



# Mt. Hood Cable Regulatory Commission

*Serving Multnomah County and the Cities of Fairview, Gresham, Portland, Troutdale & Wood Village*

## MEETING NOTIFICATION

September 20, 2021

6:30 p.m.

**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/86017546524?pwd=eE1FTnZSMHg3OHBEb2tuREU4em1ZUT09>

Meeting ID: 860 1754 6524

Passcode: 292944

One tap mobile

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## AGENDA

- Roll Call
- Agenda Review
- Disclosures
- Public Comment (non-agenda items)
- Community Media Center Updates
  - MetroEast
  - Open Signal
- Franchisee Activity Report
  - Ziplly
  - Comcast

### **\*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. June 21, 2021 Meeting Minutes



MHCRC 1120 SW 5<sup>th</sup> Ave. Suite 405 Portland, Oregon 97204  
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**REGULAR AGENDA**

- \*R1. Extend Comcast Cable Franchise Renewal Negotiation Period 10 min
- \*R2. Amend Contract with CBG Communications, Inc. and Allocate Contingency Funds 15 min
- \*R3. Launch the 2022 Community Technology Grant Cycle 3 min

- Staff Updates
  - Operations Update
  - Community Technology Grant Outreach
  - Community Media Center Contract Renewal
- Committee Reports
  - Finance Committee
  - Equity Committee
  - Policy Committee
  - Open Signal Board Appointee
  - MetroEast Board Appointee
- New Business; Commissioner Open Comment
- Meeting Schedule:
  - October 18 - Remotely
  - November 15– Recess
  - Tentative: December 13 -OR- December 20 – Remotely
- 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.*



## **CONSENT AGENDA – NO DISCUSSION**

All items listed on the consent agenda 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.



# Mt. Hood Cable Regulatory Commission

*Serving Multnomah County and the Cities of Fairview, Gresham, Portland, Troutdale & Wood Village*

MT. HOOD CABLE REGULATORY COMMISSION  
Remotely Meeting via phone or computer – Portland OR  
June 21, 2021 Meeting Minutes -- DRAFT

## SUMMARY MINUTES

Call to Order: 6:00 pm

- Roll Call

Commissioners present: Commissioner Dennerline, Commissioner Roche, Commissioner Brown, Commissioner Thomas, Commissioner McIntire, Vice Chair Harden, and Chair Studenmund.

Commissioners absent: Commissioner Murphy.

Staff: Elisabeth Perez, MHCRC Staff Director; Rana DeBey, Community Grants Manager; Michael Wong, Financial Manager; Rebecca Gibbons, Strategic Initiatives Analyst; Cinthia Diaz Calvo, Administrative Specialist.

- Agenda Review

- Disclosures: Vice Chair Harden has been in communication with Tim Goodman, Senior Director, Government & Regulatory Affairs with Comcast, about a Comcast outage that has caused damage to both the City of Wood Village and the County.

Chair Studenmund welcomed Rebecca Gibbons back to the MHCRC. Rebecca Gibbons introduced herself noting she joined the MHCRC staff in 2001 performing a full array of roles over the years. Gibbons is looking forward to learning more from the Commission about their vision for the future and the opportunity of merging the two worlds of Cable and Broadband & Digital Equity.

- Public Comment: None.

- PEG Provider Activity Report

- Open Signal: Rebecca Burrell, Director of Strategy with Open Signal, reported that Open Signal staff is fully vaccinated and many of them are returning to the office.

Burrell shared that Open Signal launched their summer programs and have accepted 56 TV series and have 16 summer cohort participants. The participants get fully customized training and access to gear.

Their production services department streamed the Juneteenth 2021 Teach-in for the Alvina Vision Trust and the Annual Alliance for Community Media Conference is



taking place next week. This organization premieres content made by community media centers like Open Signal.

Burrell shared that their Director of Equity & Community Media, Elisa Barrios, won the 2021 Emerging Leader Award.

- MetroEast Community Media: Not present.
- Franchisee Activity Report
  - Zply: Not present.
  - Comcast: Sheri Acker, Senior Specialist, Government & Regulatory Affairs with Comcast, shared that the Blazer games are moving to Root Sports regional channel this coming 2021-22 season, they are on a 4-year contract. Comcast is unsure what the future will hold for the Root Sports channel in the NW. Acker will report back to the MHCRC once they know more. Acker shared that a few more LiftZones will be installed in the City of Wood Village and the NEIA location. Comcast's Rise program has over 50 participants in the region. This program helps BIPOC businesses with consulting, media, creative production, and technology support.

Acker shared the link to more information about Rise program:

<https://www.comcastrise.com/>

Perez shared the link to more information about LiftZones:

<https://corporate.comcast.com/press/releases/comcast-announces-1000--liftzones-in-community-centers-in-us-cities>

- CONSENT AGENDA

\*C1. May 25, 2021 Meeting Minutes

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

**VOTE:** 6-0

## REGULAR AGENDA

R1. Community Technology Program Review Presentation

DeBey shared that at the December 2020 MHCRC meeting, the MHCRC approved a scope of work for a Request for Proposal (RFP) to engage an evaluation consultant to complete a program impact evaluation for the Community Technology Grants Program.

Following approval, MHCRC staff issued the RFP in January of 2021 and engaged in a review process of the submitted proposals. A cross-bureau committee, with MHCRC representation, selected Pacific Research & Evaluation (PRE) as the most qualified candidate for the project and entered into contract with PRE in February 2021.



MHCRC staff has worked collaboratively with PRE staff, Kristine Manseth and Mackenna Perry, to provide access to the information necessary to complete the impact evaluation. PRE has finalized the Community Technology Grants Program Review, Executive Summary, and Infographic for the MHCRC, and they are here this evening to present the findings.

Manseth noted that their review focused on two areas, the impact that was made through the program on the organization that received the grants and the MHCRC's grant-making process. She shared that since 2014, approximately 62 grants have been awarded to local organizations under the Community Technology Grants program. This review will focus on the impacts of the 41 grants awarded from 2014-2018.

Manseth said that their research methodology involved the following:

- Document review: project application narratives and final status reports from all grantees.
- Grantee survey with 20 representatives.
- Focus groups and interviews with 17 grant representatives, plus 5 interviews with MHCRC staff and commissioners.

