



**Common Council**

City of South Bend Indiana  
Henry Davis, Jr., 2<sup>nd</sup> District Council Member  
4<sup>th</sup> Floor County-City Building  
227 West Jefferson Boulevard  
South Bend, Indiana 46601  
(574) 235-9173 Facsimile

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November 16, 2015

The South Bend Common Council  
4<sup>th</sup> Floor County-City Building  
South Bend, Indiana 46601

Re: Local Public Polling System Resolution

Dear Council Members:

The attached Resolution is filed to formally begin public discussion on the feasibility of implementing a local public polling system. Such a system would provide the opportunity for members of the public to send their input via telephone, email and social media on specific city topics, with the results being forwarded to the Common Council and the City Administration.

I believe that such a program would be an improvement over instances of misinformation or varying information being shared, often which is incomplete, which results in many members of the public becoming frustrated. Unfortunately, recent examples of this have occurred and impacted the residents in both the 2<sup>nd</sup> and 6<sup>th</sup> Districts.

I have attached a detailed information and projected costs which I have received. I request that this information be sent to the Council's Information and Technology Committee. Thank you.

Most sincerely,

Henry Davis, Jr.  
2<sup>nd</sup> District Council Member

Attachments

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, ENCOURAGING THE CITY TO STUDY THE FEASIBILITY OF IMPLEMENTING A LOCAL PUBLIC POLLING SYSTEM**

*Whereas*, for the past few years creative options have been proposed to develop opportunities to have public discussion on topics with individuals letting their voices be heard via telephone, email and social media with the results being forwarded to the Common Council and the City Administration; and

*Whereas*, such a concept was shared with representatives of Michiana Public Broadcasting Corporation (MPBC) in the fall of 2013 to see if they or Michiana Access Television (MATV) which MPBC operates would be a potential facilitator of such a project; and

*Whereas*, a detailed 5-page response was sent by MPBC on September 13, 2013, a copy of which is attached and incorporated herein by reference; and

*Whereas*, in light of the projected cost for the project being over two (2) years old, noting that the projected costs in 2013 were estimated to be "First year Start U: \$518-633,000 Additional years: \$83,000-198,000", and that the civil city budget for the 2016 calendar year has been established, the opportunity to discuss this concept so that it can be a priority in the 2017 budget.

*Now, Therefore, be it resolved, by the Common Council of the City of South Bend, Indiana, as follows:*

Section I. In the interest of enhancing the local decision-making process by letting resident voices be heard via telephone, email and social media with the results being forwarded to the Common Council and the City Administration, the Council's Information and Technology Committee in conjunction with representatives from the City Administration's Information and Technology Division of the Department of Administration and Finance, are encouraged to publicly discuss and receive public input on the feasibility of implementing a local public polling system.

Section II. This Resolution shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.

\_\_\_\_\_  
Henry Davis, Jr., 2<sup>nd</sup> District Council Member  
South Bend Common Council

Votes in Favor \_\_\_\_\_

Votes in Opposition \_\_\_\_\_

*Attest:*

\_\_\_\_\_  
John Voorde, City Clerk

*Presented by me to the Mayor of the City of South Bend, Indiana, on the \_\_\_\_\_  
day of \_\_\_\_\_, 2015 at \_\_\_\_\_ o'clock \_\_\_\_ m*

\_\_\_\_\_  
Janice Talboom, Deputy City Clerk

*Approved and signed by me to the Mayor of the City of South Bend, Indiana, on  
the \_\_\_\_\_ day of \_\_\_\_\_, 2015 at \_\_\_\_\_ o'clock \_\_\_\_ M*

\_\_\_\_\_  
Pete Buttigieg, Mayor  
City of South Bend, Indiana

September 13, 2013

Hon. Henry Davis Jr.  
Councilman, 2<sup>nd</sup> District  
City of South Bend, 4<sup>th</sup> Floor  
227 W. Jefferson Blvd  
South Bend, IN 46601

Dear Councilman Davis:

Michiana Public Broadcasting Corporation (MPBC), which operates Michiana Access Television (MATV) on behalf of the Cities of South Bend/Mishawaka and St. Joseph County, is formally responding to a series of discussions we have held with Mr. David Frank regarding his vision to create a new opportunity for community discourse in the greater South Bend area. Mr. Frank has asked me to respond directly to you.

In our conversations, an urgent community need was described to create a means for ordinary citizens to have a larger, more impactful, voice on the media. This new "voice" should include "live" commentators discussing a topic, and allow citizens to interact with the program by telephone, e-mail, and social media. There is also a goal to develop an electronic voting/polling system to measure viewers' thoughts on an issue.

