Clerk 12/04/2003

AN ORDINANCE establishing the CTV citizens advisory committee and the CTV working group; prescribing procedures for the appointment of the station manager of CTV; clarifying CTV policies; making technical corrections; and amending Ordinance 12022, Section 3, and K.C.C. 2.59.100, Ordinance 12022, Section 4, and K.C.C. 2.59.110 and Ordinance 12543, Section 1, and K.C.C. 2.59.120, adding a new section to K.C.C. chapter 2.59 and repealing Ordinance 12543, Section 2, and K.C.C.2.59.130.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 12022, Section 3, and K.C.C. 2.59.100 are each hereby amended to read as follows:

King County Civic Television (CTV) - government access channel -- established -- mission -- principles.

A. A government access channel is hereby established and ((~~will~~)) shall be operated by the ((~~M~~))metropolitan King County ((~~C~~))council with assistance from the ((~~Government Access Channel Oversight Committee~~)) CTV citizens advisory committee and the CTV working group.

B. The council establishes the following mission statement and policy principles by which the channel ((~~will~~)) shall be operated:

((~~"~~))The King County government access cable television system belongs to the citizens of King County and exists to serve citizens directly. In its development and operation, the government access cable system ((

~~will~~)) shall be guided by the following principles:

((~~A.~~)) 1. The system shall be used to increase citizen dialogue about the development of county policies;

((~~B.~~)) 2. The system shall be used to make government decision making more accessible to citizens;

((~~C.~~)) 3. The system shall be used to provide information of direct value to citizens;

((~~D.~~)) 4. The system shall be used to foster debate of ideas and diversity of viewpoints((~~.~~));

((~~E.~~)) 5. The system shall make use of creative solutions and a multiplicity of current and emerging technologies to comply with these principles((~~.~~));

((~~F.~~)) 6. The system shall be as independent as possible in its operation and funding to insulate it from influences ((~~which may~~)) that might stifle the public information goals reflected in this mission statement; and

7. The system's goal shall be to serve all branches of county government, all county departments and the people of King County.

C. Consistent with Motion 8972, programming on the government access channel shall also inform the public about the deliberations of the ((~~M~~))metropolitan King County ((~~C~~))council and the ((~~R~~))regional ((~~Policy~~)) committees that advise the council as well as programming that highlights important county services including, but not limited to((~~:~~)), public transit, vanpool and rideshare services, commuter trip reduction services, water quality, jury duty, court and legal services, public safety, public health, property taxes and tax assessments, voter registration, disability services, licensing, permits, citizen complaints, senior citizen programs, family programs, animal control, drug and alcohol treatment, mental health services((~~,~~)) and adult and youth detention. Programming relevant to county policies and issues produced by entities outside county government may also be aired.

D. In the exercise of his or her duties regarding how CTV can best serve the citizens of the county, the chair of the council shall work cooperatively with and give due consideration to the views of the executive.

SECTION 2. Ordinance 12022, Section 4, and K.C.C. 2.59.110 are each hereby amended to read as

follows:

King County Civic Television (CTV) - ((~~government access channel oversight committee.~~ ~~There is hereby created the government access channel oversight committee to assist in operation of the King County government access channel. The government access channel oversight committee shall consist of the following members:~~

~~A. Two councilmembers, one from each party,~~

~~B. The county executive or designee,~~

~~C. The director of information and administrative services,~~

~~D. Three citizens with experience in the management and operation of government access channels for cable television. They shall be appointed by the executive and confirmed by the council for terms not to exceed four years. The three citizen members of the oversight committee shall be compensated at $50 per diem when attending to oversight committee business. The government access channel oversight committee shall develop and propose policies and procedures to be adopted by the council by ordinance to govern the operation of the government access channel. The committee may recommend to the council whether to contract with an entity outside county government to operate the government access channel. The government access channel shall carry at least four hours of programming from TVW, the private non-profit provider of public policy programming in Washington state, until such time as another channel is available~~**)) CTV citizens advisory committee - CTV working group.**

A.1. There is hereby created the CTV citizens advisory committee. The CTV citizens advisory committee shall advise the council and the executive regarding overall programming strategy and content and how CTV can best serve the community. The CTV citizens advisory committee shall consist of the following members:

a. a representative from a local television station or local network affiliate, or a person with

significant experience in or knowledge of the broadcast media;

b. a representative from a local public relations firm or a professional working in the public relations field for a local corporation;

c. a representative:

(1) from a company that publishes a significant amount of news or other content via the Internet;

(2) with significant experience in dissemination of information via the Internet; or

(3) with expertise in delivering information via streaming video or other emerging technologies; and

d. a representative from a local newspaper source or a person with significant experience in or knowledge of newspapers.

2. Members of the CTV citizens advisory committee shall be appointed by the executive and confirmed by the council, for terms not to exceed four years. Members shall be compensated at fifty dollars per day for days on which advisory committee meetings are held.