Perry shared about the community impacts which includes lessons learned and how success, reach, value, and sustainability was measured. Community impact includes:

- 90% of grants reviewed fully met project goals. The last 10% that didn't meet their goal only means that may still be in progress, have changed their goals or their timeline.
- Two-thirds of grants specially served BIPOC. Many served people with limited English proficiency or low-income communities.
- About half of the grantees focused on reducing disparities and one-third focused on improving services delivery.
- Project partners supported diverse needs, including supplemental funding, event space, recruitment, and training.

Commissioner Brown is interested in a tabular form of the funds that were granted out and who received them. DeBey will share the information with Commissioner Brown.

Manseth shared their review about the MHCRC as a Grantmaker, which includes:

- Three-quarters of the grants focused on video production equipment, and most others focused on interactive data over the I-Net. Project goals and activities varied widely across grantees.
- While many grantees survey respondent didn't know about the role of equity in the grantmaking process, the 55% that did agree MHCRC incorporated equity.
- Although grantees had suggestions for improving the application and reporting processes, a common theme was the valuable support and responsiveness of MHCRC staff whenever grantees reached out.
- Grantees expressed that match resources may be a barrier to applicants, especially smaller organizations. Many found match resources from other grants, internal reserves, private donors, community partners and in-kind donations of space,



materials, and personnel. Even though it was a struggle, 95% of grantees exceeded the 50% match goal.

- \$3.5 million were awarded in grants and \$13 million were matched.
- All but one participant agreed (35.0%) or strongly agreed (60.0%) that the technology allowed them to better serve their community beneficiaries. However, navigating the use of new technology, while exciting and beneficial for the communities they served, was also challenging for some grantees.
- Grantees appreciate that MHCRC is a supportive partner, who works with them to successfully achieve their goals. Both grantees and MHCRC staff expressed a desire for more support in the application and reporting process, as well as for more flexibility in the types of projects allowed to be funded.
- Projects continue to increasingly work to reduce disparities and to meet goals with a very high rate of success. Some common themes include continued desire for simplified application/reporting requirements and for a shared learning community among grantees and partners.

Perry shared PRE's recommendations, which include:

- Continue to engage grantee support throughout the grant lifecycle.
  - For example, continue reviewing the application and reporting process, involving input from current grantees. Enhance and reiterate limitations around use of funds and reporting requirements throughout the grant lifecycle.
- Foster relationship-building across grantees to support communities served.
  - For example, host a peer learning event for grantees to share successes, barriers, and resources with one another. Enhance visibility of available pre-application support to increase awareness of potential partnerships and resources.
- Continue to evolve the Community Technology Grants program.
  - Continue to seek out innovative opportunities and partnerships to keep this important, impactful work going. Consider inviting grantees into strategic planning efforts to involve input and adapt to meet community needs.

Perry invited the Commission and staff to take a look at their executive summary and full report which provides more in-depth information about their findings.

Vice Chair Harden noted one of the suggestions was to change some of the programs that the Community Technology grants fund. He doesn't recall too many times when the MHCRC has declined a grant and he is wondering if it is an element of the grant or a particular grantee that was not funded. Perry clarified that it was more about what projects the grantees were able to and allowed to fund. Grantees would like more flexibility to cover operational costs associated with the projects that is not currently within the guidelines.

Commissioner Brown asked if the program is tracking who is consistently meeting the goals versus those who are not. DeBey confirmed that they do keep track of this information and explained the circumstances that may be preventing some grantees from



meeting their goals. Commissioner Thomas added that some grants take three years, and some take longer, for which the MHCRC has granted extensions.

Perry added that the MHCRC has a great opportunity to survey their grantees at the end of their funding period, to allow them to share their experience while it is fresh.

Chair Studenmund appreciated the presentation.

#### \*R2. Community Technology Grants

DeBey shared that at its January meeting, the Commission selected 17 Pre-Applications to invite to apply for funding. Following the Commission's decision, MHCRC staff began to engage all 17 applicants in a process to complete full grant applications and contracts. 6 of those applications were presented and approved at the March and May meetings for a total of \$422,995.93. Only three applicants withdrew from the process. MHCRC staff has reached agreement with an additional eight applicants on final grant agreements recommended for approval for a total amount of \$410,615.17 in grant funds.

#### \*R2-A David Douglas School District

David Douglas School District is requesting \$16,176.83 for their "Engaging Families through Digital Equity" project. They seek to cultivate historically underserved families' and students' joint technology engagement. DDSO will engage about 15 families through three in-person, hands-on training sessions designed to increase comfort and confidence with technology, and further engage hundreds of families through three supplemental recorded 30-minute tutorials posted on the DDSO website. Families will be recruited by DDSO's bilingual Family and Community Partnership Coordinator who will work with principals, teachers, and key staff to identify the families most in need. In addition, DDSO will create a documentary of the whole project highlighting candid interviews with participants and how increased comfort/expertise with technology will benefit their future plans to use technology alongside their children. Both the tutorials and the documentary piece will be shared out on both Open Signal and MetroEast.

DeBey said there are no significant changes for the project. David Douglas is a current grantee in the TechSmart Initiative for Student Success but is a new applicant to the Community Technology Grants Program, and continues to meet all grant outcomes satisfactorily.

**MOTION:** Thomas moved to approve the David Douglas School District grant request for \$16,176.83. Roche seconded.

**VOTE:** 6-0

#### \*R2-B The Circus Project





The Circus Project is requesting \$15,315.34 to build out a media production suite, including lights, a professional camera, and computers at their home studio, where unique infrastructure including rigging, mats, and specific safety measures support students in practicing their particular artform. The “Media Suite” project will enable The Circus Project to create original digital content that they wouldn’t otherwise be able to produce on site, as well as expand access to contemporary circus arts to underserved audiences/students. Throughout the grant period, The Circus Project will produce 10 hours of video content highlighting quality live performances as well as unique student-produced content which will be shared out through both Open Signal and MetroEast. In addition, at least 25 students and working circus arts will receive training on the upgrading equipment. Previously limited by their lack of access to technology, the media suite will allow students to participate in the new digital realm of contemporary circus arts.

