

MT. HOOD CABLE REGULATORY COMMISSION

Annual Report

2018-19

CELEBRATING
25
YEARS



CITY OF PORTLAND
CITY OF FAIRVIEW
CITY OF GRESHAM
CITY OF TROUTDALE
CITY OF WOOD VILLAGE
MULTNOMAH COUNTY

CELEBRATING
25
YEARS

For 25 years, the **MT. HOOD CABLE**

REGULATORY COMMISSION (MHCRC) has

ensured that the communities in Multnomah County and the cities of Fairview, Gresham, Portland, Troutdale and Wood Village are fairly compensated for use of the public right-of-way by cable companies. These jurisdictions recognize the efficiencies – both for the companies and for taxpayers – of having a single commission regulate companies county-wide as the network infrastructure and services transcend jurisdictional boundaries. In addition, the MHCRC manages and negotiates many public benefits that support schools, public libraries and non-profit organizations, whose services and constituencies crisscross the cities and County.

■ Each City Council and the County Commission appoints representatives to the MHCRC. These seven commissioners, supported by professional staff, commit hundreds of hours annually to deeply understand complex issues in an ever-evolving communications technology and policy landscape. Although this evolving landscape is disruptive in some respects, many community needs remain unchanged – needs for local authority over right-of-way and compensation; a consumer watchdog; platforms for community voices; affordable broadband networks for schools, libraries and local governments; and local solutions for addressing digital equity issues. ■ The MHCRC consistently focuses on community needs as it keeps one foot firmly planted in today's legal landscape to steward existing public benefits, while stepping out to explore possibilities and opportunities on behalf of the cities, County and communities it serves.

COMMISSION MEMBERS

Leif Hansen
Commission Chair

Sue Dicipile

Jeff Dennerline

Scott Harden

Carol Studenmund

Norman Thomas

Jacqueline McIntire

STAFF

Julie S. Omelchuck
Program Manager

Rebecca Gibbons

Bea Bedard
Program Coordinators

Who we are



What We Do

- Advocate for and protect local authority and public benefits in the regulation of cable communications systems.
- Ensure communities are compensated for cable companies' use of the public right-of-way.
- Help resolve cable subscriber complaints and provide consumer protection.
- Provide technology grants and broadband connectivity for community institutions and non-profits.
- Ensure a local voice through community media.

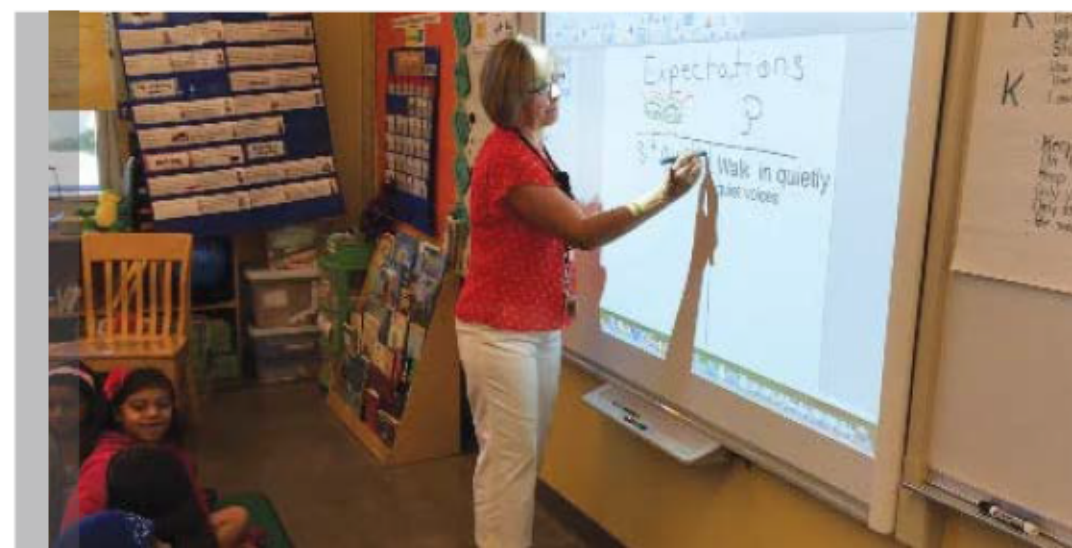
THE MHCRC REGULATES AND NEGOTIATES CABLE FRANCHISES WITH FOUR COMPANIES:

Frontier Franchise expiration 2022

Reliance Connects Franchise expired June 2019

Comcast Franchise expiration 2021

CenturyLink Franchise expiration 2021



By the
numbers

\$8.66
MILLION

Collected in cable franchise fees for MHCRC member jurisdictions

28

Active
Grants

1,123

Local residents
trained in media
and digital literacy

2018-19 HIGHLIGHTS



Consumer Protection The MHCRC enforces consumer protection and customer service standards under the cable franchises. Compliance approaches can include formal or informal resolution with the cable companies. Many are driven by customer complaints. Regulatory issues included company adherence to customer service standards (such as phone answering timeframes and on-time appointments); information on subscriber bills; fees added to program packages (the Broadcast TV Fee and Sports Fee); and other consumer protection issues. In 2018, the MHCRC assisted in the resolution of 181 complaints.

Protect Local Authority and Compensation The MHCRC continued its strategic focus on advocacy in the public interest amid an uptick in rulemaking at the Federal Communications Commission (FCC) which threaten local government authority. The MHCRC joined a coalition of 35 local government partners to fund and file comments and reply comments opposing a proposed rulemaking that could negatively impact our local communities and benefit cable companies. If the FCC were to adopt the proposed rule, the action would undermine public benefits negotiated in cable services franchise agreements. The rules would allow cable companies to deduct from franchise fees the value of certain benefits, such as the community access channels or transport of live city council meetings.

The proposed rule would also allow cable companies to rely on the authority under a cable services franchise to use the public right-of-way for non-cable services without additional compensation.

permitting, or other regulations. The MHCRC worked with Best, Best, and Krieger (BBK), a nationally recognized law firm in matters of local government authority, cable regulation and public policy, on the filings. The timeline is not known at this point for the FCC to consider the comments and reply comments and approve a final rule.

Digital Equity The MHCRC's longstanding focus on digital equity through grants and low-cost broadband capacity for our public institutions continues to be bolstered by Portland and Multnomah County's Digital Equity Action Plan (DEAP). DEAP creates a cohesive framework for our region to address digital equity for low-income individuals and families, older adults, people of color, people with disabilities, and people with limited English proficiency. The MHCRC also actively participates in the Digital Inclusion Network (DIN), a consortium of local governments, nonprofits, businesses and others dedicated to reducing digital disparities in Multnomah County.

Affordable Broadband for Public Institutions The MHCRC facilitates partnerships and network planning, and distributes funds, to provide affordable broadband connections for 308 schools, libraries, and public agency sites throughout Multnomah County over the Institutional Network (I-Net). Currently 18 public institutions participate in the I-Net partnership including: the cities of Portland, Gresham and Troutdale, Multnomah County, State of Oregon court system, Metro, Home Forward, Multnomah County Library, Multnomah Educational Service District (including 7 school districts), Portland Public Schools, and Mt. Hood Community College. The MHCRC distributed nearly \$190,000 to support network upgrades and connect new public agency sites to the network.

MHCRC COMMUNITY GRANTS

Investments to Advance Education and Community-Based Technology

THE MHCRC
DIRECTS

THE COMMUNITY GRANTS PROGRAM, WHICH PROVIDES FUNDS FOR TECHNOLOGY PROJECTS TO COMMUNITY ORGANIZATIONS, LIBRARIES, SCHOOLS AND LOCAL PUBLIC AGENCIES THROUGHOUT MULTNOMAH COUNTY. FUNDING OPPORTUNITIES WITHIN THE COMMUNITY GRANTS PROGRAM INCLUDE THE TECHSMART INITIATIVE AND COMMUNITY TECHNOLOGY GRANTS. THE MHCRC OVERSAW IMPLEMENTATION AND COMPLIANCE FOR 28 GRANT PROJECTS DURING THE YEAR. FUNDS FOR THE PROGRAM DERIVE FROM THE CABLE FRANCHISES NEGOTIATED BY THE MHCRC. COMCAST, CENTURYLINK, AND FRONTIER CURRENTLY CONTRIBUTE TO THE COMMUNITY GRANTS FUND.



