

REPRESENTING
Sacramento County
and the Cities of:
Citrus Heights
Elk Grove
Folsom
Galt
Rancho Cordova
Sacramento



SACRAMENTO METROPOLITAN Cable Television Commission

799 G Street, 4th Floor ♦ Sacramento, CA 95814-1212 ♦ www.sacmetro cable.tv

Phone: (916) 874-6661 ♦ Fax: (916) 854-9666

ROBERT A. DAVISON, EXECUTIVE DIRECTOR

AGENDA

SACRAMENTO METROPOLITAN CABLE TELEVISION COMMISSION REGULAR BOARD MEETING

**Sacramento County Administrative Center
700 H Street, S. 1450
Sacramento, California**

THURSDAY, MARCH 7, 2013 – 2:30 p.m.

Board Members: Mel Turner (Chair), Steve Detrick (Vice-Chair), Roberta MacGlashan, Kevin McCarty, Andy Morin, Don Nottoli, Susan Peters, Jay Schenirer, Phil Serna, Allen Warren, Jimmie Yee

Ex Officio: Donald Terry

Elected Alternates: Bonnie Pannell, Steve Miller, Robert Trigg

Appointed Alternates: Celia Coronado (Serna), Aaron Chong (Yee), Howard Schmidt (Peters), Ted Wolter (MacGlashan)

The Board may take up any agenda item at any time, regardless of the order listed. Members of the public coming for a specific agenda item are encouraged to arrive earlier than the scheduled time. Public comment will be taken on the item at the time that it is taken up by the Board. We ask that members of the public complete a Request to Speak form, submit it to the Clerk of the Board, and keep their remarks brief. If several persons wish to address the Board on a single item, the Chair may impose a time limit on individual remarks at the beginning of the discussion. Action may be taken on any item on this agenda.

Presentations supplemented with media (video, DVD, PowerPoint, laptop hookup, etc.) must be coordinated in advance with the meeting Clerk. All media must be tested prior to the meeting date by Metro Cable (at 916-874-7685). Untested media will not be allowed on the date of the meeting. It is also highly advisable to bring a paper copy of presentations to the meeting as back up.

Meeting facilities are accessible to persons with disabilities. Requests for alternative agenda document formats, meeting assistive listening devices, or other considerations should be made through the Commission office at (916) 874-6662.

The meeting of the Commission is cablecast live on Metro Cable 14, the local government affairs channel and webcast at www.sacmetro cable.tv. The meeting is closed captioned and will be repeated the following Saturday at Noon on Channel 14.

CALL TO ORDER

- A. Roll Call / Pledge of Allegiance
- B. Introduction of new Board members

ITEM NO. 1) CLOSED EXECUTIVE SESSION

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Pursuant to subdivision (a) of Government Code Section 54956.9) – CITY OF LOS ANGELES, SACRAMENTO METROPOLITAN CABLE TELEVISION COMMISSION, and CITY OF EL SEGUNDO vs. PACIFIC BELL TELEPHONE COMPANY, d/b/a SBC PACIFIC BELL TELEPHONE COMPANY, d/b/a AT&T CALIFORNIA, Los Angeles Superior Court, Central District, Case No. BC414272.

Action:

Adjourn to a closed Executive Session.

ITEM NO. 2) REVIEW OF FRANCHISE & PEG FEES REMITTED BY SUREWEST TELEVIDEO FOR THE PERIOD JANUARY 1, 2009 THROUGH DECEMBER 31, 2010

Action:

Receive and file the review of the franchise & PEG fees remitted by SureWest Televideo for the period January 1, 2009 through December 31, 2010.

ITEM NO. 3) KVIE’S REVISED FISCAL YEAR 2012-13 PEG FEE FUNDING REQUEST

Action:

Approve KVIE’s Revised FY 2012-13 PEG Fee Funding Request.

ITEM NO. 4) RESOLUTION NO. 2013-001, APPROVING USE OF PRODUCTION RESOURCES AGREEMENT WITH THE COUNTY OF SACRAMENTO’S COMMUNITY CORRECTIONS PARTNERSHIP

Action:

Approve Resolution No. 2013-001, Approving Use of Production Resources Agreement with the County of Sacramento’s Community Corrections Partnership.

ITEM NO. 5) RESOLUTION NO. 2013-002, SETTING FORTH TERMS AND CONDITIONS OF CALPERS BENEFITS IN COMPLIANCE WITH REQUIREMENTS OF THE PUBLIC EMPLOYEES’ PENSION REFORM ACT FOR NEW EMPLOYEES

Action:

Approve Resolution No. 2013-002, Setting Forth Terms and Conditions of CalPERS Benefits in Compliance with Requirements of the Public Employees’ Pension Reform Act of 2013 for new employees.

ITEM NO. 6) SALARY AND BENEFITS SURVEY

Action:

Authorize staff to hire a consultant to perform a comprehensive study of salary and benefits for the Sacramento Metropolitan Cable Television Commission.

ITEM NO. 7) RESOLUTION NO. 2013-003, HONORING DONNA WELBORN UPON THE OCCASION OF HER RETIREMENT

Action:

Approve Resolution No 2013-003, Honoring Donna Welborn Upon the Occasion of her Retirement

ITEM NO. 8) GENERAL ADMINISTRATIVE REPORT

Action:

Receive verbal reports from staff on general administrative items:

- 1) AB 185
- 2) Production Director Recruitment Update
- 3) Member Agency Meetings with City Managers/County Executive
- 4) April / May / June 2013 Board Meetings

ITEM NO. 9) STATE FRANCHISEE/LICENSEE REPORTS

Action:

Receive verbal reports from State Franchisee/Licensee representatives:

- A. AT&T
- B. Comcast
- C. SureWest

ITEM NO. 10) CHANNEL LICENSEE/GRANTEE REPORTS

Action:

Receive verbal reports from Channel Licensee/Grantee representatives:

- A. ACCESS Sacramento
- B. Capital Public Radio
- C. KVIE
- D. Religious Coalition for Cable Television
- E. Sacramento Educational Cable Consortium

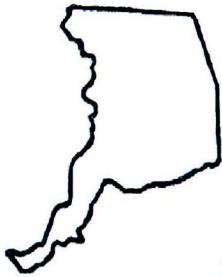
ITEM NO. 11) PUBLIC COMMENTS

Action:

Receive comments from the public on items not on the agenda.

ADJOURNMENT

REPRESENTING
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ROBERT A. DAVISON, EXECUTIVE DIRECTOR

AGENDA ITEM NO. 1

DATE: March 7, 2013
TO: Chair and Board of Directors
FROM: Robert A. Davison, Executive Director
SUBJECT: CLOSED EXECUTIVE SESSION

RECOMMENDATION:

It is recommended the Board adjourn to a closed Executive Session to discuss the following item and report out, if necessary:

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Pursuant to subdivision (a) of Government Code Section 54956.9) – CITY OF LOS ANGELES, SACRAMENTO METROPOLITAN CABLE TELEVISION COMMISSION, and CITY OF EL SEGUNDO vs. PACIFIC BELL TELEPHONE COMPANY, d/b/a SBC PACIFIC BELL TELEPHONE COMPANY, d/b/a AT&T CALIFORNIA, Los Angeles Superior Court, Central District, Case No. BC414272.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "R.A. Davison", written over a horizontal line.

ROBERT A. DAVISON, Executive Director
Sacramento Metropolitan Cable Television Commission

SACRAMENTO METROPOLITAN Cable Television CTC Commission

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ROBERT A. DAVISON, EXECUTIVE DIRECTOR

REPRESENTING
Sacramento County
and the Cities of:
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Elk Grove
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Rancho Cordova
Sacramento



AGENDA ITEM NO. 2

DATE: March 7, 2013
TO: Chair and Board of Directors
FROM: Robert A. Davison, Executive Director
SUBJECT: **REVIEW OF FRANCHISE AND PEG FEES REMITTED BY SUREWEST TELEVIDEO FOR THE PERIOD JANUARY 1, 2009 THROUGH DECEMBER 31, 2010.**

RECOMMENDATION:

It is recommended the Board receive and file the report of the review of franchise and PEG fees remitted to the Sacramento Metropolitan Cable Television Commission (Commission) by SureWest Televideo for the period January 1, 2009 through December 31, 2010.

