CITY OF LOS ALAMITOS

3191 Katella Avenue
Los Alamitos, CA 90720

AGENDA
CABLE TELEVISION COMMISSION
REGULAR MEETING

THURSDAY, April 10, 2014 – 4:00 p.m.

NOTICE TO THE PUBLIC

This Agenda contains a brief general description of each item to be considered. Except as provided by law, action or discussion shall not be taken on any item not appearing on the agenda. Supporting documents, including staff reports, are available for review at City Hall in the City Clerk's Office or on the City's website at www.cityoflosalamitos.org once the agenda has been publicly posted.

Any written materials relating to an item on this agenda submitted to the Cable Commission after distribution of the agenda packet are available for public inspection in the City Clerk's Office, 3191 Katella Ave., Los Alamitos CA 90720, during normal business hours. In addition, such writings or documents will be made available for public review at the respective public meeting.

It is the intention of the City of Los Alamitos to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee, or a participant at this meeting, you will need special assistance beyond what is normally provided, please contact the City Clerk's Office at (562) 431-3538, extension 220, 48 hours prior to the meeting so that reasonable arrangements may be made. Assisted listening devices may be obtained from the City Clerk at the meeting for individuals with hearing impairments.

Persons wishing to address the Cable Commission on any item on the Commission Agenda will be called upon at the time the agenda item is called or during the Commission's consideration of the item and may address the Cable Commission for up to three minutes.

1. CALL TO ORDER

2. ROLL CALL

Chair Rothwell
Vice Chair Underwood
Commissioner Clayton
Commissioner Hasselbrink
Commissioner Jempsa

3. ORAL COMMUNICATIONS

At this time any individual in the audience may address the Cable Television Commission and speak on any item within the subject matter jurisdiction of the Commission. Please state if you wish to speak on an item on the Agenda. Remarks are to be limited to not more than five minutes.

4 PRESENTATIONS

None

5. MINUTES

Approval of the minutes for the Cable Television Commission meeting of March 13, 2014.

6. ACTION ITEMS

A. Discussion of Using Underwriting as a Means to Fund LATV Programming.

At previous meetings, Commissioner Jempsa has expressed concern about it issue of advertising and suggested that sponsorships or underwriting could provide an alternative means to achieve LATV funding. City Manager Plumlee has discussed this issue with the City Attorney and will provide a briefing to the commission.

Recommendation: Discuss and make recommendations as necessary.

B. LATV Studio Program Productions Cost Breakdowns

Commissioner Hasselbrink requested a complete list of all LATV programming, to include City Council Meetings, LAUSD Board meetings, RCSD meetings, etc. This complete list should include ALL of LATV's programming, indicating which City account pays for which program, including programs that are no cost to the City. City Manager Plumlee has provided a Fund Balance Analysis report. A comprehensive list by category will be presented at a future meeting.

Recommendation: Discuss and make recommendations as necessary.

C. Develop Comprehensive Plan to Simulcast LATV Programming

At the March 13, 2014 meeting the advantages of increasing LATVs server capabilities to simulcast programming via the internet was discussed. Developing streaming capabilities would increase viewership, sponsors and underwriters, and secure LATV's future. City Manager Plumlee received an email from Larry Strawther, which is attached to this report. Mr. Strawther also verbally told City Manager Plumlee that the initial cost for this equipment would be $3,500, with an annual cost of $2,000.

Recommendation: Develop a comprehensive list of technical equipment, itemized to include costs, necessary for LATV to broadcast programming over the internet.

7. COMMISSIONER REPORTS

At this time, Commissioners may also report on items not specifically described on the Agenda that are of interest to the community, provided no action or

discussion is taken except to provide staff direction to report back or to place the item on a future Agenda.

8. ADJOURNMENT

The next meeting of the Cable Commission is scheduled for Thursday, May 8, 2014, at 4:00 PM in the City Council Chamber.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing Agenda was posted at the City Hall, Community Center, and Museum not less than 72 hours prior to the meeting. **Dated this 7th day of April 2014.**

Bret M. Plumlee
City Manager

MINUTES OF CABLE TELEVISION COMMISSION MEETING

CITY OF LOS ALAMITOS
3191 Katella Avenue
Los Alamitos, California 90720

March 13, 2014

1. CALL TO ORDER

A Regular meeting of the Cable Television Commission was called to order at 4:00 PM on March 13, 2014, in the Council Chambers Conference Room, 3191 Katella Avenue, Los Alamitos, Chair Tom Rothwell presiding.

