

FPA BoD Minutes – 3/27/2024 @ 7:08pm

Minutes taken by Transcriptionist on behalf of the Board Secretary on

Minutes approved by the board on April 24 2024 @ 7:10 pm

Attendance	
Members of the Board in Attendance (via electronic & phone participation)	-Hurriyet Ok -Ruth Bennett -Steve Mullen -Gayle Yiotis -Colin Davies -Sharon Sobel -Reggie Marston
Staff in Attendance (via electronic & phone participation)	-Chuck Pena -Arcelious Joyner -Jay Erausquin -Maryam Shah -Gabriela Silva -Steven Jackson
Members in Attendance	n/a

Meeting Open		
Call to order at 7:08pm	Hurriyet Ok (President)	<p>-Reminder of Code of Conduct</p> <p>-Acknowledging conflict of interest in Board Code of Conduct</p> <p>Acknowledgements & Accolades:</p> <p>Chuck congratulates Ruth, Colin, Peggy, and Jane Plitt for hosting a successful meet-and-greet on March 20. He also thanks Arcelious and Engineering for handling technical aspects, and Jay for sending out promotional announcements.</p> <p>Chuck appreciates Maryam for filling in as master control operator on weekends after Dorothy left FPA. Hiring a replacement is on hold until the transition from Grass Valley ITX to Cablecast is complete.</p> <p>Chuck thanks Gabby for overseeing the completion of numerous tasks. Steve Mullen and Gayle applaud Gabby for organizing</p>

		<p>accounting reports, initiating system improvements, completing reconciliations, and training new accountant Steven Jackson on weekends.</p> <p>Happy appreciates Arcelious, Engineering staff, and Equipment Room staff for helping flawlessly execute a multi-studio shoot on March 3.</p>
Meeting Agenda	Hurriyet Ok (President)	<p><u>Motion to accept meeting agenda as written</u></p> <p>Hurriyet ensures that all received the emailed agenda. He asks if there are any corrections or changes to the agenda.</p> <p>-No objections. Agenda stands.</p> <p>-Meeting agenda approved unanimously with no changes.</p>
Approval of 2/28/24 Meeting Minutes	Gayle Yiotis (Secretary)	<p><u>Motion to approve February minutes as written</u></p> <p>Gayle ensures that all received the emailed minutes. She asks if there are any comments or questions. There are none.</p> <p>- Steve Mullen motions, Ruth seconds, no abstain/oppose</p> <p>-February minutes approved by unanimous vote.</p>

Staff Reports		
Executive Director	Chuck Peña	<p>Chuck reports that the Alliance for Community Media (ACM) conducted a Capitol Hill Day on Wednesday, March 20. The ACM is comprised of public, educational, and government access (PEG) organizations. Representative of PEG centers across the region met with House and Senate staffs to champion the Preserving Community Television Act (HR Bill 907 and Senate Bill 340). The bill would reverse the 2019 FCC rule that the costs of in-kind benefits, required by Local Franchising Authorities (LFAs), in cable franchise agreements, can offset the cable franchise fees owed by cable operators to LFAs. Previously, these cable franchise agreement in-kind benefits (such as providing free cable drops to public schools and government buildings) were traditionally included in addition to cable franchise fee obligations.</p> <p>-During adjudication, the court upheld the FCC ruling. However, the court opinion states that while cable companies can deduct from franchise fees, the marginal cost (actual costs to cable operators of in-kind benefits), cable operators cannot deduct the market prices of in-kind benefits from franchise fees. Although such marginal costs are low, there is some cost involved.</p>