DISCUSSION:

The attached report of the review of the franchise and Public, Educational, and Government (PEG) fees remitted to the Commission by SureWest Televideo for the period January 1, 2009 through December 31, 2010 was performed by Alan Matre, Sacramento County's Chief of Audits. The audit was performed under the authority of the Digital Infrastructure and Video Competition Act (DIVCA) of 2006.

The procedures performed and the findings were as follows:

1. Reviewed and tested the gross revenue as reported by SureWest and recomputed the franchise and PEG fees due.

Finding: SureWest was not including the PEG fees received from their customers when reporting the gross revenue amounts for both franchise fees and PEG calculations. In addition, the PEG fees collected did not originally include amounts related to home shopping revenues and franchise fees passed through to customers, which were findings from the previous audit for franchise fees. This has resulted in an underpayment of franchise fees in the amount of \$12,713 and an underpayment of PEG fees in the amount of \$12,017 (See Current Year Finding on Attachment I).

2. Reviewed and re-calculated the Pasadena Pass-Through amount to determine if SureWest customers were being charged the proper rate.

Finding: SureWest was charging the proper Pasadena Pass-Through amounts to their customers.

Agenda Item No. 2

**Review of Franchise & PEG Fees Remitted by SureWest Televideo
for the Period January 1, 2009 through December 31, 2010**

Page 2

A summary of SureWest's total gross revenue and the franchise & PEG fees paid to the Commission appears on Schedules I & II of the report. Staff has been in contact with SureWest to remit the \$12,713 underpayment in franchise fees and the \$12,017 underpayment in PEG Fees, as shown on the Schedules of Gross Revenue Recomputed and Fees Due for the period January 1, 2009 through December 31, 2010.

It is recommended the Board receive and file this report. The Commission will continue the practice of conducting bi-annual audits of franchise and PEG fees remitted by SureWest with a concentrated focus on the accurate reporting of gross revenue to include PEG fees, to insure proper amounts are being remitted to the Commission.

Respectfully submitted,



ROBERT A. DAVISON, Executive Director
Sacramento Metropolitan Cable Television Commission

Attachment:

Review of SureWest's Franchise & PEG Fees Remitted to the SMCTC
for the Period January 1, 2009 through December 31, 2010

Internal Services
Department of Finance
Auditor-Controller Division

Ben Lamera,
Assistant Auditor-Controller



County of Sacramento

Bradley J. Hudson,
County Executive

David Villanueva,
Chief Deputy County Executive

Julie Valverde,
Director of Finance

February 25, 2013

Board of Commissioners
Sacramento Metropolitan Cable Television Commission
901 H Street, Suite 206
Sacramento, California 95814

RECEIVED

FEB 25 2013

SACRAMENTO METROPOLITAN
CABLE TELEVISION COMMISSION

Dear Commission Members:

Enclosed is your report of the review of the franchise fees and PEG Fees remitted to the Sacramento Metropolitan Cable Television Commission by Surewest for the period January 1, 2009 through December 31, 2010.

We wish to once again thank staff for their cooperation and assistance that has been provided during our review.

Sincerely,

JULIE VALVERDE
DIRECTOR OF FINANCE

A handwritten signature in black ink, appearing to read "Alan A. Matré", is written over a horizontal line.

By: Alan A. Matré
Chief of Audits

Attachment

Internal Services
Department of Finance
Auditor-Controller Division

Ben Lamera,
Assistant Auditor-Controller



County of Sacramento

Bradley J. Hudson,
County Executive

David Villanueva,
Chief Deputy County Executive

Julie Valverde,
Director of Finance

August 3, 2012

Board of Commissioners
Sacramento Metropolitan Cable Television Commission
901 H Street, Suite 206
Sacramento, California 95814

RECEIVED

FEB 25 2013

SACRAMENTO METROPOLITAN
CABLE TELEVISION COMMISSION

Dear Commission Members:

We have performed the procedures enumerated below for the review of the franchise fees and the Public, Educational, and Government (PEG) fees remitted to the Sacramento Metropolitan Cable Television Commission (the Commission) by Surewest Televideo (Surewest) for the period January 1, 2009 through December 31, 2010. This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of the procedures is solely the responsibility of those parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose. The procedures we performed and our findings were as follows:

1. Reviewed and tested the gross revenue as reported by Surewest and recomputed the franchise and PEG fees due.

Finding: Surewest was not including the PEG fees received from their customers when reporting the gross revenue amounts to the Commission. See *Findings and Recommendations* on Attachment I.

2. Reviewed and recalculated the Pasadena Pass-Through amount to determine if Surewest customers were being charged the proper rate.

Finding: Surewest was charging the proper Pasadena Pass-Through amounts to their customers.

A summary of total gross revenue and the franchise fees paid the Commission from Surewest appears on Schedule I and of total gross revenue and the PEG fees paid the Commission from Surewest appears on Schedule II.

Sacramento Metropolitan Cable Television Commission
August 3, 2012
Page 2

This review was performed under the authority of the Digital Infrastructure and Video Competition Act (DIVCA) of 2006.

We were not engaged to, and did not perform an audit, the objective of which would be the expression of an opinion on the financial statements of Surewest. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the Commission and Surewest and is not intended to be and should not be used by anyone other than those specified parties.

Sincerely,

JULIE VALVERDE
DIRECTOR OF FINANCE

A handwritten signature in black ink, appearing to read 'Alan A. Matré', written over a horizontal line.

By: Alan A. Matré, C.P.A.
Chief of Audits

Attachments

Sacramento Metropolitan Cable Television Commission
Review of Surewest Televideo
for the Reporting of Gross Revenue In the Computation of Franchise and PEG Fees Remitted
Findings and Recommendations
For the Two Years Ended December 31, 2010

PRIOR FINDINGS FOR THE FOUR YEARS ENDED DECEMBER 31, 2008

Shopping Commissions

Surewest Televideo (Surewest) did not include the shopping commissions that they received in their computation and reporting of gross revenue to the Sacramento Metropolitan Cable Television Commission (Commission). Shopping commissions should be included in the calculation of gross revenue. The net effect for the four-year period was an underpayment of \$11,116. See (prior report) *Schedule of Gross Revenue Recomputed and Franchise Fees Due* on Schedule I.

Recommendation

We recommend that Surewest include the shopping commissions that they receive when calculating and reporting gross revenue to the Commission and we also recommend that this \$11,116 underpayment be remitted to the Commission by Surewest.

Current Status

Surewest remitted the underpayment amount of \$11,116 plus late charges to the Commission in October of 2010. Since the previous review was not concluded until 2010, Surewest was continuing to exclude shopping commissions from their calculation of Gross Revenue through December of 2009. In January of 2010, Surewest began to include Shopping Commissions within their Gross Revenue. After the previous review was completed, Surewest remitted a check to the Commission in the amount of \$2,306 (\$2,212 for prior franchise fees and \$94 in late payment charges) for franchise fees due on the shopping commissions for the calendar year 2009. Surewest currently includes the shopping commissions in their computation and reporting of gross revenue.

Franchise Fees Collected

Surewest passed through to their customers the five percent (5%) franchise fee. Since Surewest passed this amount through, this amount should be included in the calculation of gross revenue. Even though Surewest paid the franchise fee on these amounts collected, they did not include them in the gross revenue reported; instead, a higher franchise fee was paid to the Commission for these amounts collected.

Sacramento Metropolitan Cable Television Commission
Review of Surewest Televideo
for the Reporting of Gross Revenue In the Computation of Franchise and PEG Fees Remitted
Findings and Recommendations
For the Two Years Ended December 31, 2010

Recommendation

We recommend that Surewest include the franchise fees charged to their customers in the gross revenue reported.

