



Telecommunications for the New Millennium

**Telecommunications Task Force
Wednesday June 1, 2005
Special Meeting Minutes**

**Community Chambers
23 Russell Blvd.
6:30 p.m.**

Members Present: Tina Burkhart, David Klem, Richard Lowenberg, Stephen McMahon, Kari Peterson, and Richard Yamagata.

Ex-officio: Robert Schulz, Rick Guidara, Harriet Steiner, City Attorney

Staff Liaison: Jerilyn Cochran

Council Representative: Sue Greenwald

- 1. Call to Order** The meeting was called to order at 6:44 p.m.
- 2. Approval of Agenda** The agenda was approved as submitted.
- 3. Member and staff communications**
- 4. Public communications:**
 - 3 people who could not stay for the full hearing spoke and addressed the following issues:
 - Expressed strong support for local community media.
 - Comcast should provide significant support for Public, Educational, and Government (PEG) programming.
 - Wants to be able to provide and use more PEG services.
- 5. Public Hearing: Draft Agreement for Renewal of Franchise allowing Comcast Corporation to provide Cable Services in Davis.**

Steve McMahon introduced the agenda item and outlined the process the Task Force will follow during public comment and discussion of this item.

Comcast staff gave a short presentation on community involvement by Comcast.

Staff gave a brief overview of the franchise renewal process, and then presented a section by section overview of the draft proposed franchise agreement.

Steve McMahon opened the public hearing, and polled those present on areas of interest. Public testimony was then taken by topic area. A total of 11 different people spoke on a variety of issues. The following issues were expressed during the public testimony:

PEG related issues:

- Proposed PEG support does not meet levels identified in the needs assessment process.
- Section 6.2 allows for additional channels, but no support is provided for additional channels
- Davis Community Television (DCTV) cannot meet community needs solely using support provided through franchise.
- Concern that Comcast wants to eliminate PEG services.
- Comcast should support PEG as a means of increasing subscribers.
- Section 6.1 “first come” language does not reflect current methods of providing PEG services
- Section 6.2 number of years before additional channels available too long
- Section 6.4 “entire system” digital language is unclear
- Section 6.5 what is the cost, what is a typical channel?
- Section 6.11 why are business customers excluded?
- Payment schedule – can Comcast pay monthly, not quarterly?
- Section 8.1 franchise fees and bundling, concern about shifting cable related service costs to non-cable related services to avoid franchise fees.
- Overall PEG support is inadequate.
- More PEG support would allow more use of PEG services.
- “Fallow Time” language might allow Comcast to take away PEG channels or damage the “branding” of PEG channels.
- More than 30 days notice needed for channel relocations.
- PEG helps build community, should receive more support.
- Section 6.6 remove non-competition language.
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Customer Service related issues:

- Too big of a gap between bottom service package and next lowest priced package. Need more options.

- Having to pay for service that requires a service visit to disconnect, but Comcast can't schedule an appointment for more than two weeks.
- Concern that quality of work is poor because of Comcast reliance on contract workers.
- Concern that Comcast does not properly monitor contract workers.
- Service costs too high, need more lower cost options.
- Customer services need to be improved for the non-technical, elderly, and mobility impaired.
- Need to improve tracking of customer service issues.
- Quality of service provided by Comcast for the Institutional Network (I-Net) may be poor due to use of contract workers.

Other issues:

- Thanked Comcast for \$75,000 grant provided to Explorit Science Center.
- 13 year term seems long, particularly given the technology changes that have taken place over the last 13 years.
- Gross revenue language should be improved, all possible cable related services should be included in gross revenue.
- Concern that Comcast has a record of anti-union practices.
- Concern that Comcast wants to control the information coming into the community.
- Section 14.1 should not grant immunity to Comcast for labor disputes.
- Potential for closure of Davis customer service office.
- Prevailing wage type language should be included.
- Recent system upgrade was not to the current state of the art.
- No ability to address keeping the cable system current with technology.
- "Level playing field" language should be deleted.
- Agreement does not address third parties such as Davis Community Television (DCTV), Davis Joint Unified School District (DJUSD), and Davis Community Network (DCN).
- I-Net is a joint project between the City and DJUSD, but DJUSD is not mentioned in the agreement.
- How will PEG services be provided in the future? Need to re-evaluate service provision model.
- Section 3.4 tree trimming – notice should be provided to residents as well.
- Section 1.23 qualified I-Net user, language should be broader, believes language conflicts with Section 12.9 PEG origination use.
- Comcast should not have a say in the use of the I-Net.
- Section 12.9 should be deleted, as long as use is non-commercial, Comcast should not have any input.
- Section 2.7 should be removed, believes it allows Comcast to interfere with negotiations with an overbuilder.

- Concern that Comcast is only demonstrating community involvement due to franchise renewal process, and support will go away once franchise is renewed.

Steve McMahon closed the public hearing.

Following discussion of the public testimony, and Task Force questions of staff, the Task Force directed staff to conduct further discussions with Comcast on thirteen issues, and report back at the next Task Force meeting:

- Definition of qualified I-Net user, and how that relates to DCTV and DCN
- Bundling and Franchise Fees
- Level playing field language, “considered as a whole”
- Digital conversion, “typical commercial channel”
- Non-compete language is too broad (PEG and I-Net)
- Bulletin Board exclusion from channel hours count for additional channels
- Channel relocation – excessive moves, more notice
- I-Net construction standards
- I-Net maintenance costs
- Basic Tier level of service – tier including PEG – most common tier
- PEG fees on business services
- Re-opener, technology over term of franchise
- Warranty and standards for I-Net fiber

6. Adjournment The meeting adjourned at 11:11 p.m. The next Task Force meeting is scheduled for Monday June 6 at 1:00 p.m., at the Hunt Boyer Home, 604 Second Street, Davis, CA.