

FPA BoD Minutes – 5/31/2023 @ 7:03pm

Minutes taken by Transcriptionist on behalf of the Board Secretary on

Minutes approved by the board on June 27, 2023

Attendance	
Members of the Board in Attendance (via electronic & phone participation)	-Isaac Asare -Ruth Bennett -Steve Mullen -Gayle Yiotis -John Aaron -Peggy Fox -Happy Garcia -Hurriyet Ok
Staff in Attendance (via electronic & phone participation)	-Chuck Pena -Rocio Lopez -Jerry Ferguson -Jay Erausquin -Maryam Shah -Arcelious Joyner
Members in Attendance	n/a

Meeting Open		
Call to order at 7:03pm	Isaac Asare (President)	-Reminder of Code of Conduct -Acknowledging conflict of interest in Board Code of Conduct Acknowledgements & Accolades: Chuck, Ruth, and Isaac thank Gayle for quickly and thoroughly answering masses of emails regarding work from home requests, special requests, staff performance, etc.
Meeting Agenda	Isaac Asare (President)	Isaac: Rocio reporting first in Staff Reports Gayle: Approving March minutes pushed to June Agenda moves forward with no further changes.
Approval of 3/29/2023 and	Gayle Yiotis (Secretary)	Approval of March and April minutes postponed to June Board meeting.

<p>4/26/23 Meeting Minutes</p>		<p>Gayle emailed video of March Board meeting and color-coded composite transcript with Gayle's transcription (blue), Nikki's transcription (black), and Isaac's changes (red).</p> <p>John wonders what issues remain. Steve disagrees with Isaac's changes to the transcript about the Fisher discussion. John asks if this matters because the Board already voted and switched to Fisher Investments. Gayle notes that the issue is with the wording of the written transcript.</p> <p>Approval of April minutes postponed to June Board meeting. Move to approve minutes: Ruth. Second: None. Abstain: Isaac. Staff needs more time to read emailed April minutes.</p> <p>Gayle asks that everyone not speaking mute themselves during Zoom Board meetings because they accidentally replace the current speaker on the video recording.</p>
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Staff Reports		
<p>Executive Director</p>	<p>Chuck Peña</p>	<p>On April 28, 2023, FPA received a special check from Cox Communications for \$198,665 (check dated April 14). Combined with the October 26, 2022, Cox check of \$133,333.33 earlier this fiscal year, FPA received a total of \$331,998.91 (nearly \$332K) this FY 2023, due to past Cox underpayments and interest charges.</p> <p>The County discovered unpaid funds while conducting a July 1, 2017, through June 30, 2020, review of cable companies' payments to PEG (public, education, and government access) grant recipients.</p> <p>Payments were also delinquent to the county government (which fund the county government and public schools' channels), George Mason University, and Northern Virginia Community College. Total amount due because of the underpayment totaled \$1.27 million, including interest charges. Interest charges are pegged to the rate the IRS charges for late payments.</p>

Financial Comparison of Funds Received from Cox and Verizon in Q1 – Q3 of FY 2023:

VERIZON REVENUES:

FY23 Q1 revenues of \$330K compared to FY22 Q1 revenues of \$382K show a decrease of \$52K, a decrease of **13.6%**

FY23 Q2 revenues of \$344K compared to FY22 Q2 revenues of \$392K show a decrease of \$48K a decrease of **12.2%**

FY23 Q3 revenues of \$337K compared to FY22 Q3 revenues of \$373K show a decrease of \$36K a decrease of **9.03%**

COX REVENUES:

FY23 Q1 revenues of \$162K compared to FY22 Q1 revenues of \$179K show a decrease of \$17K, a decrease of **9.50%**

FY23 Q2 revenues of \$1571K compared to FY22 Q2 revenues of \$183K show a decrease of \$26K, a decrease of **14.21%**

FY23 Q3 revenues of \$155K compared to FY22 Q3 revenues of \$175K show a decrease of \$20K, a decrease of **11.43%**

COMBINED VERIZON AND COX REVENUES:

FY23 Q1 revenues of \$492K compared to FY22 Q1 revenues of \$561K show a decrease of \$69K, a decrease of **12.30%**

FY23 Q2 revenues of \$501K compared to FY22 Q2 revenues of \$575 show a decrease of \$74K, a decrease of **12.87%**

FY23 Q3 revenues of \$492K compared to FY22 Q3 revenues of \$548 show a decrease of \$56K, a decrease of **10.22%**

