

**BY-LAWS OF “ P. A. C. 10 PRODUCERS ”
(Channel 10 & 18 Corpus Christi, Texas)**

ARTICLