

**CITY OF DANA POINT
AGENDA REPORT**

Reviewed By:	
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DATE: APRIL 1 , 2008

TO: CITY MANAGER/CITY COUNCIL

FROM: MIKE ROSE, EMERGENCY AND SUPPORT SERVICES MANAGER

SUBJECT: ADDITIONAL PROGRAMMING FOR DANA POINT GOVERNMENT ACCESS CHANNELS

RECOMMENDED ACTION:

That the City Council authorize the addition of South Coast Water District meetings to our current government access channel programming on Cox Cable channels 30 (analog) and 855 (digital), and consider options for expanding programming on these channels.

DISCUSSION:

The City of Dana Point has complete access to Cox Communications cable Channel 30, also known as DPTV-30 and digital cable channel 855. Currently, City Council meetings are cablecast live on Cox DPTV-30 and digital channel 855, and are then rebroadcast on Tuesday and Thursday evenings at 7:00 p.m., the week after the Council meeting. During these broadcast periods the regular programming on channel 30 (C-Span 2) is preempted; however, the digital channel 855 is dedicated for our use and available 24 hours per day, seven days per week in the Cox Communications service areas.

With the updated technology in the City Council Chambers, the City no longer has to rely upon Cox Communications for the program schedule or control over access to our cable channel. Instead, programming can now be developed, scheduled, and broadcast directly from City Hall. If the City Council wish to so direct, City staff would develop a programming schedule on a weekly basis. Each week, our contract production staff (SOCTV) would review the program content and schedule. New content would be added and outdated material would be removed. In this fashion, we can minimize the amount of staff time and contract cost associated with the programming.

On May 15, 2007, Council approved a policy for the Dana Point government access channel. This policy provides guidance for staff to establish a 24 hour programming schedule which includes the live broadcast of City Council meetings, broadcast of previously recorded City Council, commissions, and board meetings, a community bulletin board of upcoming events, the broadcast of recorded City events such as the

Festival of Whales Parade, and broadcast of previously recorded material from other government agencies and non-profit organizations at the discretion of the City Manager.

Several weeks ago, City staff was contacted by staff from the South Coast Water District (SCWD) and asked for the costs associated with making the Dana Point City Council Chambers available to the SCWD Board for meetings, and asked for the costs associated with televising the meetings live and providing rebroadcasts of the SCWD meetings. In response, City staff identified the following associated costs:

One time production Set-Up Costs	\$500
OCSD Deputy	\$ 270
Production	\$ 200
Custodial/Utilities	\$ 80
City Clerk Staff OT	\$ 120
<u>Incidental Costs</u>	<u>\$ 80</u>
TOTAL PER MEETING	\$ 750

SCWD meetings are held on the second and fourth Thursday of each month. Since the City has control of Channels 30 and 855, staff will ensure that the initial broadcast and rebroadcasts of their meetings do not conflict with City Council meetings and the use of the Council Chambers for City functions. In response, the SCWD has made a formal request to begin broadcast of their meetings on June 12, 2008.

The previously approved policy is attached to this report as reference. The following list identifies the programming objectives of the government access channel.

Programming Objectives

Objectives of the cable television/video services program and the municipal channel include the following:

1. To make public proceedings and events more accessible to Dana Point residents by providing live, gavel-to-gavel coverage of City Council and other community meetings via cable television.
2. To share public information on city issues such as emergency preparedness, water quality, and other important public information.
3. To promote events in the community sponsored by the City or nonprofit organizations through the Community Bulletin Board.
4. To increase community awareness of City services.
5. To provide outside programming that is informative to Dana Point residents.

Upon approval of the recommended action, staff will work with the staff from the SCWD to accommodate the SCWD's request to implement by June 12, 2008.

FISCAL IMPACT:

The agreement with South Coast Water District includes a per meeting cost of \$750 that will be billed for use of the Council Chamber. This was developed so that there will be no fiscal impact to the City for this use.

The current fiscal year Public Information Services budget (22-223) includes a \$55,000 budget for cable TV production and programming which anticipated an expanded broadcast schedule. This existing budget line item will support the additional 1-2 hours per week of contract production costs associated with a 24 hour broadcast option. Staff does not anticipate any fiscal impact related to this expansion of the government access channel programming.

ACTION DOCUMENTS:

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A. [Approved Government Access Channel Policy](#) 4

SUPPORTING DOCUMENTS:

A. [Letter from South Coast Water District](#) 11

ACTION DOCUMENT A

City of Dana Point
DPTV-30
POLICY STATEMENT

OBJECTIVES OF MUNICIPAL PROGRAMMING

Objectives of the cable television/video services program and the municipal channels DPTV-30 and Digital Cable Channel 855 include the following:

- To make public proceedings and events more accessible to Dana Point residents by providing live, gavel-to-gavel coverage of City Council and other community meetings via cable television authorized by the City Council.
- To share public information on city issues such as emergency preparedness, water quality, and other important public information.
- To promote events in the community sponsored by the City or nonprofit organizations through the Community Bulletin Board.
- To increase community awareness of City services.
- To provide outside programming that is informative to Dana Point residents.

