



City of Portland

# Office for Community Technology

▲ Broadband & Communications Policy


▲ Cable Regulation & Consumer Protection

▲ Utility Franchises, Licenses & Wireless

Commissioner Carmen Rubio  
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September 9, 2021

**TO:** Katie Shifley, Senior Financial Analyst, City Budget Office

**FROM:** Elisabeth Perez, Director 

**RE:** Office for Community Technology FY 2021-22 Fall BMP Submission

Please accept the Office for Community Technology's submittal for the FY 2021-22 Fall Budget Monitoring Process.

This submission includes:

- F4 – BMP Amendment Request Report containing the following requests:
  - Encumbrance Carryforward
  - OCT assessment
  - Community Engagement and Legislative Specialist
- Prior Year Fund Reconciliation Report
- Encumbrance Carryover Detail Spreadsheet

Please contact Elisabeth Perez if you have any questions or concerns.

Cc:

Jennifer Li, Franchise and Utility Program Manager  
Rebecca Gibbons, Strategic Initiatives Manager

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Phone 503-823-5385 ▪ TTY 503-823-6868 ▪ [www.portlandoregon.gov/OCT](http://www.portlandoregon.gov/OCT)

*An Equal Opportunity Employer*  
*To help ensure access to program, services, and activities,*  
*the Office for Community Technology will reasonably modify policies/procedures and provide auxiliary*  
*aids/services to persons with disabilities upon request.*



## Prior Year Fund Reconciliation Report

Office for Community Technology

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### 100 - General Fund

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<b>EXPENDITURES</b>	<b>2020-21 Revised Budget</b>	<b>2020-21 Actuals</b>	<b>Percent of Actuals to Revised</b>
Personnel	1,748,278	1,394,896	79.79%
External Materials and Services	1,437,219	215,220	14.97%
Internal Materials and Services	221,190	219,536	99.25%
<b>TOTAL EXPENDITURES</b>	<b>3,406,687</b>	<b>1,829,651</b>	<b>53.71%</b>

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<b>REVENUES</b>	<b>2020-21 Revised Budget</b>	<b>2020-21 Actuals</b>	<b>Percent of Actuals to Revised</b>
Intergovernmental	1,087,661	640,245	58.86%
General Fund Discretionary	2,319,026	0	0%
<b>TOTAL REVENUES</b>	<b>3,406,687</b>	<b>640,245</b>	<b>18.79%</b>

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#### Expenditure Discussion

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The Office completed the FY2020-21 within appropriation in each category. Vacancies caused most of the underruns in Personnel costs, while delays in the timing of invoices for vendor agreements attributed to the EMS underspending.

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#### Revenue Discussion

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The Office did not fully utilize the General Fund and Intergovernmental resources budgeted because of vacancies causing underspending along with delayed timing of invoices that is expected to be billed during the current fiscal year.

## Office for Community Technology Spring BuMP Summary

Request Overview – please fill each section with language for the Division Package.

### 1. **Title:** Encumbrance Carryforward

#### **Description:**

The Office requests the following encumbrances carry forward:

#### Cable Comcast Communications

This request is for \$18,353 encumbered and unspent from the contract was executed in June 2020 for \$19,000. The contract provides 12 months of Comcast Internet Essentials services to Portland residents and Portland Public Schools families who qualify. Continuation of this contract allows OCT to provide uninterrupted low-cost internet service to about 100 households through December 31, 2022.

#### F Conrad Hurdle LLC

This request is for \$6,600 encumbered and unspent from the contract executed in June of 2019 for \$17,150. The project plan for this work was designed to support an inclusive vetting process with a broad array of community stakeholders that include Digital Inclusion Network members and leaders from community-based organizations, local governments, businesses, schools, libraries, etc. that work directly with BIPOC residents. The contract is extended to December 31, 2021 to complete the project and make adjustments due changes adopted to ensure safety in response to COVID-19.

#### CBG Communications Comcast Franchise Renewal

This request is for \$37,582 encumbered and unspent from the contract executed in February of 2021 for \$55,020. The negotiations for a cable franchise agreement with Comcast are set to continue through early 2022. The MHCRC has included funds in the FY 21-22 budget but need the additional encumbered funds to complete the negotiations.

