

# **SOUTH GATE PUBLIC ACCESS CORPORATION MEETING AGENDA**

## **REVISED**

**Tuesday, February 24, 2015 at 5:30 p.m.**

**CALL TO ORDER:  
ROLL CALL:**

Henry C. Gonzalez, Chairperson  
Carmen Avalos, Secretary

**Chairperson**  
Henry C. Gonzalez

**President**  
Michael Flad

**Vice Chairperson**  
Jorge Morales

**Secretary**  
Carmen Avalos

**Board Members**  
Maria Davila  
W.H. (Bill) De Witt  
Gil Hurtado

**Treasurer**  
Maria Belen Bernal

**Chief Legal Advisor**  
Raul F. Salinas

Materials related to an item on this Agenda after distribution of the agenda packet are available for public inspection in the City Clerk's Office

8650 California Avenue, South Gate, California 90280

(323) 563-9510 \* fax (323) 563-5411 \* [www.cityofsouthgate.org](http://www.cityofsouthgate.org)

In compliance with the American with Disabilities Act, if you need special assistance to participate in the City Council Meetings, please contact the Office of the City Clerk. Notification 48 hours prior to the City Council Meeting will enable the City to make reasonable arrangements to assure accessibility.

**MEETING COMPENSATION DISCLOSURE**


Pursuant to Government Code Section 54952.3: Disclosure of compensation for meeting attendance by (The Board of Directors) is \$35 per meeting.

**OPEN SESSION AGENDA**

1. The Board of Directors will consider: (ADMIN)
  - a. Providing staff with direction on how to utilize available resources to continue supporting the government access channel; and
  - b. Submitting a letter to the Public Utilities Commission and state legislators regarding difficulties in working with Time Warner Cable under DIVCA legislation.
2. The Board of Directors will consider approving a retroactive \$50 per game stipend increase to the Play-by-Play Announcers for games worked during the Fiscal Year 2014-15 high school football season. (ADMIN)
3. The Board of Directors will consider approving the Meeting minutes of February 10, 2015. (CLERK)
4. Comments from the Audience
5. Comments from the Directors
6. Adjournment

Adjournment

I, Carmen Avalos, Secretary, certify that a true and correct copy of the foregoing Meeting Agenda was posted on February 19, 2015, at 4:00 p.m., as required by law.

  
Carmen Avalos, City Clerk

City of South Gate  
PUBLIC ACCESS CORPORATION  
AGENDA BILL

For the Special Meeting of February 24, 2015

Originating Department: Administration

Management Analyst:   
Richard J. Luna

City Manager:   
Michael Flad

---

**SUBJECT: DISCUSSION ABOUT THE GOVERNMENT ACCESS CHANNEL'S FUTURE DIRECTION AND RESOURCES**

**ACTIONS:**

- a. The Board will provide staff with direction on how to utilize available resources to continue supporting the government access channel; and
- b. The Board will consider submitting a letter to the Public Utilities Commission and state legislators regarding difficulties in working with Time Warner Cable under DIVCA legislation.

**FISCAL IMPACT:** Hiring a consultant to assess the City's video server equipment needs results in an immediate impact of \$1,700 to the Public Access Corporation Fund (263-150-12-6101). If the Board directs staff to seek assistance from a consultant, a detailed budget on project costs would be submitted for approval at a later date. Staff estimates \$218,500 in Public Access Corporation Fund Balance at the close of Fiscal Year 2014-15.

**REPORT SUMMARY:** The Ad Hoc Committee consisting of Chairperson Henry C. Gonzalez, Board Member W.H. (Bill) De Witt, Director of Administrative Services Jackie Acosta, and Management Analyst Richard J. Luna met on February 18, 2015 to discuss the future direction of the City's government access channel, aired locally on Time Warner Cable (TWC) Channel 3.

From 2006 to 2014, TWC operated and maintained the City's government access channel as agreed to in the local franchise agreement that expired in December. Now that the franchise agreement has transferred to the state's authority, it would be the City's sole responsibility to operate and maintain the government access channel if the Board elects to do so.

The Ad Hoc Committee recommends the Board consider the budget estimates to keep the channel operational. Staff is recommending the City first hire a consultant to assess the equipment needs for operating the government access channel. Upon completion of the assessment, the Board will be presented with a revised budget for the total project costs to keep Channel 3 in operation.

Based on inquiries with three separate companies, staff estimates it could cost \$50,000 to operate the channel in year one, with reoccurring costs of \$9,000 annually, not including video production services. This project would allow for a rotating community calendar and videos previously produced by TWC that will air on Channel 3. Filming any new events would be at the Board's discretion. Due to a lack of resources and expertise, staff would need to hire a freelancer or possibly partner with local video production students to film events on an as-needed basis. Estimates for video productions services are also shown on the attached budgets estimates.

