

**MINUTES OF THE CITY COUNCIL AND CABLE TELEVISION COMMISSION
OF THE CITY OF LOS ALAMITOS**

SPECIAL JOINT MEETING – August 12, 2013

1. CALL TO ORDER

The City Council and Cable Television Commission met in Special Session at 5:05 p.m., Monday, August 12, 2013, in the Council Chamber, 3191 Katella Avenue, Mayor Pro Tem Graham-Mejia presiding.

2. ROLL CALL

Present: Council Members: Edgar, Grose, Murphy
Mayor Pro Tem Graham-Mejia

Commissioners: Clayton, Hasselbrink, Rothwell,
Vice Chair Jempsa, Chair Underwood

Absent: Council Members: Mayor Kusumoto

Commissioners: None

Present: Staff: Gregory D. Korduner, Interim City Manager
Lisa Kranitz, Assistant City Attorney
Windmera Quintanar, CMC, City Clerk

3. SPECIAL ORDERS OF THE DAY

A. 2013 Cable Television Commission Equipment Surveys

Two proposals for equipment purchases have been developed for presentation.

Mayor Pro Tem Graham-Mejia gave a brief background.

Larry Strawther, Community & Schools Media Partnership (CSMP), believed the main concern was regarding the policy more than the equipment. He indicated decisions needed to be made by the Council and the Commission regarding the role of LATV-3. He believed a systematic plan versus a piecemeal basis would substantially reduce labor costs and pay for itself. He clarified attachment 1 was a survey of the station that included everything that was needed to get the station up to date and the actual proposal was a scaled down version. He provided his perspective of what community television should include. He stated once the role of LATV-3 was established, equipment could be purchased while being fiscally prudent. He felt it was important to discover what the studio was currently capable of producing and what the desired production was to get the most benefit with funding. He stated the following studio purchases should be made first: lights for six people; multiple set options: paneling, green screen, set options; audio; four cameras; and, switcher. He stated van purchases would depend on whether the City decided to go digital

and felt LATV-3 should be streamed on the internet to reach as many local viewers as possible.

Chair Underwood stated his understanding the discussion was regarding equipment and inquired who was going to manage LATV and agreed with Mr. Strawther that priorities needed to be set first. He indicated decisions needed to be made regarding allowing commercials and goals for the station in relation to other PEG operations across the state. He indicated opposition to allowing commercials.

Mayor Pro Tem Graham-Mejia inquired if item 3B should be moved forward at this time.

Chair Underwood stated his proposal did not include van operations as he did not have the expertise that Mr. Strawther and Kirk Stevens did. He added server operations were efficiently run by Doug Wood. He stated his passion was studio operations. He indicated his belief that there was a natural division of labor: play back and server operations, van operations, and studio operations. He expressed concern no one was responsible for maintaining the use of the equipment. He indicated studio operations were where the community could interact with LATV-3 and felt he would be an asset in this role. He offered his assistance to run the studio free of charge for a period of time to prove the studio could increase the quantity and quality of productions. He indicated with increased quality sponsorship, such as Southland Credit Union with City Watch, would be more feasible. He indicated the importance of having a responsible individual for the general management and duties of LATV-3. He outlined the benefits of having an individual that knew the history of LATV and Los Alamitos, that could be a contact for the Commission and interested parties. He stated his desire to create a business model that would allow the studio to run the day to day operations itself and he felt van operations could do the same. He felt if interested individuals were given the authority through a central person representing the City Manager and three spheres of LATV-3 operation, they could produce quality programming.

Commissioner Clayton indicated he was on the Tech Committee and was a former LATV chair. He stated when resources were available LATV-3 was a solid station. He indicated his disinterest in the subject as no decisions had been made in several years. He stated in his 25 years of experience he had put together many studios and could agree with things both Chair Underwood and Mr. Strawther were saying. He indicated the biggest challenge was a lack of knowledge on running a studio and the tremendous conflict of interest. He agreed an objective third party was needed. He was appreciative of the additional programming, but had reservations as to why it was some programming was being aired. He stated it was critical that goals and direction be established and equipment would fall into place based on policy decision. He reiterated a third party would be beneficial.

Council Member Murphy inquired if the item would be open to the public.

Mayor Pro Tem Graham-Mejia answered in the affirmative, indicating the item would be opened after the Council and Commission spoke.

Council Member Murphy stated a preference for putting all options on the table and making decisions. He stated he wanted to hear what made sense from the people who had the expertise. He felt making a decision between digital and analog was important for deciding the future of LATV-3. He urged his colleagues to have an honest and frank discussion.