Out of our dialogue, MPBC is encouraged by the potential of this concept to expand the role of public media, and within our role with MATV is willing to facilitate the project. To assist the advocacy of this concept, MPBC has developed a framework for the structure of this concept and has researched the start-up costs. For the sake of these discussions, we will use the working title "Talk of the Town" (TT) to describe the general concept of the program.

### **Background**

Michiana Public Broadcasting Corporation was fortunate to inherit the former WSBT Television and Radio Studios. They are primarily used for the operations of Michiana's PBS station, WNIT. More recently MPBC was contracted to provide services for Michiana Access Television. Our facility includes the unused, former studio of popular morning radio host, Jon Thompson, "JT in the Morning." While most of the building has been extensively remodeled, the Jon Thompson studio remains basically intact. Designed for its radio host to have conversations with guests, it can accommodate four additional persons around a large console.

We believe this studio can be redesigned for television, using simple technology, and become a means to regularly feature multiple guests for discussions of community interest on MATV.

## **The Basic Idea**

"Talk of the Town" (working title) will be a regular on-going "discussion / talk" program on the public access channel, MATV channel 99, and video steaming on the internet. At its start, TT could be regularly scheduled in prime viewing time, once per week for two hours. After a trial period, it is anticipated that TT would evolve to a daily one-hour program. Further growth could come with a second daily time period, perhaps in the morning or afternoon. Time periods could also be expanded.

Each show could consist of half-hour topic "blocks." A host / moderator and citizen commentators would be in-studio to discuss the topic. Viewers will have an opportunity to telephone or e-mail questions to the host. A means to poll viewers and tally results is targeted for the future. Guest commentators for each topic would be rotated. "Talk of the Town" would intend to have all perspectives of an issue represented.

The studio technology would be designed for simple operation. Rather than a full production crew operating cameras and staffing the control room, the TT studio would be outfitted with multiple, inexpensive robotic cameras controlled and operated by the host. Additional staffing would be required to screen telephone calls. The "character" of the studio would be preserved to give the feel of a talk show environment.

## **Organizational Structure**

MPBC recommends that a separate non-profit entity be established for administrative structure, operations and accountability. Perhaps the original Public Access Consortium that advocated for the reinstatement of the channel could form the core group? This committee would appoint an Executive Producer and establish an Editorial Committee. The Executive Producer would select the host / moderators, guests, and provide all coordination. The Editorial Committee would monitor content and research and establish topics for discussion. The overriding objective of "Talk of the Town" is to provide an outlet for a diverse range of opinion, with representation of all races, genders, and ages. This program becomes the public's media platform.

TT would be totally operated by the new entity. MPBC would only provide support services, as it does for MATV, and remain content neutral. All editorial direction must come from the citizen committee.

## **Potential to be on WNIT**

Although MPBC keeps MATV operations and programming totally separate from WNIT/PBS programming, MPBC would consider a variation of TT as a weekly feature on WNIT if the program is successful and we determine it benefits the civil discourse of community issues.

The program may also have the potential of carriage by a radio station.

## The Costs associated with Michiana Public Broadcasting

MPBC costs associated with the project include studio remodeling, equipment, space rental, and staffing.

### Remodeling and Equipment

Based upon initial estimates from equipment vendors and building contractors, the following costs can be used as guidelines:

Studio remodeling and cabinetry: \$35,000

- Reconfigure console
- Refinish console
- Seating
- Stylize walls
- Add electrical for lighting
- Additional soundproofing
- HVAC modifications

Equipment and installation: \$375,000

- Robotic cameras
- Video switcher
- Character Generator(s)
- Microphones
- Audio mixer
- "Talk radio" telephone system
- Lighting package, as required
- Video/Audio Routing
- Master Control / Automation System configuration
- Electronic Opinion Voting System development and equipment

Contingency: \$25,000

TOTAL: \$435,000. All equipment purchased shall be considered a gift / grant to MPBC and become its property. First priority for use of the equipment shall go to MATV.

### Studio Rental and Maintenance

Michiana Public Broadcasting Corporation will allocate additional building space to the Public Access project (and master contract) for the "Talk of the Town" studio. MPBC proposes a rental fee of \$2,500 per month, for part-time use of the studio space, including utilities and equipment maintenance and repairs.