COMBINED VERIZON AND COX REVENUES Q1 Through Q3

COMBINED:

FY23 Q1 through Q3 revenues of \$1,486K compared to FY22 Q1 through Q3 revenues of \$1,684K show a decrease of \$198K, a decrease of **11.75%**

COMBINED VERIZON AND COX REVENUES Q1 Through Q3

COMBINED - PLUS SPECIAL COX PAYMENTS:

FY23 Q1 through Q3 revenues (including Cox out of cycle payment of \$332K) total \$1,818K compared to FY22 Q1 through Q3 revenues of \$1,684K show an increase of **\$134K**, an increase of **7.96%**

- The above shows an overall deceleration of FY23 quarter compared to FY22 quarter cable revenue losses.

		<p>Awaiting FY23Q4 revenue statements, which should be available in early August.</p> <p>Chuck talked to the county about the upcoming review of cable companies' payments to PEG (public, education, and government access) grant recipients for the period from July 1, 2020, to June 30, 2023. The county hopes to provide any uncovered funds due to FPA in a time-frame faster than the three years that it took to provide funds due to FPA for the July 1, 2017 through June 30, 2020, review period.</p> <p>However, the county is uncertain how soon any uncovered funds from the upcoming review can be provided to FPA, since it depends on how responsive the cable companies are to request for information.</p> <p>FPA might receive any such uncovered payments due by the end of the upcoming FY24, but 18 months from now might be a more realistic projection.</p> <p>Gayle asks for clarity about the audits. Chuck says that the County plans to review cable companies and pay FPA in less than 3 years this time.</p> <p>On Monday, May 22, President Biden nominated telecommunications attorney Anna Gomez to serve as an FCC commissioner, which would fill the fifth and final slot on the FCC a position that has been vacant an unprecedented two and a half years, resulting in a 2–2 deadlock in the FCC since January 2021.</p> <p>This nomination follows the failed confirmation of Biden's previous nominee, Gigi Sohn, for the fifth seat on the FCC. As previously reported to the Board, in the March 2023 staff report to the board, Ms. Sohn withdrew her name from nomination to the FCC on March 7, 2023.</p> <p>At the same time that President Biden nominated Ms. Gomez, he re-nominated current FCC commissioners Brendan Carr and Geoffrey Adam Starks, who have served in those roles since 2017 and 2019, respectively.</p> <p>Gomez seems extremely well qualified to be confirmed by the Senate to serve on the FCC. She spent 12 years in various positions at the FCC, including as a senior legal adviser to then-Chairman William Kennard. She also spent a short time serving as counsel on a Senate subcommittee on communication. She</p>
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		<p>currently serves as a senior adviser for communications policy in the cyberspace and digital policy bureau of the State Department.</p> <p>A confirmation of Gomez by the Senate would break the 2-2 deadlock in the FCC and could assist FPA in its cable operator funding for the reasons explained below. FPA cable revenues have been declining. Households are dropping their traditional cable television service in favor of "over the top" video services available directly over the internet. However, cable operators' overall revenues are still healthy, because internet service revenues are offsetting the losses from traditional cable service.</p> <p>In the March 2023 report to the board, Chuck informed the board that the City of Philadelphia and numerous other cities across the country filed comments with the FCC that provided a compelling, well-reasoned explanation that digital discrimination can be more effectively ended by once again giving local governments regulatory authority over internet service. These comments were sent to the FPA board in an email dated March 26, 2023.</p> <p>Local governments had previously held regulatory authority over internet service until the FCC usurped this authority in 2002, when the FCC redefined internet service from a telecommunications service to an information service. Prior to the above FCC rule change, internet service was treated the same as cable service, and FPA was paid eight-tenths of one percent (0.8%) of total gross internet revenues (the same as our payments from cable television service) with such payments ceasing subsequent to the rule change.</p> <p>A new FCC rule change, reestablishing local government regulatory authority over internet service delivered via the public right of way, would open the door for FPA to once again eventually receive revenues from internet services.</p> <p>HOUSE BILL HR3557: POTENTIAL LEGISLATIVE THREAT IN U.S. HOUSE OF REPRESENTATIVES: U.S. Congress House Bill HR3557 is pernicious to local governments and backed by major cable companies. It pushes for communications law change that allows franchise agreements to run in perpetuity without renewal by local governments, but cable companies can opt out of agreements.</p> <p>May pass House, but hopefully not Senate. If it does pass the Senate, County Director of Communications Policy and</p>