		<p>-At some point, the marginal costs of providing cable bandwidth capacity to PEG channels (such as FPA's four channels) could be used to offset franchise fees owed by cable operators. This would put financial pressure on local governments to decrease or even eliminate these channels.</p> <p>-This is especially concerning in Virginia because state law eliminated cable franchise fees (paid by cable operators), and instead implemented the 5% Communications Service and Use Tax (CST), which is charged to the consumer, not the cable operator. This initially helped FPA, but is now potentially troubling. There is concern that, since the CST legislation eliminated cable franchise fees and the FCC rule classifies in-kind obligations as cable franchise fees, the argument could be made that the CST law, prohibits including any in-kind benefits requirements in cable franchise agreements in Virginia.</p> <p>Chuck applauded the ACM's Executive Director for reacting to the FCC rule. In a private discussion with the ACM executive director, Chuck emphasized the need to proactively seek a legislative or FCC cure to reverse the current decline in cable operator funding of PEG access centers. The ACM executive director agreed and suggested Chuck join monthly public policy conference calls. Chuck hopes to eventually work with jurisdictions outside Virginia for support, including Wisconsin Senator Tammy Baldwin and Massachusetts Senator Ed Markey. These senators both have a history of supporting public access and are on the appropriate committee responsible for telecommunication matters.</p> <p>FPA sent a letter asking to meet with the Loudoun County Board of Supervisors Chair Phyllis Randall regarding Loudoun County paying a fair share of financial support to FPA. Chair Randall is familiar with FPA and has appeared in FPA programs produced in our studios and cablecast on FPA Channel 10. Gayle is a Loudoun County resident and has a long-running show that covers matters pertinent to Loudoun County. Jeff Fitzgerald is an Emmy-winning media producer and former FPA employee, who is a Loudoun County resident and who supports Loudoun County providing some funding to FPA to allow Loudoun County residents to be FPA members. Chuck plans to have Gayle and Jeff join him in meeting with Chair Randall.</p> <p>-Three FPA channels (10, 30, and 37) air in Loudoun County on Verizon because there is no other programming carried on the</p>
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	<p>above cable channels. Currently, Loudoun County residents are allowed to be FPA members and use our media training, production and postproduction equipment and facilities, and cable channel time for programs they produce or on which they crew.</p> <p>Underpayment to FPA by Cox is an ongoing phenomenon. Rick Ellrod informs me that the FY 2021 through FY 2023 audit of payments by cable operators to PEG fund recipients is scheduled for completion in October 2024. County audits have uncovered consistent underpayments from Cox: \$332K (FY 2018-20), \$138K (FY 2015-17), and \$120K (FY 2012-14).</p> <ul style="list-style-type: none">- Although FPA is most certainly losing cable revenue, the loss has been less than had been previously reported in the financials showing quarterly cable revenues, prior to audit by the county. For example, during the three-year period from FY2018 through FY2020, Cox under reported \$332K in revenues due to FPA, resulted in revenues being under reported by over \$110,000 per year. <p>Gabby has now added a row in the income statement to include revenues uncovered by audits, which clarifies the amount of cable revenue as it would have been originally reported if it had been received in the appropriate time period.</p> <ul style="list-style-type: none">- Chuck notes in his report, "Despite the above, as we plan the upcoming FY25 budget, it is prudent, wise and practical to NOT assume that FPA will once again receive a special payment as a result of the current County audit." <p>Steve Mullen warns that we should not anticipate additional funds.</p> <p>Sharon asks if FPA can charge more to non-Fairfax County residents to use FPA resources. Chuck replies that this is an option. In the past, non-Fairfax residents paid a minimal additional charge for membership - \$52 for non-residents versus \$26 for residents, but Chuck wants to grandfather in current members, producers, and class participants. New non-Fairfax members could join for a higher fee to use media training, production equipment, and cable channel time. Any decision would need Board approval.</p> <ul style="list-style-type: none">-Happy asks if FPA receives funds from outside Fairfax County. Chuck answers no. FPA only receives funds if the jurisdiction requires cable companies to pay in cable franchise agreements.
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		<p>Reggie asks for clarity on the name change. Chuck explains that the “doing business as” (d/b/a) name will potentially change to “NOVA Public Media,” but the legal name remains “Fairfax Cable Access Corporation.” The letter to Phyllis Randall highlights that the name change will more realistically represent those served by FPA. This may help persuade the Loudoun County Board of Supervisors and other jurisdictions to fund FPA. Reggie suggests that charging the same fee for membership despite residency could bring in more new members.</p> <p>-Chuck clarifies that FPA will only potentially charge non-residents more if the jurisdiction does not pay a fair share for their residents to be FPA members. About 40% of our members are out of county, but we only receive funding from Fairfax County.</p> <p>-Counties with their own public access centers will most likely not pay (Arlington, D.C., Montgomery County) because they are already financially supporting their own public access centers. However, Loudoun, Prince William, and Alexandria city have no public access center.</p> <p>Ruth asks if Fairfax County members go to other public access centers like D.C. Chuck replies some FPA producers create content at FPA and air it on other public access centers’ channels, which may require membership in order to have such programs cablecast.</p>
Engineering	Arcelious Joyner	<p><u>Building Engineering:</u></p> <p>-Minor Rooftop AC issue (loose wire caused compressor not to kick on) occurring yesterday (March 26) was fixed today.</p> <p><u>Current/Upcoming Projects:</u></p> <p>-Arcelious is working on the FCAC.org website upgrade with Mark (Web Developer) and Maryam.</p> <p>-Attending National Association of Broadcasters Convention this year. Last year, Arcelious and Tom identified replacement equipment including audio consoles and lighting consoles in Studios A/B. This year, they are looking at production switchers, cameras, and audio consoles for radio studios (replacements will not occur simultaneously).</p> <p>-Upgraded Cablecast video playout server storage from 20 to 40 terabytes each. Space for video/member media files would have</p>

