

**CITY OF CARPINTERIA
ADMINISTRATIVE POLICY**

**PROGRAMMING POLICY AND OPERATIONAL PROCEDURES
FOR GOVERNMENT ACCESS TELEVISION CHANNEL 18**

I. MISSION STATEMENT

The mission of the Government Access Television Channel (“GATV”) of the City of Carpinteria (“City”) is to provide and serve the residents and visitors of Carpinteria with public information programs about their government and community, including educational programs. Through the use of cable television, GATV hopes to create greater awareness of local government and the local decision-making process.

II. PURPOSE

GATV is a non-profit cable channel, funded and operated by the City. Broadcast programming on GATV is regulated by the Federal Communications Commission, the Cable Communications Policy Act of 1984, City of Carpinteria Municipal Code section 5.70, and the cable franchise agreements with the licensed franchisee(s) serving the City of Carpinteria, which establish government channels, educational channels and public channels for use by each of the corresponding groups. GATV airs live and pre-produced programming as well as a graphic video bulletin board (hereinafter referred to as the “City Scroll”).

The purpose of GATV is for cablecasting government-related television programs. GATV is not intended for general public use and is not intended to be a public forum. Because GATV is a government channel, any type of programming that is outside the guidelines of this Programming Policy and Operational Procedures for GATV (“Policy”) will be referred to other available television broadcast options including, but not limited to, the public access and educational channels.

III. GOALS & OBJECTIVES

The City’s goals and objectives in broadcasting programming on GATV include:

- A. Providing greater understanding of City government by producing and distributing information about policies, procedures, resources, events, activities and services provided and supported by the City.
- B. Offering information to residents about the functions, services and programs performed by the various City departments, boards and commissions.
- C. Disseminating policies and activities of the legislative and advisory boards of the City to inform, educate, enlighten and encourage citizen participation in government.
- D. Posting information about events, programs and services of a general City-wide civic, community service, or public benefit nature, and of non-sectarian interest, using the City Scroll.

IV. CHANNEL ADMINISTRATION

GATV administration is an operating division of the City Manager’s Office. The City Manager or his/her designee manages GATV and decides which programs will be cablecast on the channel. The City Manager or his/her designee has the responsibility for programming activities and program schedules in accordance with this Policy and any other applicable guidelines adopted

by the City Council. The City Manager or his/her designee reserves the right to review all programs to determine compliance with this Policy.

V. PROGRAMMING POLICY

- A. All programming on GATV shall be consistent with this Policy and shall be reserved solely for governmental and informational programming created by the City and/or authorized and approved by the City Manager's designee.
- B. Eligible governmental and informational programming includes, but is not limited to, coverage of public meetings, promotion of City and City-sponsored events and services, emergency information, election information programming, public safety information, and public service announcements.
 - 1. Regular live broadcasting on GATV shall be limited to City meetings, events and activities.
 - 2. Public meetings held in the Council Chambers by other governmental agencies will not be covered live, or videotaped and aired, unless authorized by the City Manager in advance of the event and, if required by the City, compensation is paid to the City for the City's direct cost and general overhead rate (currently 30%) for services provided.
 - 3. All broadcasting dates and times shall be scheduled by the City, which has complete discretion in determining when any program will be aired (broadcast). Re-broadcasts of other governmental agencies' meetings, events and activities may air on GATV if an application consistent with this Policy is made and approved.
- C. Except as otherwise provided herein, programming not created by the City ("**Outside Programming**") shall not be permitted. Any outside source interested in broadcasting pre-produced programming or placing an announcement on the City Scroll on GATV shall submit an application in accordance with this Policy. The City Manager or his/her designee may approve the proposed programming if found consistent with this Policy.

