



ADMINISTRATIVE POLICY

Number: V-2

Issued: 9/26/02

Jurisdiction: City Council

PROGRAMMING POLICY AND OPERATIONAL PROCEDURES FOR GOVERNMENT CHANNEL 8

I. PURPOSE:

The Government Access Channel (GAC) is a Public, Educational, Governmental (P.E.G.) Access Channel as provided for under the Cable Communications Act of 1984, Section 531, and the cable franchise agreement with the licensed franchisee serving the City of Capitola. The purpose of the GAC is for cablecasting government related television programs and **is not intended for general public use.**

II. GOALS & OBJECTIVES:

The following goals & objectives of the City of Capitola Government Access Channel are:

- A. Provide greater accessibility to and understanding of, City government by producing and distributing information about policies, procedures, resources, events, activities and services authorized by the City.
- B. To widen the dissemination of policies and activities of the legislative and advisory bodies and boards of the City of Capitola and City-supported agencies.
- C. To offer public information to the citizens about the various functions, services and programs performed by the various City Departments, boards and commissions.
- D. Post information about various City departments and services using the City Scroll.

III. PROGRAMMING POLICY

It is the policy of the City of Capitola to provide direct, non-editorial information to the citizens of Capitola concerning the operations and deliberations of the City government. Announcements for authorized municipal events or events directly or otherwise determined to be of significant municipal interest shall be allowed. Announcements for outside agencies shall generally not be permitted. Public Service Announcements for community spirited not-for-profit organizations may be considered and are subject to review by the City Manager. The City Council shall serve as the final approval body for resolving disputes for policy matters.

IV. ELIGIBLE USERS

Eligible municipal access users who may submit video service requests, pre-produced programming or requests for City scroll time include:

- A. City of Capitola elected officials
- B. City of Capitola boards and commissions upon approval of the board or commission
- C. City of Capitola special committees and task forces upon approval of the committee or task force.
- D. City of Capitola department heads or their designee
- E. Outside individuals or groups are not eligible unless sponsored by an eligible user listed above. All programming requests must come from the eligible users listed above, that is consistent with the City of Capitola's goals and objectives, and are subject to the rules and regulations of this policy.

V. **CONTENT GUIDELINES**

- A. Programming on the GAC shall be non-commercial and shall meet all applicable Federal, State and local laws.
- B. The City of Capitola permits live cablecast coverage only of City Council and Planning Commission meetings, tape delayed cablecast of the aforementioned, pre-produced programming and the City scroll.
- C. Eligible programming includes promotion of City events and services, emergency information, election programming, public safety information, public service announcements and programming produced by outside sources that is consistent with the City of Capitola's goals and objectives.
- D. Fund-raising or solicitations for donations, including the selling of promotional items is only allowed for City controlled and authorized activities.
- E. The names of sponsors of a video program or City event may only be shown at the end credits of a program. All sponsorships involving outside individuals or groups must be approved by the City Council.
- F. No obscene, indecent, libelous, slanderous, or illegal material are allowed on the Government Access Channel.
- G. City sponsored events may be promoted on the channel.
- H. NON-SECTARIAN PROGRAMMING: The channel will not cablecast any programming that promotes any particular religious group or belief.
- I. No materials designed to promote the sale of commercial products or services including advertising by and / or on behalf of candidates for public office.

- J. The person submitting a program for cablecast is responsible for securing all rights and clearances from all persons as may be necessary to transmit its program material over the cable television system.
- K. The City reserves the right to edit programs, if necessary, and to add disclaimers to programming, if appropriate.
- L. The City Council may at its discretion, review all denials for programming.

VI. Requests for City Scroll Time

- A. The City Scroll is a graphic video bulletin board publicizing only City services, events, employment opportunities and announcements pertaining to the public. All City Scroll messages must meet channel content goals and objectives and all other applicable rules and policies of the City. Qualified municipal access users may submit a request.
- B. Requests for scroll time (attachment 1) will be reviewed by the City Clerk for eligibility. Requests that clearly meet the City of Capitola requirements will be scheduled for airing on the channel.
- C. Users who have a request rejected may appeal to the City Manager.

