

**MINUTES FOR THE
AD-HOC CABLE (COMMUNITY ACCESS) COMMITTEE
AND**

NEWBERG CITY COUNCIL

Tuesday, November 9, 2004

Newberg City Hall - First Floor Meeting Room
414 E. First St., Newberg, OR

In attendance:

Council Committee Members Robert Soppe (Ch.), Bob Andrews and Roger Currier.

Representatives of/for H&R Video (Pacific Broadcasting Corporation (PBC))
Harry Morter, Jim Morrison and Bob Swift.

Others were Mike Boyes, City Councilor, and Mike McBride, City Councilor.

Meeting was convened by Council Committee Chair Robert Soppe at 6:10 PM on November 9, 2004 at the specified location.

Items for discussion pertained to the proposal by Harry Morter, which was received by the City October 27, 2004 (**Exhibit A**) and previous information received from H&R Video (**Exhibits B and C**).

The discussion focused on the proposal of the City's expenditure of \$38,100 as start-up expenses of PBC (Exhibit) to reactivate community cable access. Council Committee members expressed concern of costs of various items on the proposal. There as an acknowledgement that the cost of video cameras and DVD recorders could be reduced if the City were to make the purchases, using its discount potential. It was agreed that there needs to be further contact with ComCast to firm up the actual cost(s) associated with cable hookup and modulator and demodulator. There was concern that the cost for Broadcasters Liability Insurance may be understated and that cost estimate need to be firmed up.

It was unanimously agreed by H&R Video/PBC representatives and Council Committee members that the projected start-up costs are a one-time expense and any future funding to support cable access was to be handled by PBC. PBC was not asking for any continued funding; continued funding would be handled by PBC and there would be no further funding by the City.

There appeared to be consensus:

- The initial and one-time expenditure by the City as start-up cost for cable access would be no greater that \$38,100;

- There could be cost savings by having the City, using its discount, purchase the video cameras and recorders;
- The City would then lease the video cameras and records to PBC at very nominal cost;
- PBC was to determine what the current cost(s) would be for Broadcasters Liability Insurance.

References to H&R Video in items 1 and 2 in **Exhibit B** should be amended to read Pacific Broadcasting Corporation (PBC). PBC is to be an IRC 501(c)(3) non-profit business.

There was discussion about the possibility that PBC was not success in its venture to provide community cable access. There was a consensus that if the full Council agreed to the proposal, particulars would be spelled out in a contract to be negotiated between the City and PBC .

Chair Soppe, Councilor Currier seconded, moved to forward to the Council, as a whole, the basic proposal, copy attached for consideration. Motion carried unanimously.

Meeting adjourned.

Exhibit A

RECEIVED

~~10/27/04~~ 10/27/04

Newberg City Council
October 26, 2004

Subject: Newberg Community Access

In response to Mr. Soppe's letter of September 29, 2004 we would like to respond to his concerns about operating a Community Access Channel in Newberg. It appears that he would like to have full service as McMinnville but without the ongoing costs.

Pacific Broadcasting has plans for doing everything that MCM does and offering much more to the community. To begin with we expect to broadcast a signal 24 hours a day. Some of this time may be bulletin boards or channel logo. There are a number of television producers in Oregon that produce programs and have limited access to a facility to show them. We want to provide such a platform to help the producer and to fill up our air time. We want to cover local events such as the parade, church programs, city meetings and school programs.

Since we are starting with limited funding it may take us a while to accomplish these goals. As stated in the federal rules for any Community Access facility we must provide training for individuals wanting to learn television production. We have equipment, facilities and expertise beyond the scope of most Community Access facilities. We are also required to run tapes or videos that a member of the community brings in. These will be run "as is" unless they specify they want titles, music or credits added. If so there will be a charge for editing. As for City Council meetings and other civic groups we will run their tapes. If they require PBC to tape them there will be a customary charge for doing so. Some equipment will be available to check out to a qualified operator for field shooting.

At present this facility is in operation at least 40 hours per week. As demand changes the coverage can be modified to meet the needs. At startup we will have no operating funds so our crew will be all voluntary. In the future we will be contacting various individuals in an attempt to raise funds for the continued operation of PBC. We want to leave open the option of applying for the PEG fee from Comcast.

Once the City approves the operation, Comcast completes the connection and the funds in the amount of \$38,100 are disbursed Pacific Broadcasting Corporation we will start broadcasting within 30 days from that date. During this time we will incorporate, assemble a board of directors and apply for tax exempt status.

Harry Morter, H&R Video Productions, for
Pacific Broadcasting Corporation

Exhibit B

Notes on Proposed Agreement

City of Newberg and H & R Video

1. City to buy television equipment up to \$38,100.00. This is the limit of the City's financial liability. Said equipment to be owned by ~~H&R Video~~ Pacific Broadcasting #
2. Funds over and above \$38,100.00, must be acquired by ~~H & R Video~~ Pacific Broadcasting #
3. Determine how much air time the City desires to utilize.
4. How long is this agreement to run, and what becomes of the business assets which the City has purchased (See #1 above).
5. What provisions of the agreement between the City and Comcast must be included in this agreement.
6. Are there any other Federal or State regulations which must be included in this agreement, ie. FCC.

Exhibit C

COMMUNITY ACCESS TELEVISION START-UP EXPENSES

Three Video Cameras, JVC GY-DV300V	\$3,000.00 each
Shipping and Handling Costs	<u>\$1,000.00</u>
	Total: ... \$10,000.00
Seven DVD Recorders, Panasonic	<u>\$600.00 each</u>
	Total: \$4,200.00
Cable Hookup Fee	\$2,900.00
Modulator and Demodulator	\$6,000.00
Broadcasters Liability Insurance	\$5,000.00
One Year Training Expenses	\$10,000.00

Total Cost of Start-Up Expenses: \$38,100.00

Signed: Harry Morter