VI. CONTENT GUIDELINES

- A. All programming on GATV shall be:
 - 1. Consistent with the City's goals and objectives described in Section III hereof,
 - 2. Non-commercial, and
 - 3. Compliant with all applicable Federal, State and local laws.
- B. Outside Programming and Scroll announcements broadcast on GATV shall not contain any of the following, subject to exceptions for Election Programming set forth in Section VIII:
 - 1. Promotion, endorsement or referral to any business, commercial product, or service, including advertising by and/or on behalf of candidates for public office;

2. Direct appeals for funds, support or property of value or solicitations for donations, including the selling of promotional items;
3. Obscene, indecent, libelous, slanderous, or illegal material;
4. Promotion of any religious or faith-based group or belief;
5. Content intended to advocate for a personal viewpoint;
6. Content intended to mislead or obtain money by false or fraudulent pretense;
7. Content related to any lottery or similar scheme offering prizes dependent upon chance;
8. Promotion of any elected official, candidate, ballot measure, or political issue and advertising on behalf of or opposing a political candidate, measure, or political issue;
9. Content that improperly invades the privacy of a citizen or portrays someone in a false light; or
10. Content that violates any copyright or trademark of any third party.

VII. REQUESTS FOR BROADCAST TIME ON GATV

- A. **Restrictions.** If approved by the City for broadcast on GATV pursuant to applicable provisions of this policy, Outside Programming will be subject to programming availability as determined by the City, and subject to the terms and conditions of this Policy and all other applicable rules and policies of the City.
- B. **Broadcast Rights.** All persons requesting broadcast time on GATV shall be responsible for securing all rights and clearances from all persons as may be necessary to transmit its program material over the cable television system.
- C. **Application for City Scroll Time**
 1. The City Scroll is a graphic video bulletin board publicizing only events, programs and services of a general City-wide civic, community service, or public benefit nature, and of non-sectarian interest. All City Scroll messages must meet channel content goals and objectives and all other applicable rules and policies of the City.
 2. Persons wishing to air an announcement on the City Scroll shall submit a request to the City Manager by filling out a Request for City Scroll Access Application, a copy of which is attached hereto as Exhibit A, as may be updated periodically. Such request shall be submitted a minimum of seven (7) days prior to the requested air date.
- D. **Application to Air Outside Programming**
 1. Persons may submit Outside Programming for consideration for airing on GATV. All Outside Programming must meet channel content goals and objectives and all other applicable rules and policies of the City.

2. Persons wishing to air Outside Programming on GATV shall submit a request to the City Manager by filling out a Request for Air Time Access Application, a copy of which is attached hereto as Exhibit B, as may be updated periodically. A copy of the programming shall be submitted with the application. Such request shall be submitted a minimum of thirty (30) days prior to the requested air date.
- E. **GATV Waiver.** At the time of application, all persons requesting broadcast time on GATV shall sign and submit a GATV Waiver form, a copy of which is attached hereto as Exhibit C, as may be updated periodically.
- F. **Review of Applications.**
1. All Applications will be reviewed by the City Manager or his/her designee for consistency with this Policy, including but not limited to the Content Guidelines.
 2. Requests that have been approved by the City Manager may be scheduled for airing on GATV.
 3. The decision of the City Manager or his/her designee is final and not subject to appeal.
 4. The City retains full and final editorial control over all submissions for display on the City Scroll and all submissions for broadcast on GATV.
- G. **Broadcasting.** The City may at any time cancel a scheduled program or change the airtime. When this happens, the City will make a reasonable effort to provide the applicant notice of the schedule change; however, the City reserves the right to cancel or reschedule programming without notice.
- H. **Editing.** The City reserves the right, but is under no obligation, to edit programs, if necessary, and to add disclaimers to programming, if appropriate, in order achieve consistency with this Policy.
- I. **Use of GATV Equipment.** The use of the GATV video equipment is restricted to City authorized employees and other authorized cable technicians as approved by the City.
- J. **Fee for Service.** An applicant whose application for Outside Programming on GATV is approved by the City Manager may be subject to fees. The fee set for broadcasting pre-produced programs will be the City's direct cost plus the City's general overhead rate (currently 30%) for services provided.

For a list of fees, see Exhibit D, which may be updated periodically.

