

**CHAPTER 99
VIDEO SERVICES SYSTEMS**

Table

99-11 PEG Access Managers; Public and Educational Access Channels

99-11. PEG Access Managers; Public and Educational Access Channels.

1. INTENT. In order to achieve utilization of access channels that is in the best public interest, it is the intent of the city to ensure that the public and educational access channels on any franchised cable system are governed by an independent, nonprofit corporation (the "access manager"), such that these channels may be free of censorship, open to all residents of the city and available for all forms of public expression, community information and debate of public and educational issues.

2. FUNCTIONS. The access manager shall have the following functions:

- a. Responsibility for administration of program production for and management of the public and educational access channels.
- b. Encourage the use of public and educational access channels among a wide range of individuals, groups and institutions within the city.
- c. Assure that the public and educational access channels are made available to all residents of the city on a fair and equitable basis.
- d. Assure that no censorship or control over program content of the channels exist, except as necessary to comply with legal, statutory and regulatory prohibitions on transmission of materials that is obscene or conducts a lottery.
- e. Devise, establish and administer all rules, regulations and procedures pertaining to the use and scheduling of the public access and educational channels.
- f. Prepare such regular or special reports as may be required or desirable.
- g. Hire and supervise staff and insure compliance with applicable affirmative action and equal opportunity guidelines in the hiring of personnel.
- h. Make all purchases of materials and equipment that may be required and assure utilization of emerging business enterprises whenever possible.

- i. Develop additional sources of funding, such as foundation or federal or state grants or community underwriting and support, to further educational and community programming.

- j. Perform such other functions relevant to the access channels as may be appropriate.

3. ACCESS RULES. The access manager shall complete a set of rules governing the use of the access channels which shall be promptly forwarded to the city. The rules shall, at a minimum, provide for:

- a. Access on a nondiscriminatory basis.
- b. Prohibition of any presentation of lottery information, or obscene or indecent material.
- c. Public inspection of the log of producers, which shall be retained by the access manager for a period coincident with the review of performance periods.
- d. Procedures by which individuals, groups or institutions who violate any rule may be prevented from further access to the channel.
- e. Use of reasonable amounts of channel time, facilities and technical support in accordance with an agreement between the access manager and the city.

4. REPORTS TO CITY. The access manager shall provide a report to the city clerk, at least annually, indicating achievements in educational and community-based programming and services and compliance with the requirements of the access management agreement. Quarterly statements of revenues and expenditures shall be submitted to the city clerk within 45 days of the end of each calendar quarter, and an annually audited financial statement shall be submitted to the city clerk within 120 days of the end of the year. The access manager shall also provide such other reports and records as may be requested by the city clerk.

5. PROCEDURE FOR DESIGNATION OF ACCESS MANAGER.

- a. The city may at any time designate upon recommendation of the city clerk, an access manager, or direct the city clerk to solicit applications and proposals from persons wishing to be designated as the city's access manager.

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b. Upon recommendation of the city clerk, the city may grant or deny an application for designation as an access manager. Prior to making such recommendation, the city clerk may conduct such investigations as are necessary to determine whether the applicant has the financial, technical, administrative and legal capabilities to satisfy the requirements of this section. If the city finds that it is in the public interest to designate an applicant as an access manager, considering the capabilities of the applicant and the factors set forth above, and subject to the applicant's entry into an appropriate written agreement with the city, it shall issue such a designation. The city clerk also may reject any application that is incomplete or fails to respond to information requested by the city clerk.

**LEGISLATIVE HISTORY
CHAPTER 99**

Abbreviations:

am = amended

cr = created

ra = renumbered and amended

rc = repealed and recreated

rn = renumbered

rp = repealed

<u>Section</u>	<u>Action</u>	<u>File</u>	<u>Passed</u>	<u>Effective</u>
Ch. 99	rc	79-1592-j	5/8/81	5/23/81
Ch. 99	rc	980530	12/17/99	1/11/2000
99-0	am	080429	7/30/2008	8/16/2008
99-1	rp	080429	7/30/2008	8/16/2008
99-2	rp	080429	7/30/2008	8/16/2008
99-3	rp	080429	7/30/2008	8/16/2008
99-3-5	am	79-1592-4q	4/26/83	5/14/83
99-3-24	am	79-1592-4q	4/26/83	5/14/83
99-3-32	am	79-1592-5k	7/20/84	8/4/84
99-3-38 and 39	am	79-1592-4q	4/26/83	5/14/83
99-3-51	rp	79-1592-4q	4/26/83	5/14/83
99-4	rp	080429	7/30/2008	8/16/2008
99-4-6	am	79-1592-5k	7/20/84	8/4/84
99-4-8-a and b	rc	79-1592-4q	4/26/83	5/14/83
99-4-8-f	rp	79-1592-4q	4/26/83	5/14/83
99-4-9-c-2	am	970131	5/13/97	5/31/97
99-4-9-d	cr	961747	3/21/97	4/10/97
99-4-11-a	am	79-1592-4q	4/26/83	5/14/83
99-4-11-a	am	79-1592-4w	7/12/83	7/29/83
99-4-11-a	am	79-1592-5k	7/20/84	8/4/84
99-4-11-d and f	rc	79-1592-4q	4/26/83	5/14/83
99-4-12-a and b	rc	79-1592-4q	4/26/83	5/14/83
99-4-12-c-3	rc	79-1592-4q	4/26/83	5/14/83
99-4-15-a	rc	79-1592-4q	4/26/83	5/14/83
99-4-15-a-1-f	am	970131	5/13/97	5/31/97
99-4-15-a-2-0	am	881395	12/20/88	1/13/89
99-4-15-a-2-0	am	901096	3/3/92	3/20/92
99-4-15-a-2-0	am	970131	5/13/97	5/31/97
99-4-15-a-2-a	am	901096	3/3/92	3/20/92
99-4-15-a-2-b	am	901096	3/3/92	3/20/92
99-4-15-a-2-d	am	901096	3/3/92	3/20/92
99-4-15-b and c	rc	79-1592-4q	4/26/83	5/14/83
99-4-15-b-6	am	901096	3/3/92	3/20/92
99-4-15-b-8	am	901096	3/3/92	3/20/92
99-4-15-c-0	am	901096	3/3/92	3/20/92
99-4-15-c-2	am	881395	12/20/88	1/13/89
99-4-15-c-2	am	901415	12/21/90	1/12/91
99-4-15-c-2	am	901096	3/3/92	3/20/92
99-4-15-c-2	am	940829	11/29/94	12/16/94
99-5	rp	080429	7/30/2008	8/16/2008
99-5-1	am	901096	3/3/92	3/20/92
99-5-1 and 2	rc	79-1592-4q	4/26/83	5/14/83
99-5-3-b-3 and 7	rc	79-1592-4q	4/26/83	5/14/83
99-5-3-b-9-c	rc	79-1592-4q	4/26/83	5/14/83
99-5-5	cr	930786	9/28/93	10/15/93
99-5-14-e-0	am	020593	11/8/2002	1/1/2003

