

RESOLUTION NO. 872

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A PUBLIC ACCESS AGREEMENT WITH METROPOLITAN AREA COMMUNICATIONS COMMISSION (MACC).**

WHEREAS, the city staff has prepared a report on the above-captioned subject which is attached hereto as "Exhibit A"; and

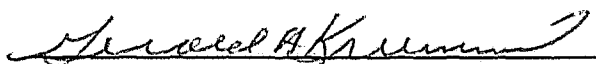
WHEREAS, the City Council has duly considered the subject and the recommendation(s) contained in the staff report; and

WHEREAS, interested parties, if any, have had the opportunity to be heard on the subject.

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES that the City Council does hereby authorize the signing of the Agreement for Government Access Production Services and authorizes the transfer of \$2,600 from the Contingency Fund to General Fund/Special Projects.

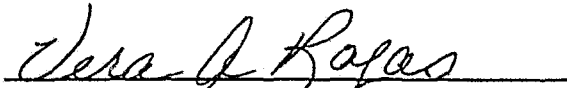
CONSIDERED by the City Council of the City of Wilsonville at a regular meeting thereof this 16th day of September, 1991 at which time the resolution was continued to October 7, 1991.

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof this 7th day of October, 1991, and filed with the Wilsonville City Recorder this same date.



GERALD A. KRUMMEL, Mayor

ATTEST:



VERA A. ROJAS, CMC, City Recorder

SUMMARY of Votes:

Mayor Krummel	<u>AYE</u>
Councilor Chandler	<u>AYE</u>
Councilor Carter	<u>AYE</u>
Councilor Lehan	<u>AYE</u>
Councilor Van Eck	<u>NO</u>



City of  
**WILSONVILLE**  
in OREGON

30000 SW Town Center Loop E • PO Box 220  
Wilsonville, OR 97070  
(503) 682-1011

**Exhibit "A"**

September 11, 1991

**TO: HONORABLE MAYOR AND CITY COUNCIL**

**FROM: TOM BARTHEL**  
**ADMINISTRATIVE ANALYSIS**

**SUBJECT: VIDEO TAPING CITY COUNCIL MEETINGS**

Attached is a resolution which authorizes the City to enter into an Agreement for Government Access Production Services between the Metropolitan Area Communications Commission (MACC) and the City of Wilsonville. This agreement specifies the taping and broadcast parameters of the regularly scheduled meetings of the City Council. Preparation of the agreement was in response to Council inquiries and can be disposed of in either of the following manners:

1) Reject the resolution - No taping or broadcast services will be provided.

Maintaining the status quo may or may not provide the level of information dissemination desired by City Officials.

2) Authorize ratification of resolution - The critical variables which govern the costs associated with this contract are the number of hours to be taped and the production's frequency. Based on past performance averages ( two council meetings per month of three and a half hours duration) the total cost of production would be \$656 per month.

The contract is patterned after similar contracts used in agreements with other jurisdictions such as Lake Oswego.

3) Authorize ratification of resolution in limited scope - To reduce the cost of production, either the total hours of the production, the frequency of the tapings or both may be reduced.

Reduced or restricted time frames may result in incomplete or fragmented information sessions.

**RECOMMENDATIONS:**

Unclear as to the ultimate desired end result, staff recommends that option three be adopted with the following clarification: Rather than reduce the number of hours or frequencies of production, the number of events should be considered as a limiting factor. Adopt the resolution and accompanying agreement as is with the understanding that at some point (after some level of satisfaction has been reached or not) the service will be either be continued or discontinued depending on the status.

AGREEMENT FOR GOVERNMENT ACCESS PRODUCTION SERVICES

METROPOLITAN AREA COMMUNICATIONS COMMISSION  
TUALATIN VALLEY COMMUNITY ACCESS  
1815 N.W. 169th Place, Suite 6020  
Beaverton, Oregon 97006

AGREEMENT between the Metropolitan Area Communications Commission (hereinafter "MACC"), located in Beaverton, Oregon, and the City of Wilsonville (hereinafter "City"), a municipal government located in Clackamas County, in the State of Oregon.

1. Provision of Services

MACC shall provide the following services:

- a. MACC shall videotape regular sessions of the Wilsonville City Council (hereinafter "Council Meetings") "gavel-to-gavel", once each month, on the first (1st) Monday of each month.
- b. The videotaped coverage of the Council Meetings shall be "gavel-to-gavel", except during executive sessions, and shall employ industrial grade, three-camera color video equipment, adequate audio pickups, character generation, and VHS format recording decks and tapes.
- c. MACC shall arrange to have the recordings of the Council Meetings played back (cablecast) on Government Access Channel 21 on the Columbia Cable of Oregon Cable Television System in Washington County (hereinafter "the System"). The recording of each Council Meeting shall be cablecast, in full, on the System at least twice in the interval before the next regular session. It should be noted that on rare occasions the start time for scheduled cablecast may be delayed due to a longer than scheduled preceding meeting. Should that occur, viewers will be notified by a written message on the screen of the exact time the delayed council coverage will begin.

