



## CITY OF HAYWARD

### CONTENT & DELIVERY POLICY FOR KHRT CHANNEL 15

#### **Introduction:**

KHRT – Channel 15 is a government access channel that serves as one of the official sources of public information for the City of Hayward. Its organization, operation, management, and editorial policy are directed by the City Manager via the Community & Media Relations Officer. Day-to-day operation of the station is delegated to the Information Technology Director.

KHRT-15 is not a public access channel; it is an official activity of Hayward’s municipal government, which is fully responsible for the content of the materials presented and views expressed, and is required to comply with all laws applicable to the operation of government access channels.

#### **Goals:**

The goals for the City’s cablecast station and related online streaming video content are as follow:

- Make public proceedings more accessible to residents by providing live and recorded coverage of City Council and other important public meetings.
- Increase community awareness of City services.
- Promote special events in the community that are sponsored by the City or service/civic organizations where there is a public purpose.
- Document and archive City events and activities for historical purposes.
- Increase community awareness of important local issues.
- Create a “channel identify” that residents can recognize as a primary source for public information pertaining specifically to Hayward.
- Provide information about City services and community events using an electronic bulletin board and other visual media.
- Provide coverage of cultural, recreational, and historical events.
- Serve as the nexus of audio/visual and video production services for City departments.
- Serve as a source of information during local emergencies.
- Assist in the City’s economic development efforts by providing information on upcoming projects, services, and special events and activities.



## **Types of Programming:**

### **Community Bulletin Board**

The community bulletin board provides information regarding activities, programs, events and services offered by the City; or not-for-profit organizations whose activity is sponsored or cosponsored by the City. It may also, at the discretion of the City Manager, include activities that are not sponsored or co-sponsored by the City, but are conducted by public agencies or not-for-profit organizations located in the City of Hayward, where the activity:

- Is legal;
- Will occur within the City limits;
- Is open to the general public or is not exclusionary in nature; and
- Is for a public purpose.

Examples of appropriate messages include, but are not limited to:

- Dates and times of City Council and other official meetings.
- Road closures.
- Arts, recreation and cultural activities.
- Public alerts and warnings.
- Emergency declarations and instructions.
- Dates and times of special events; whether sponsored by the City or a not-for-profit organization meeting the criteria in this policy.
- Summaries of City services.
- Pictures and biographical information on elected and appointed City officials.
- Posting of employment opportunities with the City.

Nonprofit organizations based in the City of Hayward, or doing significant work within the City of Hayward, may apply to use the Community Bulletin Board via an online web form. The City Manager, via the Community & Media Relations Officer, shall have full authority to approve or deny an item for cablecast, determine time slots for the material, and the length of time it will be shown.



### Live Cablecast

Live coverage of an event while it is happening. Live coverage may include, but is not limited to:

- City Council meetings and workshops.
- Special “Town Meetings” convened by the City Council.
- Meetings of other boards appointed by the City Council, such as the Planning Commission.
- “Meet the Candidates Night”, provided it meets the criteria described in Section F, paragraph 1 of this policy.
- Other meetings of general public interest, as determined by the City Council or City Manager, provided the meeting meets the criteria established in this policy.

### Delayed Cablecast

The televising of an event after it has happened. This would include:

- Re-cablecast of qualifying meetings described above for the convenience of the viewing public.
- Cablecast of qualifying meetings that were conducted at venues not permitting live cablecast.
- Cablecast of qualifying meetings where technical difficulties prevented live cablecast.
- Cablecast of qualifying meetings in which a conflict in the cablecast schedule requires the meeting to be shown in another time slot. This condition would most likely occur in the rare event that two meetings are being conducted during the same time slot. In such an eventuality, the more important of the two meetings would be cablecast live, and the meeting of lesser importance cablecast at another time.

### Locally Produced Programming

An event or activity that is recorded by City staff or volunteers under the supervision of the City, which is edited and processed into a television program for cablecast. The purpose of such programming may be to provide detailed information on public facilities and services, document an important event for historical purposes, provide in-depth information on a subject of major public importance, or provide for wider dissemination of entertainment, cultural, or arts events for persons who were unable to attend.

Examples of such programming would include, but not be limited to:

- Tours of City facilities.
- Programs concerning City services
- Programs on how to improve your house, pick a contractor, or obtain a building permit.
- Earthquake preparation seminars.
- Filming of arts and cultural events.
- Programs promoting economic development
- Programs on how to conserve water.
- Programs on how to improve the appearance of property.



