

**MARIN TELECOMMUNICATIONS AGENCY**  
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**MEMORANDUM**

**DATE:** November 11, 2009  
**TO:** MTA Board of Directors  
**FROM:** Barbara Thornton, Executive Officer  
**SUBJECT:** AGENDA ITEM H: CMCM GOVERNMENT CHANNEL COMMITTEE

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Recommended Action: Discuss a suggested process for selecting representatives for the CMCM Government Channel Committee and provide direction to Staff.

Background:

The Community Media Center of Marin (CMCM) proposes the creation of an advisory committee for the purposes of facilitating the programming content and scheduling of the government channel. The advisory committee will be composed of individuals recommended by the MTA board and shall include representatives of county and municipal governments and/or their related agencies. The representatives may include MTA Board members, elected officials or staff members and the MTA Board should discuss the options and provide direction to staff regarding the appointments.

The role of the advisory committee is to:

1. Outreach to their local county/municipal agencies to create an awareness of the channel.
2. Solicit pre-existing relevant video content for use on the channel.
3. Refer production requests to CMCM as necessary.
4. Reach consensus on any programming/scheduling conflicts that might arise.
5. Ensure that content aired on the government channel is appropriate to the mission and guidelines of the channel.
6. Provide support and assistance to the CMCM in the facilitation of the channel.

The advisory committee will meet on a quarterly basis with additional meetings scheduled on an as needed basis. Primary communication will be handled via an email listserv to resolve the majority of questions and requests that may arise.

A description of the CMCM Government Access Channel Advisory Committee and its Operating Policy and Procedures is attached.

At its last meeting the Board discussed options for the makeup of the Government Access Channel Advisory Committee. The Board suggested that the Committee should be comprised of a mixture of both elected officials and staff members and that each member agency should discuss it with their respective councils.

Staff suggests that in order for the Government Access Channel Advisory Committee to have a rich mixture of representation of Council members, staff and various departments, each MTA member agency should submit preferably two candidates for consideration, listed in order of preference to serve on the Committee. The submissions preferably would include a Council/BOS member and a staff member. The MTA staff could then review the submissions, and develop a recommended committee list, selecting one of the submissions from each member agency. The selection would include a mixture of council members, and staff, representing a mixture of departments such as public safety, library, public works, building, planning, parks and recreation departments. This broad representation on the committee will facilitate establishing a rich understanding of the many opportunities the Government channel affords each entity and its constituents. The committee could be comprised of one representative from each MTA member agency. In addition, the MTA Board may want to consider including representation from special districts or other elected public boards, as well as a representative from the League of Women Voters. The MTA Board could then review the Staff recommendation and consider them for approval.

Staff welcomes Board direction regarding this proposal as well as other ideas the Board may have. Given Board direction, staff can provide information to the MTA Board members and the City Managers for consideration at their Council meetings. After the MTA receives the submissions from each agency, staff can develop suggestions for a Committee with broad representation while including a representative from each MTA agency. The MTA board could consider recommendations for the Government Access Channel Advisory Committee at their January meeting, given receipt of the agency submissions by the end of December.



## **Community Media Center of Marin**

Government Access Channel Advisory Committee

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### **OPERATING POLICY AND PROCEDURES**

**MISSION :** The Community Media Center of Marin is committed to producing and televising quality programming on issues of countywide interest or concern for Marin residents.

#### **A. PURPOSE OF GOVERNMENT ACCESS AND ELIGIBILITY**

1. Government Access is intended to make cable available for use by local governments. Access is made available upon requests submitted in accordance with the established criteria and procedure herein, to:
  - a. Local government bodies and agencies (other than educational) located in Marin County for use in connection with official government activities.
  - b. State and Federal government bodies and agencies (other than educational) for use in connection with their official government activities that affect the interests of the citizens of Marin County.
  - c. Officials and representatives of the above for use in their official government activities. This includes State and Federal legislators who represent the districts in Marin County.

