

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
SUBJECT: PUBLIC, EDUCATION AND GOVERNMENT MEDIA SERVICES
STAFF PRESENTER: JENNIFER PHILLIPS, ASSISTANT CITY MANAGER
CITY MANAGER'S OFFICE

AGENDA ACTION: RESOLUTION

ISSUE(S)

Should the Council, by resolution, a) authorize appropriations of funds from the City's cable franchise fees to support Government-related Public Government and Education ("PEG") services for the remainder of FY12/13, b) amend the City Classification and Salary plan to create the classification of Media Services Coordinator, and c) provide appropriations of funds from DIVCA PEG funding for Government PEG Capital Purchases?



COUNCIL GOALS AND STRATEGIES

Council Goal 5, Objective 6: "Continue the City's efforts to improve communication, increase the ease of obtaining information and support community-building efforts to promote a healthy community, and encourage participation by all groups": Government-related PEG content remains one of the most efficient methods to share video-based information pertaining to official City meetings, creation of Public Service Announcements, training and informational videos, etc.

BACKGROUND

1. Pursuant to Ordinance 3223, the City may designate a public, educational, and government ("PEG") access provider which shall have the responsibility for operating and managing access channel(s) and facilities and providing access services.
2. In 1996, Santa Rosa Cable Communications Franchise Agreement indicated that the City designated CMCNB to serve as the access management entity.
3. On April 16, 1996, the City entered into an agreement with the Santa Rosa Community Media Access Center for the operation of Public, Education and

Government (PEG) access channels and the management of the Community Media Access Center in exchange for funding by the City ("Agreement").

4. In 1996, the City and Santa Rosa School District entered into a fifty (50) year lease agreement permitting CMCNB to be located at an agreed upon location on the campus of Santa Rosa High School.
5. On April 16, 2001 and September 30, 2006, the parties amended the Agreement to extend the term for two additional five year terms, to end on June 30, 2011.
6. On June 28, 2011, September 30, 2011 and December 31, 2011, the parties amended the Agreement. Each of these amendments extended the term of the Agreement for three months, with a final expiration of March 31, 2012.
7. On January 1, 2007 the State of California implemented the Digital Infrastructure and Video Competition Act ("DIVCA") which reserved to the state the exclusive right to issue franchises for video service providers.
8. At this time, Comcast, AT&T and recently Sonic.net have been granted a state franchise to provide video services in Santa Rosa pursuant to DIVCA. DIVCA requires that franchisees make certain payments to the City for PEG access purposes. The City currently receives two (2) payments from Comcast and AT&T: 1) a franchise fee in the amount of 5% of total gross revenues; and (2) a PEG fee in the amount of 1% of total gross revenues which per state and federal law may be used only for capital expenditures in support of PEG access.
9. On July 1, 2010, the City and CMCNB entered into an equipment lease for an annual installment of \$1.00 for a five (5) year period to provide CMCNB the ability to deliver public access to citizens in the "Region".
10. In 2011, the Media Center began doing business as the Community Media Center of the North Bay and offers services to residents and government agencies within the Region.
11. On March 13, 2012, the City Council approved a one-year agreement with the CMCNB to deliver PEG services. These services included:
 - a. Regular live coverage of City Council, Board of Public Utilities, Planning Commission and 12 additional meetings from Council Chambers,
 - b. Operation of a minimum of one (1) PEG broadcast channel,
 - c. Operation of a public, walk-in Media Access Center for non-commercial programming purposes,
 - d. Studio access to the Santa Rosa School District for teaching purposes,

- e. Assorted other services such as video production training, closed captioning, and operation of playback/cablecast services.
12. As part of March 13, 2012 staff report to Council, staff recommended issuing a Request for Proposals for media center services to identify programming options for the City.
13. On September 18, 2012, the City initiated a public Request for Proposals (RFP CM-001: City Government Production and Programming Services and Operation and Management of a Community Media Center) to identify options for ongoing PEG services.

ANALYSIS

Since 1996, CMCNB has provided the community of Santa Rosa and the City with PEG access services and programming. Currently, these services include: production and programming of City Council, Planning Commission and Board of Public Utilities meetings; operation of one (1) public access channel; one (1) education channel; and one (1) government channel; plus (1) additional PEG channel at the discretion of the CMCNB, operation of a community media center for region-wide public use; training to regional residents, city employees, and school employees; and playback/cablecasting of programs on the PEG channels. Since its inception, the vast majority of funding for the operation of CMCNB has been provided by the City, via a percentage of franchise fees received by the City.

