



City of Murrieta City Council Policy

POLICY: **GOVERNMENT ACCESS CABLE
CHANNEL**

POLICY NO.: 100-06

DATE: September 1, 2009

I. PURPOSE

To establish policy and procedures to present programming on government issues and services to the public and to perform related video communication services for City of Murrieta ("City") departments. These policies and procedures shall collectively be known as the "Government Channel Policies."

II. POLICY

A. Purposes of the Municipal Channel

It shall be the policy of the City to use the government access cable channels provided by the City's cable franchise agreements (consistent with the 1984 Federal Cable Communications Act) to provide timely and accurate information and to foster greater awareness of local government. The objectives of the government access channel (hereafter "Municipal Channel") include:

1. To make public proceedings and events more accessible to city residents by providing live, gavel-to-gavel coverage of City Council meetings.
2. To increase community awareness of City services.
3. To facilitate the timely flow of public information to the community.
4. To promote City-sponsored events as well as civic-affiliated organizations.
5. To supplement public safety and disaster preparedness activities/information pertaining to the city and surrounding communities.

B. Content of Programming

1. The Municipal Channel may not be utilized to promote or oppose any elected official or candidate.
2. No political programming will be permitted on the Municipal Channel except that factual information on ballot or proposition issues directly affecting City residents may be considered. Programming for the Municipal Channel shall be non-partial and non-editorialized and tailored to the interests of city residents
3. Candidates or office holders shall not be permitted to use the municipal channel, except as they may appear during the course of regularly scheduled live events such as the broadcast of a City Council meeting.

4. The Municipal Channel is exempt from providing equal opportunities to a candidate or office holder under Section 76.205 of the Rules and Regulations of the Federal Communications Commission (FCC).

5. The Municipal Channel will not broadcast any programming which is prohibited by FCC Regulations or Federal, State, local laws and/or by prevailing community standards.

C. *Approval of Programming.* All programming shall be subject to prior approval according to Section IV and limited to available staffing capabilities and resources.

D. *Ownership of Programming.* All programming produced by the City, its officers and agents shall be deemed the property of the City. Programs broadcasted on the Municipal Channel shall be the property of the City and shall not be rebroadcast or used without the written, prior authorization of the City.

E. *Use of City Equipment/Facilities.* Use of City-owned equipment and related production facilities and equipment shall be restricted to City use, and upon the approval of the Information Systems Manager.

F. *Responsibility for Programming Broadcast.* The City does not accept responsibility for errors in materials presented from an outside agency, governmental jurisdiction, or other party. Approval of programming by the City does not constitute an endorsement of any person or organization's beliefs, policies, or procedures by the City or its employees.

III TYPES OF PROGRAMMING

Formats for programming on the Municipal Channel include live meetings, rebroadcast events, produced programming, informational slides and announcements. The following types of programming may be submitted for broadcast consideration on the Municipal Channel:

A. Live Programs

1. *City Council Meetings.* Public meetings of the City Council may be broadcast on the Municipal Channel. Coverage of the City Council shall be gavel-to-gavel excluding non-public agenda items or as otherwise directed by the City Council.

2. *City Council Committees.* "City Council Committee" means: Any standing or special committee appointed by the City Council, including Special Committees, Ad Hoc Committees, Task Forces and other Commissions or City Boards that meet in the City Council Chambers. Coverage of City Council Committee meetings will be limited to available staffing capabilities and resources.

3. *Public Meetings of Other Government Jurisdictions.* Meetings held in the City Council Chambers by other governmental entities may be considered for coverage on the Municipal Channel subject to the City Manager's prior approval and limited to available staffing capabilities and resources. The City may require compensation for actual costs incurred providing coverage for meetings of non-City governmental entities.

4. *Press Conferences.* The Municipal Channel may attempt to cover official City press conferences subject to available staffing capabilities and resources.

B. *Emergency and Disaster Preparation.* Any emergency or disaster proclaimed according to the City's Emergency Operations Plan (EOP) shall have absolute priority over other programming. All policy and procedures of the EOP shall be followed when an emergency or disaster has been declared.