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		<p>Regulation Rick Ellrod believes it may be vetoed, and there would not be sufficient support for the bill to override the veto. Bill is bad because technology changes. FPA got on the Cox agreement in 2013, and they carry FPA in high definition (same as primary broadcast channels). Onscreen cable guide listings are also provided by Cox. These stipulations are not in the Verizon or Comcast deals.</p> <p>It would be good for PEG access channel funding levels to be fixed in perpetuity, but overall the bill is negative for municipalities.</p> <p>The Radio Guild held its quarterly meeting on May 10, 2023, via Zoom. During the meeting, RADIO FAIRFAX producers show strong support for continuing remote show production (as opposed to coming to the FPA studios) with remote contribution via Exavault or alternative technology.</p> <p>In addition to new part-time ER staffer (technical advisor) Eli Therriaukt, who was hired this past April, we had two new hires, during this month of May 2023. Khalid Merene and Pedro Delacruz have joined us as new ER part-time staffers.</p> <p>Khalid has a BA degree in Mass Communications from Towson University, Maryland, and Production Assistant work experience on film projects.</p> <p>Pedro has a BFA degree in Film/Video from Five Towns College, Dix Hills, New York, and photography work experience.</p> <p>Isaac asks if remote producers get equipment from FPA. Maryam mentions that FPA has a red field recorder kit (audio board with 2 microphones, headphones, compact flash card, USB cord, and some inputs) in the programming department. Radio producers can check it out for a week or two at a time, but it is rarely used since it is about 15 years old. Most have their own equipment that is newer and higher quality.</p> <p>Maryam drafted radio and TV literature at the start of the pandemic to help producers create their shows at home, which included equipment recommendations for \$200 or less.</p> <p>Maryam sent out a survey a few weeks ago, and it seems that most producers are satisfied with FPA's current equipment. She offers to send a notice to the Guild about updating the kit.</p>
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Engineering	Arcelious Joyner	<p>Combined April/May report: attended National Association of Broadcasters Convention (NAB) in Las Vegas during April</p> <p><u>Building Engineering</u> (some not included in written report): Reconnected disconnected duct line in ceiling</p> <p>Resolved plumbing issues: used Len The Plumber to repair leak in handicap bathroom and replace sink used by facilities cleaner Mari</p> <p>Pending plumbing issue (told Steve): leaking main disconnect line for water / supply line for incoming valve, recommendation is to replace, need to coordinate schedule with FPA and County to turn off water to building, plan in next couple weeks</p> <p>Electrical concern with wiring: transformer in second story had smoke on wall, concerned it may be arcing but electrician thinks transformer is okay, gauge wiring in proper tolerance, only need to replace outlet in Rocio's office</p> <p><u>Completed projects:</u> Classroom 1 upgrade: laptops about 11-12 years old, due for replacement but bought desktops, added second monitor (Dell QC) for DaVinci, removed laptop mounting plate and used for second monitors</p> <p>Upgraded Lightworks computers for Control Rooms A & B: turned on/off and loud, interrupt productions, did troubleshooting Needed to replace video card, SSD, CPU, power supply, and motherboard: new hardware purchased from Amazon and Micro Center and then custom-built in house</p> <p><u>Upcoming projects:</u></p> <ul style="list-style-type: none">• Upgrade lighting consoles in Studios A & B:• During upcoming hiatus, planning to replace Incognito lighting consoles with ETC Colorsource 20• Recommended by outside vendor at NAB conference and industry experts• Previous lighting system purchased from Barbizon and recalibrated by Russel Morris (original installer) with Little Gidding Lighting in March 2023• Direct replacement/fully compatible with current Incognito board• Morris will move over configurations on old console
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Outreach	Jerry Ferguson	Nothing to add to report. Isaac asks how Jerry selects programs for FPA Presents. Jerry replied that he sees notices about events and that event hosts contact him.
Training	Jay Erausquin	<p>Announced July-December course schedule on May 30 Catalog available by end of week (Friday, June 2)</p> <p>Still need instructors for Studio C and Adobe Audition Audio Editing classes (using Indeed and Listserv): instructors hopefully hired in next 2 months</p> <p>Summer camps going well; received permits for Mosaics Next semester offering 3 new classes: smartphone, DaVinci editing, stand-alone teleprompter workshop and props (1 day workshop)</p>
Production	Lisa Clarke	Absent. Report emailed.
Programming	Maryam Shah	John Pinchot retired last Friday. Rafael is now the full-time Master Control Operator on the weeknights. All else is in report.
Office Manager	Rocio Lopez	<p><u>April 2023 Income Statement</u> (all amounts compared to last year)</p> <p>Cable Support Grant Cox Total Income down \$59K Received FY 2023 Q3 payment of \$155,006.27 Q4 expected by end of July or early August</p>