#### Speer Hoyt/LGLG

This request is for \$132,883 encumbered and unspent from the contract executed in October of 2018 for \$150,000. Negotiations with cable companies this fiscal year and possible updates to the MHCRC Intergovernmental agreement will require higher than anticipated legal services. This is the general legal counsel for the MHCRC.

#### Best, Best, & Krieger

This request is for \$14,537 encumbered and unspent from the contract executed in September of 2018 for \$120,000. BBK provides specialty legal services from franchise negotiations.

#### **Service Impacts:**

This request will enable to the continued funding and completion of work budgeted, initiated but unspent in prior fiscal year.

#### **Equity Impacts:**

The Cable Comcast Communication contract allows the Office to provide internet services directly to residents who qualify. This assistance provides critical connectivity support needed in response to COVID-19 and the need to stay socially distant.

In light of COVID-19 and the renewed focus to eradicate systemic racism, F Conrad Hurdle LLC shall redesign and implement engagement methods that support community stakeholder involvement in the development of Phase-2 Digital Equity Action Plan goals, actions and performance measures that support safe social distancing requirements and the City's racial equity goals.

The CBG Communications Cable Comcast Franchise Renewal is critical in ensuring that the City of Portland and other MHCRC jurisdictions keep the franchise fees and public benefits that fund Open Signal and the community technology grants program.

2. **Title:** OCT Assessment

**Description:**

OCT intends to conduct comprehensive review of the City of Portland utility management (right-of-way license and franchise authority, including cable, privilege taxes and utility license fees, and the corresponding compliance and auditing), city owned fiber and technology infrastructure, and digital equity and community facing technologies, programs and policies to assess the best city structure to grant authority to ROW users and best meet the technology needs of the community. This is not a review of OCT though the continuing instability of OCT is the impetus for the review.

Total: \$20,000 one-time

**Service Impacts:**

City Council with a final recommendation for the organizational location for utility management (right-of-way license and franchise authority, including cable, privilege taxes and utility license fees, and the corresponding compliance and auditing), city owned fiber and technology infrastructure, and digital equity and community facing technologies.

**Equity Impacts:**

The decision package would support the essential City services through the administration and collection of fees for the City's general fund.

Digital Equity has increased in importance throughout the COVID-19 pandemic. City Council sessions have only been available online or via the Government Access Channel, many city-provided resources are only available online (including the ability to apply for a job with the City), school only accessible online, and a variety of other essential services like transportation access available online, the City needs to decide it's role in ensuring that Portland residents specifically BIPOC, people with disabilities, and seniors have the resources to access city services.

3. **Title:** Community Engagement and Legislative Specialist

**Description:**

The Office for Community Technology is a small bureau that has struggled to stay in compliance of city-wide requirements and requests regarding equity plans, budget advisory committees, and general community engagement due to the size of the bureau and breadth of program and policy demands. The Office and the City of Portland would benefit from the addition of 1 dedicated FTE to ensure OCT has the capacity to create a

community informed and focused racial equity plan, budget advisory committee, and follows general best practice in community informed and lead policy.

Total: \$385,242 over two years

**Service Impacts:**

OCT will create plans and implement strategies to make meaningful progress and meet the following racial equity goals passed by City Council in resolution 37144, resolution 37247, and resolution 37450.

**Equity Goal #1**

We will end disparities within city government, so there is fairness in hiring and promotions, greater opportunities in contracting, and equitable services to all residents.

**Equity Goal #2**

We will strengthen outreach, public engagement, and access to City services for communities of color, and immigrant and refugee communities, and support or change existing services using racial equity best practices.

**Equity Goal #3**

We will collaborate with communities and institutions to eliminate racial inequity in all areas of government, including education, criminal justice, environmental justice, health, housing, transportation, and economic success.

Assumptions: The position will employ the following strategies to ensure the meaningful impact:

1. Use a racial equity framework.
2. Build organizational capacity.
3. Implement a racial equity lens.
4. Be data driven.
5. Partner with other institutions and communities.
6. Operate with urgency and accountability.

**Equity Impacts:**

OCT currently has the capacity to do minimal community engagement and outreach for budget and legislative issues. In order to meet the City of Portland racial equity goals and follow strategies, the Office must have a dedicated position with knowledge of best practices to create and implement a framework with which the Office can use to ensure that low-income Black, Indigenous, and People of Color, people with disabilities, and older adults have direct impact on Office policies and programs that impact their lives.

