason it had the reserve funds it did. Some members of the Council asked if the community needs as many access channels it has. Mekies said this makes the best utilization of the channels, particularly the school channel, that much more important. The performance of any one access channel reflects on how all the access channels are perceived and how the city is perceived.

SHORT PUBLIC ANNOUNCEMENTS

None.

CONSUMER ISSUES

Shaffer referred to the complaint report in the meeting packet and noted there were 19 total complaints. The Sinclair/Mediacom dispute was the origin of many complaints. All the complaints that could be resolved have been. Parker said that Mediacom's web site is unclear and confusing. Mediacom could do a better job listing their rates and options for Iowa City. The only place Parker could find Mediacom's rates was on the citychannel4.com website.

MEDIACOM REPORT

Koebrick reported that the ice storm damage had less impact than in other communities. All outages have been corrected but there are still about 25 individual drops that are down and they should be connected tomorrow. Koebrick said less than 1000 subscribers were affected by the storm. Koebrick said he will look into the web site and noted that there are some difficulties in maintaining sites for as many communities as Mediacom serves. Hagen asked about the Sinclair dispute. Koebrick said essentially Sinclair got what they wished for. Mediacom basically gave in to their demands. Given the difference in the two company's sizes Mediacom could not hold out forever. The outcome will have negative consequences for consumer rates. Pressure for retransmission consent regulations at the federal level may result from the dispute. During negotiations Sinclair continually increased their demands. If Mediacom would be able to import a channel outside the market broadcast channel in all areas, as they were able to do in the Iowa City area, then Sinclair's claim that this was just a dispute over price might be valid. However, Sinclair received a license to broadcast for free and exclusive rights in certain markets. Parker said he expects other broadcasters to seek the same fees as Sinclair when their retransmission consent contracts expire.

UNIVERSITY OF IOWA REPORT

No representative was present.

PATV REPORT

Goding reported that PATV will be hosting six students from Kirkwood Community College who will be job shadowing PATV employees. The studio class will be held at 6 p.m. on Feb. 28, the guidelines workshop March 4 at 12, and the board will meet March 15 at 7 p.m. PATV will hold a chili cook-off fundraiser at Old Brick March 22 at 5 p.m.

KIRKWOOD COMMUNITY COLLEGE REPORT

Shaffer said O'Brien contact him to inform him he would be unable to attend.

SENIOR CENTER REPORT

Rogusky distributed the SCTV program schedule. Rogusky reported 2 new Intermedia students from the University of Iowa are working with SCTV. Rogusky and others from SCTV will be attending and giving a presentation at the National Conference on Aging on the streaming video web site and the Senior Center Television's relationship with the University.

IOWA CITY COMMUNITY SCHOOLS REPORT

Lowe reported she and Hoyland have been working on eliminating some audio problems on the school channel. The local option sales tax passed and the channel has received authorization to purchase significant equipment upgrades. The first funds from the tax will be available in the middle of September. It is anticipated a video server will be among the first purchases. Lowe said Kevin Hoyland has been pushing for video upgrades for some time. Mekies asked when the purchases might be made. Lowe said that she was told the first check from the increase in the sales tax will be made in September and the purchases will be made after the school district begins to see that revenue. The timing of purchases will be according to a priority schedule yet to be determined. Lowe said she is hoping to have a video server within a year. Mekies said he was skeptical of the school district's commitment to make improvements and said that any movement by the schools at making improvements are the result of the efforts of the Commission. Mekies asked if Lowe had a chance to meet with Hardy. Hardy said they will be meeting next week. Mekies said that many improvements don't have to do with technology upgrades but rather with developing content for the channel. These types of improvements need not wait until after September when funds may be available for equipment upgrades. Mekies noted that there was some questioning from some members of the City Council as to whether the community needs all the access channels and if there is enough content to justify the number of access channels. Given the value of an access channel in the channel line-up it is an open question if the community is getting the value from all the channels. Lowe noted that the school channel does carry a large number of repeat programs and said that the channel could benefit from suggestions for what the public would like to see. Mekies said there are many activities and events taking place in the schools that could provide content. Mekies said he is skeptical of the school district's commitment to the channel given that at least three letters from the Commission, including individual letters to members of the school board, have all gone unanswered. Hagen said that it is important for all the access channels to create value in their channels particularly at this time given the threats posed by pending legislation that could undermine financial support provided to them by the cable company. Gordon said that the PATV guidelines workshop offers a good overview of copyright law that the schools might find instructive. There are a number of outlets such as NASA or archive.com that provide copyright free programming that would likely fit the school's mission for the channel. Parker said that

community members would most likely want the school channel to cablecast school-related activities. Cablecasting school activities would bring a real value to the community and is probably what the public anticipates on the channel. Gordon said that if a channel cablecasts primarily a message board, the public perceives that as indicative of all the access channels. Lowe said that content development for the channel does not fall within anyone's job description at the school district and asked that program ideas be forwarded to her. Hagen said that he was surprised to learn that Lowe's job description divided her job duties as 90% web and 10% video. Given previous representations he said he assumed it would be closer to 50-50. Lowe said that her duties are 90-10 right now due to the need to migrate web information, which will probably take her until September. Hardy said he will assist Lowe with connecting with other educational programmers and programs around the country. Wieting said that high school students could be a good source of volunteers who could produce content for the school channel.

