

MEMORANDUM

April 18, 2019

TO: Government Operations and Fiscal Policy Committee
FROM: Dr. Costis Toregas, Council IT Adviser *CT*
SUBJECT: Cable Television Communications Plan
PURPOSE: Review and recommend action on the Cable Television and Communications Plan

The following are expected to attend:

Sonny Segal, Chief Information Officer, Department of Technology Services
Joseph Webster, Chief Broadband Officer, Department of Technology Services
Donna Keating, Co-Chair, PEG Governance Board
Dr. Dick Lipsky, Co-Chair, PEG Governance Board
Jennifer Nordin, Analyst, Office of Management and Budget (OMB)
Members of the Public, Education, and Government (PEG) Governance Board

Summary of Staff Recommendations:

1. **Request** quarterly revenue reports on franchise fees as early warning signals to make adjustments to Cable Plan goals and expectations.
2. **Discuss** role and timeframe for currently-lapsed position of Cable Administrator in light of the upcoming franchise negotiations.
3. **Explore** the reason for the major increase of \$489,000 to the PEG entities and consider targeting this increase to specific communication goals, including resident response strategies and racial equity.
4. **Decrease** the fund balance of \$1,372,000 to \$1,272,000 and restore the transfer of \$100,000 to M-NCPPC for the "Safe Parks" initiative, as discussed in the Preliminary Cable Plan Committee session of February 14, 2019.
5. **Approve** the Cable Plan as requested by the Executive at a revenue level of **\$26,572,000** and an expenditure level of **\$24,388,000** for FY20, adjusted for the lower fund balance amount recommended in item 4 above.

INTRODUCTION

The Cable Communications Plan (on ©1-12) is a unique instrument not found in many other local governments. It allows Montgomery County to develop structured and thoughtful solutions to community engagement and communications and to target the expenditure of the 5% franchise fee arising from active cable franchise holders, as well as additional associated revenues, including a 3% fee that is restricted to capital projects. The sum total of these revenues is projected to be \$26,572,000 in FY20, reduced from an estimated revenue of \$27,003,000 for FY19, and even further reduced from an approved revenue figure of \$28,947,000 for FY19.

The drop of \$1,944,000 in estimated revenues in FY19 is significant and raises questions regarding the revenue estimates themselves. The way in which this revenue shortfall is absorbed in the current FY19 budget is not clear, and the Committee may want to explore whether the Executive stands behind this forecasted drop of almost \$2 million and how the expenditure management is being accomplished.

The proposed expenditures for FY20 fall in two major categories: a “Restricted Funding” category that includes pass-through payments for municipalities and capital investments restricted to non-labor expenditures totaling \$8,753,000 (line 37 on ©11), and Direct Expenditures of \$16,393,000 (line 135 on ©12). After needed transfers, a surplus of \$1,304,000 is reflected in the Fund Balance increase from \$68,000 to \$1,372,000 (line 122 on ©12).

During the April 10, 2019 public hearing, six witnesses provided supportive comments for the benefits accruing from Montgomery County Media’s (MCM) programs that are funded from the Cable Plan through an allocation of \$2,736,000 (see line 90 on ©12).

A major change proposed by the Executive in the FY20 approach to the Cable Plan is the total elimination of General Fund transfers, as well as the near elimination of all other transfers. Given the uncertainty of revenues and coupled with the apparent drop in future revenues ascribed to “cord-cutting” practices, this seems to be a prudent move. The Council’s Legislative Communications NDA program, funded in FY19 at a level of \$636,000, is one of those programs that is taken off the Cable Fund transfer list and is proposed for full funding from the General Fund.

ENTITIES OTHER THAN MONTGOMERY COUNTY

The Cable revenues include fees collected on behalf of municipalities (Rockville, Takoma Park, and Maryland Municipal League (MML) representing smaller municipalities) that are considered “restricted”, as they cannot be appropriated by the County for County purposes but must be distributed to the municipalities. These municipal restricted funds total \$3,665,000 and are distributed as follows:

Table 1: Restricted municipal revenues collected by the County on behalf of municipalities (in \$000s)

	Rockville	Takoma Park	MML
Capital Support	947	198	198
Franchise fees	739	227	250
PEG support	250	428	428
Totals	1,936	853	876

PEG (PUBLIC, EDUCATION, AND GOVERNMENT) CHANNELS

The Cable Plan provides almost two-thirds of its discretionary revenues to support programming, communications, and information services throughout the County through the activities of the PEG stakeholders. These allocations are made through the recommendation of a governing board for the Public, Education, and Government channels (PEG Governance Board) and are implemented by the PEG entities. An FY20 strategic plan is under development and will be presented to the Committee for feedback and support in the near future.

The allocation of the fund revenues to the PEG entities last year and the recommended distribution for this year are as follows:

Table 2: Allocation of support among organizations (in \$000s)

Organization	FY19	FY20 Recommended
Media Production & Engineering	884	1,059
PIO	811	853
County Council	884	904
M-NCPPC	123	123
MC	1,727	1,764
MCPS	1,790	1,800
Community Access Programming (MCM)	2,644	2,736
PEG Operating	525	544
Total	9,294	9,783

The increase of \$489,000 from FY19 to the FY20 Recommended Budget is not discussed in the budget proposal; Council Staff recommends a close review of the Strategic plan when released and an exploration of the option to target some or all of the suggested increase to specific items of broad community concern, including the racial equity initiative.

QUESTIONS RAISED BY COUNCIL STAFF

Council Staff asked a series of questions to ensure that the FY20 recommended Cable Plan is in alignment with Committee and Council priorities; the questions, responses provided by DTS and, where appropriate, Council Staff comments are as follows:

The FY20 Cable plan shows an anticipated decrease in revenues of \$400,000; please provide the basis for this decrease estimate and any calculations that support this.