Current Status

As noted in the current status of the prior finding, since this reporting error was not brought to the attention of Surewest until the previous review, which occurred during 2010, the practice of including the pass through amounts in gross revenue was not corrected until then. When originally calculating the Public, Educational, and Government (PEG) fees, Surewest also excluded the pass through franchise fees in those calculations. Surewest has now corrected this practice and is properly including these pass through amounts in the computation and reporting of franchise fees and PEG fees.

Sacramento Metropolitan Cable Television Commission
Review of Surewest Televideo
for the Reporting of Gross Revenue In the Computation of Franchise and PEG Fees Remitted
Findings and Recommendations
For the Two Years Ended December 31, 2010

CURRENT YEAR FINDING

PEG Fees Collected

In May of 2009, the Commission began collecting a one percent (1%) PEG fees on gross revenue as allowed by the Digital Infrastructure and Video Act of 2006. Surewest has the option to pass through these fees to their customers. If they pass these PEG fees through to their customers, these fees collected are includable as gross revenue for both the franchise fees due and the PEG fees due. Surewest did not include these fees collected as part of gross revenue for both the franchise fee and PEG calculations. In addition, the PEG Fees collected did not originally include amounts related home shopping revenues and Franchise fees passed through to customers, which were findings from the previous audit for franchise fees. See *Schedule of Gross Revenue Recomputed and License Fees Due* on Schedule I and *Schedule of Gross Revenue Recomputed and PEG Fees Due* on Schedule II.

Recommendation

We recommend that Surewest include the PEG fees charged to their customers in the calculation of gross revenue reported for both the franchise fees due and the PEG fees due. In addition, we recommend that the gross revenues reported for PEG fees due include amounts for Franchise Fees passed through to customers and home shopping revenues.

We also recommend that Surewest remit the \$12,713 underpayment in franchise fees and the \$12,017 underpayment in PEG Fees to the Commission as shown in the *Schedule of Gross Revenue Recomputed and License Fees Due* on Schedule I and *Schedule of Gross Revenue Recomputed and PEG Fees Due* on Schedule II. The combination of the amounts in this finding and the prior finding entitled **Franchise Fees Collected** represent these amounts owed to the Commission.

Sacramento Metropolitan Cable Television Commission
Review of Surewest Televideo
Schedule of Gross Revenue Recomputed and Franchise Fees Due
For the Two Years Ended December 31, 2010

Month	Gross Revenue Reported by Surewest ³	Gross Revenue Audited	Franchise Fee Rate	Recomputed Franchise Fee Due	Franchise Fees Paid ¹	Additional Franchise Fees Now Due
January 2009	\$ 1,315,587	1,387,999	5.00%	69,400		
February 2009	1,315,069	1,389,292	5.00%	69,465		
March 2009	1,244,703	1,314,094	5.00%	65,705	203,958	612
April 2009	1,282,625	1,352,870	5.00%	67,644		
May 2009	1,280,457	1,364,214	5.00%	68,211		
June 2009	1,239,146	1,321,618	5.00%	66,081	200,107	1,829
July 2009	1,239,592	1,319,581	5.00%	65,979		
August 2009	1,230,712	1,310,323	5.00%	65,516		
September 2009	1,183,536	1,261,526	5.00%	63,076	192,300	2,271
October 2009	1,143,806	1,217,552	5.00%	60,878		
November 2009	1,260,697	1,341,704	5.00%	67,085		
December 2009	1,296,924	1,385,761	5.00%	69,288	194,813	2,438
January 2010	1,277,870	1,357,887	5.00%	67,894		
February 2010	1,242,133	1,319,909	5.00%	65,995		
March 2010	1,225,782	1,302,595	5.00%	65,130	197,149	1,870
April 2010	1,231,636	1,308,757	5.00%	65,438		
May 2010	1,185,517	1,259,750	5.00%	62,988		
June 2010	1,211,382	1,287,238	5.00%	64,362	190,976	1,812
July 2010	1,321,328	1,334,541	5.00%	66,727		
August 2010	1,320,274	1,333,477	5.00%	66,674		
September 2010	1,395,393	1,409,347	5.00%	70,467	201,850	2,018
October 2010	1,388,092	1,401,051	5.00%	70,053		
November 2010	1,402,344	1,416,522	5.00%	70,826		
December 2010	1,439,250	1,453,629	5.00%	72,681	211,485	2,075
	<u>\$ 30,673,855</u>	<u>32,151,237</u>		<u>1,607,563</u>	<u>1,592,638</u>	<u>14,925</u>
						2,212
						<u>\$ 12,713</u>

Additional payment made on October 26, 2010²

Total additional fees now due

¹ Franchise fees are paid quarterly.

² The additional payment that was made on October 26, 2010 was for Shopping Commission revenue that was noted in the prior review of Surewest that was not included in the regular quarterly payment until January, 2010. Surewest made this payment of \$2,212 and included an additional amount of \$93 in late fees.

³ The gross revenue reported by Surewest did not include franchise fees passed-through to the customers for the first 18 months of our review period, but those fees were properly reported and paid to the Commission. Beginning in May of 2009, the Gross Revenue did not include the PEG pass-through fees that were passed through to the customers that should be included as gross revenue.

Sacramento Metropolitan Cable Television Commission
Review of Surewest Televideo
Schedule of Gross Revenue Recomputed and PEG Fees Due
For the Two Years Ended December 31, 2010

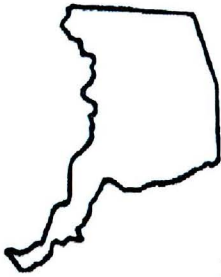
Month	Gross Revenue Reported by Surewest	Gross Revenue Audited	PEG Fee Rate	Recomputed PEG Fee Due	PEG Fees Paid ¹	Additional PEG Fees Now Due ²
May 2009	\$ 1,280,457	1,364,214	1.00%	13,642		
June 2009	1,239,146	1,321,618	1.00%	13,216	25,196	1,662
July 2009	1,239,592	1,319,581	1.00%	13,196		
August 2009	1,230,712	1,310,323	1.00%	13,103		
September 2009	1,183,536	1,261,526	1.00%	12,615	36,557	2,357
October 2009	1,143,806	1,217,552	1.00%	12,176		
November 2009	1,260,697	1,341,704	1.00%	13,417		
December 2009	1,296,924	1,385,761	1.00%	13,858	37,001	2,450
January 2010	1,277,870	1,357,887	1.00%	13,579		
February 2010	1,242,133	1,319,909	1.00%	13,199		
March 2010	1,225,782	1,302,595	1.00%	13,026	37,398	2,406
April 2010	1,231,636	1,308,757	1.00%	13,088		
May 2010	1,185,517	1,259,750	1.00%	12,598		
June 2010	1,211,382	1,287,238	1.00%	12,872	36,234	2,324
July 2010	1,321,328	1,334,541	1.00%	13,345		
August 2010	1,320,274	1,333,477	1.00%	13,335		
September 2010	1,395,393	1,409,347	1.00%	14,093	40,370	403
October 2010	1,388,092	1,401,051	1.00%	14,011		
November 2010	1,402,344	1,416,522	1.00%	14,165		
December 2010	1,439,250	1,453,629	1.00%	14,536	42,297	415
	<u>\$ 25,515,871</u>	<u>26,706,982</u>		<u>267,070</u>	<u>255,053</u>	<u>12,017</u>

PEG Fees began in May 2009.

¹ PEG fees are paid quarterly.

² The differences are primarily made up of two items. Surewest inadvertently excluded the Shopping Commissions in their calculation of reporting of PEG gross revenue for 2009 and Surewest did not include the franchise fees nor PEG fee pass-through amounts to the customers from May 2009 through June 2010.

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ROBERT A. DAVISON, EXECUTIVE DIRECTOR

AGENDA ITEM NO. 3

DATE: March 7, 2013
TO: Chair and Board of Directors
FROM: Robert A. Davison, Executive Director
SUBJECT: KVIE'S REVISED FISCAL YEAR 2012-13 PEG FEE FUNDING REQUEST

RECOMMENDATION:

It is recommended the Board approve KVIE's revised Fiscal Year 2012-13 PEG Fee Funding Request.