2. The City's Responsibilities

The City shall:

- a. Provide the TVCA Government/Education Programming Coordinator with a copy of the agenda for each Council Meeting as far in advance of the meetings as is practicable.
- b. Provide one individual to act as a liaison in matters of confirmation of Council Meeting dates and

communication of any other information or concerns relating to video coverage or System cablecasts.

- c. Provide MACC and its representatives with adequate access to the rooms and buildings where the Council Meetings will take place, and access to AC power for lights and other equipment.

3. Warranty

MACC warrants its video productions to be of reasonable quality, taking into consideration the nature of the Council Meeting, the space in which it is conducted, and other recording situations beyond the control of MACC. MACC further warrants that its coverage of Council Meetings shall be as objective as is possible. Recordings of the Council Meetings shall not be edited except for: 1) alphanumeric (text) information inserted into the video picture to provide the viewer with meeting dates and speaker identification, and 2) brief suspensions (approximately 30 seconds each) in coverage as necessary to allow for hourly videotape changes.

4. Retention of Recordings

MACC shall retain the videotaped recordings of each Council Meeting, for a period of fourteen (14) days following production, after which time the videotapes will be erased and recycled. During those fourteen days, the City may purchase a copy or copies of the recording, or purchase the original recording, in accordance with the prices listed in Section #6.

5. Cost

In consideration for the services described above, the City shall pay, or cause to be paid, to MACC financial compensation in the following amounts according to TVCA's established rate sheet:

\$200.00 for each Meeting covered up to 1-1/2 hours  
in duration

\$ 64.00 for each additional hour, billed in quarter-hour  
increments.

There will be no additional charges for playbacks (cablecasts) of the recordings of the Council Meetings.

Each month MACC will calculate the amount due for services provided to the City, according to the above formula, and shall invoice the City for that amount.

6. Copies

If the City desires a copy or copies of an individual Council Meeting, the City shall pay, or cause to be paid, to MACC financial compensation in the following amounts according to TVCA's established rate sheet:

\$ 4.50 for each 120-minute, 1/2" VHS tape used

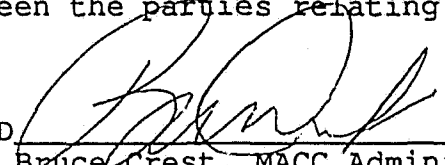
\$10.00 duplication fee for each copy up to 30-minutes in duration.

\$ 7.00 duplication fee for each additional 30-minutes

The City may purchase the original VHS recording tapes at \$4.50 for each tape without additional duplication fees.

The parties (MACC and the City) acknowledge that they have read this Agreement, understand it, and agree to be bound by its terms. They further agree that this Agreement shall terminate on June 30, 1992, at which time a new agreement would be necessary to continue the services detailed herein. The parties agree that any decision by either party to terminate this Agreement before June 30, 1992, shall be accompanied by 30 days written notice to the other party prior to the date termination would take effect. The parties further agree that this Agreement is the complete and exclusive statement of the agreement between the parties, which supercedes all proposals, oral and written, and all other communications between the parties relating to the subject matter of the Agreement.

DATE: 10/9, 1991

SIGNED   
Bruce Crest, MACC Administrator

DATE: 10/16, 1991

SIGNED   
CITY OF WILSONVILLE  
AUTHORIZED REPRESENTATIVE

ATTEST:

  
VERA A. ROJAS, CMC City Recorder

Gerald A. Krummel, Mayor  
(PRINT NAME AND TITLE)



City of  
**WILSONVILLE**  
In OREGON

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Wilsonville, OR 97070  
(503) 682-1011

Exhibit "A"

September 17, 1991

**TO: HONORABLE MAYOR AND CITY COUNCIL**

**FROM: TOM BARTHEL  
ADMINISTRATIVE ANALYST**

**SUBJECT: VIDEO TAPING OF CITY COUNCIL MEETINGS**

There were a number of issues raised at the September 16, 1991 City Council meeting regarding the above topic. The following is in response to those issues:

A positive opinion of cablecasting has consistently been given while in conversations with neighboring jurisdictions (Tigard, Tualatin, Lake Oswego and Washington County). These entities use access to televise their legislative meetings. Even those individuals who admitted to being 'skeptical' at first, now feel that making council or commission meetings available through the televised medium is a worthwhile activity. Local municipalities report increased feedback from their communities since they began to cablecast and each jurisdiction estimates their viewing audience to be more than 30%. If this trend were to be consistent in Wilsonville's experience, it would result in the broadcast of City Council meetings being viewed by approximately 660 citizens.