VIII. ELECTION PROGRAMMING

- A. The City may, at its sole discretion, choose to broadcast local election information. Local Election programming shall be limited to providing direct, non-editorial information to the citizens of Carpinteria concerning local elections.
- B. 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 GATV ten (10) days prior to an election or unless they appear incidentally as part of a public

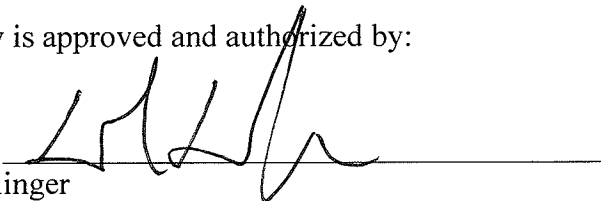
meeting or acting as part of their regular duties when such actions do not involve partisan policies.

IX. HOURS OF OPERATION:

- A. Live Programming. All City Council & Planning Commission Meetings at their regularly scheduled time.
- B. City Scroll. The City Scroll runs 7 days a week, 24 hours a day except when other programming material is airing.
- C. Pre-produced Programming. Pre-produced programming runs approximately 8 AM to 10 PM, 7 days a week, subject to cable technician availability and broadcast of Council and Planning Commission meetings, or as determined by the City Manager.

This policy is approved and authorized by:

Dave Durflinger
City Manager



5/1/14
Date

Attachments:

- Exhibit A: Request for City Scroll Access Application
- Exhibit B: Request for Air Time Access Application
- Exhibit C: GATV Applicant Waiver Form
- Exhibit D: Schedule of Fees

Exhibit A

Request for City Scroll Access Application

Government Access Television – City of Carpinteria

The City runs the City Scroll, which is a video bulletin board publicizing events, programs and services of a general City-wide civic, community service, or public benefit nature, and of non-sectarian interest. The Scroll runs twenty-four hours a day, seven days a week when other programming is not scheduled.

To submit your announcement, you must fill in the application below. Be sure to include your contact phone number and extension. The City cannot guarantee that your announcement will air. Access to the City Scroll is granted at the sole discretion of the City. The City does not guarantee that any application will be granted. The City reserves 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 7 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 OFFICIAL USE ONLY

Approved Denied

Reason for Denial: _____

Assistant to the City Manager Signature: _____

Exhibit B
Request for Air Time Access Application
Government Access Television – City of Carpinteria

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: _____

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Approved Denied

Reason for Denial: _____

Assistant to the City Manager Signature: _____

Exhibit C

GATV APPLICANT WAIVER FORM

1. I am thoroughly familiar with the content of the program material submitted for broadcast and agree that it complies with applicable federal, state and local statutes and regulations with regard to cable programming. The Program does not contain any material which is obscene or indecent; 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 portrays someone in a false light; is libelous or slanderous; is illegal; promotes any religious or faith-based group or belief; advocates for a personal viewpoint; promotes or advertises any elected official, candidate, ballot measure, or political issue; violates any copyright or trademark of any third party; contains any direct appeal for funds, support or property of value; contains any solicitations for donations, including the selling of promotional items; 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 Carpinteria's or anyone else's associated with the distribution. I agree to indemnify and hold harmless the City of Carpinteria 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.
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 Carpinteria's GATV and agree to abide by them. I hereby grant the City of Carpinteria 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 Carpinteria, its agents, employees, representatives and affiliates will only entitle me to a like amount of blank videotape or a blank DVD.

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/DVD's left longer than 3 months may be disposed of.

8. I understand that my contact information may 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: _____

Name: _____

Date: _____

Exhibit D

**Schedule of Fees
(as of 5/1/14)**

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

Pre-programming/Programing:

Assistant to the City Manager	\$42.0404 / hour
Broadcast Supervisor	\$29.52 / hour
Broadcast Assistant	\$15.93 / hour

Additionally, the above rates will include mediatx, unemployment insurance, and workers compensation plus the City's general overhead rate (currently 30%) for services provided. A minimum of one hour will be charged.