

Mr. Donald-Hardrick asked if there would be any conflict broadcasting live government programming. Mr. Adams responded no. Mr. Donald-Hardrick asked if it would be a problem if other government entities have broadcasts to air. Mr. Adams responded that he would have to see what it is and how often it would air. They have worked with the City in the past. Mr. Donald-Hardrick asked if it would be a conflict in the future. Mr. Adams responded that it can be discussed. He was not aware of anything at this time. He would have to also talk with his Board about additional programming. They would look at time availability and program availability. Mr. Donald-Hardrick asked if a city department has a 30 minute show, if there is no room on channel 22, could they air it in the future. Mr. Adams responded that he cannot address this at this time. They would work with the City and discuss. Mr. Donald-Hardrick stated that it is his understanding that channel 18 was allotted to TKN to show government programming. Mr. Adams stated he does not recall how governmental programming started airing on channel 18. Mr. Mumgaard added that in the early 2000s Cox asked the City to give up an access channel. The City Council decided to do that and designated channel 18 as the channel to carry the City Council and County Board meetings. An agreement was then reached with TKN. The current CTAC Board allocated 18 to show governmental and educational programming. In the future this could be reallocated. Channel 18 or 22 could be all government programming.

Mr. Weaver added that last month a proposal to have some government programming on channel 22 was made. There was an opportunity for some grant monies. The Board did not take action and it may be brought up again. Mr. Mumgaard added that the reason staff came forward with the request is because there is time available on 22. If additional government programs are developed on channel 18, it would take away current programming. To avoid that, staff is asking to use time on 22 as allowed. Mr. Donald-Hardrick asked if staff is making the request or TKN. Mr. Weaver responded that they are trying to be considerate of TKN. The reason the request was made is that there is time and grant funds available. It is worthy of consideration in the future. Mr. Cogar asked that in the event of an increase in governmental programming, will there be a problem accommodating new programming? Mr. Adams responded that when members produce new programming, they do their best to get on the air. Reruns are different. Some are different times of day so that more viewers can watch as they are available. Some are programs requested to be aired by instructors.

There was then discussion of the hours programs are aired, including reruns and availability for government programming. Mr. Fullerton clarified that TKN is made up of organizations that pay for this service. More government programming dilutes their fees. He agrees with the staff recommendation to fill out 22. Mr. Adams added that channel 109 is mostly run by Metro College. There was then discussion of reruns, rebroadcasts and operating procedures for TKN. Mr. Fullerton stated that this is a discussion for the future when channel 22 is full.

5a. Staff Update on Policies

Mr. Miller started by thanking Board members for meeting with staff to review the policies and procedures. He then reviewed programming when Cox had public access. There were about 20 producers who produced on a regular basis. Mr. Miller then reviewed the proposed programming matrix for future programming. He reviewed the categories of programming that

are proposed. This will not happen right away, but the proposal is to eventually go to this format. Part of the proposal is to rotate programming every four months. This will offer opportunities for new producers and prime time slots to more producers. So far approximately 53 producers have submitted release forms. Some have previously produced and some are new. Mr. Fullerton asked if there are enough hours for this many producers. Mr. Nelson added that not all producers use the CTAC location.

Mr. Donald-Hardrick asked if there is equipment available for streaming on the internet. Mr. Nelson responded that they are not set up for that. Mr. Donald-Hardrick asked about rebroadcasting. Mr. Nelson responded that an additional investment is needed to stream. Mr. Donald-Hardrick questioned that \$20,000 worth of equipment was purchased and it cannot stream programming. Mr. Nelson responded that that portion was not purchased. It is an additional module that can be purchased to allow streaming. He stated first things first.

Mr. Fullerton asked about the proposal for 30 minute shows. Mr. Nelson responded that producers with hour long programs will be told that the new matrix is not set up for that. What was done in the past is just that. There would need to be more channels to accommodate the shows. We are now trying to get more producers involved in public access. Mr. Miller stated that the proposed set up of the facility has never been done before. Having hour shows limits access to producers. If we do not get the quantity we can go back to some hour long shows. Editing equipment is now available to cut out some portions of the shows.

Councilmember Ben Gray then addressed the Board. He stated that the proposed matrix is not new. It was done this way when Cox began public access. They had a training facility to train people to do their own programming. The schedule was full during the day. The station was off the air from 11:00 p.m. to 6:00 a.m. There are limited resources. We are trying to get more people to bring in more programming to fill up the schedule. The new system will give producers an opportunity to make money for themselves as well. Hopefully contributions will come in with broader programming. Mr. Gray stated that branding is important. He is in support of the proposed matrix and stated that programming needs to include the entire City.