At times the "Talk" studio is not being used for public access purposes, it could be used for other MPBC work, if any

TOTAL: \$30,000 per year

MPBC Staffing

Management / Supervisory oversight by MPBC, \$1,000 per month

A Receptionist / Production Assistant will need to be provided by MPBC for an hour before each program, the program itself, and a half-hour afterwards. The fee shall be \$75 per program

TOTAL: \$33,000 - \$48,000 (any surplus shall roll-over to following year)

**Summary of MPBC Costs:**

Start-up and First Year

Equipment	\$435,000
Space/Maint., per year	30,000
Staffing, per year	<u>33,000 – 48,000</u>
TOTAL:	\$498,000 - 513,000

Each Additional Year:

Equipment	As may be requested
Studio Rental,	\$ 30,000
MPBC Staffing	<u>33,000 – 48,000</u>
TOTAL:	\$63,000 – 78,000

**Costs Associated with Talk of the Town Governing Entity:**

Legal	\$ 10,000
Liability Insurance	10,000
Host / Moderator	75,000*
Telephone Coordinator	<u>25,000*</u>
TOTAL:	\$20,000 – 120,000

\*If it is determined to use professionals in this position rather than volunteers.

**Grand Totals (Combined Costs)**

First year Start Up: \$518,000 – 633,000  
Additional years: \$ 83,000 – 198,000

## Next

In order for MPBC to proceed, the following "Next Steps" need to occur.

- ✓ The City Council of South Bend agrees, in principle, with the concept.
- ✓ The City of South Bend issues a letter of intent to Michiana Public Broadcasting Corporation to pursue the project and directs MPBC to consult in the development of a governance plan for the Talk Show project
- ✓ In parallel, the City and MPBC develop an addendum to the existing Public Access Channel agreement to initiate the added services
- ✓ The City approves the final cost estimates and signs the Added Services Addendum.
- ✓ The TT governing entity is put in place and liability insurance secured.
- ✓ The City advances fees to MPBC to pay for the additional equipment and remodeling required.
- ✓ Construction and equipment acquisition / installation are completed
- ✓ "Talk of the Town" is launched, approximately 120 days from receipt of equipment funding.

Based on our current understanding of the concept and our interpretation of the technical needs, this is the best advice and cost estimates we can provide at this time.

MPBC believes this idea has merit, and if executed well, will open new and exciting opportunities for citizens to weigh-in on issues which impact their lives.

MPBC is happy to assist you in explaining any of the information provided and ideas we have proposed.

Sincerely,  
Michiana Public Broadcasting Corporation

Greg Giczi  
President and General Manager





CFN 20160422587

OR BK 28736 PG 1005  
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IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA

ADMINISTRATIVE ORDER (2016)12.118 – 11/16

This is a Court Document

IN RE: THE FLORIDA BAR  
vs. DONALD ROBERT TESCHER,

Palm Beach County, Florida  
Sharon R. Bock, CLERK & COMPTROLLER  
Pgs 1005 - 1006; (2pgs)

WHEREAS, the Chief Justice of the Supreme Court of Florida has designated the undersigned Chief Judge of the Fifteenth Judicial Circuit of Florida to appoint a referee for the Court to preside in a disciplinary action by The Florida Bar pursuant to Chapter 3 of the Rules Regulating the Florida Bar,

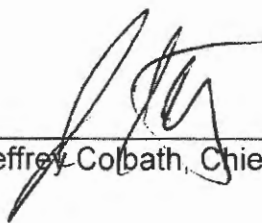
IT IS ORDERED that the **Honorable Peter Evans, County Court Judge**, in and for the Fifteenth Judicial Circuit, State of Florida, is hereby designated and appointed as referee for the Florida Supreme Court, in the matter of:

**The Florida Bar Re: Donald Robert Tescher  
Supreme Court Case No. SC16-2072**

The **Honorable Peter Evans**, as referee, is hereby vested with all and singular the powers and prerogatives conferred by the Constitution, laws of the State of Florida, and the Rules Regulating the Florida Bar, concerning a referee for the Supreme Court of Florida in this matter.

Online resources are available for judges serving as referees in proceedings involving disciplinary action against attorneys, and the unlicensed practice of law. The resources offered at [http://www.flcourts.org/gen\\_public/courted/bar-referee.shtml](http://www.flcourts.org/gen_public/courted/bar-referee.shtml) provide detailed information on the role of a Bar Referee in each of these proceedings and should be reviewed prior to handling this case.

**DONE AND ORDERED** in Chambers at West Palm Beach, Palm Beach County, Florida, this 30 day of November, 2016.

  
\_\_\_\_\_  
Jeffrey Colbath, Chief Judge

cc:

John A. Tomasino  
Clerk of the Supreme Court of Florida  
500 South Duval Street  
Tallahassee, FL 32399-1927

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