

# Colorado Channel Authority Board

## Meeting Minutes

January 13, 2012 at 12pm  
State Capitol, Senate Committee Room 354

### 1. Call to order and attendance

#### Board Members

Sen. Steadman - Present  
Sen. Spence - Present  
Rep. Holbert - Present  
Carol Haller - Present  
Rep. Todd - Present  
John Montgomery - Absent  
Ken Fellman - Present by phone  
Laura Hoepfner - Present

Other individuals present: Tony Shawcross, Chris Haugen, Ed Krisor, Bart Miller

**2. Public comment period-** None offered.

### 3. Review & approval of December 7, 2011 meeting minutes

Carol Haller moved to approve the minutes, Rep. Todd seconded, approved unanimously

### 4. RFP Process Update

Sen. Steadman provided the following update on the RFP process since the December CCAB meeting. In December, the board decided that we would ask Legislative Council to be the point person for the RFP process, and would include duties such as drafting the RFP, posting it to Colorado bids, reviewing the proposals, etc. This decision was made because the board felt like we don't have the capacity to do those things internally. Sen. Steadman had an opportunity to speak with Mr. Mauer from Legislative Council, who stated that Leg Council is unable to do that, and furthermore feels like that is a board responsibility. Sen. Steadman stated the responsibility is back on the board, and he doesn't believe that a volunteer board such as this has the capacity to see an RFP process through.

Sen. Steadman stated that because the consensus is that we are satisfied with our current contractors, OMF, that his recommendation is to halt the RFP process and continue with OMF. Sen. Steadman further noted that the board did searching and there might have been a few groups interested in bidding, but none with both the web and video production components needed and OMF is meeting the board's needs in both of those realms. It was noted that OMF's services are good, our website content is growing steadily and feedback on OMF's performance is positive.

Sen. Spence inquired if we would include committee coverage in the future. Sen. Steadman responded by saying that while that is ideal coverage, the expense is large and cannot happen in the immediate future, but it should be flagged for future conversations about expansion of the channel's coverage. Rep. Todd noted that other states are including committee coverage, and asked that we make contact with them to discuss feasibility.

Carol Haller added that because we are in a standstill given Legislative Council's response to our request, her perspective is that while we started this to be good government that she is comfortable halting the process until we have greater capacity in the future. Carol also noted that we have a strong relationship with OMF, so that she feels comfortable that we are providing good government services with this contractor.

Rep. Holbert asked if we could get a legal opinion on this issue. Ed Krisor responded by stating that his legal perspective is that we are not legally required to undergo an RFP process. Rep. Holbert stated that given that he is comfortable to move forward without an RFP and continue with OMF.

Jaura Hoeppner noted that it was the vision of previous board members to have an Executive Director that could handle these matters in the future. Additionally, while she is comfortable halting the RFP process and continuing with OMF, she asked how we will handle it if anyone inquires about contracting for the running of the channel in the future?

It was suggested that to be as transparent as possible we might consider having additional language on our website that includes information about this decision, and should include: our operating budget, contract specs, source of budget funding, contact person for inquires, and our current contract specifications with OMF.

Ken Fellman called in at this point.

Sen. Steadman asked if we should formally take action to suspend RFP process? Ken Fellman asked if we could resume RFP process this year if Executive Committee of the GA provided greater support to fund more capacity? Sen. Steadman doesn't believe we will be in a position to change anything until 2013.

Rep. Holbert made a motion that legal counsel should provide a legal opinion on whether or not we are legally required to do an RFP, and if not, we terminate the RFP process for the rest of this year and resume the RFP process in 2013. Carol Haller seconded. Motion approved unanimously.

Tony Shawcross noted that one of the benefits of a RFP process is the ability to review and revise the scope of work and he wanted the board to know that OMF is open and inviting that conversation. The board agreed that we should have this conversation with OMF and we can begin this dialogue at the next board meeting

Rep. Todd asked that OMF draft the language to be used on our website and other places as needed that addresses the following:

- How we're funded
- That we have a contract with OMF
- Budget amount, source of budget funds
- What other states are doing
- Reference to the legal opinion (that we are not legally required to undergo an RFP process)

OMF will draft and bring to February CCAB Board meeting for review.