VII. Requests for Air Time

- A. Qualified municipal access users may submit pre-produced programming for consideration for airing on the GAC. All requests for air time must be submitted to the City Manager on a "Request for Airtime" form (attachment 1) and a minimum of 30 days prior to requested air date.
- B. Requests for air time will be reviewed by the City Manager or his/her designee for eligibility. Requests that clearly meet the City of Capitola requirements will be scheduled for airing on the GAC.
- C. Users who have a request rejected may appeal to the City Council.
- D. Public meetings held in the Council Chambers by other governmental jurisdictions will not be covered live, or videotaped and aired unless authorized by the City Council in advance of the event, and if compensation is made to the City of Capitola for all expenses incurred for services provided.
- E. The City may at anytime cancel a scheduled program or change the airtime. When this happens, the City will make a reasonable effort to provide notice; however, the City reserves the right to cancel or reschedule programming without notice.

VIII. **Election Programming:** The election programming policy of the City of Capitola shall be to provide direct non-editorial information to the citizens of Capitola concerning the operation and deliberation of local government. Information presented will be related to voter registration, deadlines for absentee ballots, reminders to vote on election day and actual texts of ballot measures.

Declared candidates for any elective office and persons advocating any cause, viewpoint, or proposed policy of a partisan nature will not be eligible to appear on the GAC 90 days prior to an election or unless they appear incidentally as part of a public meeting, or acting as part of their regular duties when such actions do not involve partisan policies.

All candidates for City Council may place a one (1) time meeting announcement during the 90 days prior to the election on the City Scroll.

IX. **Hours of Operation:**

A. **City Scroll:** The City Scroll runs 7 days a week, 24 hours a day except when other programming material is airing.

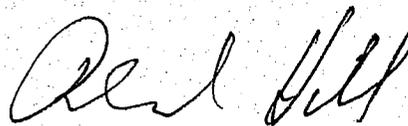
B. **Pre-produced Programming:** Monday thru Friday, 8am to 8pm. Subject to the cable technicians availability, and Council & Planning commission meetings or as determined by the City Manager.

C. **Live Programming:** All City Council & Planning Commission Meetings at their regularly scheduled time.

X. **Use of Government Cable Channel Equipment:** The use of the GAC video equipment is restricted to City of Capitola authorized employees and other authorized cable technicians as approved by the City of Capitola.

XI. **Fee for Service:** Outside individuals or groups who are sponsored are subject to fees. Cablecasting of pre-produced programs and the City Scroll will be on a direct cost reimbursable basis, including reasonable charges for administrative costs and equipment maintenance. For a current list of fees, see attachment 3.

This policy is approved and authorized by:



Richard Hill
City Manager

Attachments: 1. City Scroll Request Form
2. Air Time Request Form
3. Current Fees
4. Waiver Form

RH:lgm

Request for Air Time: Government Access Television – City of Capitola

Your Name _____
 Your Dept./ Sponsor (if required) _____
 Address _____
 City, State, Zip _____
 Contact Phone Number _____
 Email Address _____
 Preferred Start Date _____
 Preferred End Date _____
 Preferred Start Time _____

Program Title: _____

Program Summary

Program Length: _____ hrs. _____ min.

Time-Sensitive: (circle one)

No Yes

Complete this section if the program must be aired within a specific time frame to maintain its relevance. Describe time-sensitive nature and date restrictions.

Waiver Release Form: I have read and understand the waiver release form, which I have signed and is attached to this application.

Your Signature: _____ Date: _____

Sponsor Signature: _____ Date: _____

FOR OFFICAL USE ONLY

Approved Not Approved Reason for Denial _____

City Manager Signature: _____

Request for City Scroll

Government Access Television – City of Capitola

The Government Access Channel runs the City Scroll, which is a video bulleting board publicizing City services only, events, employment opportunities and announcements pertaining to the public. The Scroll runs twenty-four hours a day, seven days a week when other programming is not scheduled.

