

## **UPTV Commission Minutes 01-18-08**

**Members Present:** Barbara Gladney, Peter Resnick, Danielle Chynoweth, Greg Boozell and Durl Kruse

**Members Absent:** David Adcock, Carol Inskeep and Dana Mancuso

**Staff Present:** Kate Gorman and Doug Miller

The meeting was called to order by Chair Gladney at 12:03 p.m.

As a quorum was not yet present to approve the minutes, Chair Gladney asked to begin with the Staff Report. Gladney introduced the new UPTV Station Manager, Kate Gorman, to the Commission.

In the Staff Report, Kate Gorman gave an update on community outreach activities, including a mailing effort to increase local programming. Gorman announced the addition of University High School to UPTV's sports coverage, the development of PSA's with City of Urbana departments, and that the UPTV website is undergoing content and format changes. Gorman hopes the Outreach Coordinator position particulars will be determined in the near future and would like to get an intern to help with outreach in the interim.

Chair Gladney noted that an intern would be helpful, and directed Gorman to Parkland College as a useful resource.

Commissioner Chynoweth agreed that an intern would be beneficial, but pointed out that an intern could not fully replace the Outreach Coordinator due to the high level of communication and organizational skills necessary for the position.

Chair Gladney recommended that a member of the UPTV Commission be part of the search committee for the Outreach Coordinator.

Commissioner Kruse requested that the next UPTV Commission meeting's Staff Report include UPTV's budget for the fiscal year.

Chair Gladney commented that the Commission's role is to provide advice, and could assist UPTV staff with information about equipment needs. Gladney also noted that Commissioner Kruse is a good resource for information about budgetary concerns.

Chair Gladney noted that a quorum had been reached, and recommended that the minutes be approved. Gladney thanked Doug Miller for his help as the interim staff member.

Commissioner Resnick motioned to approve the minutes for December 10, 2007. Commissioner Kruse seconded this motion.

Chair Gladney asked to move Correspondence to the next item on the agenda. Gladney summarized a letter the Commission had received from Timothy Brumleve. Brumleve stated in the letter that he does not believe the Commission should limit the number of times a single episode of third party programming can be aired. Chair Gladney stated she would make the letter available for the Commissioners to read.

Chair Gladney began the discussion on UPTV's Policies and Procedures, starting with the changes to Section 1.2. It was decided to use the previous draft, so as to not penalize those who are not cable subscribers.

Doug Miller confirmed that the complete version from 2004 was now being used.

Chair Gladney noted that the fee regulations had been changed, and the recommendation by the commission to Urbana City Council would be to waive the fees for membership at UPTV.

Commissioner Kruse recommended that membership fees be waived during the period of franchise negotiations.

Chair Gladney asked Doug Miller if the fees for non-cable subscribers had also been removed from Section 1.3. Miller confirmed that they had.

Commissioner Resnick pointed out that the "effective" dates on the top of each page had been changed to reflect the current date, not the actual date the policy was accepted. Resnick asked that this be corrected for reference clarity.

Doug Miller went on to suggest a thorough reading to change all mentions of "Insight Communications" to "Comcast." Commissioner Boozell recommended changing "Insight" to "cable provider" instead of a company's name.

Chair Gladney mentioned the changes to Sections 3.3 and 3.4 limiting the number of times non-locally produced programs could air.

Commissioner Boozell recommended changing the last sentence of Section 3.3, "Non-local programming may only be shown..." to "A non-local single program may only be shown..."

Commissioner Chynoweth motioned to approve the change to the last sentence of Section 3.3 to "A non-local single program may only be shown four times annually." Commissioner Boozell seconded the motion. The recommended change was passed unanimously.

Chair Gladney mentioned a similar line in Section 3.4 and Kate Gorman clarified that a single episode in a non-locally produced series may run two times. Gladney also requested a close reading for typographical errors.

Commissioner Chynoweth asked that the fees listed on page A.2, titled “Applicable Charges,” reflect the amounts listed in Section 1.2.

