

Bob Mollette

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March 13, 2006

Honorable Council Members
728 Second Street
Portsmouth, Ohio 45662

Re: **Programming & Operational Procedures for Government Access Cable Television**

I have enclosed a draft of a policy for Council's review and discussion concerning our Public, Educational, and Governmental (P.E.G.) access cable channels. The P.E.G. access channels are provided by the franchise agreement between the City of Portsmouth and Century Ohio Cable Television Corp (a corporation organized under the laws of Delaware)(d/b/a Adelpia Cable Commissions dated November 1, 1999) per Sections 6.4 Access Channels and Section 6.5 Promotion of PEG Channels . Adelpia Communication requested the City adopt a policy to establish tape delayed broadcasting of City Council Meetings. I have also forwarded the policy draft to Adelpia Communications.

Adelpia stated broadcasting these meetings would be a no cost. The meetings could be replayed numerous times to meet the diverse schedules of the working public. Adelpia stated the only requirement was to provide the meetings on a VHS tape and a schedule to replay these meetings.

The 2006 Operating Budget projects General Fund Revenue from the Cable TV Franchise Fee to be \$200,000. A stationary camera with a live feed would be most desirable. I contacted a local supplier of security systems (Southern Ohio Security) which recommended a wall mounted (stationary) high resolution camera, high end recorder, monitor for local viewing, and connecting to the existing audio system for under \$1,000 (estimated less than \$800 without site visit). Southern Ohio Security has supplied several churches in the area with the ability to broadcast their events. I recommend the City of Portsmouth Cable Television Commission be utilized to review any programming requests for appropriateness and technical consideration. City Council shall serve as the final approval body for resolving disputes.

This action by Council would send a positive signal to the public. This signal would encourage public involvement with speedy dissemination of vital information. A well-informed public has many advantages.

As always, I welcome your thoughts on these and any matters discussed here. Contact me should you have any comments or questions.

Respectfully,



Bob Mollette, 3rd Ward Council

rwm

cc: w/enclosure

Jim Kalb, Mayor

David Kuhn, Solicitor

Trent Williams, Auditor

Crystal Gilliam, Adelpia Area Manager Government Affairs

Jo Ann Aeh, Clerk (Record)

DRAFT---Programming Policy & Operational Procedures---3/13/06

City of Portsmouth, Ohio Programming Policy and Operational Procedures for Public, Educational, Governmental (P.E.G.) Access Cable Channels

CITY OF PORTSMOUTH, OHIO GOVERNMENT ACCESS CABLE TELEVISION POLICY

Government Cable Channel(s), a Public, Educational, Governmental (P.E.G.) Access Channel(s) as provided for under the Cable Communications Policy Act of 1984 and the cable franchise agreement (Section 6.4 Access Channels and 6.5 Promotion of PEG Channels signed November 1, 1999) with the licensed franchise serving Portsmouth, Ohio, operated and administered by the Adelphia Cable Communications as provided by the Portsmouth City Council. Programming policies are subject to the approval and review of the Portsmouth City Council.

The following objectives, programming policy and operation procedures were developed to provide guidelines to effectively and efficiently manage the overall operation of Government Cable Channel(s) and have been approved by the Portsmouth City Council.

OBJECTIVES

The following objectives of the City of Portsmouth, Ohio Government Cable Channel(s) are:

- To offer City government information to citizens of the community.
- To widen the dissemination of activities of the legislative and advisory bodies and boards of the City of Portsmouth, Ohio.
- To offer public information to the citizens of the City of Portsmouth, Ohio about the various functions performed by the various agencies, divisions, and departments of City government.
- To provide information to citizens requiring access and process information to various City departments and/or agencies.
- To offer video support services to the various agencies, divisions and departments of City.

PROGRAMMING POLICY

It is the policy of Government Cable Channel(s) to provide direct, non-editorial information to the citizens of the City of Portsmouth, Ohio concerning the operations and deliberations of the City government. The Government Cable Channel(s) is not a mechanism for building support for a particular candidate or candidates for political office. With respect to any program concerning subjects which may be interpreted to be materially controversial, Channel(s) will maintain a position of neutrality. Announcements for authorized municipal events or events directly or otherwise determined to be of significant municipal interest shall be allowed, but announcements for outside agencies shall generally not be permitted. Public Service Announcements for community spirited not-for-profit organizations may be considered and are subject to review by the Cable Television Commission. The City of Portsmouth City Council shall serve as the final approval body for resolving disputes for policy matters.

OPERATIONAL PROCEDURES

- **MODES OF CABLECAST:** The City shall utilize the following broadcasting modes:
 - **Tape Delayed Cablecast:** Many public meetings or events will be videotaped in advance for cablecast at a later period. City Council meetings will be taped for subsequent replay to insure additional opportunity for viewing.

