



City of La Habra Heights AGENDA REPORT

To: Mayor and City Council

Meeting: December 11, 2014

From: Shauna Clark, City Manager

SUBJECT: VIDEO AND AUDIO RECORDING OF PUBLIC MEETINGS BY THIRD PARTIES

BACKGROUND

The City of La Habra Heights makes video and audio records of City Council and Planning Commission meetings. The public can access the proceedings both live and as a recording through the City's website. Also, the Council and Commission meetings are replayed on the public access television channels. Despite the availability of these recordings, third-party camera operators have brought camera and recording equipment to meetings. This policy is to establish rules for those third-party camera operators in order to limit the disruption of city business.

There have been times that camera operators have interrupted meetings to move equipment in and out, and have used up seating that is reserved for the public. In addition, third party camera operators have talked, giggled and made gestures that were disruptive to the meeting. The courts have ruled that City Council meetings are limited public forums. In a limited public forum, a governmental entity may impose restrictions on speech that are reasonable and viewpoint neutral. In other words, the City can limit public speech and expressive activities when they interfere with City business and the rights of others, so long as the City acts reasonably and fairly toward all views and opinions. To that end, the following rules are established with regard to video and audio recording of public meetings.

1. All third-party cameras and equipment will be set up in the southeast corner of the Council Chambers (aka MPR) so as not to interfere with foot traffic and/or the production of the meeting by the City.
2. No artificial photographic lighting shall be permitted. The equipment used must be operated silently and unobtrusively.
3. The cameras and equipment will be fixed in place with the camera on a tripod, stand, or other piece of stationary equipment and all microphones and accessories will be in a fixed position throughout the meeting.
4. No wiring, cords, or cables will cross the floor in a manner that creates a trip hazard or other risk to public safety.
5. Equipment will be in place at least five (5) minutes prior to the scheduled start time of the meeting and will remain in place until after the meeting is adjourned.
6. Upon adjournment, all cameras and recording equipment will be turned off and removed from the meeting room promptly. The camera operators or owners will not delay the closing of the meeting room or chambers.

7. No chairs or other City property will be used by the camera operators or owners for purposes of furthering video or audio recording.
8. At no time will third-party camera equipment be connected to any City-owned equipment.
9. The camera operators or owners shall not disrupt the meeting by talking, laughing, mocking others, making hand gestures, or engaging in any other manner of disruptive conduct, to be determined by a finding of the Mayor or a vote of the Council in its sole and absolute discretion.
10. The City is not responsible for the loss of or damage to any equipment brought into the City's facilities by third parties.

Failure to abide by the above rules may result in the camera operators or owners losing their rights to operate cameras and/or recording equipment during public meetings.

RECOMMENDATION

Adopt the policies set forth herein with regard to audio and video tape recording of public meetings by third parties.