**MOTION:** Thomas moved to approve the Circus Project grant request for \$15,315.34. Harden seconded.

**VOTE:** 6-0

\*R2-C NW Documentary

NW Documentary is requesting \$71,940, to support their “Community Storytelling in Parkrose” Project that aims to pilot a new, more mobile organizational structure in order to advance Diversity, Equity, and Inclusion goals and support intentional community building. NW Documentary will bring resources, workshops, and services into Metro area spaces for up to three years, starting with Parkrose. NW Documentary will work in partnership with Parkrose United Methodist Church and youth-based non-profit organizations, such as Elevate Oregon, to produce short documentary films about the Parkrose neighborhood which will be screened in the community and shared out on the Community Media Center channels. Upwards of 30 filmmakers will participate in the organization’s ten-week-long DIY Documentary workshops which helps participants identify stories that might be interesting and feasible, learn how to do video editing, sound design, color correction, and more. They will also upgrade editing workstations and transition to laptop-based stations, which will offer more flexibility in meeting the needs of all members of the community.

The MHCRC previously awarded grant funds to NW Documentary for “Advancing Equipment and New Tools for Community Development and Emerging Documentary Filmmaker Support” project in 2018. That grant was extended due to closures related to the COVID-19 pandemic. Up to this point, all grant outcomes continue to be met satisfactorily.

**MOTION:** Thomas moved to approve the NW Documentary grant request for \$71,940. Harden seconded.

**VOTE:** 6-0

\*R2-D Portland State University



Portland State University is requesting \$80,702 to support their “Center for Documentary Filmmaking and Production” project that seeks to establish a computer lab, checkout equipment, and a shooting studio to form a center to support a cohort of 50 students and grow their community-based filmmaking curriculum. The center will support two pilot courses which will result in a dozen student-led short documentary films that will be screened publicly and shared out on Open Signal. One Course, “Video, Design, Community,” will partner with Outside the Frame. In groups, students will create a video series around the themes of “place” and “home” documenting stories of houseless or previously houseless youth connected to Outside the Frame. In the course, “The COMMA Workshop,” students will examine the challenges of under-represented groups in the creative industries while learning skills to expand their professional networks. In collaboration with high school students, students will create videos that center and document Black, Indigenous, and People of Color (BIPOC) voices in the arts. The grant-funded equipment will further support the entirety of the video art curriculum at PSU and be available for check-out to support student-led video projects throughout the College of Art and Design.

Commissioner Thomas asked if it was possible if Portland State University could widen their program to support a broader area.

Commissioner Brown asked, since this grant is supporting a class, if the entire campus will be able to check out the equipment. DeBey said that this funding will go through the College of Art & Design and it will be supporting a capital items-based project which will benefit both courses. DeBey added that this grant will help them upgrade part of their existing equipment.

Vice Chair Harden shared his support for the applicant given that Open Signal is at the moment focusing in their content-producing contributors.

**MOTION:** Thomas moved to approve the Portland State University grant request for \$80,702. Harden seconded.

**VOTE:** 6-0

\*R2-E NE STEAM Coalition

NE STEAM Coalition is requesting \$49,000 to support their “BIPOC Community Technology Lab” project aims to address the barriers that Black, Indigenous, People of Color (BIPOC) youth face when accessing technology necessary for Science, Technology, Engineering, Art and Math (STEAM) opportunities. To do so, they plan to create a hub similar to a maker-space at the Abundant Life Church in North Portland, which already serves a multi-racial community and as a center for services and events important to BIPOC residents. The hub will work to (1) increase involvement of BIPOC youth by creating educational how-to videos on maker-space-type STEAM technology and (2) to increase BIPOC representation in STEAM with videos about developing STEAM-related technical skills made by BIPOC interns and community members while using the hub. Training curriculum on video production developed by MetroEast Community Media will be offered to interns (ages 16



to 24) and interested community members. Crafting and repair equipment from sewing machines to laser cutters will serve as tools in the creation of the how-to videos, which are designed to elevate stories by and about the BIPOC community and ultimately increase BIPOC participation in STEAM. NE STEAM Coalition has secured dozens of community partners to support the recruitment of youth, STEAM education personnel, and in-kind donations. They plan to produce and distribute a minimum of 15 educational videos to the Community Media Centers.

**MOTION:** Thomas moved to approve the NE STEAM Coalition grant request for \$49,000. Harden seconded.

**VOTE:** 6-0

\*R2-F The Old Church

The Old Church is requesting \$45,512 to support their “Expanding The Old Church’s Programming Production Capabilities” project. This would allow them to better reach their community members during and beyond the COVID-19 pandemic. The Old Church plans on recording over 150 shows produced annually and broadcasting their programming through MetroEast Community Media (at minimum four shows/month will be shared out). The annual community programming includes 50 lunch-time concerts and 8 to 10 We Can Listen shows which are hybrid documentary/performance/panel discussions. In addition, The Old Church plans to use this expanded community outreach to grow their annual audience and highlight at least 60% performers and speakers who identify as BIPOC, LGBTQ+, women, and/or artists with disabilities. Grant funds will support upgrades to equipment which includes installation of four movable camera stations and technology required to support recording, editing, and broadcasting content, all built for long-term expansion and durability.

**MOTION:** Thomas moved to approve The Old Church grant request for \$45,512. Harden seconded.

**VOTE:** 6-0

\*R2-G Northwest Alliance for Alternative Media and Education (NAAME)

Northwest Alliance for Alternative Media and Education (NAAME) is requesting \$76,000 to support the “Voices of Wisdom and Modern Mythology” project. This project intends to serve up to 60 youth (aged 14-21) in Multnomah County with an emphasis on underserved indigenous, Black and Latinx youth, as well as youth who have experience homelessness, drug and alcohol addiction, mental health disability, learning differences, trauma, foster care/shelters and juvenile detention. NAAME seeks to build a newfound sense of empowerment through self-expression and digital creativity while building technical and life skills. Throughout a series of four-week-long workshops hosted by established project partners and utilizing trauma-informed curriculum, youth will: learn professional video & audio production skills, be introduced to hip-hop artists and modern



musicians, be introduced to teachings of indigenous elders from Africa and Turtle-Island, and be given guidance as they create their own raps, lyrics and poetic verse which will be turned into a music videos and/or documentaries (at minimum, 10 videos) which will be shared out with Open Signal and MetroEast Community Media. Youth will have an opportunity to present their final projects at community screenings. Project partners include Latino Network; Young Audiences of Oregon; Keys, Beats, Bars; ReWild Portland; Ascending Flow; and, Tryon Life Community Farm.

