

RESOLUTION NO. 2018-1585

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, APPROVING AND ADOPTING POLICIES FOR GOVERNMENT ACCESS PROGRAMMING CHANNEL FOR THE CITY OF CALABASAS (CTV) AND RESCINDING RESOLUTION NO. 2007-1093.

WHEREAS, the City of Calabasas ("City") is committed to provide the citizens of the City of Calabasas with information about their government and community; and

WHEREAS, the City manages and operates the Government Access Programming Channel for the City of Calabasas (CTV); and

WHEREAS, the City wishes to further its goal of providing citizens with information about their government and community through CTV in an efficient and equitable manner.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CALABASAS DOES RESOLVE AS FOLLOWS:

SECTION 1. The City Council of the City of Calabasas approves and adopts the "Policies for Government Access Programming, City of Calabasas, CTV, The Calabasas Channel, Calabasas, California," attached as Exhibit "A" to this Resolution and incorporated herein by this reference, as the policy guidelines for the operation of CTV.

SECTION 2. The Policies for Government Access Programming shall become effective upon adoption of this resolution, and Resolution No. 2007-1093 is hereby rescinded.

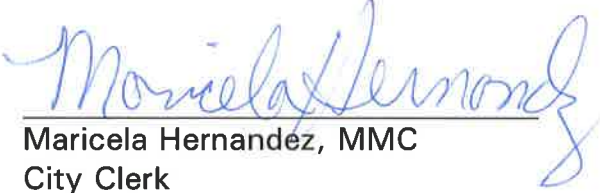
SECTION 3. The City Clerk shall certify to the adoption of this resolution and shall cause the same to be processed in the manner required by law.

PASSED, APPROVED AND ADOPTED this 25th day of April, 2018.



Fred Gaines, Mayor

ATTEST:



Maricela Hernandez, MMC
City Clerk

APPROVED AS TO FORM:



Dave Fleishman
Colantuono, Highsmith & Whatley, PC
Assistant City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) §
CITY OF CALABASAS)

I, **MARICELA HERNANDEZ, MMC**, City Clerk of the City of Calabasas, California, **DO HEREBY CERTIFY** that the foregoing resolution, being **Resolution No. 2018-1585** was duly adopted by the City Council of the City of Calabasas, at their regular meeting held April 25, 2018, and that it was adopted by the following vote, to wit:

AYES: Mayor Gaines, Mayor pro Tem Shapiro, Councilmembers Bozajian, Maurer and Weintraub.

NOES: None.

ABSTAIN: None.

ABSENT: None.



Maricela Hernandez, MMC
City Clerk
City of Calabasas, California

**POLICIES FOR GOVERNMENT ACCESS PROGRAMMING
CITY OF CALABASAS
CTV, THE CALABASAS CHANNEL
CALABASAS, CALIFORNIA**

Approved: April 10, 1997
Communication and Technology Commission
Revised: November 1999
Revised: April 28, 2004
Approved: April 1997
Revised: March 2018

Calabasas City Council
Revised: May 17, 2000
Revised: May 26, 2004
Revised: May 15, 2007
Revised: April 25, 2018

CTV - THE CALABASAS CHANNEL POLICY

I MISSION STATEMENT

The mission of CTV – The Calabasas Channel is to engage and inform the community by providing educational, informational, professional and entertaining public service content.

II COMMUNICATIONS AND TECHNOLOGY COMMISSION (CTC)

The Communications and Technology Commission (CTC) consists of representatives appointed by the City Council. CTV staff will work with the CTC to develop programming for the Government Access Channel. CTC members will also serve as liaisons between the community and CTV staff to encourage use and viewing of the channel.

Issues concerning exceptions, variations, or modifications to this policy statement should be appealed to the CTC. Should there still be an unresolved issue, appeal may be brought to the City Council.

III REGULATIONS GOVERNING USE OF THE CALABASAS GOVERNMENT ACCESS CHANNEL. (CTV)

A. Purpose

The purpose of these regulations is to provide guidelines for the use of CTV – The Calabasas Channel, and to describe its use by the City of Calabasas. CTV is a government channel as provided for in the Cable Communications Policy Act of 1984. This Federal legislation establishes government channels, educational channels and public channels for use by each of the corresponding broad groups. Because CTV is a government channel, there is no legal requirement to televise any type of programming that is not government-sponsored. CTV is committed to providing programming that informs and engages the community.

B. Objectives

The objectives for use of CTV are as follows:

1. To provide programming and services that inform, educate, enlighten and enrich the citizens of Calabasas.
2. To increase public knowledge of the functions and responsibilities of city government, and of the functions of the City Council, various departments, Commissions, and Committees.
3. To serve as the official information center in the case of a local emergency situation; i.e., flood, fire, crime, etc.