2. ROLL CALL

Present:	Commissioners	Hasselbrink, Rothwell, Underwood
Absent:	Commissioners	Clayton, Jempsa
Present:	Staff	Bret Plumlee, City Manager Catherine Howard, Police Department Secretary

3. ORAL COMMUNICATIONS

None

4. PRESENTATIONS

None

5. MINUTES

Approval of the minutes for the Cable Television Commission meeting of February 13, 2014.

MOTION: HASSELBRINK/UNDERWOOD
Motion unanimously carried to approve the February 13, 2014 Cable Television Commission meeting minutes.

Ayes:	**Hasselbrink Rothwell, Underwood**
Nays:	**None**
Absent:	**Clayton, Jempsa**
Abstain:	**None**

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6. ACTION ITEMS

City Manager Plumlee stated that Mr. Larry Strawther was scheduled to make an oral presentation to the commission concerning van operations, but was delayed. He requested that item 6A: Report on Van Operations is postponed until Mr. Strawther arrives.

He also suggested that due to the absence of Commissioner Jempsa today, that item 6D: Discussion of Using Underwriting as a Means to Fund LATV Programming is postponed to the April meeting, given that this item was her request.

MOTION: UNDERWOOD/HASSELBRINK
Motion made and unanimously carried to postpone item 6D: Discussion of Using Underwriting as a Means to Fund LATV Programming to the April 10, 2014 Cable Television Commission meeting.

B. LATV Studio Program Productions

City Manager Plumlee provided a brief update concerning this report and asked Vice Chair Underwood to continue the discussion. Vice Chair Underwood stated that the items listed were studio related as he had minimal involvement with van operations, therefore this list only includes his productions. The thirteen items are annotated as a "P", "E", or "G" program; "PA" means Public Access programming funded by outside community parties. Some of the thirteen shows are funded by LATV, some by community sponsors, such as Southland Credit Union; some use studio assets and equipment and some don't.

Commissioner Hasselbrink stated that she had requested a complete list of all LATV programming, to include City Council Meetings, LAUSD Board meetings, RCSD meetings, etc.; the list in this report provides minimal information. She clarified her request for a complete list to include ALL of LATV's programming, indicating which City account pays for which program, including programs that are no cost to the City. The goal is to have a comprehensive list of all LATV programming, including any and all costs, if any, to gain a better understanding of programming and related costs, i.e., an Excel spreadsheet identifying the specific fiscal impact of every program.

City Manager Plumlee clarified that a comprehensive report should: 1) Identify and separate funding sources and man-hours; 2) Indicate which studio operations and programs are overseen by Mr. Underwood; and, 3) Identify costs related to Council meetings overseen by Doug Wood. He suggested that the fund balance analysis completed last year might be helpful.

Recommendation: Return to next meeting a comprehensive list of all LATV programs, including City Council, LAUSD, and RCSD board meetings, which include the cost of each program, and which City fund pays for which program. Bring back a list of everything paid for using LATV funds to determine what and

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where to cut-back or continue funding. Provide a detailed list of expenditures for the past two years and the Fund Balance Analysis report.

A. Report on Van Operations

City Manager Plumlee provided a brief summary of the request and then introduced Mr. Larry Strawther to discuss van operations.

Mr. Strawther said that it wasn't until 2009 that his company, Community & Schools Media Partnership (CSMP), became involved with the studio and van. This partnership helped to reduce City costs and he tried to keep the association revenue neutral by obtaining booster funds and sponsorships. In 2010, he obtained a $6,500 annual sustaining sponsorship from Consolidated Disposal. Roughly, the van films four to seven football games, five basketball games, three soccer games, one wrestling match, and one or two softball games per year. Additional programs filmed from the van include coverage of the National Junior Basketball's four games, and several community events, such as the We Care *"From the Heart"* fundraiser, *a Taste of Los Al*, the *Jewish Family and Children's Services Fundraiser*, *Friday Night Lights*, *Los Al Girls' Softball Opening Night*, McAuliffe's *Fit-a-Thon*, the Bronco World Series opening series and four games, and the Los Alamitos City Council Candidates Forum. He also did six episodes of *A Great Place to Live.* Overall, about 25 events per year, necessitating 35 to 40 hours of programming time are filmed using the van.