DeBey added that NAAME has a current grant with the MHCRC in support of the Keys, Beats, Bars project (2020). The grant request was increased by \$7,000 from the pre-application to include eligible overhead costs, which were previously left out of the project budget.

Commissioner Thomas asked if the increase is within the budget. DeBey confirm that even with the \$7,000 increase it would still be within the overall budget.

**MOTION:** Thomas moved to approve the Northwest Alliance for Alternative Media and Education (NAAME) grant request for \$76,000. Harden seconded.

**VOTE:** 6-0

**\*R2-H National Alliance for Filipino Concerns**

National Alliance for Filipino Concerns is requesting \$55,969 to support what they are calling the “CARE Project”. This project aims to raise awareness about, and community involvement in, the Filipino domestic worker community, who suffer from social isolation and limited labor protections. The National Alliance for Filipino Concerns plans to directly engage upwards of 100 caregivers (domestic workers) and 15 cultural workers (i.e. community organizers) in a storytelling platform. Local Asian Pacific Islander (API) nonprofit partners include the Asian Pacific American Network of Oregon (APANO), Migrante Portland, and the Filipino Bayanihan Center. Caregivers will be recruited through project partners using the Participatory Action Research (PAR) method, often used to contact and build access with “hard-to-reach” immigrant populations. Cultural workers will start with one-on-one interviews to build trust and understanding. Those interviewees will then be invited to attend a series of 18 educational discussions that will allow them to connect with peers and receive training on relevant social issues. The discussions will be filmed and incorporated into the storyboard for a documentary feature entitled “Labor of Care” which will highlight the caregivers’ lives in the Philippines, their migration to the United States, and their experiences as domestic workers. The final produced piece will be shared out through MetroEast Community Media, various websites, and at in-person community screenings.

This grant request was significantly reduced to only include eligible capital costs. The original grant request included equipment line-items that were not eligible for grant funding.



Commissioner Thomas suggested this production could be broadcasted at Open Signal.

**MOTION:** Thomas moved to approve the National Alliance for Filipino Concerns grant request for \$55,969. Harden seconded.

**VOTE:** 6-0

Chair Studenmund asked what the grant fund totals were. DeBey said the total for tonight is \$410,615.17 in grant funds. The complete total, which includes the 6 other grant applications amounts to \$833,611.10 in grant funding. The amount that was budgeted is \$900,000.

The following grant applications were presented through the off-cycle program. Staff is excited about the possibilities that they bring with opportunity to continue to tell the story of the MHCRC to a broader audience.

The off-cycle grants program was originally approved by commissioners to use as Community Grants Contingency Funds. This fund is annually allocated around \$800,000. DeBey noted that to date the MHCRC has not used any of those Community Grants Contingency Funds for FY2021. The MHCRC still have a remaining \$66,389 left over for the originally allocated \$900,000 for the Community Technology Grant program. DeBey added that there is flexibility in the grants that she is about to present.

Commissioner Thomas suggested the MHCRC use what was actually budgeted before moving to contingency funds. There was general consensus to proceed this way.

### \*R3. RACC Pilot Grantmaking Partnership

Staff is recommending that the Commission approve an off-cycle grant to the Regional Arts and Culture Council (RACC) for \$25,000 in support of a pilot grantmaking partnership.

RACC, is a well-know and well-respected non-profit organization that works regionally to provide funding and services to artists and arts-based organizations.

In the past year, as a result of the COVID-19 pandemic, artists and arts-based organizations have pivoted much of their work to a digital format. Artists and art-based organizations have an urgent need to continue to be able to produce and distribute video content (or to scale their current capabilities to do so) in order to continue their work. There is no clear timeline to “normal” return for many performing artists.

RACC staff and MHCRC staff will work collaboratively over the next six months to finalize the details of this pilot partnership. However, there are many details that have already been worked out, which include:

- The grant to RACC would have a one-year project timeline, i.e. grants would be awarded in grant cycles that RACC operates within one year from the grant award. Grantee content would need to be submitted to Open Signal within two-years of the grant award.
- RACC will provide the “matching funds” component by making investments in selected grantees for project, professional development, capacity building and operating support.



The MHCRC will further support eligible grantees with grant dollars for capital costs only. We will use the MHCRC definition of capital costs that we use for all our grantmaking programs.

- RACC would include on their application a checkbox for applicants to indicate if they are interested in sharing their art publicly via video content created and shared on Open Signal. MHCRC grant dollars would only fund grantees that would do so. Applicants and grantee recipients would also receive a copy of Open Signal’s community producer content guidelines.
- RACC would filter by location of applicant to ensure we were working with grantees from MHCRC member jurisdictions.
- Open Signal would collect the content created by the individual grantees and edit it together into a viewable program(s), if necessary, depending on the length of the content. Grantees can submit their video files digitally, directly to Open Signal. When they do so, they will create an account that will be tied to the MHCRC/RACC partnership (and tracked separately).
- RACC program staff would provide MHCRC program staff a list of applicants to whom they will be awarding grants, and MHCRC program staff can select the grantees that best meet our grant program criteria. Only those selected grantees would receive MHCRC grant dollars.
- RACC already collects reporting requiring documentation of grant-funded expenditures. MHCRC would receive a copy of for each grantee supported by MHCRC grant dollars. The MHCRC would further include a question regarding content submitted to Open Signal.

Commissioner Brown asked if this was a grant to a grantmaking organization to administer grants. DeBey confirmed that RACC is a grant making organization and they provide grants, however, the MHCRC grant funds would go directly to support technology requests of the eligible grantees that come in through RACC through their grantmaking program. No funds will go to RACC’s overhead or administrative costs. All funds will go toward capital costs only. This request came about due to RACC’s increased technology related requests.

