

COMMITTEE SUBSTITUTE FOR RESOLUTION 961118

Establishing the policy for the City's government access channel

WHEREAS, as a condition of operating a cable television business within the rights of way and other public spaces of the City, American Cablevision provides a channel to the City for use as a government access channel; and

WHEREAS, the Council has charged the Office of Corporate Communications with, among its duties, the operation of the government access channel; and

WHEREAS, based upon policies established during the initial stages of development of the government access channel, the Office of Corporate Communications established policy guidelines for its use in operating the government access channel; and

WHEREAS, the guidelines address the issues of eligibility for use of the channel, scheduling, program content and production, use of equipment, outside resources, and tape retention; and

WHEREAS, the guidelines establish a reasonable priority for scheduling which includes, in order of priority:

Announcements or programs concerning emergencies affecting residents' health or safety; Council Committee and Legislative meetings; Regularly-scheduled, recurring informational programs; One-time or special informational programs; Public service announcements; Programs produced by persons, agencies or groups outside Kansas City, Missouri city government that are submitted by eligible city departments or entities; "Bulletin board" service giving printed information on city events and services when other programs are not being aired; and

WHEREAS, experience with these guidelines during 1996 reflects their usefulness for operation of the government access channel; NOW, THEREFORE

BE IT RESOLVED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the following "Policy of Kansas City, Missouri Cable Television Government Access Channel" is approved as the operational guidelines for the government access channel.

POLICY OF KANSAS CITY, MISSOURI  
CABLE TELEVISION GOVERNMENT ACCESS CHANNEL

The Kansas City, Missouri cable television city government access channel is intended to give residents information about city government services, programs and activities. The channel is to be administered by the Corporate Communications Office at City Hall, which will provide or arrange for videotaping or live coverage of applicable meetings, programs, events and spots.

I. ELIGIBILITY FOR USE

Because the channel is intended to provide information about Kansas City, Missouri city government, program requests must come from a city department as set forth below. Other agencies, governments, groups and individuals, unless they are participating in a city government-originated program, will be referred

to one of several other public access channels operated by American Cablevision of Kansas City, Inc.

A. The following city departments are eligible to request programs or air time:

Mayor's Office  
City Council Office  
Aviation Department  
City Auditor's Office  
City Clerk's Office  
City Manager's Office (including the Action Center, Office of Environmental Management, Office of Technology and Information Systems, Office of Corporate Communications and Management Services and Budget)  
City Planning & Development Department  
Codes Administration Department  
Convention & Entertainment Centers Department  
Finance Department  
Fire Department  
Health Department  
Housing and Community Development Department  
Human Relations Department  
Human Resources Department  
Law Department  
Municipal Division, Kansas City Sixteenth Judicial Circuit Court of Missouri  
Neighborhood & Community Services Department  
Parks and Recreation Department  
Police Department  
Public Works Department  
Water Services Department

B. City departments receiving air time may invite outside organizations, agencies, governments or individuals to participate in a program as long as the city retains control of program content and production. In cases where questions arise as to the inclusion or exclusion of an outside entity or individual, the city manager may be asked to approve such participation before the program or spot is produced or aired.

C. Declared candidates for any elective public office, and persons advocating any cause, viewpoint or policy, will not be eligible to appear on the city government access channel unless they appear in a forum in which all candidates or sides of an issue are given equal time.

1. For purposes of this policy, a person is considered to be a candidate from the time of announcing publicly for any office until the election has been held.

2. This exclusion does not apply to persons who receive incidental air time as a part of a public meeting being cablecast on the channel, nor to officials acting as part of their regular duties when such actions do not involve partisan politics.

Nothing herein should be interpreted to preclude the City from producing or otherwise cablecasting informational programming addressing public issues.

Since the City may not produce programs advocating particular positions on matters to be considered by voters, the act of producing educational and informative programming does not raise an issue of whether persons advocating an issue should be provided access to people through the government access channel.

## II. SCHEDULING

A. The Corporate Communications Office will be responsible for scheduling appropriate programs and spots on the channel, and for publicizing the schedule. This weekly schedule, once publicized, will not be deviated from or added to except in emergencies affecting the health or safety of local residents, or at the direction of the Corporate Communications Director or City Manager.