## **5. Additional Content Policy Approval**

Ken Fellman was asked to update the group on this policy. The board received this document prior to the board meeting to ensure time to review. Ken stated that he felt comfortable with the policy in it's current form and believes it is ready for a vote today.

Carol asked if we had 'total control' over Channel 165; for instance, if an outside entity submitted content to air, do we review it beforehand? What say does Comcast have in that process? Tony Shawcross answered that we get to decide what goes on air; Comcast donated the channel to the legislature, and at their request this is not in writing anywhere. Ken Fellman added that pursuant to the Federal Cable Act cable operators like Comcast don't have control over the access channels they donate, aside from being able to require restrictions due to obscenity violations.

Ken Fellman made a motion to adopt the Additional Content Policy, Carol Haller seconded, approved unanimously

Sen. Spence asked if we had information about viewership. Tony Shawcross stated we run analytics for visits to our website and present that information every 6 months to the board, but we do not have that information for the TV channel.

## **6. Progress on Additional Content Projects**

Chris Haugen, with OMF, gave overview of progress on our 7 different Additional Content projects. All are moving forward and are at least 75% complete.

Sen. Steadman-offered an additional idea for a video re: state emblems; there is a bill going through for a new state lizard this session that we could do instead; group agreed that this would be a good replacement for the state reptile video.

Laura Hoepfner-noted that the City of Centennial has a new state park with monuments for the various state emblems; this could be an idea for a future video.

Laura Hoepfner-noted that Girls with Goals Day, which happens annually, and involves youth proposing legislation, could be a good option for future additional content programming.

There was discussion about the possibility of including a version of the state song in our additional content programming. Issue of needing to pay for the rights to the song arose, but if someone else were singing the song then perhaps performance rights would be included.

Chris Haugen noted that the Jack Wylie from the Senate indicated that they would not be participating in the Weekly Wrap-Up shows this year. Sen. Steadman asked the House of Representatives board members if they would be interested in participating in wrap-up shows this year; Rep. Holbert and Rep. Todd said yes; Sen. Steadman asked that they discuss with the House leadership and get back to Chris Haugen.

## **7. Update on Reappointments**

- a. Laura Hoepfner-appt ended 7/29/11, Rep Holbert will follow up with Speaker McNulty
- b. John Montgomery-Vice Chair, appt ended 10/6/11, appt. by Gov, Romaine is aware, working on this
- c. Luisa Collins-appt by Gov, appt ended 10/6/11—she resigned from the Board
- d. Ken Fellman, appt by Gov, appt ended 10/6/11-Romaine is aware, working on this
- e. Carol Haller-appt by Chief Justice, appt ended 10/7/11, Carol will follow up

Ed Krisor stated that according to Article 12, Section 1, Board members will continue until replaced.

## **8. Other agenda items?**

Sen. Steadman noted that Sen. Cadman has resigned from the board and is replaced by Sen. Spence.

Chris Haugen noted that today we had an equipment issue; the Eagle Pan Tilt control box malfunctioned prior to live broadcast. This is the control box that operates the 4 cameras in the House of Representatives chamber. Chris contacted the Eagle Pan tilt company and we can likely get it repaired in Arvada prior to Tuesday's broadcast for under \$100. If replacement is necessary, that will cost \$2200.

Sen. Steadman will follow up on the possible use of the GA Executive Committee 'Cash Fund' to use as needed; he would like to have Cindi Markwell and Marilyn Eddins approved to sign off on equipment funds up to 5,000; this hasn't happened yet but he is committed to following up on this item; he stated he would like to build up a maintenance fund so that we have significant funds available for ongoing maintenance issues, both anticipated (regular equipment replacement schedule) and unanticipated.

Sen. Steadman moved that the board approve the request for the GA to pay for any equipment maintenance issues, seconded, approved unanimously.

**Next Meeting Date:**

Feb 10<sup>th</sup>-12-1p, need room with conference call capabilities, Sen. Steadman will reserve room

**Proposed agenda items:**

- Changes in programming for OMF
- Review OMF's draft statement for the website explaining our relationship to the channel, contract