Commissioner Chynoweth motioned to send the UPTV Policies and Procedures to the City Council with the recommendation for approval and that the membership and equipment rental fees are abated through the term of the franchise negotiation process. Chynoweth included the possibility of friendly amendments. Commissioner Resnick seconded for purposes of discussion.

Commissioner Boozell recommended that a letter accompany the Policies and Procedures outlining all of the changes made in these sessions.

Commissioner Chynoweth recommended that Commission members receive copies of all materials under discussion prior to the meeting, to provide time for the members to familiarize themselves with the materials.

Commissioner Resnick moved that Section 3.12 be removed or folded into Sections 3.3 and 3.4. Commissioner Chynoweth took it as a friendly amendment.

Chair Gladney motioned for the addition of “Urbana Free Library” to Section 4.3, page 1, and Section 4.4, page 1, in the sentence “The Urbana School District and Urbana Park District are established as government members of Urbana Public Television.” Commissioner Boozell seconded the motion.

Chair Gladney mentioned the previous changes to Section 5.1 and 5.2 concerning violations. Doug Miller confirmed that the changes gave more discretion to the UPTV staff members on how to deal with offenders.

Doug Miller pointed out in Section 5.3 that “The UPTV Station Manager is authorized to issue warnings...” was changed to “UPTV Staff are authorized to issue warnings...”

Chair Gladney reviewed the minor changes made to Section 6.1, “tape” to “media” and in Section 6.2 the cost of a dub was reduced to \$10. Doug Miller confirmed that Sections 6.3, 6.4, 6.5 and forms A.1 and A.3 had not changed from the previous draft, and also confirmed the changes to form A.4.

Chair Gladney asked for a vote on the previous motion made by Commissioner Chynoweth to send the UPTV Policies and Procedures with friendly amendments to the City Council. The motion passed unanimously.

Commissioner Kruse brought up discussion concerning UPTV’s mission statement. Kruse asked if it would be appropriate to include a final draft of the mission statement with the Policies and Procedures when submitted to the City Council for approval. A draft of the mission statement was read: “The mission of UPTV is to empower individuals and organizations in using community media resources to speak out freely, honestly and with mutual respect and thus to promote the expression, understanding and

appreciation of diversity in our community.” Kruse also read the addition made by Commissioner Mancuso, “The mission of UPTV is to provide the tools for local individuals and organizations to create and telecast or air non-commercial television programming that reflects a diversity of view points.”

Commissioner Kruse requested the Commission give their opinions on the language used in the presented versions of the mission statement. Kruse then moved that the Commission adopt the revised draft.

Commissioner Resnick voiced concern that the mission statement discussion was not on the agenda, and he would like more time for the Commission to consider the revised draft. Resnick requested that the drafts be sent to the Commission members and discussed at the next meeting of the Commission.

Chair Gladney began the discussion of UPTV’s Rules and Regulations. Gladney directed the members to the section stating “The mayor shall designate the chairperson of the UPTV commission.” Chair Gladney commented that previously, the members felt the chairperson should be voted in by the members of the Commission, not appointed by the mayor. Gladney pointed out that the Champaign-Urbana Joint Cable and Telecommunications Commission members voted on their chair.

Chair Gladney recommended that the Commission suggest to the City Council that the Rules and Regulations are changed to include a commission-elected chairperson.

Commissioner Chynoweth expressed concern that this change would make the chair selection method different from all the other commissions of the City Council. Chynoweth suggested that the section read “The mayor shall designate the chairperson of the UPTV commission. If the mayor does not designate a chairperson, then the UPTV Commission shall designate its own chair.”

Commissioner Chynoweth commented that she would like to see the UPTV Commission play a stronger roll in advising the City Council about specific motions affecting UPTV.

Commissioner Resnick pointed out, in Section C of the Rules and Regulations that the Commission can amend the rules as necessary, but changing who designates the chairperson would mean an ordinance change.

