

**Cable-Related Community Needs Assessment for
The City of Omaha, Nebraska**

**Executive Summary
Compiled by Dr. Barry Orton**

Needs assessment component tasks completed by Riedel Communications:

1. Review all documents pertaining to the current franchise agreement (with Dr. Barry Orton).
2. Review current Educational, Community and Public access operations and facilities:
 - Administer questionnaire to staff at all facilities before the site visits.
 - Make site visits to the facilities. Inspect and photograph equipment and gather documents detailing operations.
 - Conduct in-depth interviews with staff at all facilities.
3. Conduct three Focus Groups:
 - Access producers from Cox Public Access and Community Telecast, Inc. (CTI 22) – 36 participants
 - Community organizations: nonprofits, arts, and neighborhood associations – 27 participants
 - Government agencies: managers and staff of various government agencies – 25 participants
4. Review the testimony at Public Hearing on the impending cable franchise renewals.
5. Conduct equipment and facilities future needs assessment (with David Hawksworth):
 - Anticipate capital requirements to create a nonprofit Public Access operation
 - Anticipate capital requirements to create a Government Access operation
 - Future needed equipment for UNO TV, Omaha Public Schools and CTI 22
6. Formulate conclusions and make recommendations based on the information generated by the previous tasks, and on knowledge of best practices in cable access programming.

1. Document review: Possible areas of franchise nonperformance

Access Studios

The original 1980 franchise included a provision for four (4) access studios. The addendum dated August 23, 1983, extended the completion dates for a south studio and a west studio and mentions the relocation of the downtown studio to 50th and Capitol. Further, the December 19, 2000 Amendment discusses the movement of the studio at Center Mall (42nd and Center) to 11505 W. Dodge Rd. It also mentions that the Center Mall studio was the result of a consolidation of two (2) studios in 1996. We can find no evidence that four (4) studios were ever built and evidence suggests that at most there were three (3) studios provided, which then were eventually consolidated into one (1) studio which now resides at 11505 W. Dodge Rd. The issue of access studio consolidation was discussed with City staff and City staff concluded that the City had acquiesced in Cox maintaining a single access studio at its current location at 11505 W. Dodge Rd.

Mobile Production Van

In the original application, two (2) “fully equipped” mobile production vans are provided. In the August 23, 1983 Addendum, there is a provision that Cox did not need to supply a second mobile van unit until the City deemed it was necessary; however Cox was to maintain and upgrade a first mobile van unit. Cox reported to us during the Public Access review that there is no mobile van unit. We can find no evidence Cox was relieved of its obligation to provide one mobile van unit.

Training

The original franchise application stated that "To assure a complete education process within Omaha, Cox Cable will maintain a full time Outreach Coordinator whose responsibilities include working with local organizations and interested individuals to increase community awareness, demonstrating correct usage of

equipment, and conducting workshops/seminars regarding development and production of the most effective local programming possible." In the August 23, 1983 Addendum, Cox was to maintain its current workshops and training efforts to include aggressive promotion through newsletters, billboards, cross channeling and contacting previously and subsequently trained individuals. In our Public Access review report, we point out that only five (5) producers are trained each year, with only two (2) becoming "active" producers. We can find no evidence that Cox is aggressively promoting workshops and training as per the original application and subsequent Addendum.

Institutional Network

In the original agreement there was a detailed provision for an Institutional Network ("I-Net"), to include installation locations, number of drops per facility, and the like. We can find no evidence that an I-Net was ever built in the City of Omaha, nor do we find any evidence that Cox was relieved of this obligation.

2. Current Educational, Community and Public access operations and facilities

The Knowledge Network

The Knowledge Network (TKN) is a consortium comprised of the University of Nebraska at Omaha, Creighton University, Metropolitan Community College, Omaha Public Schools and Westside Public Schools. TKN operates under a "Community Programming Agreement" with Cox and reports its programming hours directly to Cox monthly. In July and September 2009, Riedel Communications conducted an assessment of the Knowledge Network and onsite visits to three facilities (University of Nebraska at Omaha, Metropolitan Community College and Omaha Public Schools). Creighton University and Westside Public Schools did not participate in the assessment.

UNO TV

University of Nebraska at Omaha Television (UNO TV), physically houses the two channels managed by TKN, Knowledge Network 1 and Knowledge Network 2, on the University campus. UNO TV does not "run" the channels but is the managing partner of TKN. There is one studio that is approximately 986 square feet. There are two editing rooms but no separate classroom space in the facility. Staff reports that there is not enough space to comfortably accommodate both the staff and the student users. The facility is open forty-five (45) hours per week.