Creating Technology Access and Training Opportunities

The Community Technology Grants provides funding, through an annual, competitive grant process, to nonprofits, libraries, and local governments to use technology resources to further their missions and services. Grants predominantly focus on supporting traditionally underserved, ethnically diverse, and special needs populations – such as communities of color, immigrants & refugees, low-income people, girls and women, youth, English language learners – in order to bridge the digital divide. In 2018, the program granted over \$488,000 for 6 new community-based projects that will leverage nearly \$2.2 million in matching resources.

2018 COMMUNITY TECHNOLOGY GRANTS

Open Signal Black Filmmaker Fellowship \$136,840

Six emerging Black filmmakers engaged in a yearlong fellowship are accessing transformative learning and career advancement through peer mentoring, practical experience and career support. By focusing on a small number of participants in a deep and meaningful way, the program aims to break down barriers to create greater diversity in the film and video industry and produce new media work that illuminates African-American experiences.

1 World Chorus: The Big Up Show \$85,459

50 low-income students affected by poverty, gang violence, discrimination or gentrification gain filmmaking skills to become producers of the Big Up Program, a student produced television show used to teach the basic principles of peace and community building to pre-k and elementary school children.

Pacific Northwest College of Art \$129,229

Women and people of color often face difficulty entering STEAM (science, technology, engineering, art and mathematics) career pathways without access and exposure early on and a sense of belonging. With grant support, PNCA is working to bridge this gap by producing videos that show women and people of color leading and engaging in STEAM education and careers.

NW Documentary Emerging Filmmakers \$47,200

Providing an entry point into the world of short documentaries, funds will purchase state-of-the-art video production equipment to give 35 to 45 emerging filmmakers the tools they need to tell their stories in this increasingly popular medium.

Portland Community College Multimedia Program \$39,324

As students prepare for careers in multimedia and video production, new camera and lighting gear will allow them to gain facility with the professional-grade technology that industry professionals expect prospective employees to be able to use in the field.

APANO Jade District Community Space \$50,000

As part of a new affordable housing development, APANO is equipping its new community space with technology and digital literacy training opportunities to help reduce disparities in economic and education attainment for Jade District residents and Asian and Pacific Islander communities.

MHCRC COMMUNITY GRANTS

New Media Tools Boost Community Storytelling – And Career Skills

TODAY ANYONE WITH A SMART PHONE CAN TELL A STORY ON SOCIAL MEDIA. THAT SEEMS DEMOCRATIC. BUT WHEN YOU CONSIDER THE LARGER MEDIA WORLD – FILM, BROADCAST TELEVISION, CABLE PROGRAMMING, STREAMING SERVICES – EASY ACCESS FOR CERTAIN POPULATIONS VANISH. GATEKEEPERS STILL RUN THE SHOW(S). ■ IF YOU'RE A PERSON OF COLOR, STORIES BY AND ABOUT YOU ARE RARELY FEATURED. IN THE PORTLAND AREA, MANY PEOPLE OF COLOR LACK ACCESS TO THE TOOLS, TECHNIQUES, AND ENGINES OF PRODUCTION NEEDED TO GENERATE AND DISSEMINATE HIGH-QUALITY VIDEO CONTENT. THAT'S WHY THE MHCRC IS PROUD TO SUPPORT STORYTELLERS IN UNDERSERVED COMMUNITIES AND ORGANIZATIONS WHOSE MISSION IS TO HELP CULTIVATE AND LAUNCH COMMUNITY VOICES TO BROADER AUDIENCES. ■ TAKE THE RECENT COLLABORATION BETWEEN THE MEDIA ARTS CENTER OPEN SIGNAL AND THE MEMORY ACTIVISM PLATFORM VANPORT MOSAIC, BOTH SUPPORTED BY MHCRC, WHICH HAS RESULTED IN A RICH HISTORY OF THE VANPORT FLOOD. THEIR PARTNERSHIP IS A BRIGHT EXAMPLE OF NEW WORK EMERGING FROM THE STRONG COMMUNITY STORYTELLING FOUNDATIONS IN WHICH THE MHCRC HAS LONG INVESTED.