To provide these services, the current agreement between the City and CMCNB includes \$300,000 in annual operating funding from the City's franchise fees. This amount is approximately 17% of the franchise fees received by City. In addition, the proposed agreement provides for an annual request by CMCNB to the City for capital expenditures in an amount not to exceed \$150,000. This amount is approximately half of the 1% DIVCA funding received by the City, and may be used, per state and federal law, only for capital expenditures. The agreement also includes a provision that, CMCNB offer closed caption services for all broadcasted public meetings on PEG access channels for the additional cost of \$37,000 to be paid by the City. Franchise fee revenues fund this service.

Following Council's approval of the 1-year contract with the CMCNB, City staff prepared a Request for Proposals (RFP) for City Government Production and Programming Services and Operation and Management of a Community Media Center. The RFP was issued on September 18, 2012, sent to nine local PEG and media services organizations. Proposals were due on November 2, 2012. The City received the following two proposals with first year City operational funding requirements for government programming and production services and operation of a community media center:

Community Media Center	\$952,884
Santa Rosa Media Institue	\$791,440

A proposal review panel consisting of three City of Santa Rosa staff members and three community members with expertise or experience with community media, video technology, or delivery of technology services to the public reviewed the proposals. The panel met on December 3, 2012 to review and evaluate the two proposals. Although both proposals had merit, one lacked innovation and community collaboration related to the media center operations while the other lacked experience in delivering government production and programming. Both proposals significantly exceeded the current allocated contract amount of \$300,000 and did not meet the City's vision of innovatively and efficiently providing government production and programming services and offering cost-effective, creative and collaborative public access services.

Following the review of the proposals, City staff conducted extensive research regarding current trends and creative service delivery options for PEG programming and media center operations. Many changes have occurred in this arena since the inception of the CMCNB, which at the time was a leader in its approach to delivering PEG programming and offering the public as well as the education community the opportunity to have their voices heard on public television broadcast channels. At that time, local producers of public access content required a TV broadcast facility to develop and distribute their video content.

This is no longer the case with today's readily available technology. Local content can be developed with simple, widely available and inexpensive recording equipment such as a smart phone or small consumer cameras. Editing of video content is now possible on most home personal computers and can then be posted using readily available free, web-based services such as YouTube, Facebook, and Vimeo, for example.

City staff's research highlighted the trend of local government in seeking innovative and effective alternatives to the traditional media centers and to utilize the government channel in conjunction with a website presence that delivers attractive, relevant, entertaining content. This dual approach enhances communication with the community and delivers important information such as videos of public meetings, offers a central place for posting of notices, and advertises activities to enhance volunteerism and community engagement.

Similar to the public, City staff can also utilize readily-available desktop and handheld video equipment capable of studio-quality HD content generation. This capability now enables Public Service Announcements, community engagement videos, public safety video projects and promotion of City events to be developed in-house, rather than rely on equipment and expertise of an external media center or video producer.

Recent investments in audio/video technology in the City Council Chambers and secondary PEG facility at the Utilities Field Operations building now allow the City to provide live web-streaming and archiving of public meeting content. Since March 2012, all official meetings held in the City Council Chambers have utilized Staff-managed A/V

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tools for web-streaming and web-archiving, with camera operation provided by staff from the CMCNB.

The Education component of PEG has also changed. Schools now have access to multimedia creation equipment within their schools, high bandwidth internet connections capable of uploading and accessing online video content, plus technology-aware teaching professionals capable of teaching current video skills. Based on discussions with Santa Rosa City Schools, for several years they have not utilized their contractual right of 18 hours per week at the CMCNB for a variety of operational reasons.

In addition, Ctiy staff conducted a comparative analysis of surrounding Sonoma County communities showing PEG funding and services. It was identified that, aside from Petaluma, no other local government agency in Sonoma County offers or funds public assess or education services. Note: Federal Law states that PEG funds cannot be used for training, staff time, or other operational purposes.

Major Sonoma County Government Agencies	Types of Funded PEG Services		
	Public Access	Education	Government
Cloverdale	No	No	No
Cotati	No	No	No
Healdsburg	No	No	No
Petaluma	Yes*	Yes*	Yes*
Rohnert Park	No	No	Yes
Santa Rosa	Yes	Yes	Yes
Sea Ranch	No	No	No
Sebastopol	No	No	No
Sonoma	No	No	No
Ukiah	No	No	Yes
Windsor	No	No	Yes
County of Sonoma	No	No	Yes
* Funded with PEG fees			

Therefore, based on the RFP proposals, the City's ongoing funding constraints, today's access to technology and a public voice via the Internet, Council's desire to continue delivering the production and programming of public meetings, and the City's commitment to community engagement and volunteerism, City staff has developed an alternative proposal for PEG services that includes bringing the Government portion of PEG within City operations. This includes:

- Live broadcast, web-streaming and web-archiving of official City meetings (City Council, BPU, Planning Commission, etc.).
- Assist in the creation and distribution of official City multimedia and video content such as Public Service Announcements, Public Safety, Community Engagement videos, project awareness (Stormwater, Creeks, Environmental, Streets, Water Efficiency, etc.), City events and facility video projects, etc.
- Operation of a “Government” PEG broadcast channel with a complementary website focused on Government-related PEG content.