B. There is hereby created the CTV working group. The CTV working group shall advise CTV management and the council regarding CTV programming and operations and how CTV can best serve King County, including all branches of government and all county departments. The CTV working group shall consist of seven members, as follows: the council's director of communications, or equivalent position; two other staff members from CTV staff or from council staff, designated by the chair of the council; the executive's director of communications, or equivalent position; two other executive branch employees to be designated by the executive; and one representative from the judicial or law enforcement entities, including the superior and district courts, the prosecuting attorney's office and the department of public safety, to be designated by the executive. The CTV working group should consult regularly with CTV management and representatives of county agencies and departments to help ensure that CTV is effectively serving the county government and the county's citizens.

C. Final authority over all CTV policy and operational matters, including hiring and other personnel matters, shall be governed by the council in accordance with section 4 of this ordinance.

D. On or before July 1, 2005, and annually thereafter, the CTV citizens advisory committee shall report to the council on the effectiveness of the CTV governance structure set forth in this section and section 4 of this ordinance. The committee's report may include recommended changes to the governance structure, which shall be given due consideration by the council.

SECTION 3. Ordinance 12543, Section 1, and K.C.C. 2.59.120 are each hereby amended to read as follows:

King County Civic Television (CTV) - government access channel - operating policies. The ((~~operational framework, approved by the government access channel oversight committee, and dated October 7, 1996, and attached as Attachment 1 to Ordinance 12543,~~)) following is hereby adopted as the operating policies of the government access channel.

A. The name of the King County government access television station is "King County Civic Television" or "CTV."

B. Programming on CTV shall be fair, accurate, balanced and without regard to partisanship or ideology.

C. CTV's primary purpose is to provide information about King County government, services, policies and programs that enhances public understanding and encourages citizen involvement in regional government and local issues.

D. CTV shall be operated in a manner to comply with all applicable federal, state and local regulations.

E. Citizen involvement is important to the success of CTV. Therefore, under the direction of the CTV citizens advisory committee and the CTV working group, CTV management and staff shall conduct surveys and ascertainment studies for use in planning programming and services that accurately reflect the changing needs of the community. When possible, the surveys and ascertainment studies should be done in cooperation

with the cable franchisee to reduce costs. Results of all surveys and ascertainment studies shall be transmitted to the executive, the chair of the council, the presiding judges of the superior and district courts and the prosecuting attorney and shall also be available for the public.

F.1. CTV shall cablecast programming provided by government agencies and other production entities, as well as programming produced internally by CTV staff. Only programming that is consistent with overall CTV policy shall be cablecast or produced in cooperation with CTV. The station manager of CTV is responsible for the scheduling of programs consistent with adopted policies. Programming decisions shall be made in a manner that reflects the importance of all aspects of King County government, including the executive, the council, the courts and the separately elected county officials.

2. CTV programming shall be scheduled according to the following priorities:

a. announcements or programs concerning emergencies and other timely issues that affect the public safety and health of the community;

b. public proceedings and meetings involving King County elected officials;

c. programs and meetings that help explain county policies and programs;

d. programs that educate and inform the public or assist in improving the quality of life for King County citizens;

e. public meetings or programs of other governments including federal, state, regional and local governments, that affect residents of King County;

f. programs and informational series or one-time special or nonregular informational programs;

g. programs that highlight the cultural and historic resources of King County;

h. public service announcements; and

i. programs produced by other agencies or citizens about public policy issues that have an effect on the citizens of King County.

3. The following program restrictions apply to CTV:

a. Programs containing obscene or defamatory material shall not be cablecast on CTV. CTV management and the CTV citizens advisory committee shall recognize that programs with artistic or social merit may contain content or language considered objectionable to some viewers. Community standards of good taste shall be adhered to at all times;

b. Programs containing copyrighted materials shall not be cablecast on CTV without proper copyright authorization. Producers of programs other than King County that are cablecast on CTV shall obtain all necessary copyright clearance and shall hold King County and CTV harmless in any case of copyright infringement;

c. Programs that have as their primary purpose to promote commercial or profit-making services, products, trade or business shall not be cablecast; and

d. Video and audio quality of all programs must meet acceptable cablecast standards. The station manager shall determine which programs meet acceptable standards.

G.1. Meetings of government boards and events including government officials shall be cablecast on CTV in their entirety and unedited whenever possible. Because of time constraints, it may be appropriate to recablecast portions of meetings dealing with particular subjects of public policy importance. When that type of recablecast is done, the entire portion of a meeting dealing with a particular subject shall be shown without editing. While the content of the meeting and any presentation given at the meeting should be the primary focus of the cablecast, standard production values such as wide shots, cutaways and displays of data may be used by the producer to help provide context for the viewer. Use of such production values shall not distract from the content of the meeting and shall not lead to a distorted view of what occurred at the meeting.

2. All programs produced by the CTV staff, contracted by King County agencies for playback on the channel or submitted by an outside agency or person for playback, shall explain issues and policies in a fair and balanced manner and meet the following criteria:

a. The programs shall be consistent with CTV programming policies and procedures;

b. The programs shall contain factual and explanatory content that reflects a balanced presentation of points of view;

c. Professional production values and techniques may be used to aid in the explanation and understanding of complex issues, policies and programs but shall not distract from the factual message;

d. The programs shall contain useful, relevant information for the citizens of King County;

e. Programming submitted to CTV may be modified or edited as appropriate by CTV staff to meet scheduling standards, technical standards and policy standards;

f. Programs produced by citizens relating to topics of county government may be submitted to CTV for preview by programming staff. The decision to schedule and air programs shall be made by the station manager. CTV management may refuse to air programs that do not meet program standards in keeping with the intent of CTV's policies and procedures.

3. Because of the importance of presenting public information in a timely manner, events that are enhanced through live coverage shall be cablecast live whenever possible. Other programming or events shall be delayed and cablecast on a tape-delayed basis as long as they do not lose their newsworthiness. CTV programs shall carry a visual disclaimer of "live." This information shall be displayed at appropriate times throughout the program. Should incorrect information be carried over a live event, CTV is not liable for the inaccuracy of the information.

H. CTV shall not be used for the purpose of assisting a campaign for election of any person to any office or for the promotion or opposition to any ballot proposition. For the purpose of providing fair, balanced information on candidates and issues, CTV shall provide direct, noneditorial information to the citizens of King County about elections, candidates and issues. Election programming may include: coverage of candidate forums and issues forums that comply with state law and meet the general fairness criteria of these policies; a video voter's guide based on county ordinances and state law; and character-generated election returns.

I.1. Videotapes produced by CTV of public meetings do not need to be retained. Videotape programs

produced for CTV may be requested by and distributed to other government access television channels. A fee to cover the actual cost of reproduction may be charged. With permission of station management, all or portions of videotapes of meetings may be made available to broadcast and cablecast stations for use on newscasts consistent with CTV's copyright policy.

2. Tapes distributed by CTV shall contain any language and symbols required by law to preserve the copyright. The copyright shall apply to programs aired over CTV and a statement of copyright shall be cablecast regularly on CTV.

3. Video from CTV shall not be used for commercial purposes.

J.1. Since adequate resources are important for the operation of CTV, staffing shall be done utilizing permanent staff, contract and temporary employees and current county employees with backgrounds in video and broadcasting and shall be consistent with any CTV labor contract.

2. With regard to funding, the budget for CTV shall be submitted, with input from the CTV citizens advisory committee and the CTV working group, in a manner consistent with the normal county budget process.

3. The goal of CTV is to serve the people of King County and all branches and departments of King County government. Accordingly, the CTV budget shall be incorporated each year into the county's current expense cost allocation plan.

K. In the exercise of the duties required under this section, the CTV station manager shall be subject to ongoing policy and managerial oversight by the council, exercised through the council's director of communications.

L. Logs of programs cablecast on CTV shall be kept and shall be made available to the public.

M. Complaints regarding CTV programming decisions shall be submitted to the station manager on a timely basis and shall be acted upon in a timely fashion. Those persons with questions and concerns may contact the station manager. If a complainant disagrees with the station manager's decision regarding the

complainant's complaint, the complainant may appeal in writing to a subcommittee of the CTV citizens advisory committee, made up of three members to be designated by the CTV citizens advisory committee. The decision of the subcommittee shall be decided by a simple majority and is the final appeal. The subcommittee shall attempt to resolve the written appeal based on the appeal itself and any interviews the subcommittee deems necessary. The subcommittee should rule on the appeal within thirty days of the appeal.

O. The CTV citizens advisory committee shall, at least every two years, review the policies in this section and shall recommend any changes the CTV citizens advisory committee feels are warranted to the council and executive.

NEW SECTION. SECTION 4. There is hereby added to K.C.C. chapter 2.59 a new section to read as follows:

Station manager of CTV.

A. The position of station manager of CTV is hereby created. The station manager shall be appointed by the council. A recommendation committee consisting of at least two members of the CTV citizens advisory committee and two members of the CTV working group shall review and interview applicants for the position and recommend finalists to the council. The CTV citizens advisory committee and the CTV working group shall each appoint its two members to the recommendation committee. The recommendation committee shall also consult with and obtain recommendations from the executive. The council shall select the manager from the finalists recommended by the recommendation committee or request that additional candidates be submitted by the committee.

B. The station manager may be removed at any time, with or without cause, by the council. The council may appoint an interim manager, for a period not to exceed one year, pending the appointment of a new station manager whenever the position is vacant. The council's employment committee may take disciplinary action regarding the station manager, consistent with council employment practices and policies. The chair of the council shall provide reasonable notification to CTV citizens advisory committee of any such a disciplinary

action. The station manager shall be appointed solely with regard to his or her qualifications and experience to manage a government access television channel. The station manager shall hold no other appointive or elective public office or position during the term of employment as station manager.

SECTION 5. Ordinance 12543, Section 2, and K.C.C. 2.59.130 are each hereby repealed.