BACKGROUND/DISCUSSION:

The Commission has historically provided funding for its Channel Licensees. At the Commission's annual budget hearing last June, the Board approved as part of the Fiscal Year 2012-13 PEG Fee Budget KVIE's PEG Fee Funding request of \$857,000 for the following items:

Video Monitors Replacement	\$63,000
Master Control (Automation System)	\$275,000
Production Equipment Upgrade	\$491,000
Field Production Equipment	\$28,000
<i>FY 2012-13 PEG Fee Funding Request Total</i>	<i>\$857,000</i>

David Lowe, KVIE's President and General Manager contacted staff recently and submitted a revised PEG fee funding request, which now includes the replacement of a HVAC unit that cannot be repaired:

HVAC Unit Replacement	\$21,000
Video Monitors Replacement	\$42,000
Master Control (Automation System)	\$275,000
Production Equipment Upgrade	\$491,000
Field Production Equipment	\$28,000
<i>Revised FY 2012-13 PEG Fee Funding Request Total</i>	<i>\$857,000</i>

Agenda Item 3
KVIE's Revised FY 2012-13 PEG Fee Funding Request
Page 2

The revised request does not change the amount of funding that was approved for KVIE in the Fiscal Year 2012-13 PEG Fee Budget.

Staff recommends the Board approve the revised PEG fee funding request as submitted; no other action is needed at this time as there are no monetary impacts to the budget.

Respectfully submitted,



ROBERT A. DAVISON, Executive Director
Sacramento Metropolitan Cable Television Commission

Attachment:
KVIE's Revised Fiscal Year 2012-13 PEG Fee Funding Request (Feb. 11, 2013)



KVIE Public Television
2030 W. El Camino Avenue
Sacramento, CA 95833
phone 916.929.5843
fax 916.929.7215

February 11, 2013

Sacramento Metropolitan Cable Television Commission
901 H St, Suite 206
Sacramento, CA 95819

Dear Commission Members:

The grant KVIE receives from SMCTC is one of the single largest grants from any one funder during our fiscal year. We appreciate your support of our KVIE2 service to viewers in Sacramento County. Because of your support through the 1% PEG fee collection, we are able to fund necessary capital projects that not only preserve our service but also strengthen it. By once again making an all-capital request and forgoing the base operations grant we've received in the past, we are hopeful it provides the Commission with greater flexibility in how it distributes funding elsewhere.

Our initial request last year was for \$698,500. Following an initial review of the budgets, we were asked to reduce it and provided our approved request of \$498,500. With the delay in equipment purchases, we are hopeful they can be included in this year's disbursement through the directed 1% PEG fee.

Our request includes four project areas relating to content creation and dissemination for KVIE2 and totals \$857,000:

- **HVAC Replacement** – The HVAC unit in our lobby and upstairs hallway has failed and cannot be repaired. A new unit is \$21,000.
- **Video Monitor Replacements** –In the Production Control room we need to replace the two multi-view monitors that are at end-of-life and add two evaluation monitors. In the video tape room, we need to begin phasing in replacement of the analog black and white monitors. Total cost \$42,000.
- **Master Control** – We need to replace the automation system and branding engines used to disseminate content on KVIE2. This replaces hardware and software that are past end-of-life and in some cases no longer supported by the manufacturer. Total cost \$275,000.
- **Production** – Much of our production editing system is at or past end-of-life. We need to upgrade our closed caption workstation used to produce and insert closed captions into content (\$10K). We need to add 6 digital disc recorders used for multi-camera video capture. These captured files would then be used in the non-linear edit system to produce finished content (\$36K). We need to replace incandescent studio lighting with energy efficient LED studio lighting fixtures. Replacement LED lighting is 10 times more efficient than incandescent (\$120K). We need to add a studio camera chain in our studio production system to allow 4 camera productions for programs like Studio Sacramento, which routinely has multiple guests (\$125K). We need to replace the main edit storage system (SAN), which is 6 years old and past end-of-life (\$100K). We need to replace end-of-life hardware and software for the non-linear edit bays (\$100K). Total cost \$491,000.
- **Field Production** – A new vehicle is needed to replace an end-of-life one for use in transporting personnel and equipment to field shoot where content is acquired for local programs (\$28K).

Again, thank you for supporting KVIE with continued funding for KVIE2 that provides Sacramento County residents with quality, educational television that unites them and connects them to the world around them.

Sincerely,

A handwritten signature in cursive script that reads "David Lowe".

David Lowe
President & General Manager

Attachment: KVIE Budget

KVIE Budget Report
Fiscal Year 2012/2013

KVIE Total	FY2013 DRAFT Budget
Revenue Sources	
SMCTC Capital Grant - HVAC	\$ 21,000
SMCTC Capital Grant - Video Monitor Replacements	\$ 42,000
SMCTC Capital Grant - Master Control	\$ 275,000
SMCTC Capital Grant - Production	\$ 491,000
SMCTC Capital Grant - Field Production	\$ 28,000
<i>SMCTC Capital Grant - Total Request</i>	<u>\$ 857,000</u>
Dues/Memberships/Fees	\$ 5,682,434
Interest	\$ 45,000
Other	\$ 7,297,947
Total	<u>\$ 13,882,381</u>
Expenditures	
Personnel	\$ 4,084,618
Services & Supplies/Operations/G&A	\$ 8,796,615
Grants/Scholarships	\$ -
Fixed Assets/Equipment	\$ 1,662,600
Total	<u>\$ 14,543,833</u>

Please Note:

Staff is working on the FY13 Budget and plans to submit a balanced budget to the KVIE Board for expected approval by 6/30/2012.

Please see the accompanying cover letter for explanations of the equipment grant requests.

REPRESENTING
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SACRAMENTO METROPOLITAN Cable Television Commission

799 G Street, 4th Floor ♦ Sacramento, CA 95814-1212 ♦ www.sacmetroable.tv

Phone: (916) 874-6661 ♦ Fax: (916) 854-9666

ROBERT A. DAVISON, EXECUTIVE DIRECTOR

AGENDA ITEM NO. 4

DATE: March 7, 2013
TO: Chair and Board of Directors
FROM: Robert A. Davison, Executive Director
SUBJECT: **RESOLUTION NO. 2013-001, APPROVING USE OF PRODUCTION RESOURCES AGREEMENT WITH THE COUNTY OF SACRAMENTO'S COMMUNITY CORRECTIONS PARTNERSHIP**

RECOMMENDATION:

It is recommended the Board approve Resolution No. 2013-001, Approving Use of Production Resources Agreement with the County of Sacramento's Community Corrections Partnership.

BACKGROUND/DISCUSSION:

In addition to cablecasting member agency meetings, the Commission currently has Agreements with SMUD, North Highlands Recreation and Park District, Regional Transit, Sacramento City Unified School District, and the Sacramento Metropolitan Fire District to cablecast their Board meetings.

The County of Sacramento has made preliminary inquiries requesting cablecasting coverage of the meetings of its Community Corrections Partnership (CCP). Staff met with representatives from CCP to discuss dates/time/location of their meetings, and staff resources available when meetings are to be cablecast.

Staff recommends the Board approve Resolution No. 2013-001, Approving Use of Production Resources Agreement, which authorizes staff to negotiate a Production Use Agreement with the County's Community Corrections Partnership for videotaping regular and special meetings under the standard reimbursements provisions of past Agreements, and authorizes the Commission's Chair to execute the Use of Production Resources Agreement with the County's Community Corrections Partnership once negotiations are finalized, subject to minor modifications after Legal Counsel's review.

Respectfully submitted,

A handwritten signature in blue ink that reads "Robert A. Davison".