Mr. Miller then discussed proposed training. The proposal is for a fee of \$100 to train and become certified to use the equipment. A three person crew is needed to record. As long as a person continues to keep producing, there will be no other cost. There will be a portable equipment check out fee. There was also discussion of imported material. It was stated that this will be the last priority. When the schedule is full, the hour long shows will go away. Mr. Nelson stated that there is no fee for programs produced outside of the studio. They will just have to meet technical quality.

Mr. Cogar asked how producers are contacting staff with questions. Mr. Nelson responded various ways. As of now, most information is word of mouth. There has been no marketing.

Mr. Miller stated that today staff is asking for board approval of the policies and procedures. He added that they will likely change again. A meeting will also be scheduled with producers to review the policies and procedures. Mr. Donald-Hardrick stated he supports the

recommendation. He and Mr. Nelson discussed equipment. A list of equipment was requested to be provided to the Board.

Mr. Cogar asked if there will be any opportunities to offer live programming twice a week or more in the future or more religious programming on Sunday morning, whether generated by producers or viewer demand. Mr. Miller stated yes, but that is a decision for the future. The matrix will probably change as it grows. This is a starting point. There was then discussion of studio hours. Mr. Cogar also discussed intern opportunities to supplement the staff. Mr. Nelson is affiliated with Metro and has had preliminary discussions.

Mr. Lee stated that he has to leave the meeting soon but wants to go on record to support the proposed policies and procedures and clarification of scheduling needed to balance and broaden the reach with 30 minute programs. We are just beginning to see what we can do with this channel. The focus should be local content rather than what is produced outside of the area and brought in. Mr. Lee also agrees that this is a work in progress.

Dr. Mendenhall has talked with Mr. Miller about the schedule rotation every four months. She would like to split the issue of the policies and procedures into two votes – one for the matrix and one on rotating the schedule every four months. She has investigated this with other public access locations and cannot find anyone who rotates the schedule. She stated that viewers want to see the same program on the same day and time. There was additional discussion on this issue. Mr. Miller stated that staff recommends the changes be presented in one vote. There is no way to establish criteria for favoring one show over another. Private operations have the option to favor better customers. Government does not. However, if no one is asking for a particular time slot or someone wants to rotate, then a show could keep its time. Dr. Mendenhall stated that other entities have dealt with these issues and we should learn from them. The typical system seems to be first come first served. Mr. Miller responded that with that system no one new could get a certain slot. Mr. Donald-Hardrick stated that rotation is not a new system and is done in other markets. There was then discussion about what other markets are doing. Staff would work with producers to let viewers where their shows would be moved to.

Mr. Fullerton then opened the floor to public comment on this topic.

Kris Pierce, 12912 Curtis Avenue, Viewpoint.

(Mr. Lee leaves the meeting at 5:17 p.m.)

Mr. Pierce stated that his show is formulated around a Sunday morning type of show. He likes the matrix and diversity of programming and covering the community as widely as possible. He would however, like consideration for hour long shows. His show covers people, culture and diversity. Mr. Pierce stated that the Board needs to set standards. He stated that his show has adjusted and accommodated to changes when the Cox studio was no longer available. He added that producers that want to comply, will find a way. A system needs to be developed that everyone knows. He added that the new equipment seems to be far superior to what was available at Cox.

Jerry Harrison, 5520 North 50th Avenue. Mr. Harrison stated that the board only talks about public access channel, 22. He commented on public access in other cities. He asked the Board how many of them watched public access. He commented that other cities have lost public access for the Hispanic and black communities. Mr. Donald-Hardrick stated that work is being done to accommodate the entire city. He doesn't understand why anyone feels otherwise. Mr. Harrison commented further on current programming on 22.

Eddie Weldon, 4512 South 26th Street. Mr. Weldon commented on shows he has had on the air and would like to air again.

Dr. Bobbi Davis, 4947 Fowler Avenue. Dr. Davis stated that she has been involved with public access since the beginning. She has concerns about 30 minute shows and elimination of African American church services that cannot be done in 30 minutes. There has been talk about having enough programming, but restricting time is contradictory. The Board talks about being everything to everyone in Omaha, but is talking about cutting shows that have been on for a long time. The viewers want consistency. She feels that the new schedule has elimination rather than inclusion. Dr. Davis stated that the station has been inclusive in the past. She would like to see the return of call in shows. That is a good way to hear from the community.