OPERATIONAL PROCEDURES

The City of Dana Point local government station will operate on cable channel 30 and use the designation of DPTV-30 and Digital Cable Channel 855.

Five basic cablecasting modes will be used:

Live cablecast - Live coverage will be provided, generally consisting of City Council meetings, other selected public meetings, and events of general community interest as designated by the City Council.

Tape delayed cablecast - Public meetings and events may be videotaped for cablecasting at a later time. Some meetings will be cablecast both live and subsequently by tape at other convenient times.

City productions - Programs may be produced by City staff to illustrate the function or operations of City government.

Outside resource programs - Special programs concerning government operations or general interest topics distributed by other public entities and programs produced by other agencies on topics of community interest sponsored by local non-profit organizations may be shown.

Community Bulletin Board - Augmenting other scheduled programming, the Community Bulletin Board will be used to provide a continuous display of current messages of public interest when there is no other programming. These messages will be restricted to Federal, State, and local government agencies and non-profit organizations.

PROGRAMMING POLICY

There will be no public access programming. Pre-produced videotapes of significant local community events sponsored by non-profit organizations will be accepted for cablecast as programming space and staff time allow. The City Manager or designee will authorize any non-City request for access on an as-needed basis.

Public Meetings - Public meetings of City policy-making or advisory commissions or boards are authorized for cablecast. Other meetings may be added to the schedule as authorized by the City Council.

Informational Programming - All City departments may submit programming requests for the municipal channel. Any such requests are subject to review and will be accepted as budget and staffing allows. Limited resources dictate the need to limit the number of programs requested by each department. Only programs consistent with the overall operating policy of the municipal channel will be cablecast. City departments must verify in writing that they have obtained authorization to use any copyrighted material.

Individual Statements - Request for access to the municipal channel for the purpose of advocating a personal view point or policy will generally be denied unless part of an overall programming strategy to solicit personal interviews with equal time provisions for all. Announced candidates for City offices will not be permitted to make any personal statements over the City channel, except as may be part of formal public meetings, from the time of their announced candidacies until after the election, unless a series of statements from all candidates is programmed and equal time is allowed to all. Any such programming will have prior ground rules and policy specifically established in advance.

Community Bulletin Board - Any City department and any City based non-profit organization may submit data for the Community Bulletin. Messages submitted should be commensurate with the intent of this policy statement. The appropriateness of messages will be reviewed for consistency with this policy and messages may be edited accordingly.

Access to the Community Bulletin Board is limited to twelve messages per year, space permitting, by Dana Point based, non-profit organizations. Information should be submitted in writing on the approved form available from the City Clerk's Office. Messages for special events should include the following:

- Organization Name
- Event
- Date of Event
- Time of Event
- Location of Event

- Contact name and daytime telephone number

Anticipated airing of request will be two weeks after receipt. Messages will be accepted on a first come, first served basis and aired as space allows. Messages will be removed the day after the scheduled event. The City of Dana Point reserves the right to decline any request that does not fall within the non-profit guidelines.

User priority for the municipal channel Community Bulletin Board is established to provide the most equitable use of available space in the event that heavy demand results in space limitation. The order of priority for messages on the message board is as follows:

1. Time-dated or essential City of Dana Point information. (Non-essential or standing information may be removed in the event of space limitation, and will be reinstated when space permits.)
2. Organizations within the city limits of Dana Point sponsoring events taking place within city limits of Dana Point.
3. Organizations within the city limits of Dana Point sponsoring events taking place outside of Dana Point.
4. Organizations outside of the city limits of Dana Point sponsoring events within the city limits of Dana Point.

EDITING POLICY

Any public meeting cablecast will not be edited or subjected to editorial comment. Meeting coverage will be from gavel to gavel.

Programming prepared by or provided by individual City departments will be modified or edited as appropriate to the policies governing channel use or as dictated by staff time availability and scheduling requirements.

Information programmed into the Community Bulletin Board may be edited to improve clarity.

The City of Dana Point, its officers, employees and agents shall not warrant the accuracy of any information cablecast over the municipal channel.

OMISSIONS AND ERRORS

Should human or technical error result in the cablecast of incorrect information over the municipal channel, the City of Dana Point, its officers and agents shall not be liable for the inaccuracy of the information.

CHANNEL CONTENT

Messages posted on the Community Bulletin Board shall contain only the date, time, location, contact information, fee and event.