To submit your event, service, or announcement, you must fill in the application below. Be sure to include your contact phone number and extension. We cannot guarantee that your announcement will air. We reserve the right to edit your announcement.

Your Name _____

Your Dept./Organization _____

Address _____

City, State, Zip _____

Contact Phone Number _____

Email Address _____

Sponsor (if required) _____

Preferred Start Date _____

Preferred End Date _____

Note: If no stop date is indicated, the announcement will stop running 30 days from the date it is posted. Enter your announcement. Include a headline, lines of information, and contact info.

Headline _____

Line 1 _____

Line 2 _____

Line 3 _____

Line 4 _____

Contact Info _____

Your Signature: _____ Date: _____

Sponsor Signature: _____ Date: _____

FOR OFFICAL USE ONLY

Approved Not Approved Reason for Denial _____

City Clerk Signature: _____

CURRENT FEES (9/26/02)

Outside individuals or groups who are sponsored are subject to fees.

Preprogramming: \$32.50 per hour, minimum of 3 hours.

City Scroll: \$26.43 per hour, minimum of 1 hour.

APPLICANT WAIVER FORM

1. I am thoroughly familiar with the content of the program material submitted for cablecast and agree that it complies with applicable federal and state statutes and regulations with regard to cable programming. The Program does not contain any material which is obscene; is intended to mislead or obtain money by false or fraudulent pretense; is related to any lottery or similar scheme offering prizes dependent upon chance; improperly invades the privacy of a citizen or puts someone in a false light; is libelous or slanderous; violates any copyright or trademark of any third party; contains any direct appeal for funds, support or property of value; promotes, endorses or refers to any business, service or product for which economic consideration was received; and/or designed or intended to promote the sale of commercial products, trade or services.
2. I have obtained all approvals, clearances, licenses, etc. which are needed for the Program. This includes, but is not limited to approvals by broadcast stations, networks, sponsors, music licensing organizations, copyright owners, performers' representatives, all persons appearing in or referred to in the Program material, and any other approvals that may be necessary to cablecast the Program.
3. I have paid, or will timely pay, all financial obligations (including residuals, union fees, license fees, etc.), owed to third parties in connection with the creation and cablecast of this Program.
4. I understand that I am responsible for the content of the Program and ensuring that the Program can be legally distributed. If any legal liability of any kind is caused by distributing the Program, I understand that it is my liability, not the City of Capitola's, or anyone else associated with the distribution. I agree to indemnify and hold harmless The City of Capitola and their agents, employees and representatives from any and all liability and injury (including reasonable attorneys fees and costs incurred in defending claims and potential claims, civil or criminal) arising from, or in connection with the Program, including but not limited to: alleged violations of laws, rules, regulations or other requirements of local, state and federal authorities; claims of libel, slander, invasion of privacy, or the infringement of common law or statutory copyright; claims for unauthorized use of any trademark, trade name or service mark or the like; alleged breaches of contractual or other obligations owing to third parties and criminal charges or threatened criminal charges against Indemnitees or any of them. This provision is limited by City of Capitola's policy concerning liability for attorneys fees in connection with obscene or defamatory material.
5. I understand that false or misleading statements made on this application are grounds for forfeiture of the privilege to use access channel(s).
6. I have read and am thoroughly familiar with the rules and procedures for the use of the City of Capitola's GAC and agree to abide by them. I hereby grant the City of Capitola permission to reproduce and transmit the Program at the City's discretion:

7. I agree that any damage or loss to the program matter submitted by me even though due to negligence or other fault of the City of Capitola, its agents, employees, representatives and affiliates will only entitle me to a like amount of blank videotape. Except for such replacement, the acceptance of videotape is without other warranty or liability and recovery for any incidental or consequential damages is excluded . **I understand that tapes left longer than 3 months will be recycled.**

8. I understand that my contact information below will be made available to the public in connection with the Program.

I have read, understand and will abide by the above policies. I am over 18 years of age.

Signature: _____

Date: _____