Mayor Pro Tem Graham-Mejia stated unfortunately the Technical Committee was not present and they were the ones with the expertise and have been engaged.

Council Member Murphy indicated he did not have the expertise and stated his intent to listen to the individuals who did and respect their backgrounds. He stated support for taking the time to discuss and create a proposal for the good of the station.

Council Member Edgar thanked Mr. Underwood and Mr. Strawther for everything they have done for the community. He indicated his understanding that 2/3 of the Public, Education, and Government (PEG) programming requirements was met with the server operations, fixed cameras, Rossmoor and the Los Alamitos School District (LAUSD). He indicated the public portion caused a predicament. He stated he approached the issue from a business perspective of how much revenue is generated and if it was affordable to do more. He pointed out the issue was the small savings account and deciding how to best spend it. He indicated the Council policy was not to spend more than it received in revenue. He pointed out the Commission consisted of qualified people to make the best decisions regardless of the perceived conflicts of interest and decisions were finalized by a vote of the Commission. He stated the importance of knowing the exact amount in the savings account and then deciding the policy for what type of station the City could afford. He stated opposition to acting as the referee and felt the interested parties should submit lean proposals to the Commission for consideration. He stated support for the interested people in the community.

Interim City Manager Korduner gave the unaudited estimated fund balance of \$110,188, and reviewed the previous year totals. He stated the proposal ranged from \$35,000 to \$90,000, with the current proposal for equipment at \$100,000.

Council Member Edgar inquired if both proposals were theoretically funded, if they would conflict over the long term and if one proposal was more beneficial in the long term.

Mayor Pro Tem Graham-Mejia indicated the proposed equipment list had items necessary for both the van and studio operations and several items were agreeable. She stated the items that were not agreeable should be prioritized and a desire to have the station and van generate revenue to become self sustaining.

Council Member Edgar inquired the cost to completely fund both proposals.

Mr. Strawther answered approximately \$90,000 and provided his recollection of fund balance spending. He indicated CSMP had a contract with the City to run the studio and brought it in under budget two years in a row while increasing programming. He stated CSMP rarely spent LATV funds on sports as they were funded through the booster clubs and sports. He indicated the numbers were misleading since CSMP budget was not shown, but raised money for equipment purchase.

Council Member Grose expressed frustration regarding the overall amount of time the topic has taken with the Commission and Committees without producing solutions, despite everyone's best efforts. He spoke regarding the following topics: concern regarding the financials, CSMP purchasing equipment, and liability of said equipment; concern for the growing expenses and the depletion of the fund; support for discussing item 3B first; importance of having a policy that outlines what the City wants from LATV-3 moving forward; concerns regarding the policy as it stands; decision regarding analog or digital; establishing a revenue stream; preference for analyzing the policy piece by piece; concern for City Manager acting as the Staff liaison; pointed out both parties agreed a non-biased third party was needed; concern no one is overseeing the revenue coming in and where it's being spent; support for designating an existing Staff member to oversee LATV-3 or economically contracting the position out; support for everyone coming together to do what was best for the citizens and community; referenced the equipment rental from the LAYB event due to broken equipment and expressed concern for who makes decisions in such a scenario; concern for not purchasing equipment that could be fully utilized by all studio operations; reiterated support for discussing item 3B first; referenced items in the existing policy that were unclear; and, concern for reference to a Station Manager when the position did not currently exist.

Commissioner Hasselbrink expressed frustration the only decision made during her tenure was to purchase t-shirts and equipment inventory. She stated there were no priorities for LATV-3 and felt broadcasting should be considered first and foremost. She stated support for reaching more viewers by extending broadcasting to the internet. She indicated by reaching more viewers upgrades to the facilities would fall in place. She expressed opposition to purchasing equipment from the proposals as "all or nothing" and stated support for prioritizing a list. She pointed out the difficulty of asking for donations when broadcasting didn't reach all

viewers (i.e. LAUSD attendees). She stated the Commission had limited abilities and was requesting Council clarification. She indicated she did not understand the role of the Commission as it had not performed to date.

Council Member Grose clarified the majority of LAUSD attendees were from Seal Beach, which had its own operation. He stated the function of LATV-3 was to reach Los Alamitos residents. He agreed building viewers was important, but pointed out LAUSD did not assist with funding. He referenced a dissolved partnership in which classes were provided to students. He agreed the Commission needed clarity in regards to its function and role. He expressed concern for purchasing equipment without a revenue source to replace the funds.

Interim City Manager indicated the PEG funds received was roughly \$31,000. The loss of Rossmoor Community Services District was a substantial hit to the revenue stream.