Recommendations:

- Provide PEG capital support to soundproof the UNO TV studio and to construct an appropriate television studio ceiling.
- Create a staff position to work with the five educational entities and manage program content and scheduling.
- An immediate and major investment should be made in UNO TV equipment. UNO TV estimates that over the next ten years it will need \$1.3 million to stay technologically current.
- A significant portion of the total PEG support fee should be specifically earmarked for UNO TV.
- PEG support should be provided for UNO TV and/or The Knowledge Network to purchase a mobile van unit for the five educational entities to share.

Metropolitan Community College

There are two (2) studios (the size was not provided) and four (4) editing suites located on the campus. There are five (5) associate degree programs that use the TKN channels (Knowledge Network 1 and Knowledge Network 2) as part of the curriculum. Programming created at MCC is aired primarily on Knowledge Network 2.

Recommendations:

- Given that there are so many students enrolled in the video programs, PEG support should be provided to increase the number of cameras available.
- Three editing suites are not sufficient for the number of students in the program. PEG support should be provided to increase the number of editing suites available.

- Research the channel transmission quality problem. If problem is a result of UNO TV's equipment, provide PEG support funds to update and replace the equipment; if caused by the Cox plant or equipment, require Cox to repair the problem.

Omaha Public Schools Career Center

The Omaha Public Schools Educational Television Department ("Department") is a member of The Knowledge Network Consortium. The Department is housed at the Omaha Public Schools Career Center. The Department has two studios, separate teaching classrooms, and an editing room with nine iMac computers.

Recommendations:

- The investment in equipment requested by the Omaha Public Schools is modest (\$93,568) and should be made available through PEG support.
- Provide PEG support funds for remodeling the editing room.
- Research the channel transmission quality problem. If problem is a result of UNO TV's equipment, provide PEG support funds to update and replace the equipment; if caused by the Cox plant or equipment, require Cox to repair the problem.

Community Telecast Inc., (CTI 22)

In July 2009, Riedel Communications conducted an assessment of CTI 22 using a comprehensive survey and an onsite visit to its facility. CTI 22 began operations in 1993. It currently operates under a "Community Programming Agreement" with Cox. CTI 22 is organized as a nonprofit 501 (c)(3) and has an eleven (11) member Board of Directors. There is no guaranteed funding for CTI 22 (from franchise fees or PEG support) and most of its expenses are personally borne by Dr. Everett S. Reynolds, CTI founder and member of the Cable Television Advisory Committee (CTAC). CTI 22 is housed in a community center at 2724 N. 24th St. in Omaha with approximately 1,500 ft. of studio, control room and office space in the community center. CTI 22 pays \$1,400 per month for rent to the Omaha Opportunities Industrialization Center.

CTI 22 staff produces an average of thirty-eight and a half hours of new programming each week. There are nineteen hours of programming that is produced in a remote location, most of which is religious programming produced by churches. A bulletin board (community calendar) is operated from midnight until 4:30 p.m., Monday through Saturday, and can include from 100 to 200 community notices. Considering its resources, CTI 22 is providing a considerable and highly cost-effective service.

Recommendations:

- A new facility for CTI 22 with, at a minimum: separate reception area; separate and sufficient storage for equipment and sets, small training room, separate editing room, adequate office space, a separate studio space, a sound booth, a green room.
- Find surplus property that can be leased to CTI 22 at a nominal rate, on public transportation, centrally located and handicapped accessible.
- Ensuring that CTI 22 facilities have adequate soundproofing, including the HVAC system.
- Resources need to be made available to pay current and additional CTI 22 staff and provide standard marketplace benefits. Once more staff is hired, extend operating hours to better accommodate working adults.
- The budget of over \$13,000 per year is not sufficient because much of CTI 22's equipment is aging. CTI 22 will need a PEG equipment grant in order to stay current with technology and fully transition to digital. Staff estimates that amount to be \$65,152.
- The estimate for the grant amount does not contemplate a mobile van unit. We recommend that additional funds be secured to purchase a mobile van unit.
- Investigate how other access centers provide training and what resources/staff would be necessary.
- Consider development of "youth camps" that will not only train youth, but also provide an additional revenue source, community publicity and community engagement.

- Given that CTI 22 is the “diversity channel,” consider expanding training to more second language groups in the community.
- CTI 22 should not rely as heavily on in-studio talk format programs; given their limited resources, budget and staff, CTI 22 will need funding to increase remote capabilities.
- Establish remote “return line” locations for originating programming. These could not only be used by CTI 22, but by the other access operations in Omaha.
- Exhibit M of the Needs Assessment Report specifies the following costs for CTI 22 - Studio \$187,392.92; Other \$49,778.16; Contingency \$5,000.00. Total = \$242,171.08.

Cox Public Access

In September 2009, Riedel Communications conducted an assessment of Cox Public Access (Channel 109) and an onsite visit to its facility. Cox Public Access is housed at the Cox Cable facilities (headend) at 11505 West Dodge Road, with approximately 1,200 ft. of studio, control room and office space. The facility is not open to the public Friday through Sunday. Cox Public Access staff do not produce any programming for the channel. Staff estimates that ten hours of original programming are produced in-studio each week. Most of the programming is religious. There is one full-time Coordinator and one part-time Video Engineer. Staff estimates that there are ten organizations and perhaps eighty individual producers that use the facilities.