Beginning in FY19, the Department of Finance has developed a forecasting model to improve the accuracy of forecasted franchise fee revenues. The FY20 forecasted decline of \$400,000 is attributed to “cord-cutters”, “cord-shavers” and “cord-nevers” resulting from the availability of alternative sources of video content including Netflix, Hulu, Amazon Prime, Sling TV, and others.

Council Staff comment: Since several mission-critical allocations are included in the Cable Fund, the Committee should **request early warning signals** if revenues should come in at rates lower than forecast. An actual quarterly revenue report should be sent directly to the GO Committee Chair once cable franchise and other fees are received for the prior quarter.

The cable office budget is increased by \$600,000 (line 51); what new and ongoing tasks are assumed for FY20?

This increase is due to FY19 departmental reorganization and compensation changes and \$375,000 in Legal & Professional Services to cover anticipated costs associated with preparation for franchise renewal negotiations with Comcast & Verizon.

Council Staff comment: Discussions for the 2021 cable franchise renewal with Verizon and Comcast will begin in 2020. The continued planned absence of a Cable Administrator in FY19 and the absence of any discussion regarding the hiring of a Cable Administrator in FY20 does not bode well for the County’s preparations. Staff recommends that the Committee continue to press DTS for the prompt replacement of this key position.

Similarly, the Media productions budget is increased by \$150,000 (line 59); what new and ongoing tasks are assumed for FY20 that will be sustained over multiple years?

The increase is due to the FY19 departmental reorganization and compensation changes.

Please provide a total operating budget for MCM; also indicate why the MCM budget is increased by \$150,000 (line 90).

This includes a compensation adjustment, an increase of \$33,252 for rent & utilities, and a reduction in the operating budget of \$11,000.

Budget Item	FY18	FY19	FY20
<i>Salary</i>	<i>\$1,676,074</i>	<i>\$1,676,074</i>	<i>\$1,735,789</i>
<i>Benefits</i>	<i>\$419,018</i>	<i>\$419,018</i>	<i>\$429,670</i>
<i>Rent</i>	<i>\$309,192</i>	<i>\$329,116</i>	<i>\$364,020</i>
<i>Utilities</i>	<i>\$115,409</i>	<i>\$131,532</i>	<i>\$128,980</i>
<i>Operating</i>	<i>\$64,871</i>	<i>\$64,871</i>	<i>\$54,171</i>
<i>New Media, Web & VOD</i>	<i>\$23,300</i>	<i>\$23,300</i>	<i>\$23,300</i>
Total	\$2,607,864	\$2,643,911	\$2,735,930

The General Fund transfer is zeroed out for FY20 and outyears. Explain the rationale.

The fund balance policy is 8 percent of non-restricted revenues. In order to be in compliance with this policy, transfers out of the fund were reduced in FY20 and the outyears.

The \$100,000 to M-NCPPC for the Safe Parks Wi-Fi initiative is also zeroed out (line 116) for FY20 and outyears. During the most recent ITPCC review, the GO Committee requested that full support be given to this vital program. Please provide a status report on the number of parks already connected and requested plans for FY20.

The fund balance policy is 8 percent of non-restricted revenues. In order to be in compliance with this policy, transfers out of the fund were reduced in FY20, including the transfer to MNCPPC for the Connected Parks initiative.

Council Staff comment: During the Preliminary Cable Plan review on February 14, 2019, the Committee indicated a strong preference for funding this important item. The following description also appears on the list of projects awaiting funding in the department budget:

The Parks Department is requesting \$100,000 from the cable fund to continue the 'Wi-Fi in the Parks'/ConnectParks initiative. In FY19, the Department implemented the interagency-sponsored 'Wi-Fi in the Parks' in Wheaton Regional Park providing internet connectivity to park patrons. The Department is renaming the program 'ConnectParks' because it can and often does include additional capabilities such as security technology where it is helpful. Parks would use this funding request to implement the same technology for Long Branch Park in 2020.

Staff suggests that the fund balance be reduced by \$100,000 and this project be fully funded in FY20 from the Cable Plan.

The plan calls for a \$1.4 million POSITIVE fund balance; what led to such a high reserve plan, given that its level has been low for the last 3 years?

The fund balance policy is 8 percent of non-restricted revenues, or \$1.332 million. In order to better position the fund to deal with projected declines in revenues, the Executive's recommendation is to comply with the fund balance policy moving forward and to create efficiencies in programs funded by cable revenues.

Please transmit the final PEG workplan reflecting the direction provided during the GO discussion with PEG leadership on February 7, 2019.


The PEG workplan is being updated to reflect recent requests and several key areas of focus will be discussed at the April 22 meeting, with a revised workplan to follow by May 30. It will provide the key elements of how PEG will proceed to help address County needs in FY20.



Cable Television Communications Plan

RECOMMENDED FY20 BUDGET
\$16,393,035

FULL TIME EQUIVALENTS
30.85

 **H. N. (SONNY) SEGAL**, CHIEF INFORMATION OFFICER

MISSION STATEMENT

The mission of the Office of Broadband Programs is to effectively manage the County's cable television and telecommunications franchise agreements and the Cable Special Revenue Fund to ensure that: broadband services in Montgomery County are of high quality; cable and telecommunications providers comply with applicable safety and construction codes; cable customer service requirements and applicable consumer protection provisions are enforced; quality Public, Educational, and Governmental (PEG) cable programming is provided; FiberNet is expanded and operated to provide reliable voice, data, video and public safety communications to County government agencies; and a reliable and expedient process is provided for telecommunication carriers to establish transmission facilities in the County to speed deployment of services for residents while maintaining adequate public protection.

