

REGULAR CABLECASTING BOARD MEETING MINUTES - AUGUST 16, 2000 - PAGE 1

Present: Brower, Devereaux, Kuhne, Laidlaw and Spivak - Birmingham  
Borgon, Lacroix and Pfeifer - Beverly Hills  
DiSessa - Franklin

Absent: Leckie - Bingham Farms

Also present: Hagaman - Cable Administrator  
Currier - Attorney for Cablecasting Board  
Colgan - Municipal/Library Access Channel  
DiMaria - MediaOne representative

Kuhne called the meeting to order at 7:50 a.m. in the Rotary Room of the Baldwin Public Library at 300 W. Merrill Street. Kuhne welcomed Dorothy Pfeifer, newly appointed member representing the Village of Beverly Hills.

**APPROVE MINUTES OF SPECIAL CABLECASTING BOARD MEETING OF JULY 27, 2000**

MOTION by Laidlaw, supported by Devereaux, that the minutes of a special Cablecasting Board meeting held on July 27, 2000 be approved as submitted.

Motion passes unanimously.

Kuhne remarked that a bylaws committee was established at the July 27 meeting. The committee consists of Borgon as chair, Brower, DiSessa, Kuhne and Laidlaw. Kuhne related that Currier has provided him with a copy of the bylaws used by the ICCA consortium. This document will be distributed to the committee members to be used as a model for drafting bylaws for this body.

**PEG ACCESS**

A Request for Proposals for Cable Access Management was finalized and approved at the last meeting. Legal notice advertising the RFP was published for two days in both the Oakland Press and the Birmingham Eccentric newspapers. The documents were distributed to Bloomfield Community TV, Create Tech, and Community Media Network in Troy. Proposals must be submitted to the Birmingham City Clerk's office by 2:00 p.m. on August 28, 2000.

The board discussed the procedure for reviewing proposals and selecting a vendor to provide cable access management. Hagaman will distribute copies of the proposals received to each board member. The RFP requests that samples of previous work be submitted with each proposal. These video tapes will be circulated among all board members.

The PEG subcommittee will meet before next month's board meeting to evaluate the proposals and make a recommendation to the board. A representative from each vendor will be asked to attend the committee meeting to ask and answer questions.

The board as a whole will consider the proposals at the regularly scheduled September Cablecasting Board meeting.

Hagaman related that a group from Community Media Network will be meeting tonight to discuss the RFP and determine whether their organization is interested in submitting a proposal. She agreed to be available to answer any questions they may have. A representative from Community Media Network will contact Hagaman to let her know whether the board should anticipate a proposal from them.

Devereaux commented that it was mentioned at a previous meeting that MediaOne is responsible for providing public access for six months after the approval of the franchise renewal by the communities. He questioned if there is a date certain for the termination of that service.

Kuhne commented that this will be a moot point if a PEG provider is selected next month and is operational by October 1.

DiMaria responded that there may be some flexibility relative to providing public access service, which is the reason that he does not want to set a definite date. Depending on the vendor selected, MediaOne may have to build a link from the studio to the head end to serve the consortium.

One of the outstanding issues is transferring the title to the mobile van from MediaOne to the consortium. The housing of the van and liability insurance coverage is being worked out by the communities.

Laidlaw suggested that Lisa Martinico, Director of Technology for Birmingham Schools, be asked to sit in on the PEG committee meeting to assist with the review of proposals for Cable Access Management.

Laidlaw commented that the public access facility on Eton Street is closed. Public access is being managed at the Southfield facility at 27800 Franklin Road. He has observed that public access Channel 18 programming is general area programming and not specific to the Birmingham area.

## **MEDIAONE RELATED TOPICS**

### Subscriber Complaints

Hagaman reviewed complaints that were held over from last month because a MediaOne representative was not present to respond to them. One of the major issues is that high speed Internet access is not available in all areas of Birmingham. When people call to ask about broadband service, they are told that it may not be available until the end of the year.

DiMaria checked with the contractors in the field and reported that, if everything goes smoothly, the remaining nodes are expected to be released for final quality control check in the next week. If the nodes pass the final quality control check, they can be released for marketing quickly. The only reason for failure would be a bad link. He commented that the customer service representatives may be saying that broadband will not be available until the end of the year so as not to be held to a specific date. DiMaria thinks that all the nodes in Birmingham will be certified within the next 30-45 days.