Cheryl Weston, 811 Emmett Street. Ms. Weston stated that she feels the decision on the policies and procedures has already been made. She agrees that the rotation of scheduling is not necessary and that people want to watch the same shows at the same time and have call in shows. She stated that staff has stated they want to keep consistency and they are now contradicting that. She agreed that CTI was diverse and that the city study showed 12% viewership. Ms. Weston also stated that producers have adapted to the changes. She added that the seven day lead time deters relevancy.

Karl Elijah Ellison, 3916 North 17th Street. Mr. Ellison stated that he was with the group that instituted channel 22. It is an understatement that this proposal is not new. The same format was used when first introduced by Cox. Mr. Ellison discussed some of the history of public access. He also complimented the work of Chris Craddock over the years. He added that the Board needs to realize that TV is becoming passé. This format is returning to the beginning of public access. Streaming needs to be used if you are serious about exposing programming to the community.

Andre Davis, 7431 Pasadena Circle. Mr. Davis asked if the station is analog. Mr. Nelson responded yes. Mr. Davis stated that recording is done in high definition and digital and being broadcast in analog and asked why. Mr. Weaver responded that the Board previously asked that channel 22 be on the lower tier. He added that in the future everything will be digital. This is under FCC control.

Mr. Donald-Hardrick stated that based on input from the public and his knowledge, he would like to make a motion to approve the staff request. He would also like to make

sure that we have hook ups for the ability to stream in and out and that with the equipment purchased at this time, this can be accommodated.

Mr. Weaver stated that the Board has been tasked by the City Council to provide a station and PEG programming. Mr. Miller stated that they are still researching streaming. It requires much more than equipment. It would require a webmaster and more policies and procedures, and more money. Mr. Donald-Hardrick stated that he has seen systems for \$6,000-\$24,000. Mr. Miller stated that they have talked to DOT.Comm about the costs, but are in the very initial stage. We also would need the personnel to manage this.

Mr. Fullerton stated that the previous motion did not have a second.

Dr. Mendenhall then made a motion to separate the vote with one motion regarding the schedule rotation and the second motion covering the rest of the staff recommendation.

Mr. Brodsky stated that his motion would be against the schedule rotation and limiting programs to 30 minutes.

Mr. Gaughan asked Mr. Nelson that based on the concerns of the public, does he see the possibility in the future of having shows on demand. Mr. Nelson responded that the equipment being purchased is digital and the signal is digital, but it is going to an analog system at Cox. When Cox moves to high definition, KPAO is ready. The signal being put out is current technology, but where it is going is analog. On line streaming is another level. It involves bandwidth. Just putting something on the web does not mean viewers will get the program the way they want and there could be buffering. Mr. Weaver added that the Board demanded that the channel be analog.

Mr. Fullerton stated that Dr. Mendenhall asked if the question can be broken into two parts. Dr. Mendenhall stated, yes she would like that to be her motion. Mr. Fullerton restated that Dr. Mendenhall would like to have one motion to accept the template/proposal as presented and the other to delete the portion of the proposal that requires any rotation of programs.

Dr. Mendenhall then restated that her motion is that the material submitted by Mr. Miller be split into a proposal that we rotate shows every four months and second to include the other material about the grid and allocation of shows by content.

Mr. Donald-Hardrick stated that it is not fair to the staff to split this into two parts.

Mr. Mumgaard suggested the Dr. Mendenhall's motion be to approve the policies and procedures except for the rotation. The Board can vote on that and then another motion to approve the rotation portion. Mr. Brodsky can make a similar motion to approve the procedures as proposed except for the rotation and the half hour limit, basically a motion to amend the procedures to not include the rotation and the half hour limit. Mr. Brodsky agreed. Mr. Mumgaard stated that Mr. Brodsky made his motion first so that vote would be first. If it succeeds, then that's the end today. Procedures are approved without those two elements.

If it does not pass, would then vote on Dr. Mendenhall's motion. If that succeeds we have procedures approved except for the rotation. If neither succeeds, then another motion could be made to approve the procedures as presented. Dr. Mendenhall asked if she made a motion to accept as presented, would she have to vote for it. Mr. Mumgaard stated no.

Mr. Donald-Hardrick asked what the intent of staff was when this request was brought before the Board. Mr. Mumgaard responded that staff felt this was a workable proposal and should be considered. The Board is free to accept or reject. Mr. Donald-Hardrick then asked Mr. Miller if he stands behind the concept and wants to keep it together. Mr. Miller responded that this proposal was put forth to offer the most opportunity by rotating its 45 producers a day. If there is no rotation, then we must come up with criteria to choose who gets what slots. Mr. Donald-Hardrick asked if it was the intent of staff for this to be a whole proposal and that he is against separating into multiple votes. Mr. Weaver stated that staff brought forth the proposal. The Board can amend or vote how it wishes. Staff believes this proposal will be more accessible and doable with very little challenge of interpretation down the road. Staff will work with the decision of the Board. It is their decision, not staff. Mr. Weaver believes this is the best proposal. Mr. Donald-Hardrick believes there will be problems if not approved as presented.