Perez added that MHCRC funds would go to support RACC’s operational funds go further. Because the funds are limited on the RACC side for capital and all the MHCRC can fund is capital, it’s a great partnership in which the artist can receive funds from both organizations to be able to produce their work.

DeBey added that the MHCRC would have the ability to review all grant applications as they come in.

Vice Chair Harden, asked when the word “we” is said, is that the Commissioners who approves the grants or MHCRC staff. DeBey clarified that when she said “we”, she was referring to MHCRC staff.

Commissioner Brown said appreciated the response and adds that it sounds like the MHCRC is supplementing existing grants through synergizing the gaps in both programs.

Commissioner McIntire asked about staff time and how that would play a role in their administration costs. DeBey explained that staff already holds eligibility information and



reviews grant applicants and even though the MHCRC wouldn't be the holder of that information, the commissioner would still be able to review all the information. DeBey doesn't anticipate receiving more than 20 applications through the RACC program. It will be a different type of compliance work but not significantly different or time consuming.

Commissioner Brown asked if individuals would be ineligible for the RACC grant if they had already received a grant through the MHCRC. DeBey explained that the MHCRC is not able to give grants to individuals. If there was an individual artist that came through RACC, they would not be someone that was eligible to receive a grant through the MHCRC. Through the RACC program the MHCRC would have the opportunity to review and award grants to individuals that fit the eligible criteria.

Commissioner Thomas asked what Comcast thought about this opportunity. DeBey explained that Comcast has the right and opportunity to review all the grant applications every time those requests are brought to the Commission meeting. Comcast has not provided input or comments. DeBey added that staff has had discussions with the MHCRC legal counsel to talk about how staff needed to move forward and what need to be included in the contract.

Vice Chair Harden said that RACC would be a great partner, but he would much rather have the Commission receive, review and approve those grants to ensure the grantees share the same values. He would like legal counsel to come to the board and present their support towards the pilot program. Commissioner McIntire supports Vice Chair Harden. Perez explained that the MHCRC wouldn't be able to award grants to individuals and therefore staff was looking for ways to innovate and make partnerships to support projects that the MHCRC otherwise would be able to support. She understands if the Commission is not ready for this pilot program.

Vice Chair Harden loves the idea of this pilot program but would like more information prior to moving forward to approve it.

**MOTION:** Harden moved to table the approval of the off-cycle grant to the Regional Arts and Culture Council (RACC) for \$25,000 in support of a pilot grantmaking partnership.

Commissioner Brown asked when RACC needs to hear back. DeBey will ask and get back.

\*R4. Feed the Mass, Off-Cycle Grant

DeBey recommends that the Commission approve an off-cycle grant to Feed the Mass for \$35,600 in support of the "Cultured Cooking" Project.

Staff received a letter of interest from Feed the Mass (FTM) in May. The MHCRC updated the "Special Funding Request" grant program and deemed that the proposed request met the eligibility criteria and sent it to the Equity Committee for input. Staff received input



from the committee members and felt it appropriate to present the application to the full MHCRC based on that input.

Feed the Mass (FTM) seeks to address food insecurity at all levels by using accessible, diverse, and sustainable efforts which bring people together. The “Cultured Cooking” project will use grant funds to purchase upgraded video and editing equipment in order to produce a series of ten 30-minute-long broadcast-ready episodes which will highlight Portland-based chefs of color who are making a difference in their community. The chefs will prepare their favorite dishes and share their stories. The video series will also explore themes of social justice around food insecurity, access to support, and cultural changes in these communities. In addition, BIPOC youth will be trained in video and television production through paid internships in partnership with the Immigrant and Refugee Community Organization (IRCO). FTM has been offering monthly, live virtual cooking classes since February 2021, and want to expand their programs to include interactive food education programs for youth and families. Summer 2021 is the critical time for FTM to produce this video series as an essential component to this expanded work. Videos will be shared out through Open Signal.

**MOTION:** Thomas moved to approve the Feed the Mass grant application for \$35,600. Harden seconded.

**VOTE:** 6-0

\*R5. FY 21-22 Goals and Objectives February of 2021 and want to expand their program for youth and families.

Perez recommends that the Commission adopt the FY21-22 Goals and Objectives. During the May meeting, staff presented a draft for Commissioner discussion. At that meeting Commissioners requested that the draft be further discussed at the next Policy Committee meeting. After this review, the goals and objectives were changed slightly. There were additional objectives around legislative outreach, advocacy and partnering. The commissioner preferred the use of “strengthening our commitment to equity” wording and added in the objectives to ensure the MHCRC has an equity statement with defined priority populations.

Perez reiterated that the FY21-22 Goals and Objectives differ from past years in that they now don’t include things found in the IGA and only include items that the Commission can work towards.

**MOTION:** Harden moved to approve the FY21-22 Goals and Objectives as amended by the Policy Committee. Brown seconded.

**VOTE:** 6-0

\*R6. Election of MHCRC Chair and Vice Chair





Perez said that every year at the June MHCRC meeting the commission elects a Chair and Vice Chair. Any Commission member is able to be a Chair and Vice Chair. The way the elections take place is through Commissioners making an oral motion to nominate Officers. 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.

**MOTION:** Thomas moved nominate Carol Studenmund as the chair for FY21-22. Harden seconded.

**VOTE:** 6-0

- Staff Updates
  - Newsletter
- New Business; Commissioner Open Comment
- Committee Reports
  - Finance Committee
  - Equity Committee
  - Policy Committee
  - Open Signal Board Appointee
  - MetroEast Board Appointee
- Public Comment:
- Adjourn: 8:05 pm

Respectfully submitted by:  
Cinthia Diaz Calvo, Administrative Specialist



## **REGULAR AGENDA**



# Mt. Hood Cable Regulatory Commission

*Serving Multnomah County and the Cities of Fairview, Gresham,  
Portland, Troutdale & Wood Village*

## Staff Report - Agenda Item #R1

For Commission Meeting: September 20, 2021

### “Extend Comcast Cable Franchise Renewal Negotiation Period”

#### Recommendation

Staff recommends that the Commission authorize the Chair to send a letter to Comcast acknowledging the agreement to extend the cable franchise renewal negotiation period through March 31, 2022.