BUDGET OVERVIEW

The total recommended FY20 Operating Budget for the Office of Broadband Programs is \$16,393,035, an increase of \$199,823 or 1.23 percent from the FY19 Approved Budget of \$16,193,212. Personnel Costs comprise 26.24 percent of the budget for 13 full-time position(s) and no part-time position(s), and a total of 30.85 FTEs. Total FTEs may include seasonal or temporary positions and may also reflect workforce charged to or from other departments or funds. Operating Expenses account for the remaining 73.76 percent of the FY20 budget.

The FY20 Cable Television Communications Plan includes four elements:

- the Office of Broadband Programs appropriation (\$16,393,035);
- transfers to the General Fund for indirect costs (\$879,676);
- transfers to Instructional Television (ITV) programs including Montgomery County Public Schools (\$1,799,775) and Montgomery College (\$1,764,321); and
- transfers to the County Capital Improvements Programs including FiberNet (\$3,750,000) and ultraMontgomery (\$680,000).

Due to declining revenues and compliance with fund balance policy guidelines, the FY20 Cable Television Communications Plan does not include transfers to the General Fund; the Legislative Branch Non-Departmental Account; or the M-NCPPC Connected Parks initiative. The Office of Broadband Programs is developing and evaluating strategies to address projected declines in Franchise Fees.

In addition, this department's Capital Improvements Program (CIP) requires Current Revenue funding.

COUNTY PRIORITY OUTCOMES

While this program area supports all seven of the County Executive's Priority Outcomes, the following are emphasized:

- ✦ **Thriving Youth and Families**
- ✦ **Easier Commutes**
- ✦ **A Greener County**
- ✦ **Effective, Sustainable Government**
- ✦ **A Growing Economy**

DEPARTMENT PERFORMANCE MEASURES

Performance measures for this department are included below (where applicable), with multi-program measures displayed at the front of this section and program-specific measures shown with the relevant program. The FY19 estimates reflect funding based on the FY19 Approved Budget. The FY20 and FY21 figures are performance targets based on the FY20 Recommended Budget and funding for comparable service levels in FY21.


INITIATIVES

- 🕒 Implement a marketing plan for the Public, Education, and Government (PEG) channels using the results of the viewership study, which was initiated to better understand viewing habits and preferences.
- 🕒 Launch additional HD channels with Comcast and RCN.
- 🕒 Develop marketing plan for FiberNet broadband services and fiber and conduit availability in Montgomery County.
- 🕒 Apply for Federal funding and continue to support public/private partnerships to bring broadband to undeserved areas of the County's Agricultural Reserve.
- 🕒 Support small-cell deployment in residential areas that reasonably balances meaningful public input into new deployments with the requirements of Federal and State law to enable provisions of new wireless communications services.
- 🕒 Expand Senior Planet Montgomery and other public/private partnerships to support more digital economy and digital inclusion training for older adults and affordable access to internet-connected devices.
- 🕒 Host business focused roundtables and events to improve access to robust and reliable high-speed broadband services in commercial buildings in the County.
- 🕒 Increase community engagement and social media outreach.

ACCOMPLISHMENTS

- Hosted first Broadband Summit to bring together building owners, property managers, broadband network service providers, and businesses to discuss how to improve access to robust and reliable high-speed broadband services in commercial buildings in the County.
- Worked with County Council to enact legislation to enable streamlined deployment of small-cell installations in commercial and commercial/residential areas, where network capacity constraints are greatest.
- Developed online Transmission Facility Coordinating Group (TFCG) application filing system, to improve public engagement and review of communications antenna mapping, applications, and recommendations.
- Launched County Conduit Network to facilitate efficient use of scarce room in public rights-of-way to support underground installation of communications, reduce public disruptions from continuous construction, and speed access to broadband service in commercial buildings.
- In partnership with Comcast, started a pilot project to extend broadband and cable services into the Montgomery County Agricultural Reserve within the community of Sugarland Road. Construction began October 2018.
- Received multiple awards from the Alliance for Community Media (ACM), National Association of Telecommunications Officers and Advisors (NATOA) and Telly Awards.
- PEG channels provided live coverage of the 2018 Inauguration of the Montgomery County Executive and Montgomery County Council, the primary and general elections, and coverage of several candidate forums.
- Increased live social media coverage of Executive and County Council events.
- Launched Condado TV in December 2017 which aggregates Public, Education, and Government Spanish language programming.
- Montgomery Community Media (MCM) held the second annual "EPIC Awards" (Excellence in Programming and Innovative Content) to recognize the creators of outstanding and innovative multimedia content distributed on broadcast and/or broadband platforms.

INNOVATIONS AND PRODUCTIVITY IMPROVEMENTS

-  The efficiencies from the creation of the Office of Broadband Programs include staff synergy in cable and franchise administration, FiberNet, ultraMontgomery, video creation, and social media marketing, as well as resource sharing and co-location of administrative support, all of which will further enhance the initiatives for countywide broadband governance, planning, related economic development efforts, digital equity, and community engagement.

PROGRAM CONTACTS

Contact Helen Ni of the Department of Technology Services at 240.777.2807 or Jennifer Nordin of the Office of Management and Budget at 240.777.2779 for more information regarding this department's operating budget.

PROGRAM DESCRIPTIONS

Cable Franchise Administration

The Office of Broadband Programs in the Department of Technology Services is responsible for administering the cable television agreements for the County and participating municipalities. The budget for franchise administration includes staff for cable

management and enforcement, including cable and broadband complaint investigation, cable inspection and facilities testing, and office operating expenses. Funds are used for engineering consulting services which require special expertise, such as engineering review of tower and antenna siting applications; IP-based interconnection of Public, Educational, and Government access (PEG) video signals and facilities; transmission facility digital and engineering upgrades; and the implementation of future technology and mobile video applications. Funds are also used to pay legal and financial consultants for work which requires special expertise, such as preparation of filings on behalf of the County before the Federal Communications Commission (FCC), analysis of legislative proposals, County representation in cable and telecommunications service negotiations, and rate regulation and franchise compliance matters.