Mr. Fullerton stated in following the suggestion of the Law Department, Mr. Brodsky's motion was first. **He repeated the motion as approving the proposal without schedule rotation and 30 minute show limits. Second by Dr. Mendenhall.**

Mr. Donald-Hardrick stated that the Board is micromanaging the station if we take this approach. We have a station manager and program manager capable of making decisions and following rules as written.

Dr. Mendenhall stated to split the vote does not mean we are trashing any part of the proposal, just voting separately.

Roll Call: Yeas: Brodsky, Mendenhall, Fullerton. Nays: Gaughan, Maguire, Donald-Hardrick, Cogar. Motion fails 3-4.

Mr. Fullerton then asked Dr. Mendenhall to repeat her previous motion.

Dr. Mendenhall stated that her motion is to split out the four month rotation element and consider that separately. Second by Mr. Brodsky.

Mr. Fullerton clarified that Dr. Mendenhall's motion would approve all aspects of Mr. Miller's presentation...

Dr. Mendenhall stated it is to consider the proposal, she's not saying approve, just consider them separately.

Mr. Mumgaard asked to clarify that the motion is to amend the proposal to not include the rotation element and approve it without that rotation. Is that the motion? If this passes,

procedures would go into effect without the rotation. That element or another alternative could come back in the future.

Motion by Dr. Mendenhall to accept the entire proposal except for the rotation. Second by Mr. Brodsky.

Mr. Donald-Hardrick again stated that he feels strongly that the Board should follow the staff recommendation.

There was discussion by Dr. Mendenhall on the motion and her vote. A vote for adopts procedures without rotation.

Mr. Miller added that the Board needs to consider that live programming can only accommodate so many. If the schedule is not rotated, it could create problems. Mr. Mumgaard stated that another idea will have to be presented to address problems.

Dr. Mendenhall asked to clarify that there will be no rotation if no one else wants the spot. Mr. Miller agreed. Mr. Weaver added that it is based on giving as many as possible an opportunity to get involved and have access.

Mr. Donald-Hardrick stated that this will create problems for the Board if we turn down the proposal. It is micromanaging the station. He is not in favor. This is why we hired personnel.

Roll call: Yeas: Fullerton, Maguire, Mendenhall, Brodsky. Nays: Cogar, Donald-Hardrick, Gaughan. Motion carried 4-3.

5b. Subcommittee Reports

Policies and Procedures – These were just approved. Mr. Weaver stated that staff will work on conflicts that may arise and bring forth another proposal. Mr. Donald-Hardrick stated that it does not make sense to create conflicts. Ms. Maguire asked if this could be brought back in the future. Mr. Mumgaard responded yes. Mr. Cogar added that changes can be made if something does not work. Mr. Weaver added that the document will change many times.

Website – Dr. Mendenhall stated that she would like to get the KPAO logo. Ms. Maguire stated that the subcommittee will meet again before the next meeting. Mr. Donald-Hardrick added that some of these items should be handled by the station manager.

Executive Committee – Mr. Fullerton stated that the subcommittee met with staff to get a construction update. That will be shared with the entire Board.

Industry Standards – Dr. Mendenhall stated that the name of this subcommittee is now Best Practices. She has contacted 18 other entities to get their experience. Dr. Mendenhall added that the other members of this subcommittee are Mr. Cogar and Mr. Brodsky.

6a. Construction Report

Mr. Weaver reported that the construction group has met and reviewed numbers. He then introduced Mike Oestmann of the Public Works Department, Facilities Maintenance. Mr. Oestmann stated that meetings on the project began in April. It was decided to use a design build concept with Prairie Construction and Schemmer Associates. The group has met with staff and reviewed needs. The permit approval process is underway. Construction will start as soon as approval is given. There is an approximate eight week timeline. Mr. Weaver added that the first estimate was about \$324,000. The group went through to reduce costs. Changing the air unit saved about \$17,000. It is still a top model but will be available sooner. Some duct work in the studio area was also cut. The estimate is now down to \$301,000. Mr. Weaver added that the landlord is providing \$5,000.