## Office for Community Technology

**Required:** This section summarizes and provides context for the bureau's performance results. Use this section to highlight significant bureau achievements, changes, or challenges faced by the bureau over the course of FY 2020-21. Include information that will assist Council in understanding the results of bureau priorities or key initiatives, including planned actions to address adverse trend, including the internal and external factors may have led to observed results.

### Office for Community Technology – Prior Year Performance Report

The Office for Community Technology developed twelve performance measures. At this time many of the performance metrics are being finalized and not yet available.

PM/Title		Program Offer(s)	PM Details – will print next to each PM  <i>Optional but recommended: Discuss the reasoning behind each key performance measure's FY 2020-21 year-end value.  Narrative is required for each key performance measure (key performance measures are highlighted in green). Narrative is encouraged for all other performance measures.</i>	FY 2020-21 Target	FY 2020-21 Actual (PY1 Actual)  Required
CB_0010	Percentage of DEAP Strategic Actions on track (KPM)	Digital Equity	The team is in the process of writing the Digital Equity Action Plan Phase II.	100%	N/A
CB_0011	Difference in percentage of households with home broadband service by household income	Digital Equity		Less than 4%	N/A
CB_0012	Percentage of Open Signal digital literacy training participants that are people of color	Digital Equity	Due to COVID-19 related delays and closures, Open Signal was able to gather limited demographic data about the digital literacy training participants during the reporting period for January - June 2021. Many of the scheduled trainings were cancelled and those that did occur, were led remotely. Open Signal did ask all application-based (virtual) program participants to complete a demographic survey; 54% of those participants identified as a person of color.	50%	N/A
CB_0013	Total fees collected (KPM)	Franchise and Utility Management / Mt. Hood Regulatory Commission	The total fees collected for cable, telecom and utility franchises and the utility license code is \$85M. This number includes audit recovery for the same period but does not include revenue from solid waste haulers.	\$93 Million	N/A
CB_0014	Franchise and utility management program efficiency ratio	Franchise and Utility Management		1.50 %	N/A
CB_0015	Total amount of fees collected	Franchise and Utility Management /	Total amount of audit recoveries for audits marked "closed" during FY 19-20.	\$1,500,000	N/A

	from audits – one time	Mt. Hood Regulatory Commission			
<b>CB_0016</b>	Number of legislative actions taken to protect right-of-way authority on bills or proposed actions	Franchise and Utility Management / Mt. Hood Regulatory Commission / Broadband and Digital Equity	OCT provided comment or responded to each proposed action to protection authority over the right of way.	1:1 ratio	1:1
<b>CB_0017</b>	Net change in utility and franchise fees not attributable to inflation	Franchise and Utility Management	Some payments have not been consistent year to year. Generally, companies will pay will pay twice as much the following year. We hired a full-time coordinator to track and ensure payments are submitted consistently year to year.	\$1,000,000	N/A
<b>CB_0018</b>	Percentage of franchise fees spent on franchise regulation (KPM)	Mt. Hood Cable Regulatory Commission	The City of Portland sets the special appropriation for MHCRC each year which is not connected to franchise fees.	Less than 10%	5.34%
<b>CB_0019</b>	Average number of work days to resolve complaints against cable companies escalated to MHCRC staff	Mt. Hood Cable Regulatory Commission	OCT sends complaint requests within the next 30 minutes the complaint is received. The cable company then reports back to staff when they have resolved the complaint.	Less than 2 business Days	3.65 days
<b>CB_0020</b>	Value of match resources leveraged by grantees through their community technology grants	Mt. Hood Cable Regulatory Commission	In FY20-21, there were sixteen underway (meaning in-progress) Community Technology grants. At the end of the FY, grantees are required to submit an annual status report in which they identify the value of the match resources that supported implementation of their grant-funded project. In reviewing the status reports, the value of the match resources leveraged by grantees in FY20-21 was, on average, 62%.	Greater than 50%	62%
<b>CB_0021</b>	Total number of hours of local, original video programs produced through community media centers	Mt. Hood Cable Regulatory Commission	The community media centers produced 5,604 hours of local, original video programs in FY20-21. This includes new, original video programs produced by MetroEast Community Media and Open Signal, as well as local government programming.	Greater than 5,000	5,604