ROBERT A. DAVISON, Executive Director
Sacramento Metropolitan Cable Television Commission

Agenda Item No. 4

Resolution No. 2013-001, Approving Use of Production Resources Agreement with the County of Sacramento's Community Corrections Partnership

Page 2

Attachments:

Resolution No. 2013-001, Approving Use of Production Resources Agreement with the County of Sacramento's Community Corrections Partnership

Production Resources Agreement (Draft)

RESOLUTION NO. 2013-001

**A RESOLUTION OF THE SACRAMENTO METROPOLITAN
CABLE TELEVISION COMMISSION APPROVING USE OF PRODUCTION RESOURCES AGREEMENT
WITH THE COUNTY OF SACRAMENTO'S COMMUNITY CORRECTIONS PARTNERSHIP**

WHEREAS, the Sacramento Metropolitan Cable Television Commission is responsible for programming Metro Cable 14 on behalf of the County of Sacramento and the Cities of Sacramento, Citrus Heights, Elk Grove, Folsom, Galt, and Rancho Cordova;

BE IT RESOLVED AND ORDERED that the Board of Directors hereby authorizes staff to negotiate a Production Use Agreement with the County of Sacramento's Community Corrections Partnership for videotaping meetings and hearings under the standard reimbursements provisions of past agreements.

FURTHER, BE IT RESOLVED AND ORDERED that the Chair of the Board of Directors be and is hereby authorized to execute the Use of Production Resources Agreement with the Community Corrections Partnership, in the form hereto attached, on behalf of the SACRAMENTO METROPOLITAN CABLE TELEVISION COMMISSION, a Joint Powers Agency of the State of California, for the purpose of cablecasting the meetings/hearings of the Community Corrections Partnership.

FURTHER, BE IT RESOLVED that the Commission's Executive Director is authorized to do and perform everything necessary to carry out the purpose of this Resolution.

On a motion by Director _____, seconded by Director _____, the foregoing Resolution was passed and adopted by the Governing Board of the Sacramento Metropolitan Cable Television Commission this 7th day March 2013, by the following vote, to wit:

AYES:

NOES:

ABSENT:

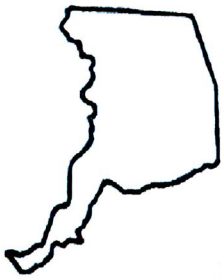
ABSTAIN:

By: _____
Chair, Sacramento Metropolitan Cable
Television Commission

Attest by:

Clerk/Secretary of the Board

REPRESENTING
Sacramento County
and the Cities of:
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Elk Grove
Folsom
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ROBERT A. DAVISON, EXECUTIVE DIRECTOR

SACRAMENTO METROPOLITAN CABLE TELEVISION COMMISSION

AGREEMENT FOR USE OF PRODUCTION RESOURCES WITH [AGENCY NAME]

This agreement (“Agreement”) is made by and between the Sacramento Metropolitan Cable Television (hereafter, “Commission”) and [AGENCY NAME] (hereafter, “User”).

1. Use of Equipment. User agrees to use the Commission’s production resources solely for the purposes of producing non-commercial video programming. The specific resources committed by the Commission for this program and the specific purpose and content of the program is described in Exhibit “A” attached hereto.
2. Programming Restrictions. User shall not use any of the resources provided hereunder to produce or distribute:
 - i. any material designed to promote the sale of commercial products or services;
 - ii. advertising by or on behalf of candidates for public office;
 - iii. a lottery as defined by Federal Communications Commission (“FCC”) regulations or any advertisement of or information concerning a lottery;
 - iv. any obscene, libelous or slanderous material; and
 - v. any material that may not be produced or distributed on or through “Public, Education and Governmental” channels or facilities by applicable Federal or State law.

User shall comply with all applicable rules and regulations of the Commission, Federal, State, and local governments and all other regulatory agencies, including the FCC.

3. Programming Liability. User agrees to indemnify and hold harmless [CABLE COMPANY], the Commission, the County of Sacramento and the Cities of Sacramento, Citrus Heights, Elk Grove, Folsom, Galt and Rancho Cordova from any and all claims or other injury (including the cost of defending claims or litigation) arising from or in connection with claims of loss or damage to person or property arising out of User’s failure to comply with any applicable laws, rules, regulations or other requirements of local, state or federal authorities, for claims of libel, slander, invasion of privacy or infringement of common law or statutory copyright, for breach of contract or other injury or damage at law or equity, which claims result from User’s use of resources provided hereunder.
4. Distribution Rights. By agreeing to allow User to use the production resources, the Commission reserves the non-exclusive right to use and reproduce for non-commercial purposes, without payment, any material produced by User with resources provided by the Commission under this Agreement.

5. Copyright.

- (a) User shall obtain clearances from broadcast stations, networks, sponsors, music licensing organizations representatives, and without limitation from the foregoing, any and all other persons as may be necessary to transmit program(s) produced under this Agreement over the [CABLE COMPANY] system.
- (b) Unless otherwise agreed to in Exhibit "A", the copyright of any program produced under this Agreement shall be held equally between the User and the Commission.
- (c) Without limiting the terms of Sections 3 or 6, User shall indemnify the Commission, its Board of Directors, the County of Sacramento, the Cities of Sacramento, Citrus Heights, Elk Grove, Folsom, Galt and Rancho Cordova, officers, employees, and agents, individually and collectively from its failure to comply with the terms of this Section.

6. Indemnification. To the fullest extent permitted by law, User shall defend, indemnify and hold the Commission, its Board of Directors, the County of Sacramento, the Cities of Sacramento, Citrus Heights, Elk Grove, Folsom, Galt and Rancho Cordova, officers, employees, and agents, individually and collectively free and harmless from any and all claims, demands, causes of action, costs, expenses, liability, loss, damage or injury of any kind, in law or equity, to property or persons, including wrongful death, in any manner arising out of, pertaining to, or incident to any alleged acts, errors or omissions of User, its officials, officers, employees, subcontractors, consultants or agents in connection with the performance of this Agreement, including without limitation the payment of all consequential damages, expert witness fees and attorneys fees and other related costs and expenses.

7. Insurance. User shall maintain general liability / personal injury / advertising injury insurance policies as required in this section and will include [CABLE COMPANY], the Commission, the County of Sacramento and the Cities of Sacramento, Citrus Heights, Elk Grove, Folsom, Galt and Rancho Cordova, and their respective governing board, officers, employees and agents as additional insureds on such policies. User shall maintain Commercial General Liability Insurance which affords coverage at least as broad as Insurance Services Office "occurrence" form CG 0001, with minimum limits of at least \$1,000,000 per occurrence. Defense costs shall be paid in addition to the limits. Automobile Liability Insurance shall have coverage at least as broad as Insurance Services Office Form CA 0001 covering "Any Auto" (Symbol 1) with minimum limits of \$1,000,000 each accident. Advertising Injury Insurance shall have minimum limits of at least \$1,000,000 per occurrence. The Commission may approve equivalent self-insurance in writing. User warrants that it maintains workers' compensation insurance as required by the State of California. User shall provide evidence of all such coverage prior to utilizing any Commission resources.

8. Term. This Agreement may be terminated by either party without cause with thirty (30) days written notice to the other party.

9. Venue and Governing Law. This Agreement shall be governed by the laws of the State of California. Venue shall be in Sacramento County.