Mr. Oestmann then reviewed the plans. Mr. Weaver stated that the capability is built in to operate during storms. Mr. Fullerton asked if Mr. Oestmann was comfortable with Prairie and Schemmer. He responded that he is. They currently have two jobs with the City and have done many in the past. The City does not build studios, so needed people who knew what they were doing. Mr. Fullerton asked if the construction group is comfortable with the price. Mr. Oestmann responded that they are. Prairie goes through bids on all aspects. Mr. Donald-Hardrick expressed concern about the HVAC and duct work. Does it tie in to what there is. Mr. Oestmann responded that nothing is there, except some in the office area. There is no AC at all. Mr. Donald-Hardrick stated that the price seems out of place and high for that size. Mr. Oestmann responded that he has drawings of all mechanical. The duct work involved is quite intensive. There's a lot of work there to cool the space with equipment and lights. Mr. Gaughan asked if this was low bid. Mr. Oestmann stated that in a way. Prairie has done work and gets quality work. They did send out for bids. Ms. Maguire added that design build is different than design, bid, build. Mr. Oestmann stated that to go the other way would require a much longer timeline.

Motion by Mr. Donald-Hardrick to approve. Second by Ms. Maguire.

Motion clarified by Ms. Maguire to approve a design build contract with Prairie Construction to remodel the facility at 4725 "F" Street and construct a television studio and control room.

Mr. Oestmann added that the cost is \$301,054. Mr. Weaver added that the total minus the landlord donation is \$296,054.

Mr. Cogar asked Mr. Nelson if he is comfortable with everything. He stated that he is.

Mr. Gaughan asked if this is conceptual. Mr. Oestmann stated no, there are construction documents.

Second by Mr. Donald-Hardrick.

Mr. Cogar asked about the 4% profit level, if it was industry based. Mr. Oestmann responded that it is usually 6-12% but the working relationship with Prairie brought it down to 4%.

Roll call: All in favor.

6b. Update on City Council Action: Franchise Agreement, Ordinances and Resolution

Mr. Mumgaard reviewed the documents. A resolution will be presented June 25 that ties up loose ends from creation of the Board. They are:

- Moves interconnect fund money (approximately \$79,000) for use by CTAC.
- Another ordinance has six elements to clarify original ordinance and code. It has been sent to all Board members. Mr. Mumgaard summarized those points. There is an amendment requested by a Councilmember to reduce the board to seven members. Members would be city residents, not appointed by district, but nominated by Councilmembers. It eliminates the at-large appointments. No members could be active producers on the system. This will be up for vote on June 25.
- Another ordinance modifies the contract with Cox. They will no longer maintain the fiber line at CTI. They would have contractual obligation for the line at the "F" Street studio.
- The resolution will modify the bylaws for election of officers in October rather than January.

Mr. Donald-Hardrick stated that terms are being listed at one, two and three years, as opposed to two, three and four. Mr. Mumgaard stated that the assignment was random by Council district. It was decided by the Councilmember requesting the amendment.

Dr. Mendenhall asked for clarification on no active producers on the Board. Mr. Mumgaard stated that the amendment would drop the requirement to have an active producer.

Mr. Gaughan asked which Councilmember made the proposal. Mr. Mumgaard stated he does not remember. Mr. Weaver stated it was Councilmember Gray.

6c. Volunteering at Studio

Mr. Brodsky brought this item up because he has thought about volunteering at the studio and thought it would be best to bring it to the Board.

Mr. Cogar asked in what capacity. Mr. Brodsky stated it could be determined by the station manager. He would like to learn equipment operation. Mr. Mumgaard stated there is nothing prohibiting a board member from volunteering like anyone else. We do not yet have the procedures or criteria. They can be adopted as part of the bylaws. A requirement can be made to require a certain number of hours. It would also have to go before the City Council. Mr. Mumgaard suggested this item wait until we create criteria. Mr. Nelson stated it is a good idea but cannot be accommodated at this time. We need to develop policies on volunteers and interns and training. He would like to have the option on what volunteers can do. Mr. Brodsky stated he has discussed this with Mr. Nelson. Mr. Nelson agreed, but stated they are

not ready for volunteers. Dr. Mendenhall agreed we need to wait, but need to continue the conversation.

6d/e.Oversight of KPAO/Producers on CTAC Board

Mr. Mumgaard covered one item in item 6b. Mr. Donald-Hardrick's concern is micromanaging and letting the hired staff to their job.

7. Executive Session.

None.

8. Public Comments

Kris Pierce, 12912 Curtis Avenue. Mr. Pierce thanked the Board for the newsletter. He requests that communication like this be kept open.

9. Next Meeting Date

It was decided to move the meeting to July 15, 2013, due to July 4 holiday weekend.

10. Adjournment

Approximately 6:54 p.m.

Original signed by Addie Donald-Hardrick III, Secretary

Secretary, Cable Television Access Corporation

/tlb