

**CABLE FRANCHISE REVIEW COMMITTEE
CITY MANAGER'S OFFICE
MEETING MINUTES
JANUARY 12, 2006 6:00PM**

COMMITTEE MEMBERS PRESENT: Mike Joyal (C.M.) Dana Lariviere (Chair), E.J. Bleiler, Jean O'Shea, Audra Lurvey, and Brian Miller.

6:05pm – Chairman Lariviere opened meeting.

Dana briefed the committee about the informal discussion that he, Mike Joyal had by phone with Bryan Christiansen and Comcast. He recaptured all information regarding the meeting. The below is a summary

Dana went on to discuss key items on the table:

1. **City internet/ Data needs** – Dana said they discussed 3 origination points in City for Government Channels (City Hall, Woodman Park, Public works? I think.) Dana explained that Comcast might buy into one more additional channel, but not 3. unless we can show the need through ascertainment..
2. **Franchise Fee** - Dana told committee that a franchise fee to support PEG channels was discussed. He said that Comcast didn't commit to anything yet along this issue.
3. **100% Build-out**- Dana said that Comcast will agree to a build-out to those areas of the City which doesn't have cable. There was hesitation about providing cable to people in those areas with unusually long driveways.
4. **Franchise term** – Dana told the committee that Comcast discussed a 10 year agreement and they also need to work on the language.

Mike Joyal – told committee that manpower to run the studio at city Hall is an issue and was going to approach Comcast about providing manpower or money to hire manpower to run the studio. Mike said he will continue to meet w/ Comcast to discuss this issue.

Jean O'Shea – discussed a Comcast bill she saw that Somersworth residents received which lists a franchise fee. Jean asked how and what the franchise fee would pay for in Dover.

Dana Lariviere- discussed the type of Franchise fee that the City would have and explained the function of it.

Mike Joyal discussed the budget and how the franchise fee would impact the City budget.

Mike – talks about how Comcast would do 100% build-out.

EJ- explained to the committee that he doesn't think that Comcast has really given the City anything that is significant.

Dana- discussed and asked the committee to prioritize what we would like in the contract and if there are any issues that have not been discussed.

EJ- asked the committee to put a priority on an “emergency override” system on all Channels.

EJ – advised that if Comcast doesn't offer anything that the City should look for a 3 year deal.

Dana- discussed the fact that Comcast will probably not agree to a 3 year deal but would be looking for a 7- 10 year deal

Mike- advised committee that a conference call would be made on Thursday January 19, 2006 at 4:00PM at the City Managers office with Comcast (Bryan Christiansen). He invited any committee members to join him during the conference call.

Meeting ended at 7:10pm.

Cable Franchise Renewal – January 12, 2006

Recently the City Manager met with a Bryan Christiansen, a representative of the Cable Commission to discuss several points. In summary,

1. City Internet and Data needs and the locations of such needs. Comcast has stated that they are trying to make our objectives a reality.
2. The original contractual locations are not an issue. However Comcast has not agreed to three dedicated channels. They will agree to ONE additional channel though. They indicate that they will consider, but not commit, to an additional channel after certain (non-specified) standards have been met on the existing two channels, so trigger language is required to be determined.
3. Comcast has initially acquiesced to a franchise fee, possibly to be used to support operations going forward.
4. Comcast is seeking a ten-year term. The committee has not yet agreed to a term period. Comcast will agree for this, to build out to the parts of the city not yet having cable, however wants language to protect against residences with long driveways.

In addition the City manager had stipulated that there are three additional items that need to be included in any final agreement:

1. assurance that in any future agreement Dover will continue to receive at least the same services allowed in the original agreement such as a camera operator for two meetings a month or equivalent compensation to enable the City to pay for this.
2. Ensure the all channel emergency override capability is included as it is in the current agreement.
3. Provide for the continuation of group discount rates for Dover Housing Authority, and universal access assurances by providing services to schools, libraries and other public buildings at no charge.

On Jan. 19th There was a reaffirmation of several points:

1. Internet/Data access for all municipal facilities including library and educational facilities
2. 3 dedicated education/government channels with three respective origination points (City Hall, Dover High-school and Woodman Park School)
3. A franchise term between 7 and 10 years provided there is a re-opener clause and/or provisions for continuous system upgrades based on new technologies and actual 100% buildout to all residential areas in the city along with build-outs to industrial areas/facilities upon request.

There has been an admonition as to the fact that time is running short since the new cable agreement is supposed to be done by the fourth Wednesday in March, which means to have the Council approve it will require the details to be agreed upon formally by the 2nd Wednesday in March. Inasmuch as the attorneys will need time to review the draft, there needs to be an agreement by the first week of February.