The municipal channel is under the authority of the City of Dana Point. All content on the channel is subject to approval by the City Manager or designee in accordance with this policy. The following content guidelines will be followed:

Political Use of Municipal Channel - The channel may not be utilized for the direct promotion of any elected official or candidate. Specific advertising messages on behalf of or opposing any political candidate or measure on a ballot shall not be permitted. Candidates for election or re-election to any office shall not be shown on the municipal channel, except as part of a formal public meeting, from the time of their legally qualified candidacy until after the election. The municipal channel is exempt from providing equal opportunities to a candidate under Section 76.205 of the Rules and Regulations of the Federal Communications Commission ("FCC") for time incumbents spend on the channel when performing the routine duties of their position, including participation at regular and special sessions of the City Council, other public meetings and bonafide news events.

Position Advocacy - Any direct advocacy messages including specific promotional messages on behalf of or opposing any ballot initiative proposed by a City department, or items under consideration of the City Council or its commissions or advisory bodies will generally not be permitted. Issues of controversy covered by the municipal channel will be presented in a reasonably fair and equitable manner.

Commercialism - There will be no commercial advertising or other information that promotes the sale of any product or service offered, except for promotional announcements for City sponsored or sanctioned events.

Lotteries - Advertising or other information concerning any lottery, gift enterprise or similar promotion is prohibited.

Promotion of Religion - Programming that directly proselytizes religious beliefs or religious philosophies will not be presented on the municipal channel.

Defamatory Material - Subject matter that is defamatory in nature (i.e. slander) will not be presented on the municipal channel.

Indecent or Obscene Content - There will be no presentation of programming content that is indecent, obscene or illegal.

Copyright Restrictions - Programs containing copyrighted materials will not be cablecast without proper copyright authorization. Outside agencies submitting programming for

cablecast are responsible for obtaining all necessary copyright clearances and shall defend, indemnify and hold the City, its officers and agents, harmless in any case of copyright infringement.

USE OF CITY PROGRAMMING AND EQUIPMENT

All programming produced by the City, its officers and agents will become property of the City. Programs produced by contract agents of the City will be the property of the City and will not be sold or commercially distributed without the written permission of the City.

Use of City-owned equipment and related production facilities will be restricted to City use and operation by City employees, officers or approved agents of the City. Loaning of equipment for personal use will not be permitted or authorized.

City departments and agencies may request production facilities and equipment including field production equipment and equipment operators for activities that are not intended for cablecasting on the municipal channel. Such requests require advance notification to the City Manager or designee and are subject to the availability of equipment, staff, and other prior commitments.

PROGRAMMING ACQUISITION AND EXCHANGE

Liaison and exchange with other local governments involved in programming and cablecasting will be established and maintained. Cooperative arrangements and agreements with local educational programmers, broadcasters, cable companies and other production groups may be established for efficient operations and communications in the community.

RETENTION OF RECORDED EVENTS AND PROGRAMS

The City Clerk's office will keep cablecast master videotapes of City Council meeting for a minimum of three (3) years. The meeting tapes are not the official record of the meeting. Videotapes/DVD's may be recycled after being maintained for the minimum amount of time.

All City produced tapes will be available for check out at the Dana Point library.

Programming produced and cablecast will be kept as long as deemed necessary by the City. Raw, stock footage of events will be maintained solely at the discretion of the City.

Programming accepted for cablecast from other sources may be retained for repeat cablecasting at the discretion of the City unless other arrangements are made in writing. Upon request, videotapes will be returned to the owner/producer after final cablecast. Tapes not returned may be recycled for other programming.

DUPLICATION

Duplication of City produced meetings can be purchased for from the City Clerk. Other City produced tapes may be made available for purchase.

TECHNICAL STANDARDS

All programs submitted or produced for telecast must meet the following technical standards:

- Master cablecast videotapes shall be in the appropriate video format for cablecast. Acceptable formats shall include:
 - Full size DVCAM digital videocassette
 - MiniDV digital videocassette
 - DVD
 - S-VHS
 - VHS
- Program audio must be audible with minimal noise levels when amplified.
- Program must be no more than a second-generation video duplication with a minimum color smearing. Programs with excessive drop-outs or other technical problems will not be accepted.
- Programs submitted for cablecast should be clearly labeled with the following information:
 - Title of program
 - Name of producer
 - Total running time, from fade-up to fade-out
 - Audio channel designation on Channel 1, 2 or both channels
 - Number of segments on each tape (if applicable)
 - Generation of dub if not master
 - Multiple tapes for a single program shall be clearly labeled (ex. Title, Tape #1 of 3, Tape #2 of 3 etc.)
- All programs (with exception of public meeting coverage) must begin with 30 seconds of color bars and tone, 10-second title slate, 10 seconds of black, 10-second countdown and 2 seconds of black.
- Programs should have no less than 15 seconds of black at the end.
- All programs must be electronically edited.

USE OF MUNICIPAL CHANNEL DURING EMERGENCIES

Government use of the municipal channel during emergencies and disasters declared by the City Manager of the City of Dana Point or designee has absolute priority over other programming. During such emergencies or disasters, 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 by the City or Dana Point or other appropriate governmental entity to provide important public information pertaining to the emergency or disaster or other conditions requiring protection of the public health, safety and welfare.

SUPPORTING DOCUMENT B