**Item #1 - The audience** - According to information provided by MACC, 57% (based on 3532 households) of the residents of the City of Wilsonville are currently being serviced by cable television (2,200 subscribers). These numbers represent the 'base audience'. How many special interest audience members there are (shut-ins, handicapped etc.) is difficult to assertion. For purposes of crude approximation, one can consider that every one percent (1%) of the audience total represents seven (7) members of special interest audience. As an example - an estimate of 10% of the total audience being special interest, would

approximate 70 members of the community. (This is a straight line ratio however and will, in all probability, not be supported with statistical analysis.) Providing this segment of the population with an opportunity to view taped sessions could be achieved through; 1) making the tape available through the library as either a check-out item for home viewing or; 2) reserved viewing at the library or; 3) make the tape available to organizations who provide assistance to these individuals.

An additional note: The criteria governing whether or not cable is extended into an area to serve particular homes or individuals is specifically spelled out in the franchise agreement - at some length - the answer to the question "who can be served ?" is a rather ambiguous, "it depends." Extension of service is situational.

**Item #2 - Alternative taping methods** - A question was raised as to whether or not the City had the means to tape the City Council meetings. The idea, as it was presented, was to have a camera at a fixed location. The City does have the technology to video tape the meetings, that is, a video camera capable of being connected to the public address system in the Council chambers is available. It would, however, not be advisable to approach the production of the City Council meetings in this manner because:

(1) There is a 3/4" to 1/2" tape format difference. The City's video camera operates with a 3/4" format and the cablecast format is 1/2". In order to prepare a tape for broadcast, a 1/2" copy of the meeting would have to be made. Editing is done in a "real-time mode" which means, if a council meeting were four hours in length it would require four hours of copying to achieve the correct format. Editing rooms are available in one hour blocks which could present a timing problem and affect the currency of the information;

(2) Taping from a fixed location would limit the exposure of the meeting which ultimately could affect the desirability of the program from a viewers standpoint;

(3) Using City equipment may compromise the quality of the production because it is not intended (it is not sturdy enough) to be used in such a manner. Editing in names and other information would necessitate editing which, as explained earlier, could present a problem and;

4) City staff is not available to provide production assistance. In costing out staff involvement, not only would hourly rates of pay have to be used but, like most other issues



of cost benefit, the work time lost in editing (editing will require approximately one and one-half hours (1 1/2) of editing for every one hour of taped meeting), preparation, distribution, planning and coordinating the event would also have to be considered. One question which arises when discussing the possibility of using staff to produce the City Council tapes is not "how will staff do the taping?" but "What will **not** be getting done as staff does the taping?"

An alternative not discussed involves community volunteers. If the City Council were to consent to the contractual agreement proposed by TVCA to tape the City Council meetings, the Council and staff could be working with community volunteers to eventually 'take over' the production in the future. This possibility exists because the necessary training and equipment are provided free as part of the franchise agreement. The City would not have to use its own equipment or personnel but could, with trained volunteers and proper equipment, produce a quality production. TVCA would encourage such a vanguard approach because in order to increase government access activity, it would be desirable (if not necessary) for many of the smaller jurisdictions to learn to use access facilities and resources to produce their own council meetings. The City of Wilsonville could, if successful, be leading the way for other jurisdictions to act similarly. The end result could benefit not only Wilsonville but the regional community as well.

Issue #2 - Have we reached our goal ? Other jurisdictions which broadcast public meetings include Lake Oswego, Tigard, Tualatin and Washington County. Each of these jurisdictions were contacted and were asked, "How do you know that broadcasting is being effective?" For half of the jurisdictions, Washington County, and Tigard, the answer was more intuitive than based on data. These jurisdictions relied on 'a few comments' which were received. Generally, these jurisdictions felt that broadcasting public meetings was a public service. Both Tualatin and Lake Oswego has, by telephone survey after the meetings and/or through a written survey, accumulated data about their audience. According to Lake Oswego's City Recorder, 31% of those surveyed obtained their information about local issues through the cable broadcast. There is a sense however that this number may be skewed due to the fact that intuitively it is believed participation is directly related to the issues being discussed - the more controversial the issue the greater the audience. No

relationship between the survey and relative issues being discussed at the time the poll was taken have been drawn.

Item #4 - Where will the money come from ? - According to the City's Finance Director, funds for the broadcasting of the City Council meetings would be allocated to Administration (General Fund - Special Projects). The City may wish, however, to look at the funds it receives as annual franchise fees and perhaps some of these monies could be set aside to pay for the broadcasting of the City Council meetings. Last year the City received \$16,897 (roughly \$4,200 per quarter) in cable franchise fees to the general fund.

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DATE: 8/29, 1991

SIGNED   
Bruce Crest, MACC Administrator

DATE: Oct 14, 1991

SIGNED   
CITY OF WILSONVILLE  
AUTHORIZED REPRESENTATIVE

GERALD A KRUMMEL, Mayor  
(PRINT NAME AND TITLE)