



# TOWN OF APPLE VALLEY

## TOWN COUNCIL STAFF REPORT

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**To:** Honorable Mayor and Town Council      **Date:** August 22, 2017  
**From:** Nikki Salas, Assistant Town Manager      **Item No:** 9  
**Subject:** ADOPT RESOLUTION NO. 2017-29, A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, CALIFORNIA, APPROVING THE PUBLIC, EDUCATION, AND GOVERNMENT CHANNEL POLICY

**T.M. Approval:** \_\_\_\_\_      **Budgeted Item:**  Yes  No  N/A

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### RECOMMENDED ACTION:

That the Town Council adopt Resolution No. 2017-29, approving the Public, Education, and Government (PEG) Channel policy.

### SUMMARY:

The Town of Apple Valley (Town), in conjunction with local cable providers, Charter Spectrum and Frontier Communications, developed a PEG channel for the residents of Apple Valley to view through their local cable provider. Residents can view the Town's station on Charter Spectrum channel 186 and on Frontier channel 29. Additionally, on-demand content and live streaming is available at [www.AppleValleyTV.com](http://www.AppleValleyTV.com). PEG content will include items such as Town Council meetings, Apple Valley Animal Services Adopt-A-Pet, Economic Develop shop local business spotlights, and Park and Recreation events. The PEG channel will also accept programming, in accordance with the proposed policy, from community-based organizations that benefit the residents of Apple Valley and may include non-profit groups, service clubs, social clubs, social and recreation clubs, government agencies, and educational institutions.

Additionally, the Town will work with community partners to increase the content for the Town's PEG channel. To provide appropriate programming for this channel, staff recommends adopting the PEG Channel Policy to govern the operation and content of the Town's channel.

**BACKGROUND:**

The Town began working with the two (2) local cable franchises in late 2015, to establish a local PEG channel. The Town's PEG channel started by streaming on-demand content such as Town Council meetings, Planning Commission meetings, and a variety of pre-recorded Town programming. The PEG channel also allows for live streaming of Town Council meetings.

**FISCAL IMPACT:**

PEG fees are collected by the local cable franchises. No additional funding is required.

**RESOLUTION NO. 2017-29**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY TO APPROVE THE PUBLIC, EDUCATION, AND GOVERNMENT (PEG) POLICY**

WHEREAS, the Town Council of the Town of Apple Valley has established a Public, Education, and Government (PEG) channel; and

WHEREAS, the Town Council of the Town of Apple Valley wishes to establish a policy to guide the intended use for the PEG channel; and

**NOW, THEREFORE, BE IT RESOLVED THAT:**

1. Public, Education, and Government (PEG) Policy is hereby adopted in accordance with Exhibit A.
2. Said policy shall become effective on August 22, 2017.
3. All resolutions, parts of resolutions in conflict herewith are hereby amended to be consistent herewith.

Unless otherwise noted, the effective date of this Resolution shall be August 22, 2017.

**APPROVED** and **ADOPTED** by the Town Council of the Town of Apple Valley this 22<sup>nd</sup> day of August 2017.

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Scott Nassif, Mayor

**ATTEST:**

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La Vonda M-Pearson, Town Clerk



**PURPOSE**

The Apple Valley PEG (Public Education and Government) Channel is a Town of Apple Valley designated government access cable operation available on cable franchises operating within the Town of Apple Valley. Current cable franchises include Frontier and Spectrum. The channels belong to the Town of Apple Valley and exist to inform and involve citizens in government and community affairs, provide information concerning local public meetings, governmental programs and services, public policy issues, general governmental announcements, and other activities and events deemed appropriate within public programming policies and guidelines.

**POLICY**

The Apple Valley PEG Channel is intended:

- To promote citizen understanding of, and participation in, governmental decision-making by cablecasting and providing On-Demand web-streaming of public meetings and hearings of the Apple Valley Town Council, Planning Commissions and other Town boards, committees and commissions as deemed appropriate and in keeping with programming policies and guidelines.
- To increase awareness and knowledge of the functions and responsibilities of local government and the services, programs, events, and activities of various departments and agencies.
- To offer informational programs that address governmental policies, procedures, actions, quality of life issues, and special events as deemed appropriate.
- To provide pertinent and useful information on public health, safety, and emergency services.
- To highlight local amenities, history, outstanding citizens, and businesses that contribute to providing a “Better Way of Life” for residents of the Town of Apple.

**PROCEDURE**

The Town of Apple Valley PEG Channel will operate under the direct supervision of the Assistant Town Manager or designee. Town designated staff is responsible for the day-to-day operations of the Apple Valley TV government access cable television services, program production, and channel operations. Equipment and facilities assigned to Apple Valley TV are designated for use by approved town staff members and volunteers only.