		<p>been filled in 6 months, so storage was doubled. With Maryam's and Arcelious's new retention policy, we can add files and delete older files with enough storage for several years.</p> <ul style="list-style-type: none"> -All member media files have been migrated, so we only need training for programming. -New Cablecast servers will launch in the next month or two. <p>-Major emergency software patch completed on remote contribution site, main servers, and employee work-from-home/office machines due to critical vulnerability with ConnectWise. There was a brief outage, but the software patch update successfully blocked malware attackers. We also implemented new firewall policies to prevent future invaders.</p> <ul style="list-style-type: none"> -Anyone using ConnectWise software on an earlier patch release could have been impacted. <p>-Replaced 50-inch plasma monitor in Studio B with 70-inch LED monitor.</p> <p>Hurriyet asks if nova.org is acting to leave the premises. Arcelious replies that they have not yet, but there are provisions to assure we will not lose internet (second circuit). Nova.org was notified in a letter to Peter Beckman, but there has been no response. Chuck believes they have until May 1 to remove the equipment, but Arcelious thinks it could be June 1. Chuck will contact Peter to see if he has informed the rest of nova.org.</p> <ul style="list-style-type: none"> - Hurriyet motions to request nova.org provide a timeline on dismantling the equipment. All in favor. Chuck will email Peter. -Hurriyet and Reggie want to specify the consequences for missing the deadline. Chuck replies that we can disconnect the internet on the deadline, so nova.org has no incentive to keep their equipment here. Hurriyet worries about damage to us by unplugging equipment.
Outreach	Vacant	<p>Hurriyet asks for ideas on how Jerry's role could be filled.</p> <p>Sharon suggests charging to use FPA facilities. To keep our ethos as a community-minded entity, fee for service can first be marketed to members and then to non-profits based on resources available. FPA's discounted rates and high-quality production resources will entice outsiders. Offering an affordable, professional-level resource is very valuable.</p>