Commissioner Chynoweth recommended bringing any other changes to the rules or policies to the City Council at the same time the Policies and Procedures are up for discussion. Chynoweth encouraged the Commission to bring to her any of these changes and she would present them to the City Council.

Commissioner Chynoweth recommended taking an advisory vote on the current Policies and Procedures and Rules and Regulations, review the texts and send any comments or changes to Kate Gorman for final compilation. Then the Commission can decide with

the changed final draft whether to put it on the Council's agenda or bring it back for discussion at the next Commission meeting.

Chair Gladney provided an update on the Champaign Council's resolutions on the franchise renewal. The Champaign Council has approved the addition of a 5<sup>th</sup> channel, without expressing the type of programming to be broadcast on it. The Champaign Council has passed a resolution that no city funds or cable fees will be used for public access.

Commissioner Chynoweth provided an update on the Urbana Council's resolutions on the franchise renewal. The Urbana Council passed a resolution to accept the needs assessment by the cable consultant. The Council also made a motion to create a joint public access steering committee including staff from both Champaign and Urbana and cable commission members. The steering committee will look at funding options, sample budgets, staffing needs, governance concerns, studio space requirements and transitioning from UPTV to the new location. The steering committee will report back to both Councils no later than October 2008.

Commissioner Chynoweth clarified that the resolution passed by the Champaign Council was tentative, with the final vote on February 5<sup>th</sup> at 7:00 pm.

Commissioner Chynoweth reported that the Public Access Committee of the Joint Cable Commission was dissolved after completing their own community assessment.

Commissioner Chynoweth thanked Commissioner Kruse for writing the motion Chynoweth put before the Urbana Council.

Chair Gladney invited the audience member to come forward and state any questions or comments he might have.

The audience member identified himself as Dwain Berggren who lives at 108 West Palms in Urbana. Berggren is a member of East Central Illinois Water Supply Planning Committee. Berggren expressed interest in using UPTV to let the community know about water supply concerns, and publicize the activities of the committee including the research gathered.

Commissioner Chynoweth thanked Berggren for his comments and encouraged his committee's involvement in UPTV programming.

Commissioner Boozell brought the discussion back to the upcoming franchise agreement and asked when the City Councils would sit down with Comcast Cable. Chair Gladney answered that it would be after both Councils passed approval of each version of their city's needs assessment.

Commissioner Kruse commented that they were waiting on final action from both City Councils. Kruse added that the negotiations would begin with Comcast Cable's local

staff members, but he expressed concern over how those negotiations would proceed at the local Comcast offices. Kruse believed those sessions would begin in February.

Commissioner Boozell gave an update on Comcast Cable, stating that back in November, Comcast had initiated a plan to move Michigan's PEG Channels to the nosebleed digital tier, making non-digital subscribers unable to watch the PEG programming. Some of the affected municipalities sued Comcast, and a federal judge issued a stay so Comcast was not allowed to continue this practice. Congressman Dingell of the House Energy Committee wrote a letter to Comcast voicing his disapproval. Dingell was dissatisfied with Comcast's response and has initiated congressional hearings, to be held on January 29<sup>th</sup>, about the future of PEG access television. Boozell recommended contacting your representative in support of the hearing.

Commissioner Resnick added the US Congress website is [www.house.gov](http://www.house.gov).

Commissioner Boozell stated that in Chicago and Michigan, organization is underway to send individuals to give testimony at the hearing. Congress is also considering bringing the FCC before the hearing to explain past anti-PEG behavior. Boozell added that AT&T now holds a state franchise, and could come to the Urbana-Champaign area. The cities would then have the obligation to remind AT&T they must carry the local PEG channels within 90 days. AT&T often carries PEG channels at an inferior video quality level, causing the Illinois attorney general's office to examine their policies.

Commissioner Chynoweth asked if the cities themselves have a time frame that they must notify a new franchise of their PEG obligations. Commissioner Boozell responded he did not believe there was a time frame, but that he would check the regulations.

The next meeting was set for Monday, March 10 at 12:00 pm.

The meeting was adjourned at 1:00 pm.