

City of Cambridge

**CABLE TV, TELECOMMUNICATIONS AND
PUBLIC UTILITIES COMMITTEE MEMBERS**

*Marjorie C. Decker, Chair
Councillor Anthony D. Galluccio
Councillor David P. Maher*

In City Council February 24, 2003

The Cable TV, Telecommunications and Public Utilities Committee held a public meeting on Tuesday, February 4, 2003 at four o'clock and fifteen minutes p.m. in the Sullivan Chamber.

The purpose of the meeting was to discuss the possibility of Cambridge charging a fee for using the city's right-of-ways for running fiber optic cables, a plan to develop public information cable television spots and coordination of resources between the municipal cable, CCTV and the school department cable.

Present at the meeting were Councillor Marjorie C. Decker, Chair of the Committee, Vice Mayor Henrietta Davis, Mayor Michael A. Sullivan, Robert W. Healy, City Manager, Ini Tomeu, Public Information Officer, Don Drisdell, City Solicitor, Nancy Glowa, Deputy City Solicitor, Calvin Lindsay, Director, Municipal Cable, Benjamin Barnes, License Commissioner, George Fernandes, City Electrician, James Maloney, Chief Operating Officer, School Department, William Bates, Director of Athletics, School Department, Paul Ryder, Recreation Department and Donna P. Lopez, Deputy City Clerk. Also present at the meeting were Peggy Sullivan, AT&T Broadband and Susan Fleishman, Director CCTV.

Councillor Decker opened the meeting and stated the purpose. She informed the audience that the agenda would be to discuss the fee for the right-of-ways and then she would combine the public information cable spots and the coordination of resources together.

Councillor Decker asked City Manager Healy to provide an update on the city charging fees for new and future uses of the telecommunication industry.

Mr. Healy stated that the License Commission, under the authority of the Pole and Conduit Commission, regulates this issue. There has been a move to lay more fiber optics in the public way, specifically as it relates to cable television. The cable system was built in 1985 in Cambridge. The Pole and Conduit Commission set fees. The city continues to explore potential revenue for cable occurring in the public ways. The Pole and Conduit Commission looked at how or if the city could recoup some revenue for the continued use of the public ways. Manholes were used to pull fiber optics through the public ways. All poles and wires in Cambridge pay personal property tax. For profit companies attempted to occupy the public ways to get into the telecommunication boom. The committee next heard from Benjamin Barnes, License Commissioner.

The Pole and Conduit Commission charged a fee for the use of public ways; it is a fee not a tax. This serves two purposes, he said. It organizes and orchestrates when an entity can come into the public ways to avoid any unnecessary obstruction to the public way and mitigates fees for lights at no expense to the city. Cambridge is trying to generate revenue through fees without getting litigious with individuals. Cambridge has worked cooperatively with the utilities for years. There is a charge for the use of the public way through the Pole and Conduit Commission.

Councillor Decker stated that the call of this meeting was to determine if Cambridge could charge a fee for using the public ways by private companies. The hope of the city is that the FCC ruling will be overturned.

Vice Mayor Davis stated that she served on a Massachusetts Municipal Association (MMA) committee that was concerned with this issue. Epstein and August represented the MMA. This issue needs to be sorted out. She asked what fee could be charged by Cambridge because these are the city's right-of-ways.

In response to a question by Councillor Decker, Mr. Barnes stated that anytime a company wants to put something in the ground the company must file a petition and appear before the Pole and Conduit Commission. Depending on the length of the public way there is a mitigation fee. Repairs can be made to service, however if the repairs take more than an hour the Police and Conduit Commission must be notified.

Vice Mayor Davis stated that she has a long-term goal to place wires underground. Fiber optics from commercial areas runs through residential areas. The Pole and Conduit Commission has been looking at new construction in an effort to remove and place the wires underground, stated Mr. Barnes. It is too costly for individual residents to pay to have the wires placed underground. He cited an example where all the residents on Fallon Street collectively agreed to pay to have the wires placed underground. The wires are underground on Third Street. Poles will be placed underground soon on Vassar Street. Wires have been placed behind shrubs so that they are less intrusive. Vice Mayor Davis asked that wires be removed that are no longer in service. Councillor Decker asked for a summary of the process and the strategic plan to place wires underground.

Mayor Sullivan stated that if Cambridge required NSTAR to remove its cables from our infrastructure it would be too costly and maybe NSTAR would give them to the city. He would like to see Cambridge operate its own cable company and generate more revenue for the city. Councillor Decker stated that there was Ballot Question in Cambridge in 1983 to operate its own municipal cable channel that was defeated by thirty-eight votes. Mayor Sullivan commented that today a referendum would pass.

Councillor Decker asked if fees are being paid now or are they a one-time fee. Mr. Barnes responded that mitigation is a one-time fee and other fees are ongoing.

Councillor Decker now focused on the public information cable spots and the coordination of resources. She asked representatives from the municipal channel, CCTV, the school department cable, the Recreation Department and the Public Information Officer to come forward. She stated that she wanted to discuss the public service announcements (PSA) and the coverage of sporting events. She questioned who was responsible for coverage of sporting events.

Mr. Bates, Director of Athletics, School Department, stated that he has worked with CCTV to set up a new structure. A skeleton operation is in place. CCTV and the school department cover nine events. There is funding available for these nine events. There is no money for spring events, he said. How are events chosen, asked Councillor Decker. The Media Office has \$1200 to cover nine events and is seeking an additional \$1200 for coverage of spring events stated Mr. Bates. Councillor Decker commented that with the resources of the school department, the municipal cable and CCTV it is unbelievable that only nine events are covered by cable.