The 2009 Cox Public Access budget was listed at \$3,600; this was for replacing equipment and buying tapes. However, Cox internalizes the actual costs of providing Public Access to include facilities, salaries and benefits, etc. Cox charges fees for training and tape dubbing and requires a deposit for use of portable equipment. Cox Public Access Television is on the Basic Digital tier at channel 109.

Recommendations:

- Locate the facility more centrally.
- Ensure that the facility is easily reached by public transportation and handicapped accessible.
- Allocate money for a variety of sets and props and provide adequate storage space.
- Soundproof the studios, especially the wall space between the two studios, so that more than one production can occur at a time.
- Build larger editing booths so that two or three people can work on a project at the same time.
- Expand hours when the facility is open to the public. Provide at least four hours on Saturday.
- Provide a return line to the headend so that there can be live call-in shows.
- Staffing levels must be increased in order to do the necessary community outreach and producer training needed in Omaha.
- Given that eighty percent (80%) of the equipment is five years old or older, Cox needs to make a substantial investment in equipment in order to stay current with technology.
- Two digital cameras for check out are not enough to meet the needs of an access operation in a city of Omaha’s size. Cox needs to make an investment in portable remote equipment so that users and potential users won’t be discouraged from creating programming.
- Cox Public Access limits its interaction with nonprofit and community groups by not providing a bulletin board system. Cox should purchase separate bulletin board software and resume providing a bulletin board system.
- Cox committed to having a mobile van unit available to access users on a priority basis. Cox should honor that commitment.
- Cox should have a dedicated satellite receiver so it can pull down programming that has been requested by Public Access users for airing on the same day.
- Cox should provide a return line to the access channel so that there can be live programs and live call-in capability.
- Hold regularly scheduled training classes and provide more and higher-quality training.
- Provide an alternative to charging producers for classes, such as trading volunteer hours.
- Provide specialized training to youth, seniors and the disabled to increase participation among these groups in program production.

- Remove, or greatly reduce, the deposit for checking out portable remote equipment by requiring producers to sign an agreement that they will pay for broken, lost or stolen equipment.
- Move the channel back to the Basic tier.
- Market the Public Access channel through available thirty-second spots across the cable system.
- Determine what types of community organizations and individuals could use the channel but are not currently doing so; conduct outreach to increase the number of users for the channel.
- Explore ways to make submitting programming easier for nonprofits and individual producers.
- Provide more hands-on assistance in the productions.

3. Focus Groups

Held on July 30, 2009, 36 producers from Cox Public Access and Community Telecast, Inc. (CTI 22) attended the Producers' Focus Group at the Jesse Lowe Conference Room at City Hall in Omaha (Douglas Civic Center). Participants expressed concern that the Cable Television Advisory Committee (CTAC) had made recommendations to Cox that had not been followed, and felt that the CTAC was ineffective. Cox Public Access producers were concerned that the Public access channel was not on the Basic Service tier and that the studios were inadequate for taping of multiple shows because the sound permeates the dry wall between them.

On September 15, 2009, a Community Organizations Focus Group session was conducted at the Sorensen Community Center and twenty-seven (27) representatives of community organizations, nonprofits, arts organizations, business associations and service clubs attended. There was considerable interest in producing access programming if barriers of time, money and training could be overcome, and strong sentiment that the franchise agreement should include provisions for PEG access and other available technologies.

A Government Agencies Focus Group session was conducted at the Sorensen Community Center on September 16, 2009, and twenty-five (25) staff representatives from the City of Omaha, Douglas County and the State of Nebraska agencies attended. The participants were very interested in utilizing PEG access and almost all felt it was important. Participants ranked PEG as being high in importance at 4.2 on a scale of one (1) to five (5). This was the same ranking that the Community Organizations Focus Group gave to the importance of PEG Access. While neither of these groups currently produces any programming for PEG Access, both ranked access as high in importance. Like the Community Organizations Focus Group, these participants felt that money was the biggest obstacle to producing a show, followed by lack of training and time respectively. There was significant support for the establishment of a separate Government Access Channel and strong sentiment that the franchise agreement should include provisions for PEG access, I-Net and other available technologies.

4. Public Hearings

Two Public Hearings were held on October 19, 2009. The Public Hearings generated substantial praise for Cox by those entities to which Cox has given time or money, and significant criticism by individuals and organizations that have experienced disappointment with Cox, particularly Public Access producers and customers. A chief complaint was that Cox had moved the Public Access channel from Channel 23 to Channel 109. The movement of Channel 23 from the Basic tier to the Digital tier has cut its audience in half. There was a general sentiment in the hearing that there needed to be channels that provide noncommercial local programming, and that Public Access, in order to be effective, must be on the Basic tier of service because low income and seniors can't afford the Digital tier.

