



MINUTES
SPECIAL MEETING OF
CITY COUNCIL/SAN DIMAS
REDEVELOPMENT AGENCY
TUESDAY, SEPTEMBER 23, 2008, 6:00 P. M.
CITY COUNCIL CONFERENCE ROOM
245 E. BONITA AVE.

PRESENT:

Mayor Curtis W. Morris (Arrived 6:30 p.m.)
Mayor Pro Tem Emmett Badar
Councilmember Denis Bertone
Councilmember John Ebner
Councilmember Jeff Templeman

City Manager Blaine Michaelis
City Attorney J. Kenneth Brown
City Clerk Ina Rios
Assistant City Manager of Community Development Larry Stevens
Assistant City Manager Ken Duran
Director of Public Works Krishna Patel
Director of Parks and Recreation Theresa Bruns
Planning Manager Craig Hensley

1. CALL TO ORDER

Mayor Pro Tem Badar called the meeting to order at 6:03 p.m.

2. ORAL COMMUNICATIONS

(For anyone wishing to address the City Council on an item on this agenda. Under the provisions of the Brown Act, the legislative body is prohibited from taking or engaging in discussion on any item not appearing on the posted agenda. Speakers are limited to three minutes or as may be determined by the Chair.)

- a. Members of the Audience

There were no comments.

3. STUDY SESSION

- a. Report and options for the future management of the City's cable television public access channel.

Assistant City Manager Duran presented a brief background of the cable television service within the City and said the current owner of the system and holder of the franchise agreement is Time Warner. He said since inception, the Franchise Agreement has provided for the inclusion of a Public Access Channel and the current Franchise Agreements requires Time Warner to provide a full time employee dedicated to provide management and production support for the channel; \$75,000 worth of equipment; and an annual grant to the City for use in the purchase of equipment. Mr. Duran reported that in 2006 the California State Legislature adopted the Digital Infrastructure and Video Competition Act that now allows a cable provider to obtain a State Franchise Agreement in lieu of an individual local franchise and allows cities the ability to collect a 5% gross revenues franchise fee from video providers for use of the public right-of-way, a limited ability to regulate customer service standards, and the ability to continue to require right-of-way permits. However, all other obligations that were a historic requirement of local franchises are eliminated, including support for public access. Mr. Duran said the City's franchise agreement with Time

Warner expires in October 2008 and effective January 1, 2009 they will no longer be obligated to support the access channel. Mr. Duran provided channel and channel management options for Council's consideration.

Staff recommended that 1) based upon the service that is provided by televising City Council meetings that some form of a channel continues. The policy decision point is whether the continuation of the channel is strictly for government and education or also should include public access community producer programming. 2) Staff feels that the contract option presented by the University of La Verne is the most practical option at this time. Staff would propose a one-year contract in order to evaluate their performance and the working relationship. 3) Staff recommends moving forward with the adoption of an ordinance that would impose a PEG fee of 1% in the first year to cover the one-time and annual capital costs, with the Council's annual review thereafter.

Mr. Duran responded to Council that the City's impact is loss of support through use of staff, equipment facilities, and a \$5,000 grant to replace or purchase new equipment. He said the City would no longer have jurisdiction and regulation over service, other than to adopt an ordinance establishing standards and the ability to penalize them if standards are not met. He added that the current floor plan for the city hall remodel includes an equipped studio and any other multi-use rooms could be utilized without dedicating the room.

Councilmember Templeman suggested dedicating a sound-proof room with special lighting and sound equipment. He inquired about the Mayor's suggestion to use video-streaming and said Phase II needs to be a computer version of the broadcast.

It was moved by Mayor Pro Tem Badar, seconded by Councilmember Templeman, to continue a channel for government and education use. The motion carried 4.1; Councilmember Ebner opposed.

It was moved by Mayor Pro Tem Badar, seconded by Councilmember Bertone, to execute a one-year contract with the University of La Verne for cable services as outlined in their proposal. The motion carried 5.0.

It was moved by Councilmember Bertone, seconded by Councilmember Templeman, to bring back to the next meeting an ordinance imposing a 1% PEG fee. The motion carried 3.2; Councilmembers Badar and Ebner opposed.

4. ADJOURNMENT

Mayor Morris adjourned the meeting at 6:54 p.m. The next City Council meeting is September 23, 2008, 7:00 p.m.

Respectfully submitted,

Ina Rios, CMC, City Clerk