

AGENDA ITEM SUMMARY

FORT COLLINS CITY COUNCIL

ITEM NUMBER: 19

DATE: July 7, 2009

STAFF: Tom Vosburg

SUBJECT

First Reading of Ordinance No. 076, 2009, Dissolving the Telecommunications Board and Amending City Code by Repealing Sections Relating to the Telecommunications Board.

RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

FINANCIAL IMPACT

Dissolution of the Telecommunications Board will result in savings to the City by eliminating the incidental costs and staff support time associated with supporting the Board. A precise dollar amount of savings is difficult to quantify.

EXECUTIVE SUMMARY

This Ordinance will dissolve the Telecommunications Board. Because of the current state of the telecommunications and cable TV regulatory environment and the City's limited role in either providing or regulating any form of data and telecommunications services, the charter and mission of the Telecommunications Board is no longer aligned with City needs and priorities. In light of that assessment, the Telecommunications Board can be dissolved without adversely affecting the City.

BACKGROUND

Earlier this year, the Telecommunications Board began a review of the focus and format of its meetings and work plan to determine if there were ways it could be more effective in supporting City Council. Boardmembers expressed concern that the current function of the Board did not appear to be making a significant contribution to the City.

The current bylaws of the Telecommunications Board define its role primarily as advising Council on telecommunication policy issues. The Board fulfilled this role in a tangible way during the Comcast cable TV franchise renewal process in 2005 to 2006, when the Board gave input to the public needs assessment and provided a forum for public input on the franchise. However, work to support the next renewal of the cable franchise will not begin until sometime in 2013 at the earliest, so ongoing involvement with the Comcast franchise is not seen as a significant focus of the Board in the near term.

Because the City of Fort Collins neither provides nor is empowered to regulate telecommunications services, telecommunications policy related items virtually never come to Council for consideration. As a result, there appears to be no significant need for the City to maintain a standing Board solely for the purpose of advising Council on policy in this area. Board members expressed concerns their volunteer time commitment to the Board has not been providing appropriate benefit to Council and the community as the Board currently functions.

Telecommunications Board members contacted other communities to understand what role similar boards fulfill in other cities. Their observation based on that review is that telecommunications boards generally have a very limited policy advisory role at the local level. In some small communities these boards can be very operationally focused. In larger cities that allocate funding for community telecommunications projects, these boards can play a strong advocacy and program management role. It is not clear that any of these models respond to current Fort Collins community needs.

In light of this review, the Telecommunications Board recommended to Council that the Board's role and charter should be revisited to determine if there is a continuing need for the Fort Collins Telecommunications Board and if so how it might best serve the Council and the community. Based on those discussions, it is recommended that the Telecommunications Board as it is now chartered be dissolved.

Councilmembers have expressed an interest in exploring the degree to which there may be technology related issues and opportunities confronting the Fort Collins community to which some form of City sponsored standing commission or task force might appropriately respond. To that end, Council has requested staff to submit a budget proposal to conduct a community needs assessment to determine if some successor to the Telecommunications Board should be established to fulfill a new and more clearly focused mission.

ATTACHMENTS

1. Memo from the Telecommunications Board Chair, April 24, 2009.
2. Telecommunications Board minutes.



Management Information Services
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April 30, 2009

To: Mayor and City Council

From: Tom Vosburg, Chief Information Officer
Staff Liaison to the Telecommunications Board

Thru: Darin Atteberry, City Manager

Re: Memo to Council From The Telecommunications Board Regarding the Mission and Function of the Board.

Attached to this transmittal memo is a memo from the Chair of the Telecommunications Board to Council regarding the mission and function of the Telecommunications Board.

The Board has been discussing this issue for sometime and has is suggesting their charge be reviewed and updated to reflect the changing character of the telecommunications and cable TV industries. Options discussed by the Board range from re-chartering the Board to clarify its function to sun setting the Board altogether.

It is important to note that the Telecommunications Board is not now charged with helping citizens get locally produced video content on the Comcast public access channel; that function is performed by the Fort Collins Public Access Network (FCPAN). FCPAN is a local non-profit organization whose purpose is to manage the public access channel and make equipment and technical assistance available to support public access programming. FCPAN is not a City of Fort Collins board or commission; it is an independent non-profit organization. City of Fort Collins Cable 14 staff work closely with FCPAN regarding technical aspects of getting their public access programming delivered to Comcast for broadcast, but this technical coordination is operational in nature.


The Board is seeking feedback from Council regarding Council's needs and their expectations of the Telecommunications Board. The Board's next meeting is scheduled for May 18, 2009, and this topic is a continuing item on their discussion agenda. The Board looks forward to hearing how to best engage Council in this work discussion.

Please let me know if there is anything I can do as the Telecommunications Board Staff Liaison to provide more information or assistance to Council in this matter.