#### Background

The Comcast cable franchise renewal negotiation period was initially estimated to conclude by or before December 31, 2021.

In July 2021, it was determined that negotiations were running longer than initially anticipated. To ensure outstanding issues are resolved in the best interest of the public, MHCRC staff, consultants, and Comcast representatives have agreed to extend the franchise renewal negotiation period by three months, extending the cable franchise renewal process through March 31, 2022.

As identified in section 19.4(B) of the Comcast Cable Franchise Agreements with the City of Portland, Multnomah County and the Cities of East Multnomah County, Comcast will continue to operate under the terms of the current Cable Franchise Agreements until the draft renewed agreements are adopted by the Member Jurisdictions.

MHCRC Commissioners shared an updated negotiations timeline with MHCRC Member Jurisdictions in late July. No questions or concerns have been raised.

Approval of the updated negotiations period will take the form of a letter from the MHCRC Chair to Comcast acknowledging agreement to extend the negotiation period.

Prepared By: Bea Coulter  
September 3, 2021





# Mt. Hood Cable Regulatory Commission

*Serving Multnomah County and the Cities of Fairview, Gresham, Portland, Troutdale & Wood Village*

## Staff Report - Agenda Item #R2

For Commission Meeting: September 20, 2021

### “Amend Contract with CBG Communications, Inc. and Allocate Contingency Funds”

#### Recommendations

1. Staff recommends that the Commission amend its contract with CBG Communications, Inc. to: 1) increase the total contract amount by \$120,000, 2) extend the contract through December 31, 2022, and 3) include the functions, tasks and deliverables as stated in the CBG Draft Memorandum dated August 10, 2021, in order to support the Comcast franchise renewal negotiations extension and the Northwest Fiber (dba Ziplly Fiber) franchise renewal negotiations.

2. Staff recommends that the Commission allocate \$25,000 from Contingency in support of the Comcast and Northwest Fiber (dba Ziplly Fiber) cable franchise renewal negotiation processes.

#### Background

The Commission approved a contract with CBG in December 2020 for Franchise Renewal Consulting Services in the amount of \$55,020, with a contract expiration date of November 30, 2021. CBG began work under the contract in February 2021.

In July 2021 it became apparent that the renewal negotiation period would need to be extended to accommodate novel issues resulting from federal cable franchise policy legal appeal decisions and to complete negotiations on key issues related to franchise terms and requirements. MHCRC Staff, CBG Consultants, and Comcast Representatives agreed to extend the negotiation period for 3 months, through March 31, 2022. As a result, the contract with CBG would need to be extended for 4 additional months – December 2021 through March 31, 2022.

Meanwhile, the established window for the franchise renewal process with Northwest Fiber (dba Ziplly Fiber) is scheduled to begin January 1, 2022. The overlap in franchise renewal processes provides an opportunity for MHCRC Staff to continue the collaborative process with CBG, rolling directly into the Ziplly franchise renewal upon conclusion of the Comcast renewal. The deliverables are identical in each renewal process, and CBG’s experience with MHCRC Member Jurisdiction franchise agreements provides an excellent footing for a successful renewal.

#### Budget Implications

The MHCRC’s FY21-22 Budget includes \$65,000 in unencumbered funds for franchise negotiations. Staff recommends encumbering these funds and allocating \$25,000 from contingency to fund the amended CBG Communications contract through June 30, 2022. The MHCRC FY22-23 budget will need to include \$30,000 to complete the Ziplly franchise renewal.

**Attachments:** Contract Amendment with Exhibits (draft)

Prepared By: Bea Coulter  
September 13, 2021



# CONTRACT AMENDMENT FOR PROFESSIONAL SERVICES (draft)

This is an amendment to the Contract for Professional Services (Contract) #35002063 between the Mt. Hood Cable Regulatory Commission (MHCRC) and CBG Communications, Inc. (Consultant) (together referred to as the "Parties").

## **RECITALS**

1. The MHCRC approved the Contract in December 2020 for a term expiring November 30, 2021, in an amount not to exceed \$50,020.
2. The Comcast cable franchise renewal negotiation period has been extended through March 31, 2022, and an additional process extension may be required through June 30, 2022.
3. The time involved in internal renewal negotiation strategizing discussions, communications with PEG Providers and other involved parties, drafting of franchise language, and negotiations sessions with Comcast has exceeded original Contract estimates.
4. In addition, the MHCRC Project Manager identified functions, tasks, and deliverables related to the Northwest Fiber (dba Ziplly Fiber) cable franchise renewal negotiations that were not included in the original Contract Scope of Work but that now overlap with the Comcast renewal negotiation period extension timeline and align with the scope of the original Contract.
5. The Northwest Fiber (dba Ziplly Fiber) franchise renewal negotiations are expected to commence in January 2022 and the franchise renewal process is expected to be completed by December 31, 2022.
6. The Consultant's experience negotiating cable franchise agreements on behalf of MHCRC Jurisdictions and familiarity with incumbent provider franchise terms and conditions uniquely positions the Consultant to best serve the MHCRC in the Northwest Fiber (dba Ziplly Fiber) franchise renewal negotiations.
7. The MHCRC has concluded, and the MHCRC Project Manager has confirmed, that additional funding and time is needed to complete the Contract Scope of Work for the Comcast franchise renewal and to include new functions, tasks, and deliverables related to the Northwest Fiber (dba Ziplly Fiber) cable franchise renewal.
8. In accordance with Contract Section 18, Amendments, any change in the amount of the Contract must be approved by the MHCRC.

## **AGREEMENT**

1. The Contract is amended to increase the total contract amount by \$120,000 (\$60,000 to complete the original Contract Scope of Work under the new renewal negotiation period

extension and \$60,000 for completion of the functions, tasks, and deliverables associated with the Northwest Fiber (dba Ziplly Fiber) franchise renewal negotiations) for a total not to exceed amount of \$170,020.

2. The Contract Scope of Work is amended to include functions, tasks, and deliverables associated with the Northwest Fiber (dba Ziplly Fiber) franchise renewal in accordance with Exhibits A & B.
3. The Contract term is extended through December 31, 2022.
4. All other terms of the Contract shall remain in full force and effect.