C. *City Informational Programs.* A City Informational Program is any program, presentation or informational item that pertains directly to a City issue or matter handled by a City department or agency.

D. *Outside Programming.* "Outside Programming" shall be defined as programming consistent with the objectives and policies of these Government Channel Policies and that supports a City-recognized non-profit agency, governmental agency, special district, or event that provides a humanitarian benefit to the residents of the city.

E. *Public Service Announcements (PSAs).* A Public Service Announcement (PSA) shall be defined as non-commercial advertising produced for broadcasting, intended for the public good with the intent to change, modify or instill public attitudes by raising awareness about specific public issues.

F. *Promotional Announcements.* A Promotional Announcement shall be defined as advertisement for an event sponsored by a City agency or by a charity or outside non-profit organization in which the City has no official interest or sponsorship and which otherwise complies with the goals and policies of these Government Channel Policies.

G. *Programming for Elected Officials.* Due to the limitations of staff availability and other resources, and in the interest of fairness, it shall be City policy not to provide production services or facilities for an elected official to host or produce materials or broadcasts. Programming on issues that pertain directly to the City that are submitted for broadcast on the Municipal Channel by a City Council member shall be approved by the City Manager, the City Attorney, and the City Council through Resolution. Elected officials shall submit material proposed for broadcast on the Municipal Channel to the City Manager.

H. *Other Programming.* Any other type of programming not otherwise described by these Government Channel Policies will generally be considered ineligible for broadcast on the Municipal Channel. Any such ineligible programming proposed by any source for broadcast shall be provided to the City Manager who is authorized to either reject the programming as ineligible or who may submit the programming for review as outlined by the procedures set forth in Section IV of these Government Channel Policies.

IV. PROCEDURES FOR APPROVING BROADCAST MATERIAL

The City Manager or the City Manager's designee shall approve all content and programming on the Municipal Channel. A Media Review Committee may be formed to review programming for compliance set forth in the Government Channel Policies and to provide recommendations to the City Manager. All programming on the Municipal Channel, other than emergency programming and City Council meetings, shall be submitted to the City Manager's Office. A routing sheet shall be created to be used by those submitting programming for review which shall include at least the following information: (a) identification of the City department or agency submitting the programming; (b) the requested broadcasting dates and time for the programming; (c) frequency of the broadcasting of the program and (d) the end date of the programming.

A. *Submitting Programming for Review and Consideration*

1. Within the City, programming that has been created by or for the City should be submitted by a department head, agency chair, commission or committee. City departments or

agencies shall be responsible for initiating, reviewing, and confirming all programming developed by and for the City.

2. To be considered for broadcast on the Municipal Channel, Outside Programming must be sponsored by a City department or agency.

3. Programming not developed by, for or in connection with the City, including programming from other government entities, may be submitted to the City Manager's Office for consideration, but it shall be the policy of the City to encourage such programming to be submitted at the department or agency level whenever possible. The City Manager or the City Manager's designee may choose to assign programming submitted to the City to another department or agency for initial consideration consistent with these Government Channel Policies.

4. Programming may be approved, requested that programming be edited to be consistent with the Government Channel Policies, or may be disapproved.

5. Consistent with these Government Channel Policies, an applicant may appeal to the City Manager for a program disapproved.

6. Once programming has been approved for broadcast, the City's Information Systems Manager shall coordinate broadcasting of the programming on the Municipal Channel with the entity that submitted the programming.

B. *Copyright*

1. Outside agencies submitting programming for broadcast are responsible for obtaining all necessary copyright clearance and shall hold the City, its officers and agents harmless in any case of copyright infringement.

2. Within the City, the responsible agency or department shall take steps to ensure that any City-created programming has obtained all necessary copyright clearances prior to approving the programming for broadcast.

V. USE OF MUNICIPAL CHANNEL DURING EMERGENCIES

A. Governmental use of the Municipal Channel during emergencies and disasters declared by the Mayor or designee has absolute priority over other programming.