Usually, at such hearings, cities hear more about service outages and slow repair response; those things were not mentioned in these hearings. The subscriber survey did not turn up any severe dissatisfaction with the technical operations or customer service, so we assume that Cox is doing well in these areas.

Recommendations:

- Require Cox to move Public Access back to the Basic tier.
- Require Cox to provide a return feed so that Public Access can have live call-in programs.

- Require Cox to substantially improve its Public Access operations to enable more local programming.
- Cox should consider bringing back IPTV to the Basic tier as a value-added product.

5. Equipment and Facilities Needs Assessment

Should the City assume administration of one or more PEG access channels, or appoint a separate entity to do so, investments in video production equipment and facilities will be necessary to provide the means of production of programming. Even if the City does not assume administration of PEG operations, existing community programmers have significant production equipment upgrade needs.

- Capital needs to establish Public Access production facility: \$844,065 includes 2 studios, mobile production vehicle, editing and training equipment; assumes a staff size of ten to serve a city the size of Omaha (Attachment I)
- Capital needs to establish Government Access production facility: \$707,547 includes studio, mobile production vehicle, editing and training equipment and wired public meeting room; assumes a staff size of four (Attachment J)
- Capital needs to supplement Omaha Public Schools production facility: \$93,568 includes studio upgrade, editing and training equipment (Attachment K)
- Capital needs to supplement UN-Omaha production facility: \$1,316,500 includes studio upgrade, field production, editing and training equipment (Attachment L)
- Capital needs to supplement CTI-22 facility: \$65,152 includes studio peripherals upgrade, editing and training equipment (Attachment M)

6. General Conclusions and Recommendations

Management Structure. Except in the instance of The Knowledge Network (TKN), where there are five (5) educational institutions sharing two (2) channels, the “consortia” model is confusing and the rights and responsibilities conferred on the consortiums blurry at best. (While there are many instances across the country where smaller cities and educational entities will group together to manage PEG channels and operations, these arrangements are almost always formal and detailed by contractual agreements or memorandum of understanding.) In Omaha’s case, classifying CTI 22, the Health and Wellness Consortium and Independent Television Omaha each as a “consortium” for programming purposes is unnecessary and cumbersome. CTI 22 is not just a programmer; it is the entity managing a channel. Health and Wellness does not manage a channel, it is a programmer. Independent Television Omaha is a group of producers who provide content for Public Access, but who do not manage a channel. Even though Independent Television Omaha was established as a consortium in 2007, there has not been a formal recognition of it by Cox through a programming agreement.

Recommendation: The City of Omaha is the holder of the channels through its franchise agreements with Cox and Qwest, and therefore the City should contract for operation of the channels. The City should hold the operators of the channels responsible for meeting benchmarks and reporting their activities to the City. Cox should be removed from any responsibility or association with the management of The Knowledge Network and CTI 22 channels.

Recommendation: Make the channel managers, including Cox Public Access management, responsible for reporting directly to the City via the Cable Television Advisory Committee. The CTAC should be given the authority to enforce franchise provisions, setting deadlines for compliance and levying pre-prescribed fees for noncompliance.

Recommendation: The Government Agency Focus Group Report clearly demonstrates the need for a channel exclusively dedicated to Government Access programming. The City should plan for such a channel in the renewal process, and for the capital and operational resources such a channel would need to function effectively, as well as approximately 3,000 square feet to house its operations (studios, editing, playback, etc.).

City Administration of the Franchise. Currently, the City handles franchise administration by utilizing the talents of a number of individuals including Council staff, the City attorney's office, advisory committees and others. While this model has existed for more than a decade, there have been deficiencies in franchise administration at the City, primarily because no one employee has responsibility for franchise administration. Given the size of the City and sophistication of the franchise documents we recommend that the City consider creating a designated employee to handle franchise administration. This individual would be charged with:

- 1) Administer and enforce the cable franchise documents;
- 2) Manage the City governmental access channel;
- 3) Oversee local community PEG programming on behalf of the City and the other PEG producers in the City; and
- 4) Serve as a liaison between the City and
 - a. The Cable television Advisory Committee
 - b. The Knowledge Network
 - c. The University of Nebraska - Omaha
 - d. Metropolitan Community College
 - e. Omaha Public Schools
 - f. Community Telecast Inc.
 - g. Cox Communications
 - h. Qwest Communications

To accomplish these tasks we recommend the City consider creating a position titled: Cable Communications and Franchise Services Manager. This individual would be responsible for monitoring, administering and enforcing the City's two cable franchises as well as overseeing the entities charged with producing local PEG programming.

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