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SACRAMENTO METROPOLITAN CABLE TELEVISION
COMMISSION
BOARD OF SUPERVISORS' CHAMBERS
700 "H" STREET
SACRAMENTO, CALIFORNIA 95814

WEDNESDAY

FEBRUARY 2, 1983

2:30 P.M.

Members: Bill Bryan; Ila Collin; Orvell Fletcher; Toby Johnson; Terry Kastanis;
Lynn Robie; Joe Serna; Ted Sheedy; Sandy Smoley.

ITEM NO. 1: Community Programming: County Counsel Report on Resolution Language.
Staff Report on Incorporating SC3 By-Laws.

ITEM NO. 2: Staff Report: UTC's Revised Affirmative Action Plan - Report Back
from January 12, 1983 meeting.

SACRAMENTO METROPOLITAN



Cable
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ROBERT E. SMITH
EXECUTIVE DIRECTOR

January 28, 1983

To: Sacramento Metropolitan Cable Television Commission

From: Bob Smith, Executive Director

Bob Smith

Subject: COMMUNITY PROGRAMMING - SC3 BY-LAWS AND AFFIRMATIVE ACTION

ITEM 1: Community Programming - SC3 By-Laws.

As specified in the Ordinance, the Franchisee is solely responsible for the formation of the non-profit corporation that will manage community programming.

In November, the Sub-Committee raised some concerns regarding SC3. These centered primarily on issues of accountability and ensuring representation for all subscribers. Staff and UTC were requested to review the By-Laws as proposed by UTC and recommend appropriate modifications and revisions.

Staff presented a revised set of By-Laws on November 24, 1982, during a public hearing. Public testimony and recommendations received during that public hearing and in subsequent meetings with community representatives were incorporated into the By-Laws and presented at another public hearing on December 15, 1982.

The Sub-Committee approved the revised By-Laws on December 15, 1982 for inclusion in the Resolution Offering the Franchise.

The By-Laws have been slightly revised in response to UTC's letter (Attachment III) and to be in conformance with the Community Programming and Services Resolutions drafted by Mr. Elam.

Staff is presenting the By-Laws today for full Commission approval to be incorporated by UTC as a condition of any contract entered into by UTC and an independent body (Ordinance Sec. 5.50.344). This will ensure that the non-profit group established to distribute community programming funds will incorporate using these By-Laws prior to the receipt of these funds. A summary of the By-Laws and their complete text is attached for your review (Attachment II).

As requested by the Sub-Committee, staff is organizing a community workshop to explain the structure of SC3 and UTC's community programming operations. It will take place February 15th at 7:30 p.m. in the Community Room at the Sierra 2 Community Center, 2791 24th Street.

ITEM 2: Affirmative Action.

Attached you will find UTC's revised Affirmative Action Program. This latest draft includes many voluntary changes from the earlier version contained in the proposal. Below is a summary of the major changes in UTC's proposed Affirmative Action Plan:

- 1) Guidelines are rewritten to indicate representation of minorities, women, and disabled comparable to their representation in the population of the Sacramento community, not in the work force as previously proposed. UTC will be updating their statistical data using 1980, instead of 1970 figures for population as a basis for determining parity.
- 2) Quarterly statistical reports and evaluation procedures have been established to monitor Affirmative Action and MBE/FBE progress. All reports will be forwarded to the Commission.
- 3) More specific recruitment measures have been established for minority and female applicants.
- 4) Specific objectives for training have been strengthened including:
 - a) A specific plan to disseminate information on training programs throughout the minority and womens' communities.
 - b) A goal of representation of minorities and women in UTC's training programs at least equal to their representation in the population.
 - c) Ongoing evaluation and adjustment of UTC's training procedures to ensure minority and womens' representation goals are consistently met.
- 5) A provision to ensure minority promotion opportunities has been included.
- 6) A provision for comparable wages for comparable positions between male and female employees has been added.
- 7) A more active role for UTC to participate in community events has been added.
- 8) With regards to contractor/sub-contractor relations, UTC proposes to follow one of the following two options:
 - a) Subject to agreement as to charges, UTC intends to use the Greater Sacramento Area Plan to regulate minority hiring practices of UTC's contractors and sub-contractors.
 - b) Alternatively, UTC may develop and implement its own program to regulate minority hiring practices of UTC's contractors and sub-contractors consistent with the hiring practices applicable to UTC.

- 9) In response to Commission concerns, UTC has separated its minority and female business enterprise programs. The goals as written in the draft are ambiguous and staff has clarified their intentions with UTC. UTC will present clarifying language to you on Wednesday. UTC intends that the Minority Business Enterprise Program set a goal of no less than 10% of all contract or sub-contract dollars awarded will be allocated to qualified minority business enterprises.

The MBE plan defines terms used in the proposal and sets procedures to identify and solicit qualified minority applicants. To meet its overall goal of 10%, UTC will, if necessary, require good-faith efforts of non-MBE contractors with contracts over \$50,000 to award their contracts to qualified minority businesses so that UTC's 10% goals will be reached. The MBE program requires documentation of the contractors' efforts to meet these goals. UTC offers monitoring and evaluation procedures including quarterly reports to the Commission, and a specific staff person to monitor both the MBE and FBE programs.

In addition, UTC has allocated \$100,000 for minority and female business enterprise assistance. The goal of this program would include, but not be limited to, vendor service seminars, sub-contracting seminars, loan request packaging seminars, and business development seminars.

- 10) UTC's Female Business Enterprise program has a goal that no less than 3% of all contract or sub-contract dollars awarded will be allocated to female business enterprises. If necessary, non-FBE prime contractors awarded contracts of \$50,000 or more will be required to establish good faith efforts to assist UTC in meeting the 3% goal. The FBE then goes on to identify the same kinds of goals, objectives and procedures as the MBE.

I would like to emphasize that UTC's submission of an Affirmative Action Plan is voluntary. The Commission will monitor UTC's progress in meeting its goals and hold annual public hearings to assist in evaluating UTC's progress.

Staff recommends:

1) Community Programming - SC3 By-Laws.

- a) The Commission approve the attached By-Laws as a condition of any contract entered into by UTC and the independent body established by UTC pursuant to Sec. 5.50.344 of the Ordinance.

2) Affirmative Action.

- a) The Commission receive public testimony regarding the latest draft of UTC's Affirmative Action Plan.
- b) The Commission approve UTC's Affirmative Action Plan for inclusion in the Resolution.

RES:ab

Attachments: I. UTC's Affirmative Action Program
II. SC3 By-Laws
III. UTC's letter regarding SC3 By-Laws