He cautioned against budgeting for studio time versus van time. More than any PEG programs, the majority of LATVs programming is "local origination" – which is not Public Access. Public Access is programming done by a member of the public and given to the station to air. Local Origination means a show produced by local people connected with the studio.

Vice Chair Underwood cited Art Levine's show *Straight Talk* as an example of Public Access; it uses zero studio assets or equipment and is bicycled in to be aired.

Mr. Strawther stated that while LATV is a PEG station, the majority of the programming is still Local Organization, which doesn't fall into any PEG category. The ACLU decision and consent decree clearly define this.

City Manager Plumlee stated that while the Public Cable Television Authority can do programming, they do not do Public Access programming.

Chair Rothwell thanked Mr. Strawther for his presentation and said he would like to see the van operations some time. Mr. Strawther replied that he'd be happy to accommodate Chair Rothwell's request, however the van is very old and has not seen many improvements since 1995. The carpet is from 1995; the new equipment purchased last year reduced the weight by 200 pounds; the van has been a very productive asset to the station. One challenge is bringing high

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definition to LATV programming, which would ultimately expand viewership. Streaming programs would be a huge boost to LATV broadcasting.

City Manager Plumlee stated that as more viewers begin to watch programs online or streamed, that cable company revenues will continue to decline, further eroding the primary LATV funding source.

Mr. Strawther stated that if new technology is incorporated into LATV, young people might become engaged and involved in studio operations. He cited Santa Clarita school system as a model teaching organization; the city and the school district are strongly partnered.

Commissioner Hasselbrink pointed out that while Seal Beach residents have their children in the Los Alamitos Unified School District, they are unable to view LATV programming – even the LAUSD meetings. LATVs broadcast capabilities are unnecessarily limiting.

Mr. Strawther discussed the advantages of simulcasting, being digitized and stored on the Cloud. With a larger broadcast audience, the underwriting capabilities can be limitless. Businesses would be more inclined to participate in LATV with a larger sales footprint.

Commissioner Hasselbrink discussed the advantages of increasing LATVs server capabilities to strengthen the future of the station.

Mr. Strawther estimated the initial equipment cost investment of $2,000.

Vice Chair Underwood added there would be additional on-going costs. Not all productions can be immediately streamed or simulcast.

Commissioner Hasselbrink requested more specific information be returned for commission consideration, adding that she would love to seek City Council approval. Expanding viewership and the opportunities for sponsorship/ underwriting would be an exciting step towards strengthening the future of LATV.

Mr. Strawther shared information on Mi-Fi, which Verizon offers free to City related organizations, sending information via an IP service, directly to a Cloud.

City Manager Plumlee cautioned that the Council would expect a request to be outlined as part of a comprehensive plan for LATV; he suggested the inclusion of an underwriting policy.

Mr. Strawther stated that an underwriting policy was already in place and approved by the Council and City Attorney, therefore an inclusion with any equipment purchase request seemed superfluous.

Commissioner Hasselbrink argued that if the Council required a long-range, fully-comprehensive and detailed strategic plan for LATV, then their hands would be

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collectively tied to move forward with any ideas or steps to immediately increase the viability of the station. Having the capacity to dramatically increase viewership within a relatively short time period, with minimal capital outlay, and the near certainty of increasing sponsors and underwriters, would be a win/win for everyone. This appears to be the best, most effective, pro-active way to secure LATV's future.

Vice Chair Underwood said he would support this request as long as it included equipment upgrades for the studio.

Commissioner Hasselbrink responded that she'd prefer to not mix the requests; increase broadcast viewership now, and then equipment upgrades could be accomplished later.

Mr. Strawther said that the three best ways to make the station more sustainable are: 1) Being seen by more people; 2) More programming; and, 3) Make the cost of programming more efficient.

Mr. Strawther stated that the van has been an excellent investment for the City. It has done a lot of work with the advantage of mobility and broadcasting a program immediately.

Recommendation: Request to return to the next meeting a list of technical equipment, itemized to include costs, necessary for LATV to broadcast programming over the internet.