LIBRARY REPORT

Fisher reported that the migration of current programs from the old to the new server is now complete. It will be some time before all the old programs can be converted. All the equipment in the meeting rooms is now working well. Parker commended the library for a job well done month after month and said this is due to the dedication of staff to operate the channel and the will to make the channel as valuable to the community as possible.

CITY MEDIA UNIT REPORT

Hardy reported there have been some technical problems with the INET, which sends the access channel's signals to Mediacom's head-end for distribution. Hardy has been working with Mediacom technicians to resolve the problem which appears to be related to the weather. The first phase of the wi-fi database showing the location of free and some pay hotspots is now on the City Channel website (citychannel4.com). Additional features, including a mapping tool, will be added. A survey feature that will enable the gathering of user input will be added to the website shortly. The streaming video component of the website served a gigabyte of video last month. Video streaming use continues to increase. The Community Television Service has programs planned for the Shelter House, the Compeer Program, and the Johnson County Heritage Trust. Mekies suggested sending the wi-fi sites to the Iowa City web site for possible addition to their web site. Mekies acknowledged the work done by Kevin Crawley on the wifi project. Hagen said that wi-fi seems to be developing quickly and widespread availability seems to be inevitable. Parker noted that the next jump in wireless technology, wi-max, will become available over the next few years and could challenge the role taken by traditional broadcasters.

CABLE ADMINISTRATOR REPORT

Shaffer reported he was on a show produced by the Senior Center on the proposed cable TV legislation in the Iowa General Assembly. The City Channel will be submitting programs to the National Association of Telecommunications Officers and Advisors video contest. Mekies asked about the budget. Helling said that the City's budget has been published and the \$100,000 subsidy from the franchise fee to the general fund is in the budget. The budget will be voted on next Monday. Mekies asked if the City has discussed the Kragnes lawsuit, which challenges the legality of use of franchise fees for anything other than management costs. Helling said the City Council is aware of the suit but has not specifically discussed it. Hagen thanked Mekies for his efforts regarding the presentation to Council regarding the Cable Division budget and said he would like the City to have a sense that they are behaving unethically in regards to using franchise fees as a subsidy to the general fund.

LEGISLATION AND FCC UPDATE

Shaffer reported that he and Brau attended the Iowa Senate Commerce subcommittee dealing with the proposed legislation that would initiate a statewide franchising system. Shaffer, officials from the Iowa League of Cities, and lobbyists from the phone companies spoke. A Qwest lobbyist said that their biggest concerns are forced build-outs (requiring the phone company to be able to provide service to everyone) and providing INETs. The other issues, such as access channel capacity, is less of a concern. The Iowa League of Cities is working on amendments to the bill and Shaffer and Brau have been working closely with them. A compilation of language seen as least harmful to cities on particular items in similar legislation from around the country has been compiled by NATOA is being drawn upon as are the services of a prominent law firm in Washington DC, Miller Van Eaton. A concerted effort to effect the legislation in the House will be undertaken by cities, access centers, media reform groups, and concerned citizens. Brau reported that a meeting with area legislators following the League of Women Voters Legislative Forum was scheduled but the ice storm prevented Shaffer and Helling from attending. Brau did have an opportunity to discuss the bill with them and they seemed receptive to the perspective put forth. Shaffer said it is quite likely some form of the bill will pass. Koebrick said that Mediacom's position is that there is no need for a bill, but if there is going to be legislation it must be competitively fair.

WI-FI

Mekies said that the this item was essentially covered previously in the meeting.

ADJOURNMENT

Parker moved and Gordon seconded a motion to adjourn. The motion passed unanimously. Adjournment was a 7:05 p.m.