Hagaman expressed the view that MediaOne should offer these customers a special incentive to subscribe to Roadrunner since many of them have been waiting more than a year to receive broadband.

Hagaman related that calls continue to be received after every storm with complaints about MediaOne's initiation of the federally mandated Emergency Alert System, which requires the cable provider to interrupt all programming when the EAS is activated. She is informed by MediaOne that the software needed to limit the warnings to specific zones and remove alerts for storm watches is on back order.

DiMaria explained that there were two problems. One involves digital subscribers. Digital subscribers watching television are automatically switched to Channel 6 (PBS) during a weather notification and are not switched back automatically. The software to fix this problem has just been and has been on back order. This fix is scheduled for next Monday night. He added that there is also a back order for equipment that would zone out warnings by county. This equipment may not be available until October.

DiSessa entered the meeting at 8:20 p.m.

Hagaman stated that many of the complaints from the June and July meetings have been resolved. There are still problems with inadequate service and poor attitude from MediaOne customer service representatives. She suggests that MediaOne consider organizational changes that would give authority to some CSRs to make decisions and remedy problems. She questioned the policy of supervisors on staff past 6:00 p.m.

DiMaria stated that supervisors have staggered shifts that extend to 11 p.m. There are also Alead≅ CSRs who have more experience and authority. A regular CSR can pass a call on to them. Problems should be escalated according to established protocol. DiMaria commented on the training and testing of CSRs, noting that the only thing the company can do is be diligent about it.

Hagaman commented that there was a request from the Beverly Hills municipal office for broadband service. She asked DiMaria to explain how this is handled.

DiMaria stated that there is a survey scheduled for the Beverly Hills municipal building to determine if there is a proper feed. He explained that the cable company does not yet offer a commercial or government product for high speed Internet service. The availability of the commercial plan should be in place by year end. DiMaria stated that the company's costs for broadband are 25-50 percent lower than an ISDN or T-1 line. MediaOne may offer an additional 10-15 percent government discount.

#### Monthly Subscriber Statistics

DiMaria pointed out that a line has been added on the report to track MediaOne Roadrunner in the subscriber connection information reporting.

Laidlaw questioned the difference between rebuilt Basic and rebuilt Satellite. DiMaria related changes that will occur next month in Basic Service. Rebuilt Basic will be Basic 1 and Rebuilt Satellite will be the mini-tier, which is Basic 2 and 3 combined.

Laidlaw asked what percentage of subscribers have the digital service. DiMaria stated that the number varies community to community from 10-25 percent. The average is probably 10 percent.

#### Monthly Access Report - Local Origination and Public Access

DiMaria stated that a local origination program report has not been generated because there are no longer requirements as to the amount of hours of programming. There will be a lot of high school sports covered locally this fall. DiMaria will try to provide the board with a schedule of what is being done with respect to local origination in the community. MediaOne will be in Shain Park taping the Woodward Cruise event in Birmingham.

Laidlaw mentioned that there is no printed schedule nor electronic display schedule for Channel 25. Part of this channel is leased access. DiMaria stated that the channel line up is available at the cable office. Laidlaw suggested that the Observer & Eccentric newspaper be requested to publish a program guide to channels 15, 18 and 25.

#### **ADMINISTRATOR'S REPORT**

Hagaman summarized the preliminary financial statements for the fiscal year ending June 30, 2000. The revenue and expense report will be finalized when all the revenue for the fiscal year is received.

Borgon had questions about an upcoming conference Hagaman plans to attend in September in Los Angeles. Hagaman stated that it is a full, working conference sponsored by the National Association of Telecommunications Officials and Advisors (NATOA). Experts in the field are brought in to cover a wide variety of topics including legal aspects of a franchise, changes in state regulations, technology changes, rights-of way in municipalities, and the future of telecommunications. It is an opportunity to discuss mutual concerns and the direction of telecommunications with other people from around the country. Hagaman affirmed that the information gained at the NATOA conferences has been valuable to the board.

DiMaria added that Hagaman is able to talk to people who own the companies and discuss local concerns. Last year she talked with top representatives of Comcast and AT&T.