### **Public Service Announcements (PSA's)**

Brief film clips or text-based messages announcing events or discussing issues of importance to City residents. PSA's may be produced internally, obtained from another governmental organization, a qualified nonprofit public interest organization, or private individual or group. All PSA's shall meet the editorial criteria in this policy. Examples of PSA's include, but are not limited to:

- Earthquake preparedness.
- Pedestrian safety.
- Drinking and driving.
- Illegal drugs.
- Child abduction.
- Crime prevention.
- Adult literacy
- Water conservation.
- Littering.
- Smoke alarms and fire prevention.
- Recycling.
- Public transportation.
- Senior Center services.
- Wellness and public health

### **Externally Produced Programming**

The City Manager may, at his or her discretion, purchase or otherwise obtain programming for cablecast from other governmental organizations, quasigovernmental organizations, private foundations or companies, or individuals where that programming meets the goals and objectives of this policy and is in the public interest. Copyrights will not be violated and rights concerning the use of intellectual property will be respected.

### **Schedule Priorities:**

The priorities for scheduling programming for cablecast shall be as follows:

1. Announcements or programs concerning emergencies affecting resident safety or health.
2. City Council meetings and workshops.
3. "Town Meetings" called by the City Council.



4. Meetings of the Planning Commission or other pre-identified advisory bodies
5. Other public meetings concerning important public issues.
6. Special programs believed to have a high level of interest among the public and whose message is time sensitive.
7. Recurring programs or informational series that have a customary time slot.
8. Other special programming.
9. Community Bulletin Board.
10. Public Service Announcements.

### **Programming Formats for Official Meetings**

The following standards will apply to all official meetings of the City, including, but not necessarily limited to, City Council meetings and workshops, special "Town Meetings" called by the City Council, and any other cablecast of legislative or advisory body proceedings:

- Meetings will be covered gavel-to-gavel and shall not be edited or subject to editorial comment. The cablecast will begin when the Mayor or Chairperson calls the meeting to order, and the cablecast will end when the Mayor or Chairperson adjourns the meeting.
- Within technical and studio operator limitations, the camera will be focused on the officially recognized speaker. Where there is no officially recognized speaker, the camera will be focused on the Mayor or a wide-angle view of the Council dais. When visual information is being presented, such as PowerPoint presentations, pictures, film clips, or site plans, that information will be cablecast.
- There shall be no close-up reaction shots of persons on the dais, staff, presenters, or persons in the audience.

A character generated message may indicate the following:

- Type of meeting.
- Date of meeting.
- Name and title of speaker.



## **Content Restrictions:**

### **Political Restrictions**

The FCC places considerable restrictions on the use of a government access cablecast system for political purposes. Pursuant to the applicable FCC regulations, the following restrictions will apply:

1. Candidates for Public Office - Candidates for public office, including the Hayward City Council, shall not appear on a cablecast. This includes incumbent City Councilpersons. Three exceptions:
  - o Incumbent City Councilpersons appearing in meetings referenced in this policy.
  - o The name/picture of City Councilpersons shown in a lineup of the City's elected officials.
  - o A meeting where all candidates for an elected office are invited to participate in an issues forum which is fair and balanced and moderated by an impartial third party.

A person shall be considered a "candidate" as of the time they announce their candidacy for office, or at the beginning of the qualifying period, as reported by the City Clerk, whichever is earlier.

2. Position Advocacy on Issues Before the City Council – KHRT-15 shall take no editorial position on a referendum, ballot initiative or issue that is before the City Council for action.
3. Position Advocacy on Issues Before Other Legislative Bodies – KHRT-15 may take an editorial position concerning a referendum, ballot initiative or issue before a County, regional, State, or Federal legislative body, provided the presentation is fair and balanced.

### **Commercialism**

There shall be no commercial advertising or other information promoting the sale of any product or service, except for promotional announcements for events that are sponsored or co-sponsored by the City, and for not-for-profit organization activities meeting the standards described in this policy.

### **Lotteries**

Advertising or other information concerning any lottery or gift enterprise is prohibited.

### **Promotion of Religion**

Programming which directly promotes religious beliefs or philosophies shall not be presented.

### **Defamatory Material**

Subject matter that is defamatory in nature (i.e., slanderous) shall not be presented in any cablecast.

### **Indecent or Obscene Content**

Programming judged indecent, vulgar or obscene by the City Manager shall be prohibited.

### **Applicable Law**

All programming on KHRT-15 shall comply with applicable rules and regulations of Federal, State, and Local governments.



**Records Retention and Records Requests:**

A program cablecast on KHRT-15 shall be maintained for not less than three (3) years since it was last cablecast. Public records requests for copies of materials cablecast on KHRT-15 shall be initiated by contacting the Office of the City Clerk. Requested materials shall only be provided in the format and on the media in which they are maintained. The City shall assume no obligation to convert requested items to a different media or format specified by the requester. The cost of providing such copies shall be the actual cost of materials, plus labor cost at the hourly rate of the technician making the requested copy (plus 36% for fringe benefits) multiplied times the amount of time necessary to produce the requested copy.

**Complaints:**

Complaints concerning the materials appearing on KHRT-15 or operation of the cablecast service should be directed to the Office of the City Manager.

**Editorial and Operational Control:**

The City Manager, or their designee, shall have full editorial and operational control over all aspects of the City's cablecast service, subject to the provisions of this policy.