The responsibilities associated with franchise administration include:

- Ensuring cable operator compliance with franchise financial, technical, and construction requirements and managing the cable franchise renewal and transfer process;
- Investigating and resolving cable and broadband subscriber and residential complaints;
- Collecting and administering franchise fees, grants, and other payments to the County and participating municipalities;
- Encouraging entry of competitive providers of telecommunications services and negotiating and reviewing proposed telecommunications franchises for use of the public rights-of-way;
- Directing and coordinating the Transmission Facilities Coordinating Committee;
- Supporting the Cable and Communications Advisory Committee and Cable Compliance Commission;
- Strategic planning for County Government cable and communications technology;
- Preparing the annual Cable Communications Plan; and
- Monitoring and working with the Office of Intergovernmental Relations to advocate for effective and reasonable State and Federal cable, broadband and telecommunications regulations and legislation.

Program Performance Measures	Actual FY17	Actual FY18	Estimated FY19	Target FY20	Target FY21
Transmission facilities application process - Average number of days to process applications for siting wireless towers	35	34	35	35	35
Number of transmission facility applications processed	422	242	300	350	350
Percent of customers satisfied with Cable Office complaint handling	94.2	94.3	94	94	94
Summary					
FY19 Approved			1,474,985		8.50
Add: Franchise fee negotiation preparation including a technical assessment of infrastructure, fee audit, needs assessment, and outside professional services (legal)			205,000		0.00
Enhance: Outside Professional Services (Legal) to address FCC initiatives and Federal litigation			170,000		0.00
Decrease Cost: Abolish one Manager II (Cable Administrator)			(135,800)		(1.00)
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.			354,391		1.00
FY20 Recommended			2,068,576		8.50

Community Access to Cable

The Office Broadband Programs administers a contract with Montgomery Community Television, doing business as Montgomery Community Media (MCM), through which it operates two community media cable television channels and

provides media technology training to County residents and community organizations. MCM produces independent, diverse and informative cable programming for County residents. MCM's mission is to provide media, television production and technology training that empowers residents and organizations and provides them with the opportunity to interact, engage and influence the County government and the community by using the powerful media of television and the Internet.

Program Performance Measures	Actual FY17	Actual FY18	Estimated FY19	Target FY20	Target FY21
Hours of first run locally produced, block, and acquired Montgomery Community Media (MCM) programming	4,132	2,231	2,235	2,240	2,245
Hours of Montgomery Community Media (MCM) volunteer effort in creating public access programming	17,500	13,720	13,000	13,000	13,000

FY20 Recommended Changes					
FY19 Approved			2,643,911		0.00
Increase Cost: Community Access Labor Costs and Benefit Increase			69,697		0.00
Increase Cost: Community Access Facility Rent and Utility Increase			33,322		0.00
Decrease Cost: Operating Expenses			(11,000)		0.00
FY20 Recommended			2,735,930		0.00

County Cable Montgomery

The Office of Broadband Programs manages services to support County Cable Montgomery (CCM), the government access channel. CCM programming includes live County Council sessions and committee meetings, press conferences, town hall meetings, special events, and programs highlighting County services and activities. Funding is provided to the Media Services, County Council, Office of Public Information (PIO), and Maryland-National Capital Park and Planning Commission (M-NCPPC) to develop programming. Funding is also provided for engineering staff for the Technical Operations Center which monitors the audio and video signals provided to the cable providers, administering contracts, providing liaison and support services for the PEG channels, and other digital and social media services for the Executive and Legislative Branches. Over 99 percent of all CCM programming is presented with closed captions. Highlights of programs are available on the County's YouTube channel. Spanish language programming is produced and all programming is available via web-streaming on the County's website.

Program Performance Measures	Actual FY17	Actual FY18	Estimated FY19	Target FY20	Target FY21
Hours of first run locally produced, block, and acquired County Cable Montgomery (CCM) programming	2,608	2,731	2,725	2,645	2,645

FY20 Recommended Changes					
FY19 Approved			2,701,941		16.60
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.			236,974		1.00
FY20 Recommended			2,938,915		17.60

Cable Programming for Public Schools

Montgomery County Public Schools Television (MCPS-TV) is a full-service television and multimedia facility that produces TV programs for students, staff, parents, and the general community; many of which are produced in multiple languages to reach the

district's growing multicultural community. MCPS-TV regular programming includes Board of Education meetings, Homework HotlineLive!, staff training and development, live call-in and interactive programs, in-class student programs, student-produced programs, technology training, and televised instruction in a variety of academic content areas.

Program Performance Measures	Actual FY17	Actual FY18	Estimated FY19	Target FY20	Target FY21
Hours of first run locally produced, block, and acquired Montgomery County Public Schools (MCPS) ITV programming	426	421	429	438	446
FY19 Approved				0	0.00
FY20 Recommended				0	0.00

Cable Programming for Montgomery College

The Instructional Television (ITV) and Media Production Services Unit of Montgomery College is responsible for creating cable programming available on the Montgomery College educational cable channel as well as video programming and learning materials available as on-line content. Funds are used for staff, equipment, and operating expenses to provide digital media services to support student success (i.e., course completion, retention, graduation, and academic excellence), produce Spanish language programming, and to advance the mission of the entire College community. The cable and video programming features acquired and originally produced educational, informational and instructional programming which directly supports the College's distance learning and instructional programs, and to provide professional and workforce development and self-enrichment opportunities for the community. Additional funds are provided through the Montgomery College operating budget.

