

**MINUTES OF THE CITY COUNCIL
OF THE CITY OF LOS ALAMITOS**

STUDY SESSION – MONDAY, APRIL 20, 2009

CALL TO ORDER

The City Council met in Study Session at 5:00 p.m., Monday, April 20, 2009, in the Council Chambers, 3191 Katella Avenue, Mayor Edgar presiding.

ROLL CALL

Present: Council Members: Mejia, Stephens, Zarkos, Poe and Edgar

Absent: Council Members: None

Present: Staff: Nita McKay, Interim City Manager
Dean Derleth, City Attorney
Sean Connolly, Police Sergeant
Angie Avery, Recreation & Community Services Director
Steven Mendoza, Community Development Director
Susan C. Vanderpool, City Clerk

3. ORAL COMMUNICATIONS

At this time any individual in the audience may come forward to speak on any item within the subject matter jurisdiction of the City Council. Please state if you wish to speak on an item on the Agenda. Remarks are to be limited to not more than five minutes.

Mayor Edgar opened Oral Communications. There being no one present wishing to speak, Mayor Edgar closed Oral Communications.

4. CLOSED SESSION

A. Public Employee Appointment

Title: City Manager
Authority: Government Code Section 54957

B. Conference with Labor Negotiator

Title: Conference with Labor Negotiator
City Representatives: Dean Derleth, City Attorney and Mayor Edgar
Unrepresented Employee: City Manager
Authority: Government Code Section 54957.6

City Attorney Derleth read aloud items 4A-B, and stated the possibility of reportable action on 4A. The City Council recessed into Closed Session. The Closed Session was conducted from 5:01 p.m. to 5:28 p.m.

RECONVENE

Mayor Edgar reconvened the meeting at 5:30 p.m., and City Attorney Derleth stated Jeffrey L. Stewart had been appointed to the position of City Manager by a 4-1 vote (Mejia cast the dissenting vote), and would begin work within thirty days. He stated the new City Manager's contract would come before the Council at the May 4, 2009, City Council meeting.

5. SPECIAL ORDERS OF THE DAY

A. Consideration of Formation of New Non-Profit 501(c)(3) Corporation for Los Alamitos Television (LATV)

This report provided the City Council with an outline of the process involved to create a new nonprofit 501(c)(3) corporation for the control, operation and management of Los Alamitos Television (the "public access" portion of the City's public, educational and governmental programming authority), as well as issues concerning the creation of a second public or government access channel.

Mayor Edgar opened the meeting to public comment.

Althea Miller, resident, referred to a comment made by Council Member Mejia regarding the granting of scholarships, and stated the former Board had always given scholarships so the idea was not new. She did not agree with LATV tapes being given to the County, nor the location of LATV anywhere but in the City.

Alice Jempsa, resident, gave a brief background regarding the protocol of LATV meetings and the fact the City always had a liaison in attendance. She supported the LATV once again being a 501(c)(3), and offered her assistance, if needed.

Mayor Edgar closed the meeting to public comment.

Interim City Manager McKay summarized the staff report, and advised Council that Mr. Strawther and Mr. Underwood had options to present.

Mayor Edgar stated any other interested parties would be heard too.

Larry Strawther, stated he had been involved with LATV for four years, and wanted to present what he thought were the key topics for LATV: 1) organization; 2) distribution (5,000 households access LATV); 3) possible video streaming on the website; and, 4) fundraising. He supported once again establishing LATV as a non-profit 501(c)(3) organization.

Brigadier General Combs, JFTB, expressed support for LATV becoming a non-profit organization again. He supported the location of the station on the Base or Los Alamitos High School. He thanked the City for its support of the JFTB.

John Underwood, resident, spoke on the following issues: 1) support for LATV becoming a 501(c)(3); 2) van upgrade; 3) volunteer staffing; 4) booster club funding for LATV; 5) lost computer with teleprompter software; and, 6) location of station in former City Hall finance building.

Fritz Pollard, interested party, supported Council assisting LATV to become a non-profit 501(c)(3) organization.

Althea Miller, resident, expressed concern with locating a station on the high school campus, given potential security issues.

Shelley Hasselbrink, Cable Commissioner, stated her Commission was the only one meeting every other month, which was not conducive to the efficient operation of LATV. She supported LATV becoming a non-profit 501(c)(3) organization.

Tim Tess, Cable Commissioner, stated he would reserve judgement regarding the establishment of a 501(c)(3), and then spoke on the following issues: 1) cost impact of additional channels; 2) location of a station in the former City Hall finance building; 3) funding for van repairs; 4) concerned City will ultimately be responsible for LATV; and, 5) concerned with access should station be located at the JFTB.

Mayor Edgar supported LATV becoming a 501(c)(3) organization, and suggested this issue could come back to Council for further discussion if need be.

Council Member Mejia supported establishing a 501(c)(3), adding Mr. Strawther seemed to have enough connections to begin the process.

Mayor Pro Tem Poe supported LATV becoming a 501(c)(3) organization, as she had voted against its dismantling in the first place. She went on to speak about the following issues: 1) location of station at the JFTB; 2) concerned with location of station at the high school since it was a closed campus; 3) the need to involve the high school kids; 4) concerned with accounting issues tied to the City; and 5) expectations of the JFTB regarding "in kind" payment. She went on to propose that a Council Member serve as a representative on any new Board so Council could be kept apprised of operations. She made a motion to move forward with the establishment of a 501(c)(3).

City Attorney Derleth stated no final action could be taken in a study session meeting. He stressed the importance of caution when setting up the non-profit, as the Brown Act could become an issue. He stated Council should not formally establish a 501(c)(3) for LATV, but should only enter into a contract with the new non-profit.

Council Member Stephens supported LATV becoming a 501(c)(3) organization; however, he felt once it was established the City should have not involvement in its operation. He thought the high school should be involved with LATV, and had no objection to locating the station in the former City Hall finance building.

Council Member Zarkos supported LATV becoming a 501(c)(3) organization, and agreed the City should not be involved in its operation. He thought Fritz Pollard would be a good board member for the new organization.

Mayor Edgar suggested staff bring this issue to Council for formal action. He thanked Mr. Tess and Ms. Hasselbrink for their participation and input.

6. ADJOURNMENT

The meeting was adjourned at 6:59 p.m. The next meeting of the City Council is scheduled for Monday, April 20, 2009, at 7:00 p.m., in the City Council Chambers.

Troy Edgar, Mayor

ATTEST:

Susan C. Vanderpool, City Clerk