4. To supplement the public safety awareness efforts of local law enforcement and fire department.
5. To enhance awareness of local history, culture, issues and activities.
6. To provide programs that facilitate and encourage an aware and educated electorate.

C. Channel Administration

The Media, Library and Information Services Director (MLIS Director) or her/his designee is responsible for programming activities and program schedules, which are established based on direction from the City Manager and in accordance with guidelines recommended by CTC and adopted by City Council. The costs associated with the City's involvement in CTV will be paid for by the franchise fees received from the cable franchises as provided for in the franchise ordinance and telecommunications agreements, and from the general funds of the City, according to City of Calabasas policies.

CTV may solicit and accept grants for operations or production of particular types of programming.

D. Programming Statement

CTV will provide information to the citizens of Calabasas concerning the functions, activities, programs and issues of the City. The channel is not intended to be used as a political forum by an individual or group, nor as a mechanism for building support for a particular person, program or issue. Use of the channel shall be governed by the operating procedures as set forth herein, and by the rules of the Federal Communications Commission (FCC) as they may apply to operations of CTV. Due to the diversity of opinions held by individuals, 100% agreement on programming content would be impossible. Therefore, opinions expressed on the channel may not necessarily reflect those of the City Council, the City Manager, CTC, or City staff. The City reserves the right to review all programs, proposed and/or completed, to determine compliance with Programming Regulations and Channel Objectives.

1. Political Broadcasts

- a. Declared candidates for any elective public office and persons advocating any cause, viewpoint or policy, proposed or otherwise, will not be eligible to appear on CTV, except in a program or series where the format allows for all candidates or sides of an issue to be heard on an equal basis and within the same format at a comparable time.

Candidates for public office may appear on CTV on a bona fide news program; a news documentary, if the appearance of the candidate is incidental to presentation or the subject matter. They may also appear in coverage of official City meetings or special events such as City Council, Commissions, or the Mayor's State of the City Address. CTV and the MLIS Director will make every effort to ensure that any appearance, except as authorized in this section, by any qualified political candidate on CTV will abide by these restrictions, and will tailor such appearances so as to minimize the fact of their candidacy.

Decisions on allowable program formats and appearances by qualified political candidates will be made by the City Manager. Should an appearance by a qualified political candidate be determined to fall outside of the categories of exempt programming mentioned above, then CTV will afford equal opportunities to all other candidates for that office.

- b. A candidate requesting such equal opportunities on CTV shall have the burden of proving that he or she and the opponent are legally qualified candidates for the same office. A request for equal opportunity for use of CTV must be submitted to the MLIS Director within one week of the day on which the first prior use, giving rise to the right to equal time, occurred. This is provided that such candidate or spokesperson was not already offered an opportunity to appear on CTV on an equal basis with all other candidates or spokesperson for this office or issue.
- c. When scheduling for equal opportunity programming, the MLIS Director will do her/his best to provide the opponent(s) playback time on a similar day, at a similar time, and under similar conditions as the prior cable-cast, and within as efficient and effective time period as possible, but with no guarantee of being able to match cable-cast conditions exactly. All decisions on equal opportunity program schedules will be made by the MLIS Director, under direction from the City Manager and shall be final.
- d. Programming by any other governmental group, individual or entity not an official part of the City of Calabasas, may be allowed if the event or program to be taped is co-sponsored by the City of Calabasas, or special permission is obtained from the MLIS Director.
- e. CTV may provide coverage of up to three (3) candidate forums coordinated and sponsored by the City and moderated by an independent, nonpolitical organization. The number of candidate forums and the moderator will be determined by the City Manager, City Attorney, and MLIS Director consistent with these guidelines and provisions.

- f. CTV provides coverage of the Annual Mayor's State of the City Address. In election years where the incumbent Mayor is running for reelection, the Mayor's State of the City Address speech must be held prior to the official date that ballots are mailed to the public. The speech will not be televised or replayed (live or archived) by the City on any media platform, including, but not limited to, television, radio, social networking, microblogging, cross-format, messengers, video sharing, or websites, until after the election has been held.