Program Performance Measures	Actual FY17	Actual FY18	Estimated FY19	Target FY20	Target FY21
Hours of first run locally produced and acquired Montgomery College MC-ITV programming	253	290	285	300	300
Hours of Montgomery College student-assisted original programming	139	175	150	150	150
FY19 Approved				0	0.00
FY20 Recommended				0	0.00

Municipal Support

Franchise and Public, Education, and Government (PEG) fees owed by cable operators to participating municipalities within Montgomery County are paid by cable operators to the County for administrative convenience and then redistributed by the County to the City of Rockville, the City of Takoma Park, and the Montgomery County Chapter of the Maryland Municipal League (MML). The County has a contractual obligation to pass through fees owed to municipalities and no discretion to alter these payments. Municipalities may use franchise fees for any purpose. Under the terms of the franchise agreements, participating municipalities must use PEG Access Operating Support funding to support PEG programming operations, and PEG capital support must be used for PEG and institutional network equipment, facilities and related capital expenditures.

FY19 Approved				3,848,745	0.00
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Decrease Cost: Municipal Pass Throughs including Capital Support, Franchise Fee Distribution, and PEG Operating Support	(285,145)	0.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	300	0.00
FY20 Recommended	3,563,900	0.00

Public Education Government Access (PEG) Operations

The mission of the Public, Education, and Government (PEG) Governance Board (PGB) is to facilitate collaboration among the local television access operators in providing and promoting the most effective PEG programming and media services to the Montgomery County community using current and emerging technologies. The PGB collaboratively works to expand community engagement, programming in languages other than English content produced by and for youth. The budget for PEG includes funds for the purchase of equipment; engineering support; promotion and outreach support to increase channel awareness and viewership; strategic planning; closed captioning, and Spanish language support; and general operating and administrative expenses. Federal law and cable franchise agreements restrict use of some funds to PEG and Institutional Network capital expenditures. These funds may be used to purchase PEG equipment and renovate or build PEG facilities.

FY19 Approved	1,263,149	0.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	40,000	0.00
FY20 Recommended	1,303,149	0.00

FiberNet

Funding from the Cable Special Revenue Fund is used to support Montgomery County's private communications network - FiberNet. FiberNet is a critical infrastructure asset that provides carrier-class voice, video, Internet access and data network services for Montgomery County Government, Montgomery County Public Schools (MCPS), Montgomery College, Housing Opportunities Commission (HOC), the Maryland-National Park and Planning Commission (M-NCPPC) and the Washington Suburban Sanitary Commission (WSSC). The County's public safety communications are also provided via FiberNet infrastructure. Additionally, FiberNet provides private network access to the State of Maryland and all of the local counties, municipalities and the District of Columbia. Expenditures cover the cost of network expansion, monitoring, management, and maintenance services. FiberNet is a Countywide multi-million dollar investment that is crucial to the daily operation of local government within the County and with its citizens, neighboring governments, and business partners.

Program Performance Measures	Actual FY17	Actual FY18	Estimated FY19	Target FY20	Target FY21
New sites added to FiberNet	12	11	15	10	8

FY19 Approved	4,260,481	6.75
Increase Cost: Dense Wave Division Multiplexing (DWDM) network equipment maintenance	70,000	0.00
Decrease Cost: Lapse one Sr. IT Specialist (six months)	(58,485)	0.00

Decrease Cost: Operating Expenses	(254,635)	0.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	(234,796)	(2.00)
FY20 Recommended	3,782,565	4.75

BUDGET SUMMARY

	Actual FY18	Budget FY19	Estimate FY19	Recommended FY20	%Chg Bud/Rec
CABLE TELEVISION					
EXPENDITURES					
Salaries and Wages	2,592,793	3,174,111	3,052,264	3,284,375	3.5 %
Employee Benefits	861,515	975,473	939,698	1,017,793	4.3 %
Cable Television Personnel Costs	3,454,308	4,149,584	3,991,962	4,302,168	3.7 %
Operating Expenses	10,985,189	12,043,628	11,947,318	12,090,867	0.4 %
Cable Television Expenditures	14,439,497	16,193,212	15,939,280	16,393,035	1.2 %
PERSONNEL					
Full-Time	14	14	14	13	-7.1 %
Part-Time	0	0	0	0	—
FTEs	32.50	31.85	31.85	30.85	-3.1 %
REVENUES					
Franchise Fees	16,999,371	17,867,623	16,631,000	16,235,000	-9.1 %
Gaithersburg PEG Contribution	158,996	165,301	151,000	144,000	-12.9 %
Investment Income	125,012	106,720	107,000	263,000	146.4 %
PEG Capital Revenue	6,272,943	6,644,000	6,018,000	5,932,000	-10.7 %
PEG Operating Revenue	3,967,041	4,013,296	3,946,000	3,848,000	-4.1 %
Tower Application Fees	139,000	150,000	150,000	150,000	—
Cable Television Revenues	27,662,363	28,946,940	27,003,000	26,572,000	-8.2 %

FY20 RECOMMENDED CHANGES

	Expenditures	FTEs
CABLE TELEVISION		
	FY19 ORIGINAL APPROPRIATION	16,193,212 31.85
<u>Changes (with service impacts)</u>		
Add: Franchise fee negotiation preparation including a technical assessment of infrastructure, fee audit, needs assessment, and outside professional services (legal) [Cable Franchise Administration]	205,000	0.00
Enhance: Outside Professional Services (Legal) to address FCC initiatives and Federal litigation [Cable Franchise Administration]	170,000	0.00
<u>Other Adjustments (with no service impacts)</u>		
Increase Cost: FY20 Compensation Adjustment	136,252	0.00
Increase Cost: Restore One-Time Lapse Increase	135,008	0.00

FY20 RECOMMENDED CHANGES

	Expenditures	FTEs
Increase Cost: Dense Wave Division Multiplexing (DWDM) network equipment maintenance [FiberNet]	70,000	0.00
Increase Cost: Community Access Labor Costs and Benefit Increase [Community Access to Cable]	69,697	0.00
Increase Cost: Annualization of FY19 Personnel Costs	65,965	0.00
Increase Cost: Community Access Facility Rent and Utility Increase [Community Access to Cable]	33,322	0.00
Increase Cost: Passive Optical Network (PON) maintenance in facilities shared by County Agencies	30,000	0.00
Increase Cost: PEG Operating - Warranties and Maintenance Contracts	20,000	0.00
Increase Cost: Retirement Adjustment	9,644	0.00
Decrease Cost: Operating Expenses [Community Access to Cable]	(11,000)	0.00
Decrease Cost: Lapse one Sr. IT Specialist (six months) [FiberNet]	(58,485)	0.00
Decrease Cost: Abolish one Manager II (Cable Administrator) [Cable Franchise Administration]	(135,800)	(1.00)
Decrease Cost: Operating Expenses [FiberNet]	(254,635)	0.00
Decrease Cost: Municipal Pass Throughs including Capital Support, Franchise Fee Distribution, and PEG Operating Support [Municipal Support]	(285,145)	0.00
FY20 RECOMMENDED	16,393,035	30.85

PROGRAM SUMMARY

Program Name	FY19 APPR Expenditures	FY19 APPR FTEs	FY20 REC Expenditures	FY20 REC FTEs
Cable Franchise Administration	1,474,985	8.50	2,068,576	8.50
Community Access to Cable	2,643,911	0.00	2,735,930	0.00
County Cable Montgomery	2,701,941	16.60	2,938,915	17.60
Cable Programming for Public Schools	0	0.00	0	0.00
Cable Programming for Montgomery College	0	0.00	0	0.00
Municipal Support	3,848,745	0.00	3,563,900	0.00
Public Education Government Access (PEG) Operations	1,263,149	0.00	1,303,149	0.00
FiberNet	4,260,481	6.75	3,782,565	4.75
Total	16,193,212	31.85	16,393,035	30.85

FUTURE FISCAL IMPACTS

CE RECOMMENDED (\$000S)

Title	FY20	FY21	FY22	FY23	FY24	FY25
CABLE TELEVISION						
EXPENDITURES						
FY20 Recommended	16,393	16,393	16,393	16,393	16,393	16,393
No inflation or compensation change is included in outyear projections.						
Restore One-Time Lapse Increase	0	58	58	58	58	58
Restoration of one-time lapse adjustment in the budget development year						

FUTURE FISCAL IMPACTS

CE RECOMMENDED (\$000S)

Title	FY20	FY21	FY22	FY23	FY24	FY25
Labor Contracts	0	23	23	23	23	23
These figures represent the estimated annualized cost of general wage adjustments, service increments, and other negotiated items.						
Subtotal Expenditures	16,393	16,474	16,474	16,474	16,474	16,474

FY20 CABLE COMMUNICATIONS PLAN (in \$000's)