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April 24, 2009

To: Mayor Hutchinson and Members of City Council
From: David Heiberg, Chair, Telecommunications Board 
Re: Mission and Function of the Telecommunications Board

As chair of the Telecommunications Board I am writing to you and City Council on behalf of the Telecommunications Board to seek feedback from Council regarding the appropriate mission and function of the Fort Collins Telecommunications Board.

The current bylaws of the board define its role primarily as being to advise Council on telecommunication policy issues. The Board fulfilled this role in a tangible way during the Comcast cable TV franchise renewal process in 2005 to 2006 when the Board gave input to the public needs assessment and provided a forum for public input on the franchise. However, work to support the next renewal of the cable franchise will not begin until sometime in 2013 at the earliest, so we do not see on-going involvement with the Comcast franchise as a significant focus of the Board in the near term.

Also, because the City of Fort Collins neither provides or is empowered to regulate telecommunications services, telecommunications policy related items virtually never come to Council for consideration. As a result there appears to be no significant need for the City to maintain a standing Board solely for the purpose of advising Council on policy in this area. As Board members we are concerned that our volunteer time commitment to the Board may not be providing appropriate benefit to Council and the community as the Board currently functions.

We have recently contacted other communities to understand what role Boards such as ours play in other cities. Our observation is that telecommunications boards generally have a very limited policy advisory role at the local level. In some small communities these boards are can be very operationally focused. In larger cities that allocate funding for community telecommunications projects these boards can play a strong advocacy and program management role. It not clear to us that either of those models respond to the needs of Fort Collins.

In light of this review, we have come to the conclusion that the Board's role and charter should be revisited to determine if there is a continuing need for the Fort Collins Telecommunications Board and if so how it might best serve the Council and the community.

We look forward to hearing from Council on this topic. Please let me know how we can best work with Council in this effort.

DRAFT

Telecommunications Board
 April 20, 2009
 minutes

ns analyst, presented an overview of the
 ansfort is implementing in coordination with

→ 5. Continued Discussion of the role of the Telecommunications Board.

The Board continued their on-going discussion regarding the role of the Telecommunications Board. At the March 24 meeting the Board agreed that the Board as it currently functions no longer provides a substantial contribution to Council and the community. The Board agreed to send a memo to Council to seek feedback regarding the role and future of the Board. At this meeting (April 20) the Board reviewed a draft of that memo. The memo contained their recommendation to Council that the role and function of the Board be revisited to determine if there was a continuing need for the Telecommunications Board, and if so, how the Board's charter should be revised to address that role.

Sean Rees moved approval of the memo to Council as drafted. Joe Schneider seconded. The voted to Board approve the memo.

6. Other Business

No other business was discussed.

The meeting was adjourned at 7:30 PM.

Board Chair

Date

Staff Liaison

Date

Note: These minutes of the April 20th Meeting were not finalized for approval by the entire board at their June 22 meeting. The approval of these minutes reflect the review and approval by the Board Chair and the Staff Liaison.

ORDINANCE NO. 076, 2009
OF THE COUNCIL OF THE CITY OF FORT COLLINS
DISSOLVING THE TELECOMMUNICATIONS BOARD AND
AMENDING THE CODE OF THE CITY OF FORT COLLINS BY
REPEALING SECTIONS RELATING TO THE TELECOMMUNICATIONS BOARD

WHEREAS, the Telecommunications Board is a City board established by ordinance for the purpose of advising the City Council and staff on policies, rules, regulations and other matters related to telecommunications issues, including but not limited to cable television and telephony; and

WHEREAS, beginning in November 2008, members of the Telecommunication Board (the "Board") began a review of the focus and format of its meetings and work plan; and

WHEREAS, the Board contacted other communities to understand what role similar boards play in their respective communities and the Board concluded that those boards did little policy advising at the local level; and

WHEREAS, boards in municipalities larger or smaller than the City have substantial management duties for community telecommunications projects, including allocating funding, that does not fit with the City goals for the Board; and

WHEREAS, on April 20, 2009 the Board sought input from the City Council about revising the role of the Board; and

WHEREAS, the City Council directed staff to investigate other methods of obtaining community input on telecommunication matters and to initiate the dissolution of the Telecommunications Board; and

WHEREAS, the Board has requested that it be dissolved.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the Telecommunications Board is hereby dissolved.

Section 2. That Sections 2-418 through 2-422 of Article III of Chapter 2 of the City Code are hereby repealed in their entirety.

Introduced, considered favorably on first reading, and ordered published this 7th day of July, A.D. 2009, and to be presented for final passage on the 21st day of July, A.D. 2009.

Mayor

ATTEST:

Deputy City Clerk

Passed and adopted on final reading on the 21st day of July, A.D. 2009.

Mayor

ATTEST:

City Clerk