Ms. Fleishman stated that she has been with CCTV for fifteen years. When the cable license was signed the City Manager asked for an analysis for cable service for Cambridge. Public, municipal and education access was identified. The resource for education access was \$100,000. The school department was expected to come up with funding, but could not. There are dozen of sporting events each week in the city and it is physically impossible to cover all these events. Resources need to be discussed and coordinated. CCTV trains residents and businesses and voluntarily covers events each year. A fee should be charged to tape these events. Mr. Lindsay stated that he agreed with Ms. Fleishman. It is a staffing issue. Sports coverage requires more staffing. A lot of work is required to turn a sporting event into a program.

Mr. Maloney stated that the school department's goal is to establish a relationship with a not for profit entity to do financial development. It is a financial issue. The Superintendent of Schools is committed to working with the City Council on this issue. A 4,000 square foot space was identified at the Solomon Garage to be shared with Mr. Lindsay. The area will be designed to expand the cable studio space. The operating budget is tight. The collaborative mode will continue, he said.

Councillor Decker stated that she was excited about the access corporate development. It would be good to combine the residents and the students to do training. She asked about the timeframe and who would be responsible to cover sporting events. The three separate units would own the public access corporation, stated Mr. Maloney. The goal is to make it more collaborative.

Ms. Fleishman stated that a more comprehensive analysis of the needs should be done. Leadership is needed by the city to bring the three entities together and to outline how the resources will be allocated. Sporting events are part of the vision. A clear vision is needed. Curriculum, institutions of high education and training are also issues. Councillor Decker stated that the sporting piece, staffing and resources are all issues. There is no clear plan. She wanted something that is more systemic and a blueprint.

Vice Mayor Davis questioned the resources for production. She expressed her interest to have more local programming and how could this be accomplished. Mr. Lindsay stated that the municipal staff works from nine a.m. to nine p.m. each day. There are many requests from many areas; the staff cannot cover all the requests. The PSA have a small staff. What goes into production needs to be understood. The shooting and taping of a PSA took two days and the product was a thirty-second piece.

Vice Mayor Davis stated that information flow in the city is minimal. She wanted to get ideas from the City Council for PSA and local production. She asked Mr. Lindsay if there is potential for local production. Mr. Lindsay responded in the affirmative. He would like the qualitative measures to be part of the goal. To shoot an event is one thing, but the product should look a certain way and convey a specific message. Vice Mayor Davis stated that the municipal channel should fill the gap of local programming. She cited an example of the water treatment plant and how it operates. Mr. Lindsay stated that the water treatment story speaks to the issue of information flow.

Councillor Decker stated that the issue is ownership of programming around the city. She could envision a Cambridge news station in the city covering the thirteen elementary schools, one high school, four colleges and thirteen neighborhoods. This is a mechanism to get people involved in what is going on in the city. Television, she said, is the only lifeline for some people.

CCTV does an excellent job with training. The issue still is resources. She commented that as a City Councillor she has never seen a request from the three entities for more money to do additional programming. She informed Mr. Lindsay that if he needed more staff that the City Council needed to know this fact to help to facilitate this need. She stated that she would follow up with the three entities and their views of the entities as a whole. She requested the three entities to share their thoughts with each other.

Ms. Fleishman stated that she wanted a vision and a unified set of priorities on what is produced for the city and each entity playing a role. Councillor Decker stated that currently with the three entities no one is responsible.

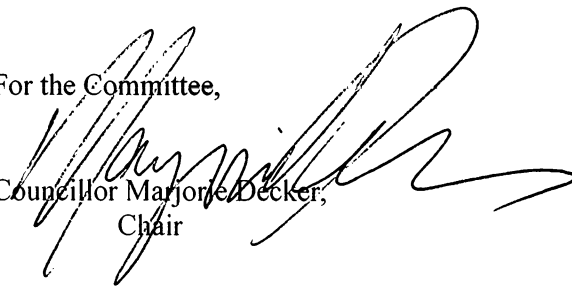
At five o'clock and twenty-five minutes p. m. Councillor Decker opened the meeting to public comment.

Roy Bercaw suggested expanding input for hearings to include the School Department, cable, municipal cable and CCTV. He stated that there is a no sense of civic pride in the youth of Cambridge. So much could be done that is not being done, he said. City and community events should be distinguished. Only one person is needed who can use a camera to film an event. He further stated that the Planning Board and the Board of Zoning Appeals should be broadcast live. Events at the library should also be cabled. Harvard University and M.I.T. have a library of events. Cambridge has the ability to do the same.

Councillor Decker thanked all attendees.

The meeting adjourned at five o'clock and thirty minutes p. m.

For the Committee,


Councillor Marjorie Decker,
Chair

S-58

Committee Report #1

Committee Report from Councillor Marjorie C. Decker, Chair of the Cable TV, Telecommunications and Public Utilities Committee, for a meeting held on February 4, 2003 to discuss the possibility of Cambridge charging a fee for using the city's right-of ways for running fiber optic cables, a plan to develop public information cable television spots and coordination of resources between the municipal cable, CCTV and the school department cable.

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**REPORT ACCEPTED.
PLACED ON FILE.**