		<p>Cable Support Grant Verizon Total Income down \$144K Received FY 2023 Q3 payment of \$336,922.88 Q4 expected by end of July or early August</p> <p>Q3 combined payments from Cox and Verizon: \$492K</p> <p>Office suite rental income down \$6K, training income down \$5K, salaries/benefits/taxes up \$39K, facility expenses up \$13K due to higher electricity bills and updated quarterly maintenance fees for HVAC units, maintenance reserve up \$15K due to AC unit repairs, and programming expenses up \$6K due to website upgrade.</p> <p><u>Statement of Financial Positions:</u> Marketable securities are down \$533K due to market changes Accounts receivable (Cox and Verizon cable grant) down \$61K Fixed assets (internet / computer equipment) up \$12K due to ongoing projects</p> <p>Isaac asks about internet / computer equipment, and Rocio replies that it entails all equipment bought for the station (e.g. computers, studio equipment, etc.). She will email a complete answer tomorrow, June 1.</p> <p>Rocio also emailed financial statement highlights (cannot share screen this meeting).</p>
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Committee Reports		
Finance Committee	Steve Mullen	<p>Working with Rocio to present budget in June meeting. Estimating cable revenue in next FY is difficult, especially Cox Determining salary/bonuses/benefits. Meet again with Rocio and managers in 1 week. Intend to send budget to all before June Board meeting</p> <p>John intended to meet with Fisher, but never heard from them. He needs to discuss their use of an individual, not institutional, paradigm. Fisher also allocated a portion of fixed investments to municipal bonds or munis in their plan. However, not implemented. John asked three times over the span of a month for clarification.</p>