	Act FY18	APP FY19	Est FY19	REC FY20	Proj. FY21	Proj. FY22	Proj. FY23	Proj. FY24	Proj. FY25
1 BEGINNING FUND BALANCE	6,031	1,960	443	68	1,372	2,195	2,849	2,968	2,444
2 REVENUES									
3 Franchise Fees	16,999	17,868	16,691	16,235	15,944	15,692	15,435	15,245	14,997
4 Gaithersburg PEG Contribution	159	165	151	144	188	137	195	153	139
5 PEG Operating Grant	3,967	4,015	3,946	3,849	3,809	3,793	3,786	3,784	3,782
6 PEG Capital Grant	6,273	6,644	6,018	5,932	5,797	5,662	5,526	5,391	5,255
8 Interest Earned	125	107	107	263	263	263	263	263	263
9 TFCG Application Review Fees	139	150	150	150	243	250	250	250	251
10 Miscellaneous	0	0	0	0	0	0	0	0	0
11 TOTAL ANNUAL REVENUES	27,662	28,947	27,003	26,572	26,194	25,797	25,415	25,066	24,681
12 TOTAL RESOURCES-CABLE FUND	33,693	30,907	27,446	26,640	27,566	27,992	28,264	28,034	27,125
13 EXPENDITURE OF RESTRICTED FUNDS									
14 A. EXPENDITURE OF RESTRICTED CAPITAL FUNDS									
15 Municipal Capital Support									
16 Rockville Equipment	868	931	860	847	828	868	859	850	841
17 Takoma Park Equipment	203	217	201	198	193	189	184	180	175
18 Municipal League Equipment	203	217	201	198	193	189	184	180	175
19 SUBTOTAL	1,274	1,365	1,261	1,243	1,215	1,246	1,227	1,210	1,191
20 PEG Capital	724	759	759	759	759	759	759	759	759
21 Ultra-Montgomery - C/P	680	680	680	680	680	680	680	680	680
22 FiberNet - C/P	3,890	3,840	3,840	3,750	3,569	3,496	3,496	3,496	3,497
24 Must be greater or equal to Line 6) SUBTOTAL	6,568	6,644	6,539	6,431	6,223	5,680	5,662	5,644	5,628
25 B. EXPENDITURE OF OTHER RESTRICTED FUNDS									
26 Municipal Franchise Fee Distribution									
27 City of Rockville	757	757	757	759	725	714	703	694	682
28 City of Takoma Park	233	268	233	227	223	220	216	213	210
29 Other Municipalities	248	243	256	250	246	242	238	235	231
30 SUBTOTAL	1,238	1,268	1,246	1,216	1,194	1,175	1,158	1,142	1,123
31 Municipal Operating Support									
32 Rockville PEG Support	170	300	256	250	248	247	246	246	246
33 Takoma Park PEG Support	447	458	438	428	423	421	421	420	420
34 Muni. League PEG Support	447	458	438	428	423	421	421	420	420
35 SUBTOTAL	1,164	1,215	1,133	1,105	1,094	1,089	1,087	1,087	1,086
36 SUBTOTAL	2,402	2,483	2,379	2,321	2,288	2,265	2,245	2,229	2,210
37 TOTAL EXPENDITURES OF RESTRICTED FUNDS	8,970	9,127	8,919	8,753	8,511	7,945	7,907	7,873	7,838
38 NET TOTAL ANNUAL REVENUES	18,692	19,820	18,084	17,819	17,683	17,852	17,508	17,193	16,843
39 NET TOTAL RESOURCES-CABLE FUND	24,723	21,780	18,527	17,887	19,055	20,046	20,356	20,161	19,287
40 EXPENDITURES OF NON-RESTRICTED FUNDS									
41 A. TRANSMISSION FACILITIES COORDINATING GROUP									
42 TFCG Application Review	341	230	230	230	250	250	250	250	250
43 SUBTOTAL	341	230	230	230	250	250	250	250	250
44 B. FRANCHISE ADMINISTRATION									
45 Personnel Costs - Cable Administration/CSA	873	849	641	1,098	1,131	1,165	1,200	1,236	1,273
46 Personnel Costs - DTS Administration	20	0	0	0	0	0	0	0	0
47 Personnel Costs - Charges for County Atty	123	118	118	121	125	128	132	136	140
48 Operating	137	68	68	68	68	68	68	68	68
49 Engineering & Inspection Services	109	78	78	78	78	78	78	78	78
50 Legal and Professional Services	21	100	300	475	475	475	250	250	250
51 SUBTOTAL	1,283	1,212	1,204	1,839	1,876	1,913	1,727	1,767	1,808
52 SUBTOTAL	1,624	1,442	1,434	2,069	2,126	2,163	1,977	2,017	2,058
53 C. MONTGOMERY COUNTY GOVERNMENT - CCM									
54 Media Production & Engineering									
55 Personnel Costs	694	707	707	883	908	936	964	993	1,020
56 Operating	24	31	31	31	31	31	31	31	31
57 Contracts - TV Production	48	87	87	87	87	87	87	87	87
58 New Media, Webstreaming & VOD Service	44	58	58	58	58	58	58	58	58
59 SUBTOTAL	810	884	884	1,059	1,085	1,113	1,141	1,170	1,199
60 Public Information Office									
61 Personnel Costs	689	799	799	842	867	893	920	948	976
62 Operating Expenses	11	11	11	11	11	11	11	11	11
64 SUBTOTAL	700	811	811	853	879	905	931	959	987
65 County Council									
66 Personnel Costs	577	620	620	641	660	680	700	721	743
67 Operating Expenses	22	11	11	11	11	11	11	11	11
68 Contracts - TV Production	89	153	153	153	153	153	153	153	153
69 General Sessions and Committee Meetings	48	100	100	100	100	100	100	100	100
71 SUBTOTAL	726	884	884	904	924	943	964	985	1,006
72 MNCPPC									
73 Contracts - TV Production	99	99	99	99	99	99	99	99	99
74 New Media, Webstreaming & VOD Service	24	24	24	24	24	24	24	24	24
75 SUBTOTAL	123	123	123	123	123	123	123	123	123
76 SUBTOTAL	2,359	2,702	2,702	2,939	3,010	3,083	3,159	3,236	3,316