- 10. Assignment or Transfer. User shall not assign, hypothecate or transfer, either directly or by operation of law, this Agreement or any interest herein without the prior written consent of the Commission. Any attempt to do so shall be null and void, and any assignees, hypothecates or transferees shall acquire no right or interest by reason of such attempted assignment, hypothecation or transfer.
- 11. Successors and Assigns. This Agreement shall be binding on the successors and assigns of the parties.
- 12. Amendment; Modification. No supplement, modification or amendment of this Agreement shall be binding unless executed in writing and signed by both parties.
- 13. Waiver. No waiver of any default shall constitute a waiver of any other default or breach, whether of the same or other covenant or condition. No waiver, benefit, privilege, or service voluntarily given or performed by a party shall give the other party any contractual rights by custom, estoppel or otherwise.
- 14. Entire Agreement. This Agreement contains the entire Agreement of the parties with respect to the subject matter hereof, and supersedes all prior negotiations, understandings or agreements. This Agreement may only be modified by a writing signed by both parties.
- 15. No Third Party Beneficiaries. There are no intended third party beneficiaries of any right or obligation assumed by the Parties.
- 16. Authority to Enter Agreement. Consultant has all requisite power and authority to conduct its business and to execute, deliver, and perform the Agreement. Each Party warrants that the individuals who have signed this Agreement have the legal power, right, and authority to make this Agreement and bind each respective Party.
- 17. Invalidity; Severability. If any portion of this Agreement is declared invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

 [SMCTC CHAIR’S NAME], Chair
 Sacramento Metropolitan Cable Television Commission
 799 G Street, 4th Floor, Sacramento, CA 95814-1212

 Date

 [AGENCY CONTACT PERSON], [TITLE]
 [AGENCY NAME]
 [AGENCY ADDRESS]

 Date

REPRESENTING
Sacramento County
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ROBERT A. DAVISON, EXECUTIVE DIRECTOR

EXHIBIT "A"

AGREEMENT FOR USE OF PRODUCTION RESOURCES [AGENCY NAME]

1. The Commission will provide the following production resources to User:

Equipment and staff resources, to provide video and audio recording and other production resources for [AGENCY NAME] regular Board meetings gavel-to-gavel in accordance with Commission Policies on Public Meetings coverage.

2. User will use the production resources for the following purposes:

- a. Cablecast on Metro Cable 14, and
- b. Historical File Footage

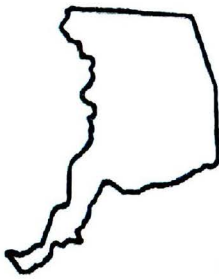
3. Copyright shall be held as follows:

Jointly between [AGENCY NAME] and the Sacramento Metropolitan Cable Television Commission. Either

4. Other terms and conditions:

- a. Commission equipment and staff availability subject to prior commitments to cover other public meetings.
- b. Scheduling of the meetings for cablecast on Metro Cable 14 is at the discretion of Metro Cable's Production Director, to determine priority over other regularly scheduled meetings.
- c. The [AGENCY NAME] shall reimburse the Commission for _____ hourly for such services. [direct salaries and wages, equipment rental, transportation, and materials, plus and indirect administrative allocation of 11.4% and an equipment maintenance charge of \$_____ per meeting.] Reimbursement shall not be required for meetings cablecast from the County of Sacramento's Board Chambers.
- d. [AGENCY NAME] shall submit payment within 30 days of invoice date.

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ROBERT A. DAVISON, EXECUTIVE DIRECTOR

AGENDA ITEM NO. 5

DATE: March 7, 2013

TO: Chair and Board of Directors

FROM: Robert A. Davison, Executive Director

SUBJECT: **RESOLUTION NO. 2013-002, SETTING FORTH TERMS AND CONDITIONS OF CalPERS BENEFITS IN COMPLIANCE WITH REQUIREMENTS OF THE PUBLIC EMPLOYEES' PENSION REFORM ACT FOR NEW EMPLOYEES**

RECOMMENDATION:

It is recommended the Board approve Resolution No. 2013-002, Setting Forth Terms and Conditions of CalPERS Benefits in Compliance with Requirements of the Public Employees' Pension Reform Act (PEPRA) for New Employees.

BACKGROUND/DISCUSSION:

As a participant in the California Public Employees' Retirement System (CalPERS) risk pool, the Sacramento Metropolitan Cable Television Commission (Commission) was notified by CalPERS about the impact that the recent passage of Assembly Bill (AB) 340 pension reform will have on employee and employer contribution rates to CalPERS. AB 340 created the Public Employees' Pension Reform Act (PEPRA) that implemented the following Benefit Formula, Final Compensation Period, and Employer and Member Contribution Rates for new employees hired on or after *January 1, 2013*, who meet the definition of a new member under PEPRA.

	New Member*
Benefit Formula	2% at Age 62
Final Compensation Period	3 Year Final Compensation
Employer Contribution Rate as a percentage of payroll	6.95% of Reportable Compensation
Member Contribution Rate as a percentage of payroll	6.75% of Reportable Compensation

***Definition of a New Member under PEPRA:**

A new member includes:

- (1) a new hire who is brought into CalPERS membership for the first time on or after 1/1/2013, and who has no prior membership in any other CA public retirement system;

Agenda Item No. 5

Resolution No. 2013-002, Setting Forth Terms and Conditions of CalPERS Benefits in Compliance with Requirements of the Public Employees' Pension Reform Act

Page 2

*Definition of a New Member Under PEPRA (continued):

- (2) a new hire who is brought into CalPERS membership for the first time on or after 1/1/2013, and who is not eligible for reciprocity with another CA public retirement system;
- (3) a member who established CalPERS membership prior to 1/1/2013, and who is hired by a different CalPERS employer after 1/1/2013, after a break in service of greater than 6 months.

Basically, the Commission is required to transition from its present "2% @ 55" formula for Miscellaneous Employees to a "2% @ 62" formula; with the Final Compensation Period at 1 year to a Final Compensation Period at 3 years. The Commission has no discretion in this matter. The statutory language of PEPRA is clear that new employees hired on or after January 1, 2013 will be subject to the new formulas.

It is recommended the Board adopt Resolution No. 2013-002, Setting Forth Terms and Conditions of CalPERS Benefits in Compliance with Requirement of the Public Employees' Pension Reform Act.

Respectfully submitted,



ROBERT A. DAVISON, Executive Director
Sacramento Metropolitan Cable Television Commission

Attachment:

Resolution No. 2013-002

CalPERS Benefit Formula and Contribution Rates for New Members Effective January 1, 2013 (12/19/12)

RESOLUTION NO. 2013-002

**A RESOLUTION OF THE SACRAMENTO METROPOLITAN CABLE TELEVISION COMMISSION
SETTING FORTH TERMS AND CONDITIONS OF CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM
(CalPERS) BENEFITS IN COMPLIANCE WITH REQUIREMENTS OF THE PUBLIC EMPLOYEES' PENSION
REFORM ACT (PEPRA) FOR NEW EMPLOYEES**

WHEREAS, the State Legislature passed and the Governor of California signed Assembly Bill 340, the Public Employees' Pension Reform Act (PEPRA) of 2013, which makes a number of changes in the Public Employees' Retirement Laws; and

WHEREAS, PEPRA requires a public retirement system to modify its retirement plan to comply with PEPRA; and

WHEREAS, the California Public Employees Retirement System (CalPERS) is a public retirement system subject to PEPRA's provisions; and

WHEREAS, the Sacramento Metropolitan Cable Television Commission (Commission) is contracted with CalPERS to provide retirement benefits for its employees; and

WHEREAS, PEPRA mandates that with respect to new members, defined as members hired on or after January 1, 2013, the CalPERS establish new retirement formulas and a single methodology for determining the amount of a new member's retirement for its contracting agencies;

WHEREAS, the Commission's current retirement formulas and methodology for calculating retirement compensation are different than PEPRA Mandates;

WHEREAS, PEPRA provides that the PEPRA Mandates supersede the Commission's formulas and methodology for calculating retirement compensation;

WHEREAS, the Commission has no discretion as to whether to implement the PEPRA Mandates for new members hired on or after January 1, 2013;

WHEREAS, the definition of a new member under PEPRA includes (1) a new hire who is brought into CalPERS membership for the first time on or after 1/1/2013, and who has no prior membership in any other CA public retirement system; (2) a new hire who is brought into CalPERS membership for the first time on or after 1/1/2013, and who is not eligible for reciprocity with another CA public retirement system; and (3) a member who established CalPERS membership prior to 1/1/2013, and who is hired by a different CalPERS employer after 1/1/2013, after a break in service of greater than 6 months.

WHEREAS, pursuant to State law, the Commission establishes the compensation, including retirement benefits, for its employees by Resolution.

