

Ordinance No. 646
An Ordinance to Establish a
Citizens Programming Selection Committee

Be it Ordained by the Hawarden City Council of Hawarden, Iowa

Section 1. ESTABLISHMENT. There is hereby established a Citizens Programming Selection Committee whose purpose shall be to select for and commend to the community the value of cable television programming services to be carried on the broadband communications utility. These decisions will be based on a comprehensive analysis of data and information and recommendations provided by utility staff. These selections should provide constructive information and entertainment services and be economically viable.

Section 2. COMMITTEE MEMBERS. The Committee shall be composed of seven (7) members, appointed by the Mayor and approved by the City Council. Criteria for committee membership shall include Hawarden residency, a subscription to the service and a commitment to active participation.

Section 3. ORGANIZATION OF THE COMMITTEE.

1. **TERMS OF OFFICE.** The term of appointment for each member shall be two (2) years, except that the term for the members of the first committee shall be as follows:

- a) one-half shall be appointed for two (2) years;
- b) one-half shall be appointed for four (4) years.

Thereafter, one-half of the membership shall be appointed bi-annually. Each member shall hold his or her position for the term for which he or she is appointed and until his or her successor shall have been appointed and qualified. A term shall begin on the first day of January and end on the last day of December in each appropriate year. Members may be reappointed for additional terms.

2. **VACANCIES.** Any vacancy occurring in the Committee may be filled by appointment by the Mayor with approval of the City Council. A member appointed to fill a vacancy shall be appointed for the un-expired term of his or her predecessor. Any member may resign by submitting written notice of resignation to the Chairperson.

3. **MEETINGS.** The Citizens Programming Selection Committee may hold regular and special meetings. Regular meetings shall be held no less than four (4) times each year. Special meetings of the Committee may be called by the Chairperson. Written notice of the time and place for both regular and special meetings shall be given to each member either by personal delivery, mail, e-mail, phone, or fax at least 48 hours before the meeting.

Any member who is absent, unexcused, from two consecutive regular meetings shall no longer be entitled to serve as a member of the Citizens Programming Selection Committee.

Hawarden Municipal Utility staff shall attend all Citizens Programming Selection Committee meetings to advise and provide programming information, background and research data, and programming recommendations.

4. **QUORUM AND VOTING.** At all meetings of the Committee, a simple majority of the members thereof shall constitute a quorum for the transaction of business. If a quorum is not present at any meeting of the Committee, the members present may adjourn the meeting, without notice other than announcement at the meeting, until a quorum shall be present.

5. **OFFICERS.** The officers of the Citizens Programming Selection Committee shall be elected annually by the membership of the Committee and shall consist of a Chairperson, Co-Chair and Secretary.

- A. **Chairperson:** Coordinate Committee activities in cooperation with the Hawarden Municipal Utilities staff, set meeting schedules and agendas, facilitate discussions, network with community groups and organizations, stay abreast of industry trends and programming developments. The Chairperson is a voting member of the Committee.
- B. **Co-Chair:** Assist the Chairperson as requested, fill Chairperson's position in any absence, coordinate meeting times and facilities.
- C. **HMU:** The Hawarden Municipal Utility staff shall provide programming information and background, coordinate presentations, conduct and provide research data, provide strategic direction, provide financial interpretation and support.

Section 4. DUTIES AND RESPONSIBILITIES.

1. **DUTIES AND RESPONSIBILITIES OF THE COMMITTEE.** The Committee's primary responsibilities are to make selection decisions on cable television programming services and content and to serve as a private-sector advocate of the programming choices.

The responsibilities of the Committee include:

- a) Ensuring that cable television programming choices are consistent with community standards, market demands, and HMU's goals and objectives.
- b) Serving as advocates to the community by promoting the goals and successes and advocating support for programming choices.

- c) Fostering, encouraging and developing community programming and utilization of access capabilities.

2. DUTIES AND RESPONSIBILITIES OF THE COMMITTEE MEMBERS.

Collectively, the Committee has the final selection responsibility on the cable television programs and services that will be carried on the cable television system. Individually, Committee members provide input and serve as advocates of the program and support the Committee by serving responsibly and with dedication. Each Committee member shall meet the following requirements:

- a) Showing undivided interest in the purpose and goals of the Hawarden Municipal Utilities operations.
- b) Representing the community.
- c) Supporting all Committee decisions.
- d) Understanding the vision and mission of the HMU operations and promoting the goals and activities to member's own constituent groups and to the community as a whole.
- e) Attending all Committee meetings.
- f) Offering constructive, honest and unbiased opinions without reservation.
- g) Encouraging orderly, systematic, and incremental implementation of the programming choices and discouraging the Committee from being distracted by secondary issues or projects not included in the programming's annual agenda.
- h) Encouraging other Committee members to express their opinions openly in Committee meetings.
- i) Possessing and showing loyalty to the programming choices and honoring commitment to them.

Section 5. REPEALER. All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 6. SEVERABILITY. If any section, provision, or part of this Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision, or part thereof, not adjudged invalid or unconstitutional.

Section 7. EFFECTIVE DATE. This Ordinance shall be in effect after its final passage, approval, and publication as provided by law.

Passed and approved this 24th day of October, 2007.

Ricard R. Porter, Mayor

ATTEST:

Jason R. Metten, City Clerk

First Reading: September 26th, 2007
Second Reading: October 10th, 2007
Third Reading: October 24th, 2007

I hereby certify that the foregoing Ordinance No. 646 was published in the Hawarden Independent, a newspaper printed and published and has a circulation in the City of Hawarden, Iowa, on the 18th of October, 2007.

Jason R. Metten, City Clerk