*However, use of government access for political advertising or to promote or oppose a candidate for public office is not permissible Government Access use.*

## B. GOVERNMENTAL ACCESS REQUESTS

### 1. Request for use of CMCM airing time, facilities or equipment

Requests must be made in writing by an eligible applicant to the Executive Director, requests should be made using CMCM programming application forms.

### 2. Charge for use of airing time, facilities or equipment

CMCM will not charge eligible applicants for the use of channel time. Staff assisted use of facilities or equipment when the applicant is producing a program for airing on the Governmental/Educational Access channel will be handled on a fee for service basis. Government users may also pursue the same CMCM training services available to public users in order to use equipment freely to produce government related programming.

## C. PROGRAM REVIEW

1. Review Criteria: Programs submitted from eligible applicants for airing on CMCM will be evaluated to determine if the proposed program is:

- a. of countywide interest,
- b. of a governmental or educational nature,
- c. of broadcast quality, and
- d. within acceptable community standards and mores.

## D. PROGRAM CONTENT

1. Content Criteria - Program content will be reviewed for the following:

- a. The program shall contain no obscene or indecent matter;
- b. The program shall contain no libelous or slanderous matter;
- c. The program shall contain no matter, the use of which is subject to copyright, except where the applicant demonstrates compliance with applicable laws;
- d. Except as provided in "f" below the program shall contain no commercial matter. "Commercial matter" shall include: (i) any advertising material designed to promote the sale of any products or services, including advertising by or behalf of candidates for public office; (ii) any audio or visual reference to any business enterprises, service or product for which any economic consideration was received by anyone in exchange for the display, announcement and/or reference to such business, enterprise, product or service, or (iii) any material used or designed for use to solicit funds, support or other property of value, directly or indirectly, for any business or enterprise for commercial purposes, or for any political party or candidate for office; and
- e. The program shall contain no advertisement of or information concerning any lottery, gift enterprise, or similar scheme offering prizes drawn or awarded by means of any such lottery, gift enterprise or scheme, whether said list contains any part or all of such prizes.
- f. It is recognized that grants and/or other types of support may be made available to individuals, groups or entities for the purpose of underwriting the cost of production. In such instances, a standard "patron's acknowledgment" may be placed at the end of the subject presentation (e.g., "This program was made possible by a contribution from the XYZ Corporation").

## E. USE OF PRODUCTION FACILITIES AND EQUIPMENT

### 1. Scheduling Use of the Production Facility and/or Equipment

Following approval by the Executive Director of a request to use the facility or equipment, and subject to availability, the Operations Manager will be responsible for scheduling the use of the facility and equipment on a first-come, first-serve basis.

### 2. Responsibility for the Facility and or Equipment

The individual or group using the facility will bear all costs for repairing any damage done to them facility during their use. The individual or group checking out the equipment will bear all costs of the equipment must be repaired or

replaced due to damage, theft or abuse. CMCM may refuse to allow use of the facility or equipment to individuals or groups who have misused the facility or equipment. Failed to return equipment on time, or in any way abused the privilege.

#### F. CMCM SERVICES

1. DVD Duplication - One to three copies of a program can be duplicated by CMCM at a nominal cost.
2. Production Services: CMCM is available to provide production services on an "as available " and fee for service basis. A production agreement will be drafted and signed by both parties. A reasonable rate, sufficient to cover costs and overhead will be charged.

#### G. ELECTION COVERAGE

Within an election cycle, 45 days immediately before a primary election or 60 days immediately before a general election on which a candidate/issue may appear, only independent, inclusive events which cover or affect a large portion of the County may be aired where:

1. all candidates/sides are invited to participate;
2. An independent moderator leads the program;
3. Questions are not pre-screened unless the event is covered live; (For live coverage, indecent or obscene questions cannot be aired.) and
4. The event is open to the public with occasional restrictions due to limited space.