"We are a collective of artists, media makers, historians, educators and community organizers working together to combat historic and cultural amnesia," says Laura Lo Forti. "Remembering is an act of resistance. Our memory activism is helping us explore and confront our local past, our recent history of othering, and its tragic consequences. We celebrate lessons of resilience and resistance as defined and told by our historically oppressed communities."



Mrs. Carolyn Hinton, a Vanport flood survivor, contributed her story to the Vanport Mosaic.

In 2011, MHCRC grants to the NPMTTC helped participants collect and record oral histories of Vanport flood survivors. In 2014, artistic director Laura Lo Forti began applying her storytelling moxie to launch Vanport Mosaic, a new way to share survivors' experiences. In 2015, MHCRC grants helped NPMTTC train project participants to produce the Vanport Mosaic narratives.

Open Signal, building on the 35-year legacy as Portland Community Media, more recently

A project with deep roots

The MHCRC has helped give voice to Vanport stories and storytellers over the past 13 years. In 2006, MHCRC grants to the Skanner Foundation helped build the North Portland Multimedia Training Center (NPMTTC).

partnered with Lo Forti to take the Vanport Mosaic project in a new direction. The MHCRC provides annual capital dollars, which funds Open Signal's studio equipment and more recently, innovative technology tools for virtual reality productions. "The MHCRC capital funding is the reason we are able to maintain state-of-the-art facilities and equipment," said Rebecca Burrell, Open Signal's director of strategy and development, "including the green-screen production studios we use for our latest virtual reality work."

Oral histories of life – and death

This latest Vanport Mosaic effort tells a powerful tale. The City of Vanport, located between Portland and Vancouver, was one of the first planned, integrated communities in North America, built to house workers for the Kaiser shipyard where World War II vessels were constructed. While some Vanport facilities were progressive – integrated schools, daycare, health care – racism persisted. Homes were constructed on vulnerable marshland. So when a berm collapsed in 1948, residents were at the mercy of the rushing waters.



Leaders insisted they were safe – up to the moment when 20,000 homes were destroyed and 15 people killed.

Virtual Reality puts you right there

The Vanport Mosaic oral history became even more vivid with the addition of a stunning virtual reality (VR) component. Lo Forti worked with Open Signal's Matt Henderson, immersive media artist and educator, and Sharita Towne, an artist and new media fellow who specializes in telling African American stories, to create a VR element with uncanny authenticity. The simulation is based on Google Earth and Unity game development software.

Slip on the VR headset, grasp the handheld controllers, and zoom to the top of Vanport's landmark water tower. Suddenly, it's "Oh no, the water is rising all around me!" It's a gut-punch, and it's meant to be. Or, in another virtual scenario, stand on the only physical element of Vanport remaining today, a piece of concrete that's littered with pictures. Pick up one by using your virtual hands and experience the picture coming to life as a former Vanport resident tells her story about the flood and its ongoing impact.

The work was demonstrated at Portland's Design Week 2019, where Open Signal hosted architects, city planners and residents interested in exploring how communities are affected by planning decisions. To event attendees, the wow factor was the visceral sense of panic they felt when the flood poured in. It's these types of experiences that could inform future policies. But the biggest impact factor of all: making VR tools available to community members itching to tell their own unheard stories.

Learning new skills to cross the digital divide

Open Signal's charge is to fling open the gatekeeper doors of mainstream media. "Here our community can learn the latest