NOW, THEREFORE, BE IT RESOLVED the Sacramento Metropolitan Cable Television Commission does hereby resolve pursuant to the Public Employees' Pension Reform Act (PEPRA) of 2013, any new member employee, as defined by PEPRA, who is hired on or after January 1, 2013, shall be subject to the following retirement benefits:

Benefit Formula	2% at Age 62
Final Compensation Period	3 Year Final Compensation
Employer Contribution Rate as a percentage of payroll	6.95% of Reportable Compensation
Member Contribution Rate as a percentage of payroll	6.75% of Reportable Compensation

On a motion by Director _____, seconded by Director _____, the foregoing Resolution was passed and adopted by the Sacramento Metropolitan Cable Television Commission this 7th day of March, 2013 by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chairperson,
Sacramento Metropolitan
Cable Television Commission

ATTEST:

Clerk/Secretary of the Board



California Public Employees' Retirement System
Actuarial Office
P.O. Box 942704
Sacramento, CA 94229-2704
TTY: (877) 249-7442
888 CalPERS (or 888-225-7377) phone • (916) 795-3005 fax
www.calpers.ca.gov

December 19, 2012

Employer Name: Sacramento Metropolitan Cable Television Commission
CalPERS ID: 3692049158
Employee Category: Miscellaneous
Rate Plan Identifier: 27022

Dear Employer:

**Subject: BENEFIT FORMULA AND CONTRIBUTION RATES FOR NEW MEMBERS
EFFECTIVE JANUARY 1, 2013**

The purpose of this letter is to inform you about the impact that the recent passage of Assembly Bill (AB) 340 pension reform will have on employee and employer contribution rates to CalPERS. AB 340 created the Public Employees' Pension Reform Act (PEPRA) that implemented new benefit formulas and final compensation period, as well as new contribution requirements for new employees hired on or after January 1, 2013 who meet the definition of new member as per PEPRA. Please refer to the [Pension Reform](#) section of the CalPERS website for more information on pension reform, including information regarding when an employee will be considered a new member under PEPRA.

The table below provides information on the benefit formula, final compensation period and the employer and member contribution rates effective January 1, 2013 for any miscellaneous employees that meet the definition of a new member under PEPRA.

Benefit Formula	Miscellaneous 2% at Age 62
Final Compensation Period	3 Year Final Compensation
Employer Contribution Rate as a percentage of payroll	6.95% of Reportable Compensation
Member Contribution Rate as a percentage of payroll	6.75% of Reportable Compensation

Since you currently participate in a risk pool, your new miscellaneous members will participate in the Miscellaneous 2 percent at age 62 risk pool that was created by the CalPERS Board in November 2012 in response to the passage of PEPRA. The **employer** contribution rate listed above will be good until June 30, 2015. This rate will not be revised until the June 30, 2013 actuarial valuation of the Miscellaneous 2 percent at age 62 risk pool is completed in the fall of 2014 that will set the contribution requirement for fiscal year July 1, 2015 through June 30, 2016.

In accordance with PEPRA and CalPERS interpretation of the term similarly situated, the member contribution rate shown in the above table was set at 50% of the expected total

normal cost rate for the benefits that will apply to your new miscellaneous members on January 1, 2013 rounded to the nearest one quarter of one percent. The total normal cost rate used for this calculation is 13.7 percent of payroll. The normal cost rate was derived based on the benefit formula and final compensation period listed in the above table as well as all other optional benefit provisions you have contracted with CalPERS for your employees. Since the actual demographics of your new pool will not be known until new members are hired, and due to the limited time available for implementation of PEPR, the normal cost rate was derived based on the demographics of a pool of CalPERS employees and the actuarial assumptions used in the [Actuarial Cost Analysis](#) of AB 340. For information on how the normal cost was derived and the actuarial assumptions used, please refer to the following link on the CalPERS website at:

<http://www.calpers.ca.gov/eip-docs/employer/program-services/member-rates-pepra.pdf>

Note that the member contribution rate may change over time if the total normal cost for new members fluctuates by more than one percent of payroll over the estimated initial normal cost rate of 13.7 percent of payroll. The total normal cost rate will be impacted over time by the actual demographics of the Miscellaneous 2 percent at age 62 risk pool and the actuarial assumptions used in the funding of the retirement benefits. The member rate will be reviewed once a year when the actuarial valuation of your plan is performed. The first review is expected to be in conjunction with the June 30, 2013 actuarial valuation that will take place in the fall of 2014. Therefore, the member contribution rate listed in the above table is expected to remain unchanged until July 1, 2015.

For more information, you may visit the CalPERS website at www.calpers.ca.gov. If you have questions, please contact the CalPERS Customer Contact Center at **888 CalPERS** (or 888-225-7377).

Sincerely,



ALAN MILLIGAN
Chief Actuary

REPRESENTING
Sacramento County
and the Cities of:
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ROBERT A. DAVISON, EXECUTIVE DIRECTOR

AGENDA ITEM NO. 6

DATE: March 7, 2013
TO: Chair and Board of Directors
FROM: Robert A. Davison, Executive Director
SUBJECT: SALARY AND BENEFITS SURVEY

RECOMMENDATION:

It is recommended the Board authorize staff to hire a consultant to perform a comprehensive study of salary and benefits for the Sacramento Metropolitan Cable Television Commission.

BACKGROUND/DISCUSSION:

During the recruitment and hiring process for the Commission's Administrative Services Officer in 2008, staff surveyed the JPA members regarding overall benefit packages. At that time, the Board adopted a change to the health benefit allocation. Staff informed the Board at the time that due to the complex nature of the data related to the overall benefit package, a consultant may be retained in the future to perform a review of the package and make potential recommendations.

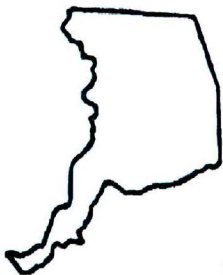
The Commission's positions are historically tied to the County of Sacramento's Administrative Services Officer and Office Assistant classifications. This alignment has not been reviewed in many years. In addition, many changes have occurred related to benefits and salaries in public agencies over the past several years. For these reasons, staff is recommending a consultant be retained to perform a comprehensive study of salary and benefits for the Commission's full-time/part-time employees. Hiring a consultant will ensure accurate data is used to evaluate compensation and benefit standards, including health insurance, retirement plans, and like benefits. The study will also determine if existing job titles are in line with the specific job duties currently performed by Commission employees.

Staff is recommending the Board authorize staff to hire a consultant to perform the study. There are adequate appropriations in the budget to pay for this study, at an estimated cost of \$30,000.

Respectfully submitted,

ROBERT A. DAVISON, Executive Director
Sacramento Metropolitan Cable Television Commission

REPRESENTING
Sacramento County
and the Cities of:
Citrus Heights
Elk Grove
Folsom
Galt
Rancho Cordova
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SACRAMENTO METROPOLITAN Cable Television Commission

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ROBERT A. DAVISON, EXECUTIVE DIRECTOR

AGENDA ITEM NO. 7

DATE: March 7, 2013
TO: Chair and Board of Directors
FROM: Robert A. Davison, Executive Director
SUBJECT: RESOLUTION NO 2013-003, HONORING DONNA WELBORN UPON THE OCCASION OF HER RETIREMENT

RECOMMENDATION:

It is recommended the Board adopt Resolution No. 2013-003, Honoring Donna Welborn Upon the Occasion of Her Retirement.

BACKGROUND:

Donna Welborn will retire from service with the Sacramento Metropolitan Cable Television Commission on March 20, 2013.

The Commission hereby recognizes and congratulates Donna on her retirement and thanks her for her 23 years of dedicated service at Metro Cable, serving as its Production Director for the past 16 years.

Staff recommends the Board adopt Resolution No. 2013-003, Honoring Donna Welborn on the Occasion of Her Retirement, and invite everyone to join staff at Donna's cake reception scheduled right after the Board meeting.