B. Programming will be scheduled for airing according to the following order of priority:

1. Announcements or programs concerning emergencies affecting residents' health or safety.
2. Council Committee and Legislative meetings.
3. Regularly-scheduled, recurring informational programs.
4. One-time or special informational programs.
5. Public service announcements.
6. Programs produced by persons, agencies or groups outside Kansas City, Missouri city government that are submitted by eligible city departments or entities.
7. A "bulletin board" service giving printed information on city events and services when other programs are not being aired.

C. Meetings and programs, if videotaped, may be subject to more than one airing. Unless other arrangements are made before the schedule is publicized, such repeat airings will be at the discretion of the Corporate Communications Office.

D. In order to allow for proper production, scheduling and publicity, those requesting programs (other than on-going series that already have been anticipated) must make the request at least four weeks in advance of the intended airing date, except when the program concerns an emergency affecting public health and safety.

E. "Bulletin board" messages must be submitted to the Corporate Communications Office at least 24 hours in advance of their first airing except in emergencies affecting public health or safety.

1. To maximize the number of messages aired, "bulletin board" messages may not exceed 50 words.
2. Bulletin board messages will be updated daily to ensure the timely presentation of material.
3. Bulletin board messages must conform to other provisions of this policy.

## III. PROGRAM CONTENT AND PRODUCTION

A. Because the staff of the local government access channel is limited, city departments requesting a program must be willing to assist in producing the program if asked to do so. This may include furnishing necessary information, gathering together the persons or props to be used in the program, and making on-air presentations as needed. The requesting department also may be asked to

pay production costs which are not normally part of the funded activities of the staff of the government access channel.

B. Before a program or spot is scheduled for airing, it must meet minimum technical and broadcast aesthetics standards to be determined by the Corporate Communications Director or his/her designee. When a tape, slide show or film has been furnished by an entity other than city government, it must be viewed by the Corporate Communications Office before it is scheduled to be aired.

C. Programming will be produced by the Corporate Communications Office in the order of priority set out in section II.B of this policy.

D. Except when (1) the intent is to use brief excerpts as part of a larger program or (2) when technical difficulties interfere, the public portions of any City Council session or other public meeting receiving coverage on the channel will be aired gavel-to-gavel, without editing or subjective comment. All other programming is subject to editing by the Corporate Communications Office as long as such editing does not alter the factual content or overall intent of the material being aired.

E. No promotion, endorsement or advertisement for any private business, commercial service or product, profit-making activity, political candidate, or partisan or individual cause will be allowed on the city government access channel. In addition, solicitations for charitable, civic or religious donations will not be allowed on the city government access channel. However, very brief audio and video credit, minus logos or slogans, may be given at the end of a program when special materials or assistance has been donated by a commercial or charitable enterprise.

F. No slanderous, lewd, obscene or violent material or language will be allowed on the city government access channel. When questions arise as to the admissibility of material or language in this regard, the city manager may be asked to review the questioned material for approval or disapproval. When necessary, a legal opinion will be obtained from the Law Department.

#### IV. USE OF EQUIPMENT

Because of its cost, susceptibility to maladjustment and damage, and the heavy use to be made of it in programming the city government access channel, equipment acquired for the channel is restricted to use for that purpose and must be handled either by or under the direct supervision of the Corporate Communications Office staff.

#### V. OUTSIDE RESOURCES

Attempts will be made to use community resources and volunteer student interns in programming the city government access channel in order to maximize programming and minimize costs.

#### VI. TAPE RETENTION

Videotapes that have been made of public meetings, informational programs and other spots will be kept on file for six months after their final airing unless other arrangements have been made in advance for a longer retention period. Due to the high cost of videotape cassettes, any tape to be kept more than six months, and any copies to be made, must be replaced with an equivalent amount of blank tape by the entity for which they are being held or to which the copies

are being provided. Retention of videotapes by the Office of Corporate Communications is not intended to modify in any way the obligation of the City Clerk to maintain the required records of the City.