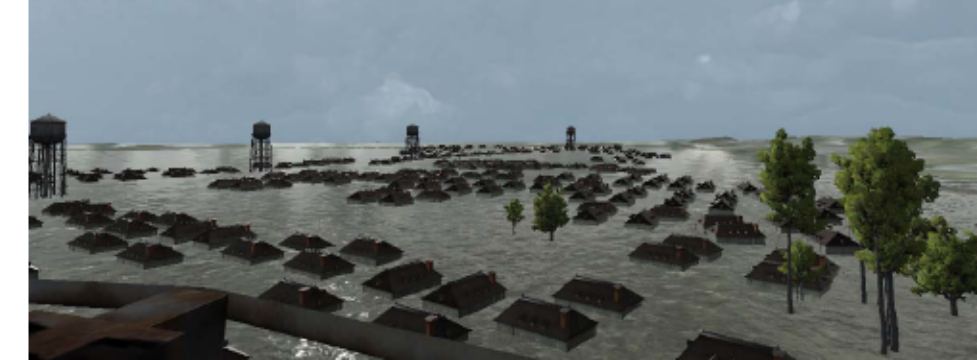
hardware, software, techniques and vocabulary," explains Henderson, "which they wouldn't otherwise have the chance to work with."

The studio allows community members to not only cross the digital divide, but use modern technology to do so. "VR is a new manifestation of media," adds Henderson. "We know it is being integrated into video production studios. But it's also going to be significant in art, architecture, and engineering, so Open Signal is embracing it early. When people come to learn with us, they're gaining valuable skills they can apply in projects and jobs."

The MHCRC's investments have not only equipped community members to tell their own stories, but also share their lived experiences through modern media tools and storytelling.

"VR creates a raw emotional response," said Matt Henderson, "which is something you don't get from regular video. VR has the potential to activate your empathy. That's unique in this technology. It can make you say, 'Oh, that's what the people were feeling – I didn't really get it until now.'"

Bottom photo shows an image from the VR experience of the Vanport flood. Inset is an historic photo of the actual flooded City of Vanport.



MHCRC COMMUNITY GRANTS



TechSmart Initiative for Student Success — \$17 MILLION OVER 8 YEARS

THE MHCRC LAUNCHED THE TECHSMART INITIATIVE FOR STUDENT SUCCESS IN 2014 AND, THUS FAR, HAS GRANTED OVER \$11 MILLION TO SIX PUBLIC SCHOOL DISTRICTS IN MULTNOMAH COUNTY. THE MHCRC PLANS TO STRATEGICALLY INVEST OVER \$17 MILLION THROUGH 2022 IN LOCAL PUBLIC SCHOOLS TO POSITIVELY IMPACT ACADEMIC OUTCOMES FOR ALL STUDENTS IN MULTNOMAH COUNTY. THE MHCRC TECHSMART INITIATIVE PROVIDES GRANTS AND EVALUATION RESOURCES FOR MULTNOMAH COUNTY SCHOOL DISTRICTS TO IDENTIFY EFFECTIVE CLASS-

ROOM INSTRUCTION THAT USES TECHNOLOGY TO FOSTER IMPROVEMENT IN ACADEMIC OUTCOMES FOR ALL STUDENTS AND TO SHARE THE SUCCESSFUL STRATEGIES ACROSS THE SCHOOL DISTRICTS. THE TECHSMART INITIATIVE ALIGNS WITH THE COLLECTIVE EFFORT OF THE BROADER COMMUNITY ENGAGED IN THE ALL HANDS RAISED PARTNERSHIP. THE MHCRC INVESTS IN DISTRICT EFFORTS TO CLOSE THE ACHIEVEMENT GAP AND MAKE PROGRESS ON THE FOLLOWING ACADEMIC OUTCOMES KEY TO STUDENT SUCCESS: KINDERGARTEN READINESS • THIRD GRADE READING • EIGHTH GRADE MATH • NINTH GRADE CREDIT ATTAINMENT • HIGH SCHOOL GRADUATION • ENGLISH LANGUAGE LEARNERS' ANNUAL PROGRESS THE MHCRC WORKS CLOSELY WITH EACH SCHOOL DISTRICT AS A PLANNING AND FUNDING PARTNER TO DEVELOP A GRANT PROJECT PLAN TAILORED TO EACH INDIVIDUAL DISTRICT'S PRIORITIES. TECHSMART GRANTS HAVE TOUCHED ON EVERY CRITICAL ACADEMIC BENCHMARK ... FROM KINDERGARTEN READINESS TO HIGH SCHOOL GRADUATION.