Programming on Apple Valley PEG includes:



- Live cablecast and recordings of Apple Valley Town Council meetings, Planning Commission meetings, and other town public meetings deemed appropriate. Recorded meetings will be replayed on a specified schedule through the weeks following the live meeting until the next scheduled live meeting;
- Recorded-delayed cablecast of meetings, programs, or events recorded for cablecast later. Some events may be cablecast live and taped for replay later;
- Staff-originated or produced programming that may include programs for Town departments, issues related to Town government operations, coverage of Town-sponsored events, Town-supported community events, and activities that are of interest to the public and deemed appropriate by Town staff may be recorded and cablecast. Direct requests for programming to the Assistant Town Manager for consideration. All requests for programming will be reviewed for adherence to policies and guidelines set forth in this document, appropriateness and relevancy, available staff resources and time, channel and equipment availability, and other considerations consistent with the stated objectives set forth in this document;
- Outside-originated or provided programming that is produced by an approved third-party source or selected by staff and deemed relevant to Apple Valley residents and related to Town, County, Regional, State or Federal government. All programs must have all required copyright clearances provided by the originator and must be approved by the Assistant Town Manager or designee. All submitted content should positively promote the well-being of the Apple Valley community, its residents, committees, commissions, and partnered agencies;
- Electronic Bulletin Board announcements related to government meetings, activities, programs, services, events, or announcements for activities of local community-based organizations may be considered, subject to review, editing and approval by the Assistant Town Manager or designee. Priority will be given to town government sponsored and supported events and activities.

All announcements by community-based organizations will adhere to the following guidelines:

- Community-based organizations are those groups that specifically serve the Town of Apple Valley and its residents and may include: non-profits, service clubs, social and recreational clubs, and public educational institutions. Announcements by organizations based outside of the Town of Apple Valley will be considered if the event or service is available to Apple Valley residents and a similar event or service is



not offered by an organization based within the Town of Apple Valley.

- Messages must serve the public interest and be related to events and activities open to the public.
- All messages are subject to editing and compression.
- The Apple Valley PEG Bulletin Board will operate when other programming is not scheduled and as time and space permits.
- Legal Disclaimer: Apple Valley PEG Bulletin Board is provided as a public service. While the Town will endeavor to ensure that messages submitted by individuals and/or organizations are transmitted accurately and in a timely manner, the Town does not accept any responsibility or liability for the accuracy, content, completeness, legality, or reliability of the information as submitted, such as times, dates, specific locations, name spellings and contact information. The responsibility of ensuring the accuracy of the content rests with the originator. The Town shall not be liable for any loss or damage of whatever nature (direct, indirect, consequential, or other) whether arising in contract, tort or otherwise, which may arise because of use of (or inability to use) this public service or the information therein.
- Programs and announcement that will NOT be considered:
  - Commercial or for-profit programming or messages which has the primary or sole purpose to promote commercial/profit-making services, products, trade, or business;
  - Programming or messages promoting and/or endorsing a political candidate, initiative, referendum, recall, or other election issue. However, notices publicizing public meetings, forums, and social functions sponsored by political groups which are open to the public are acceptable, provided the names of political candidates and/or members, titles, or descriptions of ballot measures are not publicized;
  - Messages and information produced under the auspices of a religious organization or institution that focus on religious or sectarian subject matter;
  - Content determined to be obscene, inflammatory or pornographic as defined in the California Penal Code section 311;
  - Content determined to be counter to the Town of Apple Valley's Vision, community growth and development, inclusivity and endeavors to improve the quality of life of



Apple Valley residents;

- Programs or messages with the sole purpose of soliciting support or raising funds for non-governmental projects, organizations, or for any individual. Announcements by community-based, not-for-profit organizations about fundraising events or activities are not included in this prohibition;
- Messages that do not comply with stated policies and guidelines of the Town of Apple Valley or include language not otherwise permitted by law;
- Messages promoting illegal activities;
- Copyrighted material will not be cablecast without lawful copyright authorization. Those submitting programs for cablecast consideration are responsible for obtaining proof of all necessary copyright clearances.



**Attachment A: Media File Submission Form**

The following information is required for each submitted media file before a video can be reviewed.

**Apple Valley PEG Media File**

Property	Value
Publish Date:	
Publish:	
Delete Date:	
Allow Download:	
Title:	
Description:	
Subject:	
Genre:	
Date Created:	
Rating:	
Copyright:	
Creator:	
Media Extension:	
Title Type:	
Producer:	
Producer's Address:	
Producer's Email:	
Tags:	
Indemnification:	
External Link:	
External Link Text:	

**Media File – Metadata**

Property	Value
File Name:	
Title:	
Subtitle:	
Tags:	
Comments:	
Contributing Artists:	
Year:	
Author URL:	
Promotion URL:	
Copyright:	