Commissioner Hasselbrink referenced Los Alamitos Youth Baseball (LAYB) and indicated the lack of interest to air on LATV-3 only; however, with live streaming it would reach more LAYB participants which would make partnering with LATV-3 more desirable.

Commissioner Jempsa stated the importance of establishing policies so when issues arise, there is not confusion as to what should be done. She expressed interest in having classes so residents could learn to produce a show. She spoke regarding a show she had produced and the strict regulations against advertising. She stated the importance of specifically delineating between advertising and sponsorships. She expressed concern regarding liability of equipment rental and spending funds to reach LAUSD participants not in Los Alamitos. She stated if other agencies did not want to participate financially, the situation may need to be readdressed. She indicated support for spending funds for the benefit of the City and stated caution regarding the cost of Staff time.

Interim City Manager Korduner indicated he had recently spoken with Henry Tobada, Rossmoor consultant, who stated there was no interest in participating financially.

Commissioner Rothwell expressed concern for supporting Seal Beach and Rossmoor and stated support for ending such. He indicated if they wished to pay for services that would be equitable.

Interim City Manager Korduner indicated the item could be discussed at the next Commission meeting.

Mayor Pro Tem Graham-Mejia asked if Commissioner Rothwell was referring to the Board meetings.

Commissioner Rothwell answered in the affirmative.

Mayor Pro Tem Graham-Mejia stated her belief was the entities contracted the production of the shows and LATV-3 aired such.

Mr. Strawther clarified RCSD contracted with Doug Wood. He added Mr. Wood rented equipment from Long Beach as the Commission had denied his rental request.

Council Member Edgar stated his recollection the request did not include paying for equipment rental. He pointed out Time Warner and Verizon had franchise agreements in Rossmoor and the issue was subjective. He indicated it would be more substantive to contact the county regarding funding. He stated support for equipment rental as LATV-3 must run the programs by law.

Mayor Pro Tem Graham-Mejia stated her understanding of tonight was to review the list of equipment and make a decision. She recommends Items 3B, 3C, and 3D be postponed and urged the two entities to work together to come up with an agreed upon list.

Interim City Manager Korduner agreed.

Mayor Pro Tem Graham-Mejia stated the intent tonight was to discuss Item 3A and send the policies back to the Commission. She indicated the biggest issue was sustainability and funding. She requested clarification on the legal requirements for advertising.

Assistant City Attorney Kranitz indicated she needed a better understanding of the operation before she could provide a detailed response. She added the concern with advertising was it opened a public forum and the City could not filter the content.

Mayor Pro Tem Graham-Mejia stated her belief the City could monitor when certain advertisements were played. She inquired if there was an option other than advertising that would allow the City to showcase business in the community.

Assistant City Attorney Kranitz stated an announcement at the end of a program could be made and stated she would provide a finalized answer after she completed additional research.

Mr. Strawther referred to the Public Utilities Act (PUA) and stated advertising was allowed.

Interim City Manager Korduner added the policy included wording similar to the PUA.

Mayor Pro Tem Graham-Mejia requested a complete response from the City Attorney at a later date.

Assistant City Attorney Kranitz indicated cable operations were City Attorney Riesman's expertise and he apologized for not being able to attend.

Mayor Pro Tem Graham-Mejia stated a definitive answer was needed to incorporate into the policy. She expressed concern the two proposals focused on only the van or only the studio and stated LATV-3 was one unit. She stated preference for having a proposal that included all aspects of LATV-3. She indicated a good policy regarding equipment purchase moving forward was needed. She stated it would be ideal to have equipment that could be maximized in the studio and the van. She referred to rental of equipment and felt it should include a clause that required a City representative to stay with the equipment. She reiterated a solid decision was needed on the requirements for advertising. She requested Staff work with Rossmoor regarding the possibility of renting equipment from LATV-3. She stated support for live streaming and indicated the main item was funding for LATV-3. She stated support for obtaining the bare essentials and moving forward.

Mayor Pro Tem Graham-Mejia opened the item for public comment.

Stephen Hammond, resident, spoke regarding the following topics: programming was possible with existing equipment; digital was not necessary; new equipment purchases should be based off necessity versus the desire to switch to digital; disappointment the 4th of July and Race on the Base were not programmed; support for additional Commission meetings; belief decisions were not being made due to conflicts with interested parties; concern for streaming online; and, investigating technicalities that allow Seal Beach station to air in Los Alamitos.