"I can individualize more than I was able to before, especially in first grade. They need you to help them a lot, and using the technology, I'm able to have them work on their own and I can work more with groups of kids. They're still able to work and be productive, and they're still learning using technology, and I don't have to be with them all at the exact same moment."

— Gresham-Barlow School District teacher

SHARED LEARNINGS
Helping Underserved Students Succeed in School

The MHCRC is optimistic about continued learnings of the TechSmart Initiative. With multiple years of grant project implementation in each of the six school districts, the School Year 2017-2018 evaluation revealed some emerging instructional technology practices that have promise to reduce the achievement gap.

Supporting Individual Student Needs
Schools are effectively using technology to differentiate instruction among students according to their needs and tailor lessons for students with varied abilities. The TechSmart-funded equipment and other resources allow teachers to assign some students to independent work while others study in groups. Each can focus on learning that benefits them most. By the end of school year 2017-18, at least 85% of teachers reported confidently using student data to differentiate lessons for individual students. In addition, teachers across all

districts highlighted the use of technology to address the needs of English Language Learners (ELL) and Special Education (SPED) students.

Increasing Access to Technology
The evaluation identified differences between how grants affect access to technology between elementary level students and upper grade levels. Teachers and leaders who have grants at the elementary level consistently reported that the TechSmart grant had leveled the playing field for their historically underserved students, giving them access to resources they might not have at home. These students benefited merely by having access to technology during the school day. Upper grade level teachers and leaders expressed more mixed results about how the grant had expanded access to technology for their students. Middle and high school students were expected to do more technology-related work outside the school and after hours; therefore, some students may actually be put at a disadvantage when expected to complete assignments at home using technology. This points to an expanded need to ensure upper grade level students have devices they can keep with them and broadband internet access at home.

Reduce the Achievement Gap
As TechSmart continues to identify effective instructional practices, data is emerging about impact on the student achievement gap. The evaluation is revealing some positive trends when focusing on the most at-risk student groups. For example, results from Gresham-Barlow School District showed that in kindergarten and first grade, more students in the TechSmart classrooms performed at benchmark on reading assessments than the

district comparison group. This trend held for ELL, SPED students, and students of color. In the Reynolds School District, the TechSmart cohort overall attained significantly higher math credits in seventh grade, and significantly higher cumulative math credits by 9th grade than an historical comparison group. But most promising to closing the achievement gap, after three years of project implementation, at-risk student populations, particularly ELL, SPED students, and students of color, were showing significantly higher cumulative math credits in 7-9th grades relative to the historical comparison group.



DISTRICT	SY 14-15	SY 15-16	SY 16-17	SY 17-18	SY 18-19	SY 19-20	SY 20-21	SY 21-22
DDSD								
Parkrose								
Reynolds								
PPS								
GBSD								
Centennial								

Current GrantPending Grant

DISTRICT	FUNDED	GRADE	FOCUS AREA
David Douglas	2014	K-3	Kindergarten Readiness, Reading
David Douglas	2018	4-6	Math
Parkrose	2014	9-12	9th Grade Credit Attainment High School Graduation
Reynolds	2015	7-9	8th Grade Math 9th Grade Credit Attainment
Portland Public	2015	K-3	Reading
Gresham-Barlow	2016	K-3	Reading
Centennial	2018	7-9	Math & Science 9th Grade Credit Attainment