Respectfully submitted,

Drew Shaffer
Cable TV Administrator

TELECOMMUNICATIONS COMMISSION
12 MONTH ATTENDANCE RECORD
01/01/03 to CURRENT

Meeting Date	<u>Kimberly Thrower</u>	<u>Saul Meikes</u>	<u>Brett Castillo</u>	<u>Terry Smith</u>	<u>Jim Pusack</u>
6/2/03	<u>x</u>	<u>x</u>	<u>x</u>	<u>x</u>	<u>x</u>
7/28/03	x	<u>x</u>	<u>x</u>	<u>x</u>	<u>x</u>
8/25/03	<u>x</u>	<u>x</u>	<u>x</u>	<u>x</u>	<u>o/c</u>
9/22/03	<u>x</u>	<u>x</u>	<u>x</u>	<u>x</u>	<u>o/c</u>
10/27/03	x	<u>x</u>	<u>x</u>	<u>x</u>	<u>o/c</u>
11/24/03	x	<u>x</u>	<u>o/c</u>	<u>x</u>	<u>x</u>
12/15/03	<u>o/c</u>	<u>o/c</u>	<u>x</u>	<u>x</u>	<u>x</u>
1/2/04	<u>x</u>	<u>o/c</u>	<u>x</u>	<u>x</u>	<u>x</u>
1/26/04	<u>x</u>	<u>x</u>	<u>x</u>	<u>x</u>	<u>x</u>
2/23/04	<u>x</u>	<u>o/c</u>	<u>x</u>	<u>o/c</u>	<u>x</u>
3/22/04	<u>x</u>	<u>x</u>	<u>x</u>	<u>x</u>	<u>x</u>
4/ 26/04	<u>x</u>	<u>x</u>	<u>x</u>	<u>x</u>	<u>O/C</u>
5/24/04	<u>x</u>	<u>x</u>	<u>O/C</u>	<u>x</u>	<u>x</u>
6/28/04	<u>x</u>	<u>x</u>	<u>x</u>	<u>o/c</u>	<u>x</u>
7/26/04	<u>o/c</u>	<u>x</u>	<u>x</u>	<u>x</u>	<u>x</u>
8/26/04	<u>did not meet</u>	<u>did not meet</u>	<u>did not meet</u>	<u>did not meet</u>	<u>did not meet</u>
9/27/04	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
10/25/04				<u>X</u>	<u>X</u>
11/04	<u>Did not meet</u>	<u>Did not meet</u>	<u>Did not meet</u>	<u>Did not meet</u>	<u>Did not meet</u>
12/20/04	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
1/24/05	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
2/28/05	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	
					<u>Gary Hagen</u>
3/8/05	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	X
3/25/05	<u>X</u>	<u>O</u>	<u>X</u>	<u>X</u>	X
4/25/05	<u>x</u>	<u>o/c</u>	<u>X</u>	<u>X</u>	X
5/23/05	<u>X</u>	<u>o</u>	<u>x</u>	<u>vacancy</u>	X
	<u>James Ehrmann</u>	<u>X</u>	<u>x</u>	<u>Bebe Balantyne</u>	x
6/27/05	<u>X</u>	<u>x</u>	<u>X</u>	<u>X</u>	X
x			<u>Michael Chritians</u>		
7/25/05	<u>O</u>	<u>X</u>	<u>X</u>	<u>X</u>	X
9/26/05	<u>0</u>	<u>X</u>	<u>X</u>	<u>0</u>	X
10/31/05	<u>X</u>	<u>X</u>	<u>o/c</u>	<u>X</u>	X
11/28/05	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	X
1/23/06	<u>o/c</u>	<u>X</u>	<u>X</u>	<u>O</u>	X
2.27/06	<u>X</u>	<u>X</u>	<u>X</u>	<u>0</u>	X
3/27/06	<u>o/c</u>	<u>X</u>	<u>X</u>	<u>John Weaterson</u>	X
				X	

4/24/06	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	X
5/22/06	<u>0</u>	<u>x</u>	<u>x/o</u>	<u>0</u>	X
6/26/06	<u>0</u>	<u>X</u>	<u>Vacant</u>	<u>0</u>	X
	<u>Nick Parker</u>				
7/24/06	<u>x</u>	<u>x</u>		<u>x</u>	X
8/24/06	<u>X</u>	<u>x</u>	<u>M. Wieting</u>	<u>o/c</u>	X
9/25/06	<u>x</u>	<u>x</u>	<u>x</u>	<u>0/c</u>	X
10/23/06	<u>x</u>	<u>X</u>	<u>x</u>	<u>o/c</u>	X
10/30/06	<u>x</u>	<u>x</u>	<u>x</u>	<u>vacant</u>	X
11/27/09	<u>x</u>	<u>x</u>	<u>x</u>		X
12.18/06	<u>X</u>	<u>X</u>	<u>X</u>		X
				<u>Brett Gordon</u>	
1/22/07	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	X
2/26/07	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	X
3/26/07	<u>Vacant</u>	<u>x</u>	<u>o/c</u>	<u>x</u>	x

(X) = Present

(O) = Absent

(O/C) = Absent/Called (Excused)