**CBG Communications, Inc. (Consultant)**

By: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

**Mt. Hood Cable Regulatory Commission**

By: \_\_\_\_\_  
Carol Studenmund, Chair

Date: \_\_\_\_\_

Approved as to Form:

\_\_\_\_\_  
Mark Wolf, MHCRC Legal Counsel

Exhibit A Memo-CBG Communications RE: Additional Budget and Extension of Time Concerning the Comcast and Ziplly Franchise Renewal Negotiations Projects

Exhibit B Northwest Fiber (dba Ziplly Fiber) franchise renewal negotiation scope of work and timeline.



**St. Paul Office:** 1597 Race Street, St. Paul, MN 55102 P/651-340-5300  
**Philadelphia Office:** 73 Chestnut Road, Suite 203, Paoli, PA 19301 P/610-889-7470  
**New York Office:** 404-408 Main Street, Suite 501, Boonton, NJ 07005 P/973-794-3171  
[www.cbgcommunications.com](http://www.cbgcommunications.com)

**DRAFT MEMORANDUM**

To: Elisabeth Perez, Director

Beatrice Coulter, Program Coordinator  
City of Portland Office for Community Technology

cc: Krystene Rivers, Research Associate  
CBG Communications, Inc.

From: Tom Robinson, President & CEO  
CBG Communications, Inc.

Date: August 10, 2021

**RE: Additional Budget and Extension of Time Concerning the Comcast and Ziplly Franchise Renewal Negotiations Projects**

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CBG Communications, Inc. (CBG) has been working diligently along with MHCRC and City of Portland (City) Office for Community Technology (OCT) staff to perform all the tasks associated with the Franchise Renewal Negotiations and Renewal Agreement(s) development with Comcast Cable. This work has proceeded to the point where all the initial pre-meetings and strategizing work has been done and additional work in this regard continues; coordination with BB&K (the outside legal firm assisting in the renewal) is continuing; negotiations support related to analysis and developing supporting materials is ongoing; the drafting of the franchise language related to multiple aspects of the cable agreement along with many aspects related to PEG access requirements continues to be developed; participating directly in, and leading, negotiations continues; and providing analysis and responses to Comcast’s suggested revisions and questions continues as needed. In short, the Project continues on track, such that all the MHCRC franchises would be renewed by June 30, 2022.

However, as a follow-up to our discussions, we need to seek both a time extension and additional funding to complete the renewed Franchise Agreements with Comcast, and to assist in upcoming negotiations and agreement development with Ziplly, as described in detail below.

First, based on the extensive internal pre-negotiation meetings with staff and interested parties and numerous negotiating sessions that have occurred with Comcast to-date, and then considering the most appropriate timeframes and lead times for further negotiations and development of completed franchise Agreement(s) based on the remaining issues, the negotiations are anticipated to extend most likely into the Fall, which will, in turn, elongate the overall Comcast renewal timeline to June 30, 2022.

Additionally, negotiations with Ziplly as part of its franchise renewal process with the MHCRC are slated to begin in January, 2022 with renewed Ziplly Franchise Agreement(s) approval(s) expected to occur by December, 2022. CBG can assist in these negotiations as well, but will then require a further time extension for the combined Comcast and Ziplly renewal projects until December, 2022.

Second, regarding the Comcast Franchise renewal process, pre-meetings, franchise strategizing, discussions with PEG Providers and other involved parties, development of franchise language and negotiations sessions have averaged a CBG task hour expenditure equating to approximately \$8,200 a month (regarding the cost range so far, the most recent monthly invoice for June, which included a substantial amount of PEG Access facility and equipment spreadsheet development and associated cost projections, resulted in a cost of \$12,207, while the lowest monthly expenditure has been \$3,930). This left approximately \$5,797 in the project budget as of July 1, 2021.

If negotiations and associated activities related to the Comcast Franchise renewal project continue as previously experienced and anticipated, based on the monthly average and range of costs to date, we believe additional funding in the amount of approximately \$40,000 would be needed through December 31, 2021 to finish the lion's share of the Comcast Franchise renewal process (this assumes that substantial completion of all the proposed franchise draft agreements and associated discussions with the Commission would occur by the end of this calendar year. It also anticipates that all of the remaining critical issues, especially PEG funding and I-Net transition, will be resolved in the informal negotiation process).

After this, we anticipate a smaller amount of Comcast-related activity through June 30, 2022, equating to approximately \$20,000, for a total of \$60,000 in Fiscal Year 2022 to complete the Comcast Franchise renewal project.

For the Ziplly Franchise renewal process, with work anticipated throughout Calendar Year 2022, and based on consideration of pursuing equity with a renewed Comcast Franchise, we anticipate that much of the groundwork for negotiations, including an initial draft Franchise Agreement, will have been laid, and the beginning of the process will be less intensive than the Comcast process concerning task hours. Thereafter, though, in consideration of Ziplly having different concerns and approaches than Comcast, we believe most of the rest of the process will take on average, the same monthly task hours as for the Comcast Franchise renewal, until near the end of the Ziplly process. Overall, then, we believe the average will be approximately \$5,000 per month for the Ziplly work throughout Calendar Year 2022.

In summary, converting the additional budget projections into Fiscal Years, for the combined franchise renewal projects, the additional budget needed for the remainder of FY 22 is \$90,000 (\$60,000 to complete the Comcast renewal and \$30,000 to begin the Ziplly renewal) and for the pertinent part of FY 23 (July 1, 2022 to December 31, 2022) the additional budget needed is \$30,000 (to complete the Ziplly renewal).

Don't hesitate to contact me if you have any questions, and we can discuss any of the above in more detail.



## **1. GENERAL FRANCHISE RENEWAL TASKS:**

### Process Plan, Timeline and Strategy

CBG will work closely with MHCRC staff and legal support (we understand that the legal support will be B B & K who we're currently working with on several other franchise renewal projects) in development of a detailed process plan and timeline, and a clear strategy for the negotiations. This will include review of information pertinent to the franchise renewal including but not limited to: current cable franchise agreements, city codes applicable to the franchise process, past compliance issues, customer complaint reports and applicable federal regulations. As part of the foregoing this will also include:

- Analysis and report of compliance and complaint record (2008-present)
- Comparison of the provisions in the current MHCRC agreement to other notable cable franchises for the purpose of a SWOT analysis and in light of the FCC 621 Order

### Negotiations

CBG will meet regularly with MHCRC staff and will confer with MHCRC legal support as needed. CBG in collaboration with MHCRC staff, will engage with the cable operator's representatives in informal negotiations until all parties to whom the resulting agreement applies agree on final terms and mutually acceptable draft language is documented.