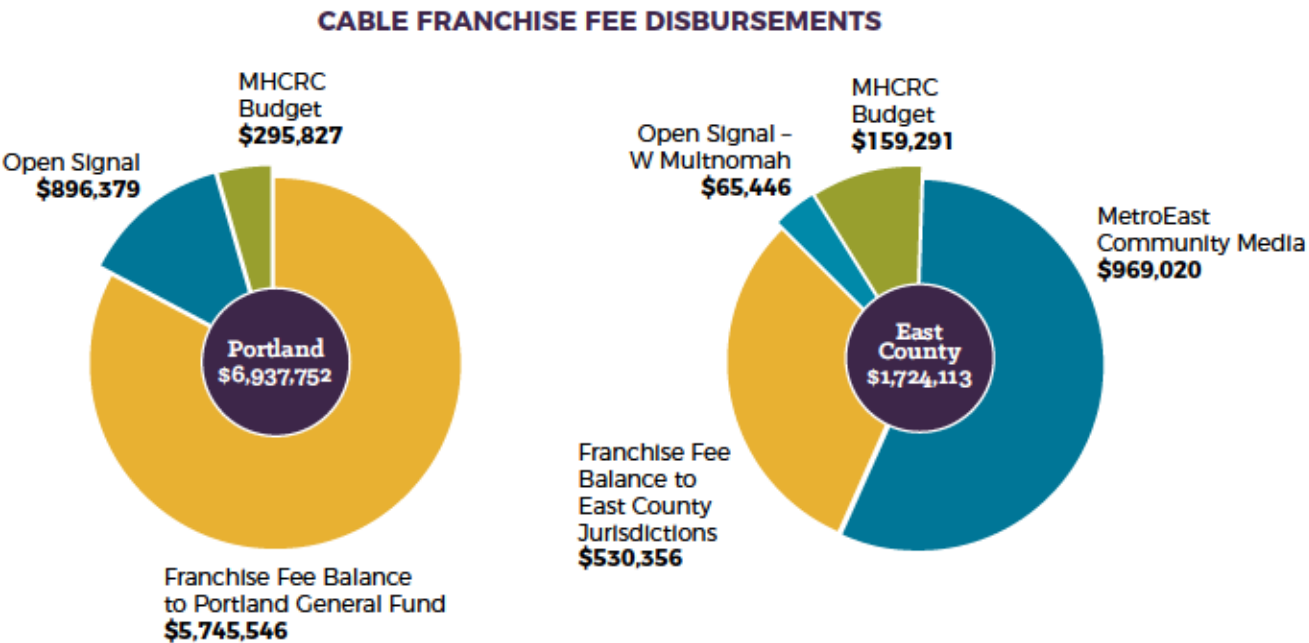
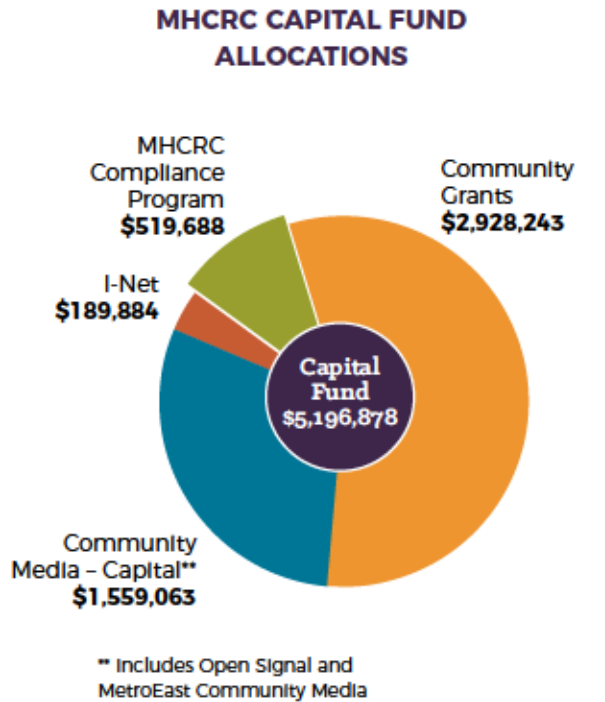
*All TechSmart Grants also focus on English Language Learners annual progress

FINANCIAL STEWARDSHIP

FY 17-18 MHCRC Operating Budget*
(Admin/Regulatory/Compliance combined)

Revenues	Budget	Actual
City of Portland Appropriation	\$ 295,827	\$ 295,827
East County Appropriations	159,291	159,291
Compliance Penalty Revenue	2,500	2,500
Interest Revenue Allocation	67,365	26,148
Fund Compliance Admin	533,901	519,688
Total Revenues	\$ 1,058,884	\$ 1,003,454
Expenditures	Budget	Actual
Personnel Services	\$ 533,731	\$ 497,774
Revenue Division - Fiscal Support	35,126	34,540
MHCRC Fund Audit	15,000	13,150
External Materials and Services	257,955	230,481
Internal Services	102,072	101,566
General Fund Overhead	25,000	0
Contingency	90,000	0
Encumbrance carryover	0	38,085
Total Expenditures	\$ 1,058,884	\$ 915,596
Year-end Balance	\$ 0	\$ 87,858