		<p>Sharon, Ruth, Steve Mullen, Peggy, Gayle, and Chuck will work together on the matter. They will report back next month.</p> <p>Hurriyet asks for an updated Board member contact sheet with clear ending dates for Board appointments.</p>
Training / Office Manager	Jay Earausquin	<p>Some teachers/contractors had scheduled conflicts due to full-time jobs, but all are resolved. Jay already started promoting catalogs in schools, libraries, PTA groups, etc. One summer camp will be moved one week earlier due to teacher schedules, so Jay will redo marketing materials. Registration for summer camps is beginning. With new catalogs and the marketing campaign pushed earlier this month, we will hopefully have the minimum number of registrants next month. Now, only 1 of 4 camps is confirmed. Jay is working on the preliminary July to December semester schedule. Next week, staff will be notified about courses available to teach. Jay then contacts the current list of independent contractors and finally searches for outside teachers. He will send current contractors a letter asking for proposals for new courses within the next month to possibly introduce next semester.</p>
Production	Lisa Clarke	Absent
Programming	Maryam Shah	<p>Arcelious, Maryam, and Mark (Web Developer) are completing a backend Drupal website upgrade for the content management system on the existing website (only minor aesthetic changes). Drupal manages site updates, and the current version is end of life. We are testing and monitoring the new site. Last week, we were monitoring the radio stream and music display on the new site versus the old site. The transition is almost complete.</p> <p>-Website redesign pending name change.</p> <p>Hurriyet wants to increase viewership for YouTube videos. Maryam replies that some shorter videos air during TV breaks, but she's trying to convert some to YouTube shorts (1 minute or less). We have done some social media sharing campaigns, but they haven't been that successful. Younger demographics are more likely to share. Having a social media and internet presence can be more important than the number of shares. Gayle notes that some FPA online videos get many views. Maryam adds that videos have been used as ads in the past. You can see location, demographic, and other information for</p>

		<p>viewership. Advertising in other ways may be more advantageous. After the name change, we could spend more on a full-scale marketing campaign (e.g. TV, print, bus, metro).</p> <p>Gayle asks Jay if membership numbers increased, but they have not. His report includes a graph tracking monthly changes. Numbers tend to drop at the start of each month and rebound a little by the end of the month. Membership numbers are steady.</p> <p>Hurriyet applauds Alonzo's and David Malone's invitation for training video.</p>
Accounting	Gabriela Silva	<p><u>FPA Financial Statement Highlights – February 2024</u> (amounts compared to same quarter last year)</p> <p>Cox Cable Support Grant: FY24 Q3 accrual down \$54K (compared to FY23 Q3 actual) -Accrual reflects FY24 Q2 payment received in February 2024 -No Q3 payment yet</p> <p>Fairfax County PEG Fee Audit Settlement Payments -\$137,878.28: payment for FY15-17 (received FY17) -\$331,998.91: payment for FY18-20 (received FY23)</p> <p>Chart reflects what Cox income would have been if income was received in respective time period, which helps reflect a more accurate annual percentile change. Steve Mullen thanks Gabby for this.</p> <p>Steve Mullen states that Cox is aware of the County's audits (reports provided to leadership). Audit motivates Cox to send backpay to avoid interest fees. Budget will not include potential income from Cox audits because the funds are not promised. -In response to question from Gayle, Chuck says FPA income is 2/3 from Verizon and 1/3 from Cox.</p> <p>Verizon Cable Support Grant: FY24 Q3 accrual down \$25K (compared to FY23 Q3 actual)</p> <p><u>Income Statement Highlights (amounts compared to last year)</u> -Maintenance Reserve down \$15K</p>

