

JRG:RG:as
12/15/98

RESOLUTION NO 68663

**A RESOLUTION OF THE COUNCIL OF THE
CITY OF SAN JOSE SETTING FORTH
POLICIES FOR PROGRAM OPERATIONS OF
THE GOVERNMENT ACCESS CHANNEL**

WHEREAS, the City desires to utilize the government access channel for the City of San José to provide residents with information regarding City government services, programs and activities and to stimulate and encourage all persons representing the diverse communities of the City of San José to involve themselves in local government and public issues; and

WHEREAS, the City Council desires to set forth programming policies for the City's government access channel that will foster these goals.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of San Jose that:

The City of San José Government Access Channel Programming Policies attached hereto as Exhibit "A" and incorporated into this Resolution as though fully set forth herein in its entirety is hereby approved.

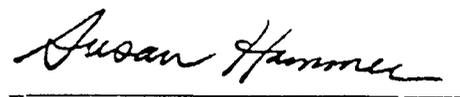
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ADOPTED this 15th day of December, 1998, by the following vote:

AYES: DANDO, DIAZ, DIQUISTO, FERNANDES, FISCALINI, JOHNSON,
PANDORI, POWERS, SHIRAKAWA WOODY; HAMMER

NOES: NONE

ABSENT: NONE



SUSAN HAMMER, Mayor

ATTEST:



PATRICIA L. O'HEARN, City Clerk

EXHIBIT A

City of San José
Government Access Channel
Programming Policies

I. Mission Statement

The goal of San Jose City TV (SJCTV), the Government Access Channel for the City of San Jose, is to provide residents with information about City government services, programs, and activities, and to stimulate and encourage all people representing the diverse ethnic and cultural communities of San Jose to involve themselves in local government and public issues.

II. Administration

Management and programming of SJCTV will be under the authority of the City Manager or the City Manager's designee.

III. Types of Programming

Programming may include coverage of meetings, activities, programs, services, and events provided, funded, or sponsored in whole or in part, by City departments or other government entities. Scheduling will be in accordance with channel use priorities (listed below) and the availability of equipment and resources:

- **Emergency information.** To provide citizens with information and procedures, emergency information may be shown at any time as emergency dictates (severe weather, civil emergencies, failure of municipal service systems, hazardous waste, et al).
- **Government meetings.** To help increase and encourage citizen awareness and participation in public policy decision making, coverage may include City Council meetings, task force or special project meetings, Commission meetings, intergovernmental meetings, etc.
- **Programs providing information about local government services.** In order to increase citizen understanding of their government and its services, coverage may include programs that illustrate and describe the functions, operations, and services of local government.
- **Programs about local issues and public affairs.** Coverage may include local events and community issues of a governmental nature that are, in whole or in part, provided by, funded by, or sponsored by the City.

IV. Program Sources

Programming for SJCTV may consist of:

- Live, gavel-to-gavel coverage of meetings in the City Council Chambers
- Taped replay of meetings held in the City Council Chambers
- Coverage of meetings and press conferences in City offices.
- Limited coverage of City-related meetings/events in other locations
- Videotext information programming (electronic bulletin board) related to City business or events
- Creation of original informational video programs related to City business or events
- Playback of programming produced elsewhere (pre-produced) that meets programming and other policy guidelines

V. Eligibility for Programming Proposers

The following individuals are eligible to propose programming on SJCTV:

- City of San José elected and appointed officials
- Members of a City of San José Board or Commission
- City of San José department directors or their designee

VI. Criteria for Evaluating Programs

A program submitted for airing on SJCTV from an eligible programming proposer will be evaluated to determine if the proposed program is of Citywide interest, is of sufficient broadcast quality, and relates to:

- City business
- Events in the City
- Events/activities funded provided or sponsored, in whole or in part by the City

VII. Programming Guidelines

The Administration will annually provide the City Council with a programming plan for SJCTV for the upcoming year. Programming recommended in the plan will be based on the priorities, criteria, and guidelines set forth in this policy.

Coverage of press conferences will be limited to those press conferences announcing or promoting programs approved by the City Council.

Declared candidates for any elective office or any other persons advocating for or against any candidate, initiative, referendum or other ballot measure, will not be eligible to appear on SJCTV unless they appear in a forum in which all candidates or sides of an issue are given equal time. For purposes of this policy, a person is considered to be a candidate from the time of announcing publicly for any public office until the election has been held. This policy does not apply to persons who receive incidental air time as part of a public meeting being cablecast on the Government Access Channel, nor to officials acting as part of their regular duties.

Programming falling into any of the following categories will not be shown on the channel:

- Obscene or indecent material.
- Libelous, slanderous, or defamatory material.
- Copyright material, unless its broadcasting is authorized, licensed, or otherwise permitted in writing
- Any material the broadcasting of which would violate federal, state or local statute, regulation or other written law.
- Information on lotteries and gambling except as discussed by public bodies as official business of those bodies
- Advertising or any other commercial, for-profit programming. Commercial logos will not be permitted. Program sponsors and grants may be noted at the beginning or end of a presentation through wording such as, "This program was made possible by a contribution from (name of grantor)."

VIII. Retention and Duplication of Program Materials

Videotapes will be made accessible to the public for viewing without charge and will be held for a period of time (at least 30 days) as specified in the SJCTV operations manual. Videotape copies will be available for purchase by members of the public at the current videotape duplication rates. Videotapes are not intended to be the official record of meetings.