B. During emergencies or disasters emergencies and disasters declared according to the EOP, the Municipal Channel shall be permitted to accept live, taped, character-generated and audio information from other governmental or non-governmental entities when such announcements are deemed to provide important public information pertaining to the emergency or disaster or other conditions requiring protection of the public health, safety, and welfare and such programming need not be submitted to the MRC for review.

VI. COMPLAINTS

A. Complaints regarding the Municipal Channel shall be made in writing and addressed to the City Manager's Office. The City shall respond via the most efficient and effective communication means within thirty (30) days.

B. If the complainant wishes to appeal the City's response, he/she may request a meeting with the City Manager's Office within thirty (30) days of City's initial response.

HISTORY

Adopted September 1, 2009



GARY THOMASIAN
Mayor

Attached: Appendix A

APPENDIX A

A1. TECHNICAL STANDARDS

A. *Formatting.* Master programming shall be in one of the following acceptable video formats for broadcasting on the Municipal Channel: (1) Common digital file formats (ex: *.mpg; *.avi; etc.); (2) DVD; or (3) Such other newly developed media storage formats as become approved by the Information System Manager.

B. *Audio.* Program audio must be audible with minimal noise levels when amplified.

C. *Quality.* The copy of the programming submitted to the City must be no more than a second generation video duplication with a minimum of color smearing. Programs with excessive "drop-outs" or other technical problems will not be accepted.

D. *Information on Submitted Copies.* A copy of programming submitted for broadcast on the Municipal Channel shall be clearly labeled with the following information: (1) Title of the program; (2) Name of producer; (3) Total running time ("TOT") in Minutes: Seconds from fade-up to fade-out.; (4) Multiple video files for a single program shall be clearly labeled (eg: Title, File #1 of 3); and (5) Files not submitted on a disk or in a media format that cannot be labeled must be accompanied with this information either within an electronic file or printed text file.

E. *Start and End Requirements.* All videos (with exception of public meeting coverage) must begin with a title slate and time with no less than ten seconds of color bars followed by a ten second countdown and two seconds of studio black. Videos should have no less than fifteen seconds of black at the end. All videos must be electronically edited.

F. *Retention of Video recorded Events and Programs*

1. Master DVD video recordings of City Council meetings will be retained by the City for a minimum of three months. A duplication file will be made of each broadcast master of a City Council hearing utilizing MPEG2 video file format or better and maintained by the City for a minimum of three years.

2. Programming produced and broadcast by the City shall be kept as long as deemed necessary by the City Manager.

3. Programming accepted for broadcast from other sources may be retained for repeat broadcasting at the discretion of the City unless other arrangements are made in writing.

4. DVD video recordings may be recycled after being retained for the minimum amount of time.

G. *Video Recording Duplication Guidelines*

1. Requests for duplication of programming that aired on the Municipal Channel shall be submitted to the City Clerk's Office.

2. At the option of the City, a "Video Duplication Request Form" may be required.

3. All duplication of programming shall be in the format of a DVD or newer technology.

4. Except as otherwise prohibited by state or federal law, The City may bill the person or entity requesting duplication of programming that aired on the Municipal Channel for the total cost associated with the duplication including but not limited to time incurred to search and queue videotaped coverage of City Council and other agency or board if such time is above and beyond a what is required to respond to a typical request.

5. Duplications charges may be waived for City departments or agencies. City departments or agencies may be charged for a large number of dubbing requests.

A2. ADDITIONAL STANDARDS

- A. Programming containing copyrighted materials will not be broadcast without proper copyright authorization.
- B. The City may accept sponsorship of certain programming, consistent with these Government Channel Policies. Use of a logo, name and/or address of a sponsor may be acceptable on the authorization and prior approval of the City Manager. Any program sponsored (in full or part) by a commercial, civic or private entity may carry a brief sponsorship statement at the beginning and/or end which states the following: *"This program is made possible through a grant from ____."*
- C. During live meeting coverage, a City-operated character message may indicate the name of the officially recognized speaker, title of speaker (if applicable), the identification of the matter(s) being considered by the City Council and the date of discussion.