Jody Shloss, resident, spoke regarding the following topics: programming; as Time Warner customer has ability to watch surrounding City channels; support for online streaming and digital archiving; support for the Commission working together throughout the years and continuing to do so; and, support for a third party administrator.

Mayor Pro Tem Graham-Mejia closed the item for public comment.

Mayor Pro Tem Graham-Mejia inquired to the benefit and cost savings of having digital programming and online streaming.

Mr. Strawther indicated there would be no direct cost savings; however, it would automate the process and cut down on labor cost.

Mayor Pro Tem Graham-Mejia stated her understanding there were a great deal of discs/tapes in archives.

Commissioner Clayton indicated studio preparation was needed and archiving was needed sooner rather than later in order to preserve the information.

Mayor Pro Tem Graham-Mejia stated there was potential for revenue generation from selling DVDs to the community; however, it was not feasible at the moment due to the aged equipment.

Commissioner Clayton stated he had experience upgrading studios and had been part of the Commission when reserves were built to do a capital overhaul. He advised having a policy with goals was important for purchasing equipment in the most cost effective manner. He indicated in order for LATV-3 to be successful, support was needed from the City, a revenue source needed to be identified, and the studio needed updating. He stated piece meal equipment for the studio and van would not keep equipment compatible for the long term. He cautioned that a regular person would be needed for the maintenance of equipment rentals. He advised the studio and van should be fully operational with part-time personnel before equipment rental should be considered.

Mayor Pro Tem Graham-Mejia inquired if the discussion should continue or if Item 3B should be pulled forward.

Council Member Murphy indicated the two proposals did not cover the same scope and stated support for giving the proposers the opportunity to present a proposal that covered the entire scope of LATV-3. He stated concern for the topics of live streaming and analog vs. digital. He expressed his opinion funds should be used to modernize the equipment. He stated support for identifying the legality of sponsorship and reiterated his desire to review comparable proposals that take all aspects into consideration.

Mr. Strawther stated funds were limited and to get the use he believed PEG Vault and PEG Priority were essential and would make sponsorships more viable.

Commissioner Clayton inquired why the systems were better than others.

Mr. Strawther indicated programming automatically goes into the system cutting down on labor hours. He continued discussing the following desired upgrades: additional lights in the studio; purchase two high-definition cameras; upgrade audio board; switcher; one tri-caster; cable monitors; and, upgrading to digital now. He advised upgrading the equipment now would allow for further funding down the road by making the equipment more marketable. He stated improving broadcasting was not key and indicated he could implement everything if put in charge.

Council Member Murphy stated a preference for having a written proposal.

Commissioner Clayton advised he collaborated with Mr. Strawther on his proposal. He stated he agreed a new trcaster was needed, but had concerns with only purchasing two cameras. He indicated the studio capabilities were limited and felt the mobile van would provide more opportunities for filming a variety of sets. He stated the studio was too small to accommodate large sets and added the quality of productions was very important.

Interim City Manager Korduner advised Assistant City Attorney Kranitz would be dismissed to attend to the Planning Commission meeting.

Mayor Pro Tem Graham-Mejia stated preference for setting a future date to make solid decisions and expressed frustration with the redundant meetings without any outcomes. She indicated the City was fortunate to have two passionate people willing to serve the community and expressed a desire to continue moving forward.

Council Member Murphy indicated there was not enough data to make any decisions. He added the one proposal addressed the studio and the other addressed the van. He reiterated his desire to see written proposals that covered both the studio and van operations.

Mayor Pro Tem Graham-Mejia encouraged the proposers to embrace both pieces of the stations and present a whole proposal.

Council Member Murphy stated a preference for having a process/schedule in place for purchases.

Mayor Pro Tem Graham-Mejia indicated the parties could not agree, hence the meeting tonight. The goal was to have an agreed upon prioritized list for approval.

Mr. Strawther indicated Chair Underwood and himself had different priorities. He advised direction from Council was needed on what was expected from the studio and suggested soliciting Request for Proposals (RFP) to bring in a third party.

Chair Underwood spoke regarding the following topics: opposition to PEG Vault and PEG Central; did not have the expertise to run van operations so deferred to the experts; advised his expertise was in studio operations; supporting the studio with possible sponsors; proposing a business model; purchase core equipment first and build from there; support for studio lights; functionality of the studio and increased quality of productions; support for microphones and cameras; opposition to trcaster as a main line switcher; importance of having a centralized switcher dedicated to the studio; and, preferred switchers.

Mr. Strawther inquired if the recommended switchers could be used for van operations.

Chair Underwood answered in the negative and added it would be dedicated to the studio.

