

CATV Special Committee Meeting Minutes (DRAFT)

Date: August 17, 2023
Time: 4:33PM – 5:25PM
Location: Howard Office Building
ITS Enterprise Conference Room
700 President Ronald Reagan Way
Nashville, TN 37210

Committee Members Present: Tim Garrett (Chair), Mark Rowan (Vice Chair), Karen Southall, Theresa Driver, Jackie Shrago (late)

Others in Attendance: Dawn Clark (Assistant Director of IT Services), Chris Singleton (Metro ITS), John Ferguson (Metro ITS), Theresa Costonis (Metro Legal), Erin Haber (Metro Legal), Cameron McCasland (PEG Studio Manager, Nashville Public Library), Eric Lowy (PEG Studio Staff, Nashville Public Library), Kim Sasser-Hayden (Comcast)

Committee Members Absent: Stephanie Nesbit, Vacant Board seat.

Welcome: Mr. Tim Garrett called the meeting to order.

Minutes review & approval: Motion from Mr. Mark Rowan to approve 07/12/22 meeting minutes. Ms. Karen Southall seconded the motion and it passed unanimously.

Election of Officers: Mr. Garret requested moving the election to the heel of the agenda without objection.

Open Business:

Comcast Presentation:

Mrs. Kim Sasser-Hayden delivered a brief overview including annual service calls, outages and complaints. In addition, Mrs. Sasser-Hayden reported that Comcast was looking forward to negotiating a new franchise agreement with Metro Nashville stating that Comcast has new leadership and are exited to come to an agreement that works for both parties. Mrs. Sasser-Hayden went on to educate the Committee on some of the new features of Comcast's 10Gig network offerings and highlighted how Comcast is working with Metro's new Digital Inclusion Officer, Ms. Pearl Amanfu to address Digital Equity.

Franchise Funds: Mr. Chris Singleton, IS Division Manager for Metro Nashville Network (MNN), began with a review of the 2022 PEG Capital Fund balance projected versus actual following the allocation of funds. Projected yearend balance was \$1,093,170 as approved at the July 12, 2022, meeting. The actual Capital Fund, after purchases netted \$1,116,919. The PEG Capital Support Fund for this year was supported by Comcast's local franchise agreement of \$200,000 and included a pro rata allotment from DIRECTV Uverse at a contribution of \$12,117 and \$180 for United Communications to begin this year's balance at \$1,329,216.

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Mr. Singleton presented a proposal of \$62,000 for Metro Nashville Network (MNN), be allocated for the purchase of four new cameras replace the end-of-life current cameras located in the Historic Courthouse's Council Chambers.

As for the PEG Studio, Mr. Singleton requested the sum of \$45,778 to purchase equipment that members and NECAT staff have specifically requested for the PEG Studio. Additionally, Mr. Singleton request on behalf of the Nashville Public Library and NECAT, the sum of \$30,000 be available for any emergency maintenance and/or repair work. Should the money not be needed, it would roll back into the fund.

The grand total of the PEG Capital Fund minus the requested purchases would leave \$1,191,438 that would continue to be earmarked for a new PEG Studio to be built or acquired before 2025. Mr. Rowan made a motion approve the funds proposal as outlined by Mr. Singleton. Ms. Theresa Driver seconded the motion. The vote was unanimous.

Cable Franchise Agreement:

- i. Committee responsibilities: Ms. Theresa Costonis, Metro Legal, briefly reviewed that the Committee is charged to assist with the negotiation of a local cable franchise agreement. The Committee would issue a recommendation for approval to Metro Council.
- ii. Progress Update: Mr. Singleton provided the Committee with a progression timeline that began in October 2020 with Comcast provided notice of intent to renew an agreement. Mr. Singleton took the Committee through the hiring of an outside firm to perform an audit and the community needs assessment. He informed the Committee that the final report should be obtained within the next few weeks and a copy of the report should be submitted to them once available. Mr. Singleton also reported to the Committee that several obstacles have been identified at both the state and federal levels. The State Legislature passed bills that changed the definitions of "cable service" and "video services" to exclude streaming services. Those bills signed into law weeks later by Governor Bill Lee. Along side the state, it seems the Federal Legislature may also limit the ability of local municipalities to charge cable providers with a right-of-way charge. At the time of this meeting, this topic has only been broached in a House Committee and not before Congress as a whole.

Election of Officers: Mr. Garrett opened the floor for annual election of Committee Chairman and Vice Chairman. Mr. Rowan formally nominated Ms. Jackie Shrago to the position of Chairman. Motion was seconded by Ms. Driver. With no other nominations, the Committee voted unanimously in favor. Mr. Rowan nominated Mr. Garrett to the position of Vice Chairman. Ms. Southall seconded the motion. With no other nominations Mr. Garrett was elected unanimously.

New Business:

Public Comment Guidelines: Ms. Costonis review the new state law that allows for public comment at all municipal meetings. She provided the Committee with best practices and Metro Legal's opinion. After some discussion, Ms. Shrago made a motion to group the requirements into one group that would include providing:

- Staff will provide a physical sign-up sheet for public to request to speak at all future Committee meetings.
- The public comment period will be at the top of the meeting agenda.
- Limit the number of speakers.

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- Limit the amount of time each speaker will be allowed.
- The right to change these requirements at the will of the Committee at any time.

Mr. Rowan seconded the motion and Mr. Garrett opened the floor for discussion.

- After debate, Mr. Rowan moved to amend the motion limit number of speakers to 10 and the length of time each speaker will have to 2 minutes. Additionally, each person would only be able to submit their own request and not that of any other person or group.

The motion to amend was approved unanimously. The motion to group at the requirements of public comment period was approved unanimously.

- Staff will provide a physical sign-up sheet for public comment. Individuals will be allowed to sign themselves up to request to speak at all future Committee meetings.
- Public comment period will be held at the beginning of each meeting.
- The Committee will limit the number of speakers to 10 at each meeting.
- Each speaker will be yielded 2 minutes to speak.
- The Committee reserves the right to change these requirements at any time.

Public Comments: Mr. Garrett opened the floor for public comment. With no one wishing to speak, the Committee moved forward.

Close and Adjournment:

Mr. Garrett asked if there was any other business and seeing none, he adjourned the meeting at 5:25PM

*Submitted by Chris Singleton
August 22, 2023*