Chairperson Gonzalez and Board Member De Witt are also requesting the Board submit a letter to the Public Utilities Commission and state legislators regarding the City's issues with TWC. Gonzalez and De Witt believe TWC has not acted in good faith during the transfer process of the government access channel now that the franchise agreement is controlled via DIVCA legislation passed in 2006. TWC has stated production equipment previously used at the former South Gate studio and for filming live events is not for sale or eligible for transfer to the City.

**ATTACHMENT:**    1) Government Access Channel Budget Estimates  
                          2) Proposed letter

**Government Access Channel  
Budget Estimates**

Estimated beginning available PAC Fund Balance   \$       218,500

**OPERATION BUDGET ESTIMATES**

<b>Item</b>	<b>Year One</b>	<b>Annual</b>
Consultant Assessment	\$ 1,700	
Fiber support - Time Warner Cable	\$ 6,600	\$ 6,600
Video Server Equipment	\$ 40,000	
Video Server Maintenance/Support	\$ 2,000	\$ 2,000
Installation & Training	\$ 1,700	
<b>TOTAL</b>	<b>\$ 50,300</b>	<b>\$ 8,600</b>

**VIDEO PRODUCTION CONTRACTING SERVICES ESTIMATES**

<b>Item</b>	<b>Video Length (in minutes)</b>	<b>Cost</b>
South Gate Informed	10	\$ 300
Azalea Festival	30	\$ 600
Holiday Tree Lighting	15	\$ 250
Christmas Parade	15	\$ 350
Banquet / Special Event	30	\$ 350
State of the City Address	45	\$ 400
One (1) HS Football Game*	-	\$ 3,300

*\*For the 2014 season, 14 games were filmed and produced by Time Warner Cable*



# City of South Gate

8650 CALIFORNIA AVENUE + SOUTH GATE, CA 90280-3075 + (323) 563-9543  
WWW.CITYOFSOUTHGATE.ORG FAX (323) 569-2678

HENRY C. GONZALEZ, Mayor  
JORGE MORALES, Vice Mayor  
MARIA DAVILA, Council Member  
W.H. (BILL) DE WITT, Council Member  
GIL HURTADO, Council Member

February 24, 2015

Michael Picker  
President, California Public Utilities Commission  
505 Van Ness Ave.  
San Francisco, CA 94102

***Re: Government Access Channel Problems under DIVCA***

Dear Mr. Picker:

The City of South Gate's local franchise agreement with Time Warner Cable (TWC) expired in December 2014. Since then, the City has been working with TWC to transfer control of South Gate's government access channel. Government and public access channels are essential to a community because they provide news and special event programs that keep a community informed, and capture those residents who do not have internet access.

We would appreciate if TWC would be more helpful in establishing the City's government access channel. We believe the company could offer equipment for transfer or sale so the City can continue this essential programming for our community. As more cities move from the local to state franchise agreement, we can expect to see a decline in government and public access programming because of the costs involved in maintaining this service.

We urge the State to reassess the DIVCA legislation passed in 2006. If the Comcast-TWC merger is approved, the company will have greater control throughout California in working with cities. It is our opinion that companies like TWC should be making every effort to ensure this programming remains viable to communities by assisting municipalities in every way possible to support government and public access channels.

Sincerely,

---

Henry C. Gonzalez  
Mayor

---

Jorge Morales  
Vice Mayor

---

Maria Davila  
Council Member

---

W.H. (Bill) De Witt  
Council Member

---

Gil Hurtado  
Council Member

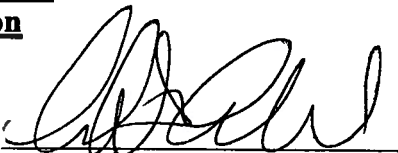
cc: Tony Cardenas, Congressman  
Ricardo Lara, State Senator  
Anthony Rendon, Assembly Member

City of South Gate  
PUBLIC ACCESS CORPORATION  
AGENDA BILL

For the Special Meeting of February 24, 2015

Originating Department: Administration


Management Analyst:   
Richard J. Luna

City Manager:   
Michael Flad

---

**SUBJECT: STIPEND INCREASE FOR PLAY-BY-PLAY ANNOUNCERS**

**ACTION:** The Board will consider approving a retroactive \$50 per game stipend increase to the Play-by-Play Announcers for games worked during the Fiscal Year 2014-15 high school football season.