Hagaman reported that Beverly Hills has started the process of having its council chambers wired for cable. Stan Pasioka will oversee the project. MediaOne has recommended that Beverly Hills work with CSG in Troy on the wiring operation. CSG has completed a similar wiring project in the City of Brighton. DiMaria commented on the proposed system which he believes will meet the needs of Beverly Hills.

#### **MLAC 15 REPORT**

Colgan presented highlights of the July production report.

Laidlaw asked if Create Tech plans to do any coverage of the Woodward Dream Cruise. Colgan indicated that Create Tech is putting a proposal together for next year's Dream Cruise. They are not covering the event this year because it is outside of the programming format and budget provided to MLAC 15 by this board. The Dream Cruise is not within the purview of municipal and library access programming.

### **OLD BUSINESS**

Laidlaw asked several questions about the cable administrator position and office.

Hagaman offered the board members background information on the cable administrator position. Before the position was created, the City of Birmingham and the Village of Beverly shared the responsibility for assisting this board, rotating that obligation every six months. The practice was not successful, and the board did not receive the assistance it needed. The municipalities agreed to fund a cable administrator position and advertised to fill that role.

None of the municipalities had office space to accommodate this employee. It was a decision of this board that the individual hired would have their own office, and the board had no objection to this being a home office. The board has furnished a telephone and file cabinet for the administrator's position. All other equipment is the personal equipment of the administrator, which includes computer, software program, and printer. The board reimburses the administrator for supplies and travel expenses relating to the position. This arrangement has worked out well and has not been a problem for the board.

At the time this position was created, it was not known how much time would be required to fulfil the responsibilities of this board. It became quickly apparent that the hours would have to be flexible to accommodate meeting requirements to coincide with the schedule of the volunteer board. The position is salaried.

In response to a question by Laidlaw, Hagaman indicated that she has the capability of handling FOIA requests. Additionally, the municipalities have the originals of the major documents, which would most probably be requested.

Kuhne commented that a job description outlining the duties and responsibilities of the cable administrator position is available.

### **NEW BUSINESS**

Kuhne referred to a letter dated August 14, 2000 from MediaOne to Tom Markus, Birmingham City Manager. MediaOne agreed through the terms of the Franchise Agreement entered into with the City of Birmingham to build a Wide Area Network for Birmingham. MediaOne is asking Markus to review the locations attached to the letter and confirm that they are correct so that MediaOne can order fiber optic lines to begin the construction phase. Once the letter is signed, MediaOne will have 12 months to complete construction and activate the new network.

Hagaman informed the board that the \$400,000 grant from MediaOne for PEG access operation was deposited in Franklin Bank and is earning approximately \$1,600 a month in interest.

DiMaria announced that Greg Cannon has left MediaOne at the local level and is now overseeing the Comcast trade at the national level. DiMaria is preparing an organization chart that will indicate who is responsible for what.

### **BOARD COMMENTS**

Devereaux reminded the viewers that these are public meetings and everyone is welcome to attend. Kuhne stated that there are two open positions on the board for Birmingham residents.

### **PUBLIC COMMENTS**

DiMaria thanked Tim Currier for his assistance and that of his law firm in working with MediaOne on complicated legal issues relative to offering telephone service in this consortium.

Currier stated that this board does not deal with telecommunications. MediaOne has a franchise to offer cable television. The franchise that permits MediaOne of Michigan to offer cable television does not give them authority to offer telecommunications. Under the Michigan Telecommunications Act, they can secure a right-of-way permit to offer telecommunications. These permits have been authorized by statute since 1995. Most communities are now getting deluged with right-of-way permits for telecommunications. Currier noted that there is a large amount of litigation pending.

MediaOne Telecommunications approached the City of Birmingham for a telecommunications permit to use excess fiber optic capacity to offer its service. MediaOne Telecommunications has been authorized to use the rights-of-way in Birmingham on a specific route for telecommunications. Birmingham has issued telecommunications permits to other companies. Currier clarified that the telecommunications branch of MediaOne cannot offer cable television, and the cable television branch cannot offer telecommunications.

Dorothy Pfeifer informed the board that the Beverly Hills Council at its August 8 meeting accepted the resignation of Deborah Lowmaster with thanks for her service. The Council appointed Pfeifer as its representative to the Cablecasting Board with a term of office to run concurrent with her term as council member.

The meeting was adjourned at 9:28 a.m.