C. Development of a LATV Maintenance and Discrepancy Log

Vice Chair Underwood provided a summary of the report and discussed the advantages of maintaining a Maintenance and Discrepancy Log to document technical discrepancies, regular maintenance, unscheduled repairs, upgrades, downtime, blackouts or program glitches, and include viewer complaints, in an effort to stay informed of the status and operational issues concerning LATV. Mr. Wood has reviewed the Excel spreadsheet sample log and agreed to oversee the data input.

Commissioner Hasselbrink suggested the inclusion in the log explaining how a problem or issue was resolved.

MOTION: HASSELBRINK/ROTHWELL
Motion made and unanimously carried to have Mr. Doug Wood manage the Maintenance and Discrepancy Log for LATV studio operations.

Ayes:	**Hasselbrink Rothwell, Underwood**
Nays:	**None**
Absent:	**Clayton, Jempsa**
Abstain:	**None**

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********** END STAFF REPORTS **********

7. COMMISSIONER REPORTS

Vice Chair Underwood met with the State of California Film Commissioner recently. He invited her to tour the station and discussed various options for grant opportunities.

8. ADJOURNMENT

At 5:45 PM, the Cable Television Commission meeting was adjourned.

The next Regular meeting of the Cable Television Commission scheduled for Thursday, April 10, 2014, at 4 PM, in the City Council Chambers Conference Room.

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Tom Rothwell, Chairperson

ATTEST:

_____
Bret M. Plumlee City Manager

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City of Los Alamitos
Cable Television Commission

Agenda Report	April 10, 2014
Action Item	Item No: 6A

To: Chair Tom Rothwell and the Members of the Cable Commission

From: Bret Plumlee, City Manager

Subject: Discussion of Using Underwriting as a Means to Fund LATV Programming

Summary: At previous meetings, Commissioner Jempsa expressed concern about it issue of advertising and suggested that sponsorships or underwriting could provide an alternative means to achieve LATV funding. Annual donations from individuals or businesses could yield sustaining financial support.

Recommendation: Review and discuss as necessary.

Background

Los Alamitos Access Television ("LATV") provides public, educational, and governmental ("PEG") programming; the station is operated by the City of Los Alamitos. At the August 12, 2013 joint meeting between the City Council and the Cable Television Commission an issue was raised regarding the funding of PEG programming. Specifically, Section 3.2 of the LATV Policies and Procedures provides:

> *LATV shall be used only for noncommercial purposes. However, advertising, underwriting, or sponsorship recognition expressly authorized in advance by the City may be carried for the purpose of funding PEG-related activities. * * * Members of the public shall not include any advertising, underwriting or sponsorship in any programming. Members of the public may, however, include reference(s) to underwriting or sponsorship in any public access programming if the reference(s) to the underwriting or sponsorships appear in the opening or closing credits of a program that is at least 30 minutes in length. The opening or closing credits must occur within the first two (2) or last two (2) minutes of any public access programs. LATV will not be obligated to air programming which contains any of the following: * * * Advertisements or sponsorship programming, which in the determination of the station General Manager, does not have a primary purpose of supporting the station's PEG related activities.*

Public Utilities Code § 5870(b) provides in pertinent part:

> *The PEG channels shall be for the exclusive use of the local entity or its designee to provide public, educational, and governmental channels. The PEG channels shall be used only for*

noncommercial purposes. However, advertising, underwriting, or sponsorship recognition may be carried on the channels for the purpose of funding PEG-related activities.

Following an analysis of the Public Utilities Code with respect to advertising, the City Attorney concluded that underwriting and sponsorship activities did not seem to be an issue of concern. State law does not prohibit advertising if the funds will be used for the PEG related activities. Similarly, LATV's policy allows for the City to approve advertising for PEG programming. However, allowing advertising can raise a number of issues. The City Attorney recommended that the City continue with its apparent policy of not accepting paid advertising in the traditional sense; this recommendation can be revisited once the Ninth Circuit issues its decision in the *Minority Television* case.