**FISCAL IMPACT:** Approving the retroactive increase will require an additional appropriation of \$1,350 for Fiscal Year 2014-15 to the Public Access Corporation Fund (263-150-12-6101). 

**REPORT SUMMARY:** This item was added to the Agenda at the request of Chairperson Henry C. Gonzalez.

The City contracts with two individuals for play-by-play announcing for the high school football games aired on Time Warner Cable channel 3. The stipends for both individuals were approved in the Fiscal Year 2014-15 Municipal Budget as follows:

- Main Announcer earns \$200 per game worked
- Assistant Announcer earns \$100 per game worked

Chairperson Gonzalez is requesting a retroactive increase of \$50 per game for both play-by-play announcers for games worked during the Fiscal Year 2014-15 high school football season. The increase will change the Main Announcer and Assistant Announcer's stipends to \$250 and \$150 per game, respectively.

Both announcers received payment for services in January 2015 under the current per game stipends.

**ATTACHMENT:** None.

**CITY OF SOUTH GATE PUBLIC ACCESS CORPORATION  
BOARD OF DIRECTORS MEETING  
MINUTES  
TUESDAY, FEBRUARY 10, 2015**

**CALL TO ORDER** A meeting of the South Gate Public Access Corporation Board of Directors was called to order by Chairman Henry C. Gonzalez at 5:35 p.m.

**ROLL CALL** Carmen Avalos, Secretary

**PRESENT** Chairman Henry C. Gonzalez, Vice Chairman Jorge Morales, Director Maria Davila, Director W.H. (Bill) De Witt and Director Gil Hurtado; President Michael Flad, Treasurer Maria Belen Bernal, Special Legal Counsel Jerry Ruiz

**ABSENT/EXCUSED** Chief Legal Advisor Raul F. Salinas

**1**

**PAC ADMIN** The Board of Directors considered receiving and filing an update report from the Ad Hoc Committee regarding contract and extension negotiations with Time Warner NY Cable, LLC.

Chairman Gonzalez asked if the President or City Staff have anything to add. Mr. Flad informed the students present tonight that Council have to wear many hats and sit as directors in many boards. The Public Access Corporation monitors and governs Channel 3 which shows the High Schools football games and a variety of programming to educate the public regarding local government.

Chairman Gonzalez stated that the Ad Hoc Committee met with representatives from Time Warner. The committee asked about certain equipment which was to be provided to the City.

Director De Witt stated that Time Warner is a good company, but they are in the process of trying to negotiate a deal with Comcast to join as one company. He believes the representatives are holding back on many things. He hopes Time Warner will be able to provide information on certain equipment.

Chairman Gonzalez would like the support of the Board Members to have the Chief Legal Advisor draft a letter.

Director Davila asked if certain equipment was ever bought.

Chairman Gonzalez asked City Clerk to review past meetings regarding certain equipment.

Director Hurtado suggested reaching out to AT&T and give Time Warner competition.



Chairman Gonzalez stated Director De Witt raised the subject of internet and other services.

Chairman Gonzalez asked if anyone in the audience wishes to speak on this item. Seeing no one step forward; Chairman Gonzalez closed the audience portion.

Chairman Gonzalez motioned, seconded by Director De Witt and on a vote of 5-0, continued this item to the next meeting, allowing staff to forward a letter to Time Warner and see if the City receives a response.

2

**MINUTES**

The Board of Directors unanimously approved the Meeting minutes of January 27, 2015, by motion of Director Hurtado and seconded by Director Davila.

Chairman Gonzalez asked if anyone in the audience wishes to speak on this item. Seeing no one step forward; Chairman Gonzalez closed the audience portion.

3

**COMMENTS FROM  
THE AUDIENCE**

None

4

**COMMENTS FROM  
THE DIRECTORS**

Vice Chairman Morales stated that at the last meeting he mentioned that AT&T filed for a PUC. He made contact with a few representatives from AT&T and was informed that at this time the u-verse program will not be available in the Southeast area. Vice Chairman Morales would like to know what areas AT&T is available. He would like to get together with other Southeast cities and address issues about businesses not wanting to come into working communities.

Chairman Gonzalez stated that several years ago the legislation changed the franchise agreements. Local cities used to have their own franchise, but now the state is in charge. The provision in the agreement states that any city that has an existing franchise agreement won't terminate until the contract expired. The City's agreement expired December 22, 2014, but has extended to June 15, 2015.

**ADJOURNMENT**

Director De Witt unanimously adjourned the meeting at 5:53 p.m. and seconded by Director Hurtado.

**PASSED and APPROVED** this 24<sup>th</sup> day of February, 2015.

ATTEST:

---

Henry C. Gonzalez, Chairman

---

Carmen Avalos, Secretary