2. Event Coverage Procedures

- a. To request live or taped coverage of an event by CTV staff, the applicant must fill out and submit a Media Work Order. Forms may be obtained online at www.cityofcalabasas.com
- b. Applicant will be required to provide the name, date, location and purpose of the event. The applicant must also provide details that the crew will need to know in advance about the location, activity, crowd, etc., and whether or not the event will further the channel objectives.
- c. It is the responsibility of the applicant to obtain all on-site approvals and off-site permissions for taping. This includes permission from property or business owners, performers, event coordinators, etc. Approvals should all be obtained in writing prior to submitting the Media Work Order. CTV may ask for proof of approvals prior to considering the request, and will require applicant to sign a statement that all necessary clearances have been secured.
- d. It will be the applicant's responsibility to pay any extra costs incurred by the production, including, but not limited to, all admittance fees, artwork and graphics, union or other professional association fees, clearance fees, royalties, permission fees or any other applicable fees.
- e. The Media Work Order should be submitted a minimum of ten (10) working days prior to the scheduled event.
- f. A request originating from any City department must be approved by the MLIS Director.
- g. The MLIS Director will consider each request based on:
 - i. Compliance with City policies
 - ii. News or entertainment value
 - iii. Availability of staff

- iv. Availability of equipment and facilities
- v. Capabilities of staff and equipment
- h. Receipt of Media Work Order does not in any way guarantee approval of applicant's request.
- i. Completed programs and all work footage shall be the sole property of the City of Calabasas. Copies of completed programs may be purchased on a DVD or format deemed appropriate by the MLIS Director at a purchase price to be set by resolution of the City Council.
- j. It is the policy of CTV to retain completed programs for a minimum of six months, after which time the footage may be discarded.
- k. Taping and/or post production of the event does not in any way guarantee that the event will be telecast on CTV.

3. Equipment Usage Procedures

- a. Video equipment and facilities may be used by trained members of CTV staff with the approval of the MLIS Director.
- c. CTV is not obligated to allow City equipment or facilities to be interfaced with any other equipment or facilities. Any user tampering with, adjusting or altering any City equipment or facilities may be subject to immediate forfeiture of their right to use said equipment or facilities.
- d. Completed programs will be screened for compliance with channel objectives and City policies, and for technical quality. Use of equipment and facilities to produce a program will not guarantee time on CTV for that program. The program may be accepted as presented, turned down completely, or given conditional approval. In the case of conditional approval, the program producer may make specified changes in order to bring the program into compliance, or may withdraw the program from consideration altogether.
- e. Material considered obscene, as defined by the FCC and the Supreme Court, shall not be brought into City Hall or any video control room, be viewed on any City computer, or be present at any time in the possession of a member of CTV staff or video volunteer on any shoot, either in the field or inside any municipal building.

4. Air-Time Request Procedures

- a. Play-back time on CTV may be requested for an outside program or series, providing the program is suitable for airing on the channel.
- b. To submit a program for consideration, an Air-time Request Form describing program title, topic, format, and running time is required along with a digital or physical copy of the program.
- c. Programs will be screened for CTV suitability, compliance with Channel Objectives and City Policies and for technical quality. The program may be accepted or rejected, in whole or in part, by the MLIS Director based on any or all of the qualifying criteria.
- d. No programming containing commercial advertising will be allowed on CTV unless there is an overriding public interest.
- e. If approved for telecast, the MLIS Director will determine when and how often the program will appear in the CTV schedule, but will schedule the program no more frequently than specified by the program presenter.
- f. It is the responsibility of the applicant to obtain all copyrights and all clearances to all portions of the submitted program including, but not limited to, video, performance, music, song, theatrical and film rights. The MLIS Director may require written proof of approvals and/or require the applicant to sign a statement that all approvals have been secured and to provide satisfactory indemnification of CTV and the City of Calabasas.

5. Emergency Procedures

Emergency programming is to be originated and authorized only by City Administration, Police, Fire, Public Works or emergency service personnel. Under no circumstances will access to CTV for emergency communications be granted to anyone who does not have the proper authority to initiate emergency procedures. Emergency programming is considered top priority on CTV – The Calabasas Channel.

6. Live Coverage of City Functions

- a. CTV, the Calabasas Channel, currently carries live coverage of the City of Calabasas Council meetings and designated Commission meetings. While such coverage is taking place, no other video production crew will be allowed in the meeting locale (except for production of film or videotape for news purposes by recognized media agencies) without permission from the City Council or MLIS Director or the City Manager as appropriate.

- b. The highest quality of responsible meeting coverage can be achieved by a standardization of taping procedures.
 - i. Presentation by the public, visuals, overheads, performances, etc., should be assigned to one location, which is to be equipped with proper lighting, microphones, camera angles, etc.
 - ii. Coverage of the meeting should be objective, with camera shots limited to straight on head-and-shoulders shots of speakers, and cover shots of meeting participants. Directors should avoid subjective close-ups, unique angles, harsh or tinted lighting, and camera shots that portray anyone in a particularly negative or unfavorable manner.

7. Meeting Storage/Sale Policy

Copies of the Calabasas City Council and Commission meetings will be retained in perpetuity as requested by the City Council. These recordings are the official record of the meetings and the only detailed records. The City Council shall have notice prior to any destruction of the recordings. DVD meeting copies may be purchased from the Media Operations Department in accordance with the City Fees Policy.