Discussion

Therefore, in an effort to encourage public participation and promote civic pride, Los Alamitos Cable Television (LATV) may decide to seek to involve members of the community and local businesses in the support of the production of programming which is informative, educational and culturally diverse through the creation of underwriting opportunities. These opportunities will be non-commercial in nature, and will not endorse a particular person, belief, organization, product or platform. These opportunities will comply with all approved resolutions orders and ordinances by the Mayor, City Council and LATV Policies and Procedures. Conforming to the industry standard governing credit content, underwriting acknowledgements will fully and accurately disclose to viewers funding participants as well as production and consulting staff. Pre-existing/prepackaged underwriting acknowledgments will be reviewed to ensure that the elements of a particular credit taken as a whole are not deemed to be in conflict with underwriting guidelines.

Conclusion

Per the City Attorney, the issue address previously was paid advertising, not underwriting. Upon rehearing the case referenced above, the Ninth Circuit upheld FCC rules prohibiting commercial advertising but allowing display of logos and advertising by non-profits. The City Attorney stated that they have never had an issue with underwriting, and it IS permissible under the PEG guidelines and the FCC Rules (which relate to PBS, not PEG). The previous question was whether paid commercial advertising would be allowed, while prohibiting non-profits from (paid) advertising.

If the LATV continues to prohibit paid advertising, and allow for underwriting, the distinction probably doesn't matter. That is, even if a non-profit interest group wants to sponsor a program, if the program meets LATV guidelines, we'd need to allow it (and it shouldn't be a problem as they can't advocate a position). So until a high level court rules otherwise, if the LATV permits paid advertising by commercial interests, we must allow it by non-profits. But we can allow underwriting (by anyone) under our guidelines.

Submitted By:

Bret M. Plumlee
City Manager

City of Los Alamitos
Cable Television Commission

Agenda Report	**April 10, 2014**
Action Item	**Item No: 6B**

To: **Chair Tom Rothwell and the Members of the Cable Commission**

From: **Bret Plumlee, City Manager**

Subject: **LATV Studio Program Productions Cost Breakdown**

Summary: At previous meetings, Commissioner Hasselbrink requested a list of LATV programs, itemized to show which City funds pay for which programs.

Recommendation: Review and discuss as necessary.

Background and Discussion

Commissioner Hasselbrink requested a comprehensive itemized spreadsheet of all LATV programming, including City Council Meetings, LAUSD Board meetings, RCSD meetings, etc.; indicating which City account pays for which program, including programs that are no cost to the City. The goal is to have a comprehensive list of all LATV programming, including any and all costs, if any, to gain a better understanding of programming and related costs, identifying the specific fiscal impact of every program.

City Manager Plumlee has provided a Fund Balance Analysis report. A comprehensive list by category will be presented at a future meeting.

Submitted By:

Bret M. Plumlee
City Manager

Attachment 1: LATV Fund History

LATV Fund History

	FY10-11		FY11-12		FY12-13		FY13-14	
	Budget	Actual	Budget	Actual	Budget	Actual	Budget	YTD Actual
Revenue								
Time Warner - PEG	24,000	19,881	20,500	18,462	18,000	18,731	18,000	8,800
Time Warner - Rossmoor	16,740	15,345	16,500	12,009				
Verizon - PEG	6,000	8,972	8,000	11,650	12,000	13,361	12,000	14,479
Event Filming		25		6,500	6,500		6,500	6,500
Investment Earnings	1,200	278	200	235	200	139	200	0
Misc Revenue	20,000	20,126		1,200		50		
Total Revenue	67,940	64,627	45,200	50,056	36,700	32,281	36,700	29,779
Expenditures								
Supplies	1,275	6,647	8,000	7,198	7,866	8,125	7,866	2,876
Non Capital Furniture				429				
Travel & Training	1,440						0	40
Contractual Services	35,456	34,588	35,000	12,439	20,000	33,440	20,000	13,543
Event Filming				5,750	6,500	6,900	6,700	
Garage Internal Svc Charge	5,829	5,829	2,200	2,200	2,382	2,382	2,134	1,067
Capital Outlay	45,000	29,777		995		3,949		5,963
Total Expenditures	89,000	76,841	45,200	29,011	36,748	54,796	36,700	23,489
Revenue Over/(Under) Exp	(21,060)	(12,214)	0	21,045	(48)	(22,515)	0	6,290
Fund Balance @ 07/01 (BOY)	128,559	128,559	116,345	116,345	137,390	137,390	114,875	114,875
Fund Balance @ 06/30 (EOY)	107,499	116,345	116,345	137,390	137,342	114,875	114,875	121,165

ATTACHMENT 1

City of Los Alamitos
Cable Television Commission

Agenda Report	April 10, 2014
Action Item	Item No: 6C

To: Chair Tom Rothwell and the Members of the Cable Commission

From: Bret Plumlee, City Manager

Subject: Develop Comprehensive Plan to Simulcast LATV Programming

Summary: At the March 13, 2014 meeting, the advantages of increasing LATVs server capabilities to simulcast via the internet was discussed.