		<p>Steve is disappointed that Fisher still has not replied and will follow up with them. A large portion of their portfolio management is for private equity accounts, but Fisher does a lot with institutions (e.g. corporations with large endowments, retirement plan programs, etc.). Their primary objective the past month was selecting investment assets for FPA's portfolio, but this is no excuse for lack of communication. Steve notes that the investment summaries show about a 15% increase in Fisher portfolio over the past several months.</p> <p>Chuck discusses the 2005 contract negotiations between Comcast and Fairfax County, where Comcast did not want to carry Radio Fairfax. It was the one channel streamed online, so they thought they should not have to carry it on cable (waste of good bandwidth). At the time, most cable channels were analog (e.g. Channel 10). Comcast agreed to put Radio Fairfax on a higher tier digital channel: Comcast Channel 27 instead of Cox/Verizon Channel 37. Digital benefits cable companies since they can get more bandwidth out of it.</p> <p>Cox even gave FPA \$300K to convert from analog to digital (3 channels at time). Chuck asked Kathryn Falk, then VP of Government Affairs, for \$100K per channel. Now it is the standard amount; same was given to George Mason University and Northern Virginia Community College.</p> <p>All channels are digital now, but these same issues may arise regarding streaming when new contract negotiations occur.</p> <p>Steve suggests taking a more direct approach with cable companies when asking about their sensitivity to streaming, but he warns that they may say one thing and do another. Chuck says that FPA's relationship with the Cox (James Heo) and Verizon (Louise Anderson) representatives is strong, but less so with Comcast (no reply to phone calls). FPA gets little to no revenue from Comcast, so this is not a major issue.</p> <p>For upcoming cable franchise, County agreed to provide FPA with 8/10 of 1% of Comcast cable revenue with no extra work and no obligation to run a Reston channel. Comcast may say no to this and FPA would have to give up anticipated revenue.</p>
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	<p>Steve recalls that Chuck previously said it is better to negotiate and sign a deal and then move ahead on concerned actions. Peggy wonders if streaming is more important than high definition in the next franchise agreement. Chuck emphasizes that the County negotiates with cable companies (not FPA), and that they want all access channels to have high definition to be equal to the broadcast channels.</p> <p>If majority of Board desires, Chuck can ask the County to prioritize streaming and VOD in place of high definition. We need to avoid putting FPA between County and cable companies since we have strong support from the County. County reaction is unknown. High definition is currently being asked for on all access channels except Northern Virginia Community College (only receives 1/10 of FPA's funding: \$100K v. \$1 million). Chuck explains that we have high definition on Cox only (not on Comcast or Verizon).</p> <p>Peggy asks how other stations approach streaming. Chuck answers that FPA is the only public access channel on Fairfax County government's franchise agreements with cable operators. Herndon has its own independent franchise and is not a public access channel, but a government channel with time set aside for non-profit organizations to do public access work.</p> <p>FPA and Cox administration agreement was eliminated in 2013, so provisions are gone including Cox's ability to unilaterally decide to stop funding FPA and remove cable channels if an issue isn't resolved in 120 days. Cox could give the County government the funds and channels, and the County could then self-operate or give everything to a third party. Herndon is a government channel, so this did not apply.</p> <p>Isaac asks if we can ask the county for high definition, streaming, and VOD. Chuck wants a consensus on the Board before approaching the County. Chuck has great relationships with the County, including Rick Ellrod and Channel 16 staff. Isaac, Peggy, John, Steve, and Hurriyet agree that FPA wants to let County know that we want HD and VOD.</p> <p>Chuck clarifies that FPA would pay for and use VOD equipment; we are merely ensuring there would be no objections from cable</p>
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		<p>companies. John asks about the benefit to the County, and Chuck replies that FPA programming would be available to County residents without cable. Cox agreed to some VOD hours in the 2013 franchise agreement, but only at an exorbitant cost.</p> <p>Peggy proposes videotaping or livestreaming ourselves since much of FPA’s content benefits the County.</p> <p>Isaac asks about how FPA put Radio Fairfax online. We only cablecast the audio, so recipients already did not pay cable fees. Now we want to stream video channels too.</p> <p>Chuck will contact the County, but he emphasizes that we cannot afford 1 of 3 cable companies saying no. County giving greenlight is not the same as three cable companies agreeing. County staff can’t give legal advice. Peggy suggests getting feedback from County.</p>
Performance Management	Gayle Yiotis	<p>Nothing to add to report.</p> <p>Gayle notes FPA’s new hires: Jay hired David, and he passed his 90-day review 2 weeks ago 2 equipment room part-time staffers New Master Control Operator Rafael</p>
Membership Development	Ruth Bennett & Colin Davies	<p>Friday, July 21, 7 p.m. Meet-and-Greek speaker is Brian Rose Subject: effect of internet on current state of affairs Announcing Save-the-Date soon Zoom (speaker) and in-person (conference room, Studios A/B) In-person option: Studio A (refreshments) and B (presentation)</p>
Operations	Hurriyet Ok	Nothing to add to Arcelious’s report.
Promotional Development	Peggy Fox	<p>Peggy likes Isaac’s emailed guidelines for the committee. She wants to hold open houses to bring new people into FPA.</p> <p>Possible name change to NOVA Public Media is still pending. Have not heard back from NOVA Media Productions, but sent legal documentation and is currently coordinating with lawyer</p> <p>Peggy suggests updating the website. Maryam already requested funds within the Engagement Plan budget for this upcoming FY to update the website after the name change.</p>

COVID Transition	Happy Garcia	Happy has nothing to report.
Strategic	John Aaron	John relays that he has not been officially appointed. He asks if there is a standing committee or if the Board needs to give a mandate to create one. Isaac comments the committee was already formed. Isaac asks John to review the implementation of prior strategic plan and updated a new one. John asks if a chair needs to be nominated and confirmed. He brought up streaming to ask if it should be included in the strategic plan or if we need new tactics to increase revenue. John will discuss what was done, what needs to be done, and areas to contemplate in next meeting.

Meeting Close	
Unfinished Business	Approving March and April minutes (to be completed at June Board meeting)
New Business	Isaac emailed board about Strategic, Promotional Development, and Outreach committees regarding committee guidelines. He is asking for input on guidelines.
Confirm Future Meeting Dates	Tuesday, June 27 (changed from Wednesday, June 28, 2023) Isaac: Moves to change Board meeting date. Hurriyet: seconds. Ruth may not be able to attend on either June 27 or 28. Steve emphasizes that Rocio needs to attend the June meeting because the budget will be presented. Steve cannot share his screen and needs Rocio to assist. Isaac asks if a second meeting can be held solely for the budget in case Rocio cannot attend on June 27.
Adjournment at 9:12pm	Steve: Moves to adjourn. John/Peggy: seconds. Meeting adjourned by unanimous vote.