*Un-audited budget report. For the MHCRC Fund audited financial statements, visit the MHCRC website: <http://www.mhcrc.org/wp-content/uploads/2019/06/FY18-MHCRC-Financial-Statements.pdf>



Efficient Operations

About 5% of total cable franchise fee revenue collected was spent for MHCRC administration and regulatory services. In addition, the MHCRC limits its compliance program budget to 10% of the capital fund to administer community grants, the I-Net, and the two community media centers' contracts. The MHCRC funded an equivalent of four staff positions plus related materials, services, financial and administrative costs through its service contract with the City of Portland Office for Community Technology. About half the MHCRC's operations funding was provided by the member jurisdictions and half was funded by other MHCRC resources.

Clean Audit for MHCRC Fund

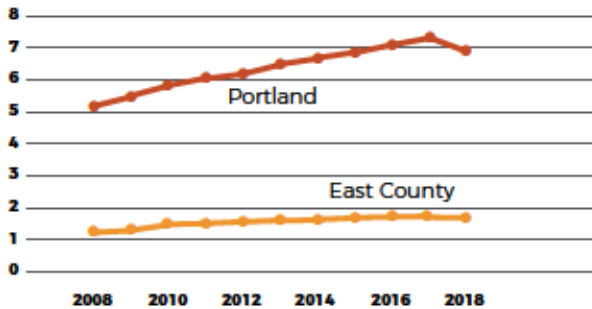
The FY17-18 audit results produced no adjustments, indicating that funds were properly accounted for. Moss Adams, the MHCRC's auditor, found that the MHCRC's FY17-18 financial statements presented fairly, in all material respects, the respective financial position of the MHCRC's fund. The MHCRC filed its annual audit with the Oregon Secretary of State on time.

Franchise Revenues Decline

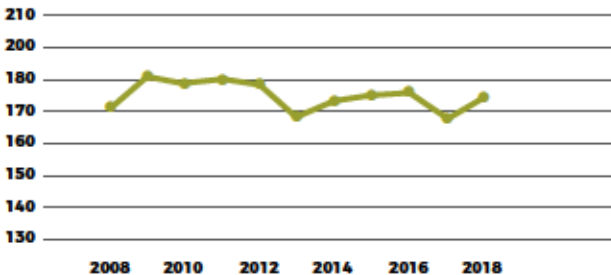
Due to cable franchise fees being paid by the companies based on their gross revenues derived from cable TV services, all jurisdictions experienced a decline in franchise fee revenue in FY17-18. Portland saw a decrease of nearly 7%, while the East County jurisdictions' revenues decreased nearly 4% from the previous fiscal year. Portland's sharper decline may be due to CenturyLink announcing in mid-2018 it would no longer market its cable TV product and the company has lost half its cable subscribers in this past year. The MHCRC reported on this anticipated decline in its prior annual reports.

However, cable TV subscribers county-wide bounced upward in 2018 after hitting the lowest number in 12 years in 2017. It seemed as if the "cord-cutting" trend had finally taken hold, but Comcast in particular made gains in adding subscribers due, in part, to new alliances with streaming services now delivered over the cable system. The MHCRC is currently in process with a Comcast franchise fee review, which, most likely, will shed light on these numbers and trends.

CABLE FRANCHISE FEES
in millions of dollars



CABLE TV SUBSCRIBERS
in thousands



By the numbers

5%
Of cable franchise fees spent for MHCRC operations

\$5.5 MILLION
Collected from cable companies to support grants, I-Net, and community media

10%
Of Community Grants funds spent for grant administration

CELEBRATING 25 YEARS



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PHOTOS Open Signal: cover, left, and p5 upper; MetroEast: p1 lower and p2;
Vanport Mosaic project: p4 middle and p5 lower; Oregon Historical Society: p5 inset.