Recommendation: Review and discuss as necessary.

Background and Discussion

The ability to increase LATV viewership, obtain underwriters and sponsors, and strengthen the security and future of the station via streaming programming over the internet has been discussed at previous meetings.

Mr. Larry Strawther was consulted about how to best initiate streaming capabilities. While he was not certain of specifics, he provided the following general proposal:

Purchasing a multiple device system that would:

1. Enable council meetings and other live events to be encoded and streamed live over the internet (PEG Vault); and,

2. A You Tube type system that could automatically host the encoded streams and make them available for later on-demand viewing. (PEG Central)

Cost would include:

1. A one-time only Peg-Vault fee of 3,495; and,

2. A PEG Central is an annual charge around $2,000. (These costs will probably change after the NAB Convention in the next few weeks – so these estimates are subject to change.)

For example, Peg-Vault allows a real-time URL time-stamp which would allow the City Clerk to apply as specific items occur, and show a time-stamp when the City Council moves from one agenda item to the next. With a right click, this URL time-stamp could be linked to an accompanying agenda – or even specific meeting minutes, so viewers could easily review a related topic or issue. The key to all this is automation, which, within a relatively short period of time, would save the City costs which are currently incurred for performing these tasks manually.

Submitted By:

Bret M. Plumlee
City Manager

Attachment: Email from Mr. Larry Strawther

Catherine Howard

Subject: FW: Information about the estimated $2,000 equipment that allows posting to the Web

From: Bret Plumlee
Sent: Tuesday, April 01, 2014 2:33 PM
To: 'Larry Strawther'
Subject: RE: Information about the estimated $2,000 equipment that allows posting to the Web

Hi Larry,

Thanks for the information. I am trying to put together something for the next Cable Commission meeting. Can you give me something specific I can use for discussion purposes at the next meeting? What is the estimated cost of the equipment, how does it work, and what is the annual cost? Is there a vendor that can give us a proposal? I think I won't have enough for this next meeting scheduled on April 10, since there really isn't enough time to get specific information, but I would like to take something to them for discussion. Thanks for any additional information you can give me.

Bret

From: Larry Strawther [mailto:larrystrawther@gmail.com]
Sent: Tuesday, March 25, 2014 2:13 PM
To: Bret Plumlee
Subject: RE: Information about the estimated $2,000 equipment that allows posting to the Web

Hi Brett –
As you recall, I said don't hold me to the cost
What I was proposing was a multiple device system that would

1) enable council meetings and other live events to be encoded and streamed live over the internet (PEG Vault)
2) a You Tube type system that could automatically host the encoded streams and make them available for later on-demand viewing. (PEG Central)

Peg-Vault cost 3,495 – 1 time only fee
PEG Central is an annual charge around $2,000. (These costs will probably change after the NAB Convention in the next few weeks – so I'll get latest exact costs.)

Peg Vault also allows a real-time URL time stamp which would allow for example, Wendy to apply as it happens a time stamp when the city council moves on to the next agenda item. With a right click this URL time stamp/could be linked to an accompanying agenda – or even minutes, so people could easily watch this item. The key to all this was automation which saves costs which are currently incurred for manually performing these tasks.

Larry

From: Bret Plumlee [mailto:BPlumlee@cityoflosalamitos.org]
Sent: Tuesday, March 25, 2014 1:11 PM
To: Larry Strawther
Subject: Information about the estimated $2,000 equipment that allows posting to the Web

Hi Larry,

I am following up from the last Cable Commission meeting with the discussion that took place regarding the equipment that could be used to post directly to the Web. You said you have information that you can send me, and I would like you to send me what you have at your earliest opportunity. Thanks.

Bret