### Presentation

CBG will work closely with MHCRC staff in development of narrative and supporting documents and visuals (as needed) for presentation to the Commission, and for inclusion in the jurisdictions' city council or county commission meeting packets. CBG will participate in delivery of presentations to the Commission and jurisdictions if time allows.

## **2. SPECIFIC FRANCHISE RENEWAL TASKS:**

CBG will perform the specific tasks listed below for this project, and will work closely with designated MHCRC/City personnel to accomplish these goals:

- Prepare and maintain a clear and well-organized process plan and timeline to share with all parties
- Utilize project management tools and methods to ensure the project meets time commitments and MHCRC staff are well informed of all steps in the process
- Review information pertinent to the cable franchise renewal
- Meet with MHCRC staff on a routine basis, and confer with MHCRC legal support as needed
- Attend MHCRC monthly meetings as requested
- Attend a meeting of jurisdiction representatives if requested
- Collaborate with MHCRC staff to establish strategies for negotiations on key issues
- Establish a strategy for virtual negotiation sessions
- Lead virtual negotiation sessions
- Negotiate agreements on terms and language for inclusion in the draft franchise agreement document
- After MHCRC and jurisdiction review of draft language, revisit any agreements identified for additional discussion
- Collaborate with MHCRC staff to draft the staff report to the MHCRC including a narrative account of the process, key points in the negotiation, concerns stemming from the interaction that the

Commission and jurisdictions should be aware of, and other points of interest pertinent to staff's final recommendation

- Participate with MHCRC Staff and Commissioners in the presentations to the MHCRC and jurisdictions if time allows

### **3. TECHNICAL REVIEW**

Based on the critical nature of the infrastructure providing cable and other services to the MHCRC's member jurisdictions, CBG proposes to further provide a technical review of residential infrastructure in the MHCRC Franchise areas.

Specifically, the following Tasks will be performed by CBG:

**1) Request for and Review of Baseline System Technical Information** - CBG will begin by reviewing and evaluating the system to determine its current capabilities and its potential for deployment of future infrastructure and services, by developing a Request for Information (RFI) seeking a written response from Northwest Fiber (ZiPLY). We will then engage in discussions with their engineering and technical staffs, in order to gain an understanding of, for example, the system's current design and any future plans, age, condition, system capacity, capacity for expansion, functionality, cascade length, homes per node, headend/hub(s), and system reach. As part of the RFI effort, CBG will request and review as-built and other system maps of the cable system to determine whether the system has been built within and is operating specifications.

CBG will review the documents provided by Northwest Fiber (ZiPLY) and create a summary of these findings in a Technical Review Report.

**2) System Development Possibilities Over the Next 10 Years** – CBG will review Northwest Fiber (ZiPLY)'s upgrade of its networks, compare them with any plans for the system serving Multnomah County, as well as the surrounding region, and determine what possibilities exist (as well as compare these possibilities to any upgrade or expansion plans indicated by Northwest Fiber (ZiPLY) during the RFI response). These could include for example:

- an upgrade using fiber deep technology (essentially fiber to the neighborhood to eliminate amplifiers and provide only passive coaxial connections to the house);
- capacity upgrades including to 1 Gigahertz (GHz), 1.2 GHz and the newly developed 1.8 GHz, and its potential for implementation in the MHCRC area system;
- implementation of Fiber to the Home (FTTH);
- other upgrade possibilities on the horizon

The above require substantial capital investments, and CBG would provide some ballpark figures based on the current status of the system to upgrade it on a per home or per mile basis.

CBG would also look at the continuing wireline/wireless integration of cable/broadband systems, including Northwest Fiber (ZiPLY)'s development of mobile services, how these interface with the wireline system, and how they may be used to deploy cable services.

**3) Future Improvements in Customer Service Platforms**– CBG would review for the MHCRC both planned enhancements as well as potential enhancements based on the evolving state of customer service platforms within the industry. This would include everything from the continued introduction of A.I. into the interactive interface with customers, as well as use of apps and other types of phone, voice, online, chat, email-based and text message-based systems. CBG will also look at the continued evolution

of different billing platforms and how customers may both monitor their charges as well as seek answers to billing questions real-time.

**4) Written Technical Review Report** - CBG will develop a detailed report that indicates all findings from the above evaluation processes and that assesses both the current capabilities of the system and its future potential. We would then make appropriate recommendations regarding future system requirements to meet the needs that have been assessed for services, customer service and technical capacity and capabilities. CBG will then work with the MHCRC to take the technical review findings and turn them into realistic requirements, objectives and strategies with respect to the franchise renewal process with Northwest Fiber (Ziply).



# Mt. Hood Cable Regulatory Commission

*Serving Multnomah County and the Cities of Fairview, Gresham,  
Portland, Troutdale & Wood Village*

## Staff Report – AGENDA ITEM #R3

For Commission Meeting: September 20, 2021

### “Launch the 2022 Community Technology Grant Cycle”

#### Recommendation

Staff recommends that the Commission allocate \$900,000 for Community Technology Grants in the FY2021-22 competitive process and establish a Pre-Application deadline of December 8, 2021.

#### Background

Annually the Commission allocates funds and establishes an pre-application deadline for the Community Technology Grant cycle.

#### 2022 competitive process summary:

- Pre-application opens online in October 2021; announcement of grant cycle made.
- Informational meetings (virtual) held in October 2021.
- Organizations apply through an online Pre-Application process by December 8.
- At its January 2022 meeting, the MHCRC decides which Pre-Applications it would like staff to pursue within the approximate \$900,000 available for funding.
- Staff works with each chosen organization to finalize a full application and grant contract.
- The MHCRC approves final contracts at a future MHCRC meeting.

Submitted by: Rana DeBey  
September 7, 2021



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