Mayor Pro Tem Graham-Mejia inquired if the switcher in the van failed, if the studio switcher could be utilized or if one would need to be rented.

Chair Underwood stated it would be difficult to modify the switcher for van operation and indicated there was an SD switcher that could be used as back up.

Commissioner Clayton stated a third party was needed to put together the strongest possible studio.

Council Member Edgar summarized the direction was for the parties to propose a unified list and direction to the City Manager to obtain a third party to facilitate the process. He expressed concern for spending funds on an inadequate studio and stated a preference for having a list of pros and cons to better make decisions. He indicated other cities utilized a Joint Powers Authority (JPA) and stated support for a part-time facilitator. He inquired if it would be more beneficial to join a JPA versus upgrading the existing equipment.

Mayor Pro Tem Graham-Mejia referred to the last studio upgrade of \$10,000 and inquired if the investment was worthwhile. She stated support for trying a different approach and hiring a third party.

Commissioner Clayton clarified he felt the studio was a great little place.

Council Member Edgar summarized the direction was to look at a unified list, readdress the policy, look into a JPA, research a third party part-time person to assist Staff. He advised he preferred not to spend funds, but felt it was necessary at this point.

Council Member Grose agreed and felt it was necessary to fine tune the Policies so the Commission had a clear understanding of its role. He inquired if a Joint meeting to review the policy was needed.

Mayor Pro Tem Graham-Mejia advised the policy should be reviewed by the Commission first and then presented to the Council for final approval.

Interim City Manager Korduner clarified the Commission would revise the Policy and have it come back to Council for final approval.

Vice Chair Jempsa stated her belief the studio was small and referred to the past practice of leasing a larger space. She inquired if there was any other City owned property the studio could be relocated to.

Mr. Strawther added the leased location was approximately \$18,000 a year and had been discontinued.

Mayor Pro tem Graham-Mejia stated a JPA might be beneficial.

Vice Chair Jempsa inquired if there was no other location.

Interim City Manager Korduner stated it was not feasible at this point and time, but advised Staff would keep it under consideration.

Vice Chair Jempsa indicated she understood the fund constraints.

Chair Underwood stated opposition to joining a JPA as it made it difficult to produce as needed. He indicated there were strict regulations for public access which made for a difficult environment.

Mayor Pro Tem Graham-Mejia summarized the goal for future meetings were to discuss the potential for a General Manager, potential of joining a JPA, and direction to the Commission to review the Policies and Procedures. She added a clear decision regarding the legality of "advertising" needed to be incorporated into the policies. She thanked the producers for their dedication and requested they work together to produce a list of agreed upon items.

Mr. Strawther indicated the differences were regarding the internet capability and tricast versus a switcher.

Council Member Grose referred to Item 3C and requested the item be directed back to the Commission for a recommendation to Council.

B. Review of Policies and Procedures for LATV

Distribution and review of the current Policies and Procedures for Los Alamitos Access Television to include methods of generating revenue.

Consensus was reached to have the Commission review the Policy at a future date and forward to the Council for final approval.

C. Formalize Dates and Times of Future Meetings

The Los Alamitos Municipal Code (LAMC) stipulates the schedule for meetings of the Cable Television Commission shall be established by Council resolution. The Commission should discuss the preferred meeting schedule and recommend an alternate schedule to City Council for adoption by resolution.

Direction was provided to the Commission to make a recommendation to the City Council.

D. LATV Funding

Interim Finance Director Linda Magnuson has provided information regarding the Cable Television budget.

The item was postponed.

4. ADJOURNMENT

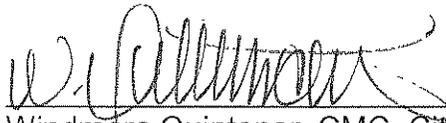
The City Council and Cable Commission adjourned at 7:29 p.m.

City Council



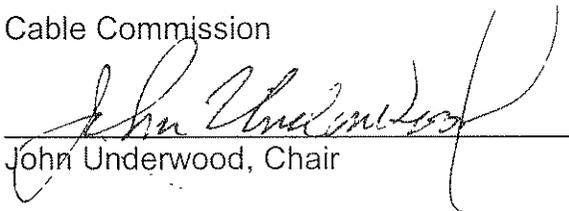
Gerri Graham-Mejia, Mayor Pro Tem

Attest:



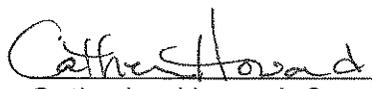
Windméra Quintanar, CMC, City Clerk

Cable Commission



John Underwood, Chair

Attest:



Catherine Howard, Secretary