The estimated annual operating cost to bring core PEG Government funding within City operations is \$250,000, which would be funded by franchise fees. This includes:

- Funding for a new City position titled “Media Services Coordinator” to coordinate all Government-related PEG services and content and provide consulting and technical assistance to staff and clients in graphics design and layout, web site development and design, and video production. The Human Resources Department reviewed the level of work proposed for the new position of Media Services Coordinator, and developed a job description. Human Resources recommends that a new classification of Media Services Coordinator be established in Unit 7 – Technical, with a salary range of \$5,491 – \$6,668 per month.
- Funding for a pool of part-time camera operators to operate the live broadcast of City Council and other meetings held in the Council Chambers and other City facilities.
- Funding to cover occasional professional services required for technical audio/video equipment repair.
- Assorted Operational funding to cover operational supplies.

In addition, continuation of \$37,000 annualized funding from franchise fees for continued closed captioning services at live broadcast public meetings is required. Staff also recommends approving additional PEG capital funding in an annualized amount not to exceed annual PEG revenue (estimated at \$300,000) for capital purchases including video, broadcasting, programming and other related equipment.

To ensure a smooth transition of critical public meeting broadcast PEG services, Staff recommends approving a one-time allocation of \$20,000 to cover media center transition support during the remainder of the current 2012/13 fiscal year. This expense would cover the cost of conducting an inventory of all equipment at the CMCNB which

becomes the City's property on April 1, 2013, and determine the use and disposition of each piece of equipment.

Also, CMCNB provides programming and production services to a few local government agencies. The City has reached out to these agencies and expressed a willingness to discuss shared services opportunities to ensure continuation of broadcasting public meetings.

Based on the language of the facility lease between the City and Santa Rosa City School District, the current facility that houses the CMCNB would revert back to the school district unless otherwise negotiated between the City and District. School district staff and other local education-related organizations have expressed interest and enthusiasm over exploring opportunities regarding programming and production of the Education portion of PEG.

With regards to the Public portion of PEG, staff seeks additional direction from Council interest in exploring options with local education-related community partners for public multimedia training and/or public access broadcast, potentially including some use of City equipment previously in use at the Community Media Center facility and supported with franchise fees. The City could also explore internal options with the Recreation and Parks Department to investigate the feasibility of fee-based classes tailored towards video production skills and public access content generation training. City staff estimate at least twelve (12) months are required to develop a proposal for Council consideration for public access.

Staff has considered two interim alternatives to immediate cessation of the Public Access portion of PEG services during the timeframe in which a long term approach is determined. Both options would require additional, unbudgeted franchise fees.

1. Attempt to negotiate a short-term agreement with one of the RFP respondents or a local media provider to staff and operate the walk-in Community Media center, much as it is operated today. Based on RFP responses, staff estimates a cost of \$65,000 per month to operate the media center. This alternative may still result in short term closure of the Community Media Center until a negotiated agreement is reached.
2. City staff assumes responsibility for scheduling and programming of a Public Access broadcast station and develops a process to accept broadcast-ready Public Access video content on portable storage devices brought to the Community Media Center by Public Access producers. Access to the Community Media Center would be limited to drop-off of Public Access

content. Staff estimates a cost of \$5,000 to \$10,000 per month to provide this service and operate the Public channel.

RECOMMENDATION

It is recommended by the City Manager's Office that the Council, by resolution, approve the City's direct operation of the Government portion of PEG and:

1. Authorize the Chief Financial Officer to provide appropriations of funds from the City's cable franchise fees (Account #1100-4162) in the amount of \$82,500 into GL Key 140709 entitled "PEG Operations" in fund 1730 to cover three (3) months of Government PEG Operations, plus Media Center transition support through the end of the fiscal year.
2. Amend the City Classification and Salary plan to create the classification of Media Services Coordinator with a salary range of \$5,491 - \$6,668 per month in Unit 7 – Technical; increase the total authorized city staff by 1.0 FTE Media Services Coordinator to GL Key 140709 "PEG Operations".
3. Authorize the Chief Financial Officer to provide appropriations of funds from DIVCA PEG funding (Account #1880-2103) in the amount of \$25,000 into JL Key 02066 entitled "PEG Projects" in fund 1730.

If the Council desires staff to explore options for Education and Public access partnerships, direct staff to investigate innovative community based collaborations and return to Council within one year with a proposal.

If the Council desires to continue offering Public Access, direct staff to pursue one of the two alternatives presented.

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Attachments: None