- Interactive Information Service: Alpha-Numeric information consisting of program schedules and public information will be cablecast in order to maintain up-to-date schedules and keep viewers abreast of said information.
- **CABLE TELEVISION COMMISSION:** Programming compliance to these policies and operation procedures is subject to the review of the Cable Television Commission. The Commission may hear complaints and make recommendations. Changes in policies and operation procedures require the Commission's approval.
- **ACCESS POLICY:** Access to Government Cable Channel(s) is limited to municipal agencies/departments and those entities with a direct corporate relationship with the City of Portsmouth, Ohio. Channel(s) is not intended for general public use.
 - Public Meetings: All public meetings of the City policy-making commissions or boards are authorized for taped delayed cablecast. All regular City Council meetings will be tape delayed cablecast. Meetings related to governmental committees, boards and commissions may be taped delayed cablecast. Neighborhood Ward meetings should be considered to be public meetings and are therefore eligible for taped delayed cablecast.
 - Informational Programming: While all programming on Government Cable Channel(s) is considered to be informational; municipal agencies/departments may submit through the Cable Television Commission requests which they feel may be appropriate for cablecast on Government Cable Channel(s).

Any programming request shall be subject to review of the Cable Television Commission for appropriateness and technical consideration. Those programs which are consistent with the overall operating policy of Government Cable Channel(s), as determined by the Commission, shall be cablecast. The decisions of the Commission may be appealed to City Council. Written permission for the use of copyrighted material must be authorized in advance by the materials owner and obtained by the sponsor of said material.

- Individual Statements: Requests for access to Government Cable Channel(s) by persons other than bonafide municipal officials or administrators for the purpose of advocating a personal viewpoint or policy will be reviewed for appropriateness in accordance with regulations adopted by the Cable Television Commission. Announced candidates for public office shall not be permitted to make personal statements over Government Cable Channel(s), except in the regular discourse of public meetings or within a forum of public debate or question/answer format with all other declared candidates being invited and under the oversight of impartial third party using mutually agreeable ground rules. Incumbents who become candidates for public office can not appear on Government Cable Channel(s) except as described above during their period of candidacy.
- Billboard Information Messages: Information for the billboard may be submitted by any municipal agency/department. Messages submitted should be consistent with the previous policies and intentions of this policy statement and shall be cablecast at the discretion of the Cable Television Commission.
- **EDITING POLICY:** Editing of programming on Government Cable Channel(s) shall be subject to the following.
 - Public Meetings: Any public meeting taped delayed cablecast on Government Cable Channel(s) will be aired in its entirety, gavel to gavel without editorial comment. Exceptions to this policy may occur only when editing out possible recesses, to comply with public standard of decency or when technical limitations restrict production procedures. Supplemental information on agenda items which the Commission determines will aid the viewer in understanding the issues or matters under discussion may be provided.
 - Departmental Programs: Any programming prepared or provided by a municipal agency/department may be modified or edited as deemed appropriate to the policies governing Government Cable Channel(s) use by the Commission or an agent directed by the Commission.

It is recommended that Government Cable Channel(s) continue its development in the following areas:

- * Government Cable Channel(s) may assist municipal agencies/departments with programming and public information dissemination.
- * Encourage municipal agencies/departments to utilize programming for job notices, public information, public meetings and department service notices and descriptions.
- * Encourage expanded use of cable use including educational access.
 - o Interactive Information Service: Messages programmed into the information service shall be edited to provide clarity. Messages cablecast are subject to appropriateness as determined by the Commission and subject to the review of City Council. No paid commercial space or notices for events other than bonafide municipal activities shall be allowed on the billboard information service.
 - o Warranty: Government Cable Channel(s), the City of Portsmouth and its administration, its officers, employees and agents do not warrant the accuracy of any information cablecast over Government Cable Channel(s).
- **ENDORSEMENTS:** At no time will Government Cable Channel(s) endorse specific brand name products or service providers.
- **PROMOTIONS:** Promotional announcements for municipally sponsored events or activities are generally, acceptable for taped delayed cablecast on Government Cable Channel(s). Public Service Announcements for agencies outside of municipal government are subject to appropriateness as determined by the Commission and subject to the review of the City Council. No commercial oriented promotions will be considered for cablecast.
- **HOURS OF OPERATION:** It is the goal of Government Cable Channel(s) to provide programming twenty-four (24) hours per day, seven (7) days per week with videotaped and alpha-numeric programming. Hours of operation are enhanced through the use of automated playback equipment.
- **RETENTION OF TAPES:** It shall be a general policy to retain video tapes of locally produced events and meetings for two (2) calendar weeks. At the end of that time, tapes may be recycled and the original material erased. Any requests for longer retention should be made in advance of the two (2) week period to the Commission. Tapes of meetings shall not be considered to be official records of said meetings and there shall be no liability for erasure or omissions.
- **DUPLICATION OF PROGRAMMING:** Copies of programs produced by Government Cable Channel(s) will not be reproduced at this time.

CITY COUNCIL OF the CITY of PORTSMOUTH, OHIO

BE IT RESOLVED by the City Council of the City of Portsmouth, Ohio that the policy regulating Government Cable Channel(s) which is attached hereto and made a part hereof are hereby approved.

Adopted this _____ day of _____.

CITY COUNCIL
THE CITY OF PORTSMOUTH, OHIO

_____ Howard Baughman, President

_____ Jo Ann Aeh, City Clerk