

MINUTES
RAINIER COMMUNICATIONS COMMISSION
Wednesday, January 19, 2022

1. Call to Order

President Steve Worthington called the meeting to order at 8:04 a.m. The meeting was conducted on a Zoom virtual video conference.

| <u>Member</u> | <u>Representative</u> | <u>Present/Not Present</u> |
|------------------|-----------------------|----------------------------|
| DuPont | Gordon Karg | Present |
| Fife | Lisa McClellan | Present |
| Orting | Scott Larson | Present |
| Pierce County | Jani Hitchen | Present |
| Pierce County | Libby Catalinich | Not Present |
| Puyallup | Ned Witting | Present |
| Ruston | Deb Kristovich | Not Present |
| Sumner | Pat Cole | Present |
| Tacoma* | Jeff Lueders | Present |
| University Place | Steve Worthington | Present |

City Attorneys:

| | | |
|----------------|----------------|---------|
| Fife* | Jennifer Combs | Present |
| Pierce County* | Daniel Kenny | Present |
| Pierce County* | Jessica Leiser | Present |
| Sumner* | Jeff Steffens | Present |

*Nonvoting member

2. Approval of Agenda

The meeting agenda was approved.

Note new board members: Jani Hitchen from Pierce County, Pat Cole from Sumner.

3. Approval of Minutes

The meeting minutes from December 8, 2021 were approved.

4. Old Business

a) First round of comments to RCC ILA rewrite

Megan Hutton stated that at the last RCC meeting in December the first draft of the rewrite of the RCC interlocal agreement was introduced. She outlined the reasons for updating and modernizing the original 1992 agreement. She further explained that Jessica Leiser incorporated the comments and questions received into a redlined version that was sent out to commissioners prior to the meeting for discussion.

Jessica Leiser asked a question about the adding back in of video production services to the ILA verses being an advisory governing board with an administrating member only. She noted that removing that information to a separate agreement makes the document more flexible. There would then be a clear delineation of services between

policy making and video production. Also, this makes the charges and dues collected easier to track.

Steve Worthington gave a brief history of the two separate functions of the RCC telecommunications advisory and the RMC (PCTV) video production services. He thought that there was a lot of overlap of staff and services.

Jessica Leiser responded that having a separate participation agreement, in addition to the ILA, would allow for both functioning services and still be one group. She stated that if the services were all included in the ILA, it makes it more difficult to make any changes without all the participating members resigning the document. A separate participation agreement that includes video production services could be changed more easily by the board itself. The current ILA does not make the RCC an independent entity, but rather an advisory body with participating members.

Ned Witting stated he felt that Puyallup would wish to remain an advisory board rather than become an independent entity. He felt that keeping the ILA as concise as possible and handling other services through participation agreements would allow for the most flexibility.

Scott Larsen brought up the language regarding public record requests in section 10.3. He noted that Orting agreed with the comments made by Puyallup's Attorney Joe Beck surrounding the liability risk with response to a public records request.

A discussion followed regarding language on public records requests and legal responsibility, billing, budget submittal timing and approval, dissolving property and disbursing assets.

Several commissioners commented that they preferred the advisory body structure for the ILA and asked to see the language changes discussed incorporated into a revised document to look over further.

Jessica Leiser reported that she is taking another position and will be leaving Pierce County so Daniel Kenny with OMW Law will be working on the document going forward. Steve Worthington thanked her for all her work.

Megan Hutton will follow up with Daniel Kenny about language changes to the ILA. An updated draft would then be circulated prior to the March 16th meeting. She asked that comments be ready by then, for final discussion on the draft.

5. New Business

a) Negotiate RCC Lease Agreement

Megan Hutton noted that the lease agreement with Bates Technical College is up. She is seeking negotiation assistance from Daniel Kenny, and Pierce County Facilities Management and Finance departments. The current rent is \$1,925 a month. A 3% increase has been budgeted to allow for a higher amount, if necessary.

Megan explained that there are also in-kind services written into the lease. PCTV provides student learning opportunities, plays Bates programs on the PCTV channel and offers first pick at surplus equipment to the digital production classes.

Steve Worthington asked when the lease was up and the expected timeline for completion of a new lease. Megan Hutton responded that the lease was in a one-year extension and is currently expired. There may need to be a temporary extension until the new lease can be finalized.

6. PCTV Update

Megan Hutton mentioned that there will be an upcoming annual retreat for PCTV staff to look at trends and have conversations about video services, projects, budget and the capital equipment purchase plan. She also talked about the progress on captioning with the goal to be ready in March for a public rollout.

7. Public Comment

None.

8 Commissioner Comments

Jeff Lueders asked for an update on the cable franchises passed for RCC jurisdictions. Megan Hutton responded that Pierce County's franchise is being held up with new small cell language and updating the code. The wording will be approved by the Pierce County Council sometime in March. University Place is the last jurisdiction after that. Fife approved their franchise in December and got signed documents back from Comcast. Some jurisdictions are still sending off the PEG letter to start implementing the new rate. Steve Worthington replied that University Place is working on the PEG rate.

9. Adjourned – at 9:06 am

Next meeting: March 16, 2022

2022 Meetings

May 18 | July 20 | September 21 | November 16