Respectfully submitted,

A handwritten signature in blue ink that reads "Robert A. Davison". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

ROBERT A. DAVISON, Executive Director
Sacramento Metropolitan Cable Television Commission

Attachment:
Resolution No. 2013-003, Honoring Donna Welborn Upon the Occasion of Her Retirement

RESOLUTION NO. 2013-003

**A RESOLUTION OF THE SACRAMENTO METROPOLITAN
CABLE TELEVISION COMMISSION HONORING DONNA WELBORN
UPON THE OCCASION OF HER RETIREMENT**

WHEREAS, Donna Welborn accepted a part-time Production Assistant position with the Sacramento Metropolitan Cable Television Commission (SMCTC) in 1990; and

WHEREAS, Donna was hired as the full-time Program Coordinator for Metro Cable 14 in 1996; and

WHEREAS, Donna was appointed as Production Director for Metro Cable 14 in 1997; and

WHEREAS, Donna developed a great working relationship with the Sacramento Metropolitan Cable Television Commission's member agencies and local government agencies; and

WHEREAS, Donna spent much of her career overseeing the day-to-day operations of Metro Cable 14; and

WHEREAS, Donna oversaw many of the improvements to Metro Cable 14 over the years, including in assisting in the implementation of closed captioning so that meetings cablecast on Metro Cable 14 are more accessible to the hearing impaired community; and

WHEREAS, Donna steered Metro Cable 14 from the analog into the digital realm during her tenure and has helped mold Metro Cable 14 into what it is today; and

WHEREAS, Donna provided exceptional support for this Commission and to Board Members throughout her career.

NOW THEREFORE BE IT RESOLVED, that the SMCTC is grateful for Donna's twenty three (23) years of dedicated service and does hereby recognize and honor Donna Welborn on the occasion of her retirement and wish her well in this life transition.

On a motion by Director _____, seconded by Director _____, the foregoing Resolution was passed and adopted by the Board of Directors of the Sacramento Metropolitan Cable Television Commission this 7th day of March 2013, by the following vote, to wit:

AYES:

NOES:

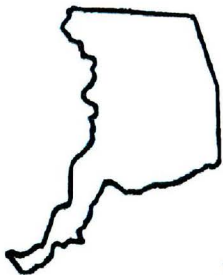
ABSENT:

Attest By:

*By: _____
Chair, SMCTC*

Clerk/Secretary of the Board

REPRESENTING
Sacramento County
and the Cities of:
Citrus Heights
Elk Grove
Folsom
Galt
Rancho Cordova
Sacramento



SACRAMENTO METROPOLITAN Cable television CTC Commission

799 G Street, 4th Floor ♦ Sacramento, CA 95814-1212 ♦ www.sacmetro cable.tv

Phone: (916) 874-6661 ♦ Fax: (916) 854-9666

ROBERT A. DAVISON, EXECUTIVE DIRECTOR

AGENDA ITEM NO. 8

DATE: March 7, 2013
TO: Chair and Board of Directors
FROM: Robert A. Davison, Executive Director
SUBJECT: GENERAL ADMINISTRATIVE REPORT

RECOMMENDATION:

It is recommended the Board receive verbal reports on the following items:

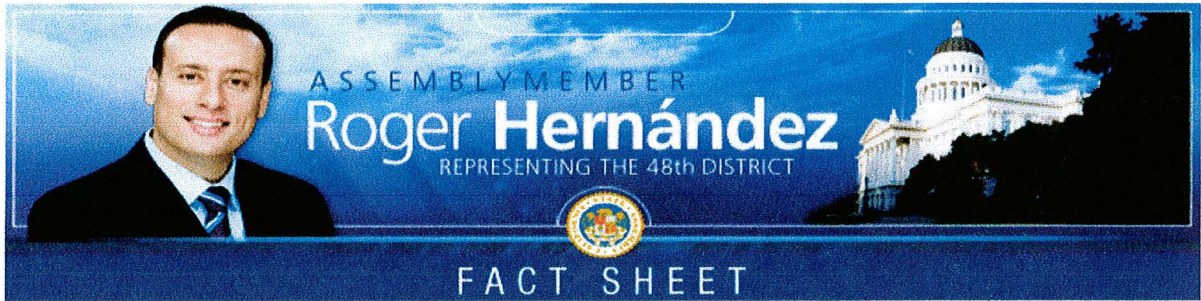
- A) AB 185
- B) Metro Cable Production Director Recruitment Update
- C) Member Agency Meetings with City Managers/County Executive
- D) April 4 / May 2 / June 6, 2013 Board Meetings

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Robert A. Davison", written over a horizontal line.

ROBERT A. DAVISON, Executive Director
Sacramento Metropolitan Cable Television Commission

Attachment:
AB 185 Fact Sheet



AB 185 – Televising Public and Open Meetings As Introduced

SUMMARY

Assembly Bill (AB) 185 requires that local municipalities that collect fees for Public, Educational, and Government television programming, also known as Public Access channels, televise public and open meetings. This bill also requires local municipalities to keep recordings of public meetings on file and accessible to the public for two years.

BACKGROUND

According to the Alliance for Community Media, there were over 50 public access closures in various local agencies across California. Seven of those 50 local agencies are municipalities within the Forty-Eighth Assembly District.

Unfortunately, some local governments are not utilizing funds already being collected for the purpose of funding Public Access television. Not televising open meetings, even after funds are being collected from consumers to do so, poses a threat to good governance, transparency and the public's access to information in a readily available medium. In addition to televising city council meetings, PEG channels permit schools, governments, individuals and groups to provide and receive information about local events and emergencies. Thus, the channels encourage creation of local programming

by local municipalities, civic groups and non-profits to promote localism and civic engagement.

This bill ensures that these existing funds be utilized for their purpose, rather than be used for unintended purposes or returned to consumers. This bill promotes transparency and accountability at the local level of governance.

EXISTING LAW

Currently, state law gives franchising license to cable providers to allow the providers to service designated areas in California. The designated cable provider for each municipality is then required to collect a fee from the consumers and return that money to the city or local agency which it services. These monies are then put into the general fund to be used for public access programming.

The cable providers are also required under federal law to provide at least three channels for Public, Educational and Government television.

STATUS

Introduced 1/28/13

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ROBERT A. DAVISON, EXECUTIVE DIRECTOR

AGENDA ITEM NO. 9

DATE: March 7, 2013
TO: Chair and Board of Directors
FROM: Robert A. Davison, Executive Director
SUBJECT: STATE FRANCHISEE / LICENSEE REPORTS

RECOMMENDATION:

It is recommended the Board receive verbal reports from representatives from state franchisees/licensees:

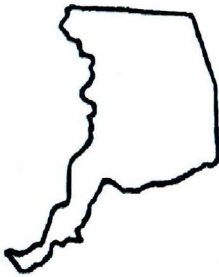
- A) AT&T
- B) Comcast
- C) SureWest

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Robert A. Davison", written over a horizontal line.

ROBERT A. DAVISON, Executive Director
Sacramento Metropolitan Cable Television Commission

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ROBERT A. DAVISON, EXECUTIVE DIRECTOR

AGENDA ITEM NO. 10

DATE: March 7, 2013
TO: Chair and Board of Directors
FROM: Robert A. Davison, Executive Director
SUBJECT: CHANNEL LICENSEE REPORTS

RECOMMENDATION:

It is recommended the Board receive verbal reports from representatives of Channel Licensees who may be in attendance:

- A) Access Sacramento
- B) Capitol Public Radio
- C) KVIE
- D) RCCTV
- E) Sacramento Education Cable Consortium

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Robert A. Davison", written over a horizontal line.

ROBERT A. DAVISON, Executive Director
Sacramento Metropolitan Cable Television Commission

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ROBERT A. DAVISON, EXECUTIVE DIRECTOR

AGENDA ITEM NO. 11

DATE: March 7, 2013
TO: Chair and Board of Directors
FROM: Robert A. Davison, Executive Director
SUBJECT: PUBLIC COMMENTS

RECOMMENDATION:

It is recommended the Board receive comments from the public on matters that are not on the agenda.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "R.A. Davison", written over a horizontal line.

ROBERT A. DAVISON, Executive Director
Sacramento Metropolitan Cable Television Commission