	Act	APP	Est	REC	Proj.	Proj.	Proj.	Proj.	Proj.
	FY18	FY19	FY19	FY20	FY21	FY22	FY23	FY24	FY25
77 D. MONTGOMERY COLLEGE - MC ITV									
78 Personnel Costs	1,463	1,506	1,506	1,555	1,601	1,650	1,699	1,750	1,803
79 Operating Expenses	221	221	221	209	209	209	209	209	209
80 SUBTOTAL	1,684	1,727	1,727	1,764	1,811	1,859	1,908	1,959	2,012
E. PUBLIC SCHOOLS - MCPS ITV									
82 Personnel Costs	1,564	1,656	1,656	1,679	1,729	1,781	1,835	1,890	1,946
83 Operating Expenses	133	133	133	121	121	121	121	121	121
84 SUBTOTAL	1,697	1,790	1,789	1,800	1,851	1,903	1,956	2,011	2,068
F. COMMUNITY ACCESS PROGRAMMING									
86 Personnel Costs	2,095	2,096	2,096	2,166	2,231	2,298	2,367	2,438	2,511
87 Operating Expenses	65	65	65	54	54	54	54	54	54
88 Rent & Utilities	425	459	459	493	502	513	523	533	544
89 New Media, Webstreaming & VOD Services	23	23	23	23	23	23	23	23	23
90 SUBTOTAL	2,608	2,644	2,643	2,736	2,811	2,888	2,967	3,049	3,132
G. PEG OPERATING									
92 Operating Expenses	169	161	161	181	181	181	181	181	181
93 Youth and Arts Community Media	100	100	100	100	100	100	100	100	100
94 Community Engagement	91	91	91	91	91	91	91	91	91
95 Closed Captioning	151	163	163	163	163	163	163	163	163
96 Technical Operations Center (TOC)	5	9	9	9	9	9	9	9	9
98 SUBTOTAL	516	525	524	544	544	544	544	544	544
H. OPB FIBERNET OPERATING									
100 FiberNet - Personnel Charges for DTS	361	949	949	609	627	646	665	685	706
101 FiberNet - Operations & Maintenance DTS	1,276	1,329	1,329	1,374	1,374	1,374	1,374	1,374	1,374
102 FiberNet - Network Operations Center	858	913	910	910	910	910	910	910	910
103 FiberNet - Personnel Charges for DOT	116	106	106	109	111	116	119	123	126
104 FiberNet - Operations & Maintenance DOT	90	291	300	291	291	291	291	291	291
105 FiberNet - Miss Utility (DOT)	185	688	644	489	488	488	488	488	488
106 SUBTOTAL	2,986	4,273	4,238	3,782	3,803	3,825	3,848	3,871	3,895
107 TOTAL EXPENDITURE OF UNRESTRICTED FUNDS	13,474	15,102	15,057	15,635	15,955	16,265	16,359	16,687	17,025
108 TOTAL EXPENDITURE OF RESTRICTED FUNDS	8,970	9,127	8,919	8,753	8,511	7,945	7,907	7,873	7,838
109 TOTAL EXPENDITURES - PROGRAMS	22,444	24,230	23,975	24,388	24,466	24,210	24,266	24,560	24,863
I. OTHER									
111 Indirect Costs Transfer to Gen Fund	725	756	756	880	906	933	1,030	1,030	1,030
113 Telecom Transfer to the Gen Fund	5	5	5	0	0	0	0	0	0
114 Transfer to the General Fund	9,021	5,208	1,906	0	0	0	0	0	0
115 Legislative Community Communications ND	1,290	540	636	0	0	0	0	0	0
116 Transfer to the Maryland-National Capital Park and Planning Commission	100	100	100	0	0	0	0	0	0
117 SUBTOTAL	11,141	6,609	3,403	880	906	933	1,030	1,030	1,030
118 TOTAL EXPENDITURES	33,585	30,839	27,378	25,267	25,372	25,143	25,296	25,590	25,893
J. ADJUSTMENTS									
120 Prior Year Adjustments	(335)	0	0	0	0	0	0	0	0
121 TOTAL ADJUSTMENTS	(335)	0	0	0	0	0	0	0	0
122 FUND BALANCE	443	68	68	1,372	2,195	2,849	2,968	2,444	1,232
123 FUND BALANCE PER POLICY GUIDANCE	1,381	1,450	1,351	1,332	1,316	1,296	1,277	1,261	1,241
K. SUMMARY - EXPENDITURES BY FUNDING SOURCE									
125 Transfer to Gen Fund-Indirect Costs	725	756	756	880	906	933	1,030	1,030	1,030
126 Transfer to Gen Fund-Mont Coll Cable Fund	1,684	1,727	1,727	1,764	1,929	2,018	2,018	2,018	2,018
127 Transfer to Gen Fund-Public Sch Cable Fund	1,697	1,790	1,789	1,800	2,070	2,164	2,164	2,164	2,164
128 Transfer to C/P Fund	4,570	4,520	4,520	4,430	4,249	4,176	4,176	4,176	4,177
129 Transfer to Gen Fund-Other	9,021	5,208	1,906	0	0	0	0	0	0
130 Transfer to Gen Fund-Telecom	5	5	5	0	0	0	0	0	0
131 Transfer to the General Fund-Legislative Branch	1,290	540	636	0	0	0	0	0	0
132 Transfer to the Maryland-National Capital Park and Planning Commission	100	100	100	0	0	0	0	0	0
133 FUND TRANSFERS SUBTOTAL	19,092	14,646	11,439	8,874	9,154	9,291	9,388	9,388	9,389
134 Cable Fund Expenditure of Unrestricted Fund	10,093	11,586	11,541	12,071	12,294	12,503	13,269	13,269	13,270
135 Cable Fund Direct Expenditures	14,493	16,193	15,939	16,393	16,218	15,852	15,908	16,202	16,504
136 Cable Fund Personnel	3,453	4,150	3,941	4,302	4,431	4,564	5,035	5,035	5,036
137 Cable Fund Operating	10,756	11,356	11,354	11,603	11,637	11,221	11,037	11,085	11,132

Notes:

- These revenues and expenditures are based on the Executive's recommended budget. The projected future expenditures, revenues, transfers, and fund balances may vary based on changes not assumed here to fees or rates, usage, inflation, future labor agreements, and other factors.
- Franchise fee revenue projections are based on a forecast developed by the Department of Finance.
- Transfers to the General Fund-Other, Legislative Branch NDA, and MCNPFCH have been eliminated in FY20 due to declining revenues and fund balance policy guidelines.
- Franchise fees and PEG revenues are subject to municipal pass-through payment.
- Restricted revenue and expenditures: Certain Cable Fund revenues, required in excess of the federal limit on franchise fees, and corresponding expenditures (Municipal Franchise Fees/Pass-throughs, PEG Capital Equipment Grants, and PEG Operating Revenue) are contractually required by franchise, municipal, and settlement agreements and by the County Code, and may only be used for permissible federal purposes and in a manner consistent with applicable agreements.
- Municipal payments are estimates. Actual payments will be calculated based upon actual revenue received, subscriber numbers and formulas specified within the Municipal MOUs.
- Montgomery Community Television, Inc., d/b/a Montgomery Community Media, is designated as a sole source contractor to provide community access media services.
- Fund balance per policy guidance is calculated as 8% of total non-restricted revenues (franchise fees, tower fees, and investment income).
- The Cable Fund makes a fund transfer to Montgomery College and MCPS to support MCPS ITV and MC ITV.
- Subtotals may be adjusted due to rounding.