		<p>-Office Operations up \$41K due to rise in overall costs and additional expenses from purchases that do not meet the Fixed Asset Threshold</p> <p>-Salaries, Benefits, and Taxes up \$60K</p> <p><u>Statement of Financial Position (amounts compared to last year)</u></p> <p>-Marketable Securities up \$2.37 million due to market changes</p> <p>-Transfer from Edward Jones to Fisher Investments completed on April 26, 2023</p> <p>-Cable (\$6,055,044) and non-cable (\$4,484,716) balances as of February 29, 2024 (total \$10,539,760)</p> <p>-Total in February 2023 was \$8,169,250 (at Edward Jones)</p> <p>-Investment Income increased by \$2,370,510 from Feb. 2023-24</p> <p>-Accounts Receivable Cable Grant down \$32K due to decline in cable revenue</p> <p>Colin commends the phenomenal investment increase (around 29%). Portfolio is 70/30 equity/fixed income but is performing like 100% equity. Fisher has exceeded our expectations.</p> <p>Gayle wonders how dependent our investments are on the stock market. The 70% equity involves stocks in companies, so it is more dependent on market changes.</p> <p>Gabby adds that Fisher's fees are imbedded in the Professional Services fees, which will be accounted for in the next budget.</p>
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Committee Reports		
Finance Committee	Steve Mullen	<p>Steve Mullen thanks Gabby for sending PDF copies of the income statement and balance sheet/statement of financial position.</p> <p>Total income this year versus last down about \$338K, including about \$213K drop in cable revenues.</p> <p>-Expenses are up: higher salaries, benefits, and taxes (\$106K) and higher office operations</p> <p>Steve Mullen and Gabby begin planning the 2025 budget in April and intend to present it at the May Board meeting. The Fisher Investment briefing is on hold until the near future.</p>

Performance Management	Gayle Yiotis	Nothing to report.
Membership Development	Ruth Bennett & Colin Davies	<p>Ruth and Chuck thank all who contributed to the successful March 20 meet-and-greet with Jane Plitt from the National Center on Women’s Innovations. Jay sent out advertisements, Arcelious and Tom helped with engineering, Colin hosted the Q & A, and Peggy introduced the speaker.</p> <p>Ruth hopes to have a hybrid meet-and-greet next time.</p> <p>Gayle suggests advertising widely on social media and opening the meet-and-greet up to non-members via Zoom, which could bring in new members. Colin adds that we have previously paid speakers. Ruth, Colin, and Gayle hope to increase attendance.</p>
Operations	Reggie Marston	Nothing to add to report. Reggie just took over for Hurriyet and plans to collaborate with Arcelious on next steps.
Promotional Development	Peggy Fox	Absent
COVID Transition	Happy Garcia	Happy reports that Covid numbers are down but that staff cases are concerning. He recommends purchasing air purifiers to mitigate risk. Happy will discuss this with Chuck and Arcelious.
Strategic	Vacant	

Meeting Close	
Unfinished Business	None
New Business	<p>Sharon, Ruth, Steve Mullen, Peggy, Gayle, and Chuck will discuss ways to fulfill Jerry’s outreach role. Sharon will set up a meeting in early April to discuss options. The group will report their progress during the April Board meeting.</p> <p>-Steve Mullen supports Chuck’s idea to favor in-studio productions over field work. Perhaps Lisa (staff productions) could invite non-profits to produce shows.</p> <p>-Reggie asks if we have a list of non-profits Jerry worked with, and Steve Mullen says yes but we don’t have his contacts. Steve Mullen adds that Jerry stirred up good publicity and cultivated relationships (non-profits, Board of Supervisors, etc.), but we can accomplish this in other ways.</p>

	<p>-Gayle asks what organizations paid Jerry. Steve Mullen answers that his reports described fee for service activities. Jerry would film events like fundraising banquets and showcase them in his "FPA Presents" show on Channel 10. He would advertise the show, which provided publicity for the non-profit.</p> <p>-Hurriyet asks if there will be revenue loss by not replacing Jerry. Gabby responds that the year-to-date fee for service income was \$8,160, which exceeded the \$6K fee for service estimate for the year. Hiring a new employee is more expensive than the fee for service income.</p> <p>Chuck will update the contact sheet if necessary and mail it to all.</p>
<p>Confirm Future Meeting Dates</p>	<p>Next meeting: Wednesday, April 24, 2024 at 7pm.</p>
<p>Adjournment at 8:50pm</p>	<p>Steve Mullen motions, Happy seconds, all in favor -March Board meeting adjourned at 8:50pm</p>