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99-5-14-e-1	am	020593	11/8/2002	1/1/2003
99-5-14-e-2	am	020593	11/8/2002	1/1/2003
99-5.3	cr	901096	3/3/92	3/20/92
99-5.3	am	920827	9/17/92	12/20/92
99-5.5	cr	79-1592-3a	12/15/81	1/8/82
99-5.5	rc	901096	3/3/92	3/20/92
99-5.5-3	cr	79-1592-3u	2/25/82	3/13/82
99-5.5-3	am	880329	11/18/88	12/9/88
99-6	rp	080429	7/30/2008	8/16/2008
99-6-1.5	cr	86-6	5/23/86	6/12/86
99-6-1.5-b-3	am	901096	3/3/92	3/20/92
99-6-2-c	rc	79-1592-4q	4/26/83	5/14/83
99-6-2-p	am	020593	11/8/2002	1/1/2003
99-6-6	am	872421	5/17/88	6/4/88
99-7	rp	080429	7/30/2008	8/16/2008
99-7-5-c	rc	79-1592-4q	4/26/83	5/14/83
99-8	rp	080429	7/30/2008	8/16/2008
99-8-12-c	rc	79-1592-4q	4/26/83	5/14/83
99-9	rp	080429	7/30/2008	8/16/2008
99-9-1	am	79-1592-5k	7/20/84	8/4/84
99-10	rp	080429	7/30/2008	8/16/2008
99-10-1	rc	75-1592-4q	4/26/83	5/14/83
99-10-2-c to e	rc	79-1592-4q	4/26/83	5/14/83
99-10-2-e	rc	901206	2/12/91	3/1/91
99-10-2-e-1-a	cr	79-1592-5k	7/20/84	8/4/84
xviii and xix				
99-10-2-e-0	am	970131	5/13/97	5/31/97
99-10-2-e-1-a*	rn	LRB*	3/2/88	
99-10-2-e-1-b-vi	cr	79-1592-5k	7/20/84	8/4/84
99-10-2-e-1-b*	rn	LRB*	3/2/88	
99-10-2-e-2-a to g*	rn	LRB*	3/2/88	
99-10-2-e-2-e	am	970131	5/13/97	5/31/97
99-10-2-e-4	am	970131	5/13/97	5/31/97
99-10-5-b and c	rc	79-1592-4q	4/26/83	5/14/83
99-10-8	am	901096	3/3/92	3/20/92
99-11-2-a	am	080429	7/30/2008	8/16/2008
99-11-2-d	rc	080429	7/30/2008	8/16/2008
99-11-2-h	am	020593	11/8/2002	1/1/2003
99-11-3-e	am	080429	7/30/2008	8/16/2008
99-12	rc	79-1592-4q	4/26/83	5/14/83
99-12	rp	080429	7/30/2008	8/16/2008
99-12-3-c	am	021185	12/20/2002	1/11/2003
99-13	rp	080429	7/30/2008	8/16/2008
99-13-1 and 4	rc	79-1592-4q	4/26/83	5/14/83
99-13-3-b	am	020593	11/8/2002	1/1/2003
99-13-4	am	901096	3/3/92	3/20/92
99-13-5	rp	79-1592-4q	4/26/83	5/14/83
99-13-6 to 14	rn	79-1592-4q	4/26/83	5/14/83
99-13-10	rc	930105	6/15/93	7/2/93
99-13-11-a to g	am	79-1592-3r	11/19/81	12/5/81
99-13-11	rn	79-1592-4q	4/26/83	5/14/83
99-13-12-a-2	am	79-1592-5n	3/22/85	5/10/85
99-13-12-a-5	rp	79-1592-5n	3/22/85	5/10/85

** Provisions were administratively renumbered by the Legislative Reference Bureau to conform with changes in the numbering of code sections.*

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99-13-12-a-6	rn	79-1592-5n	3/22/85	5/10/85
99-13-12-b	am	79-1592-5n	3/22/85	5/10/85
99-13-12-c	am	79-1592-5n	3/22/85	5/10/85
99-14	rp	080429	7/30/2008	8/16/2008
99-15	cr	901096	3/3/92	3/20/92
99-15	rp	080429	7/30/2008	8/16/2008
99-16	rp	080429	7/30/2008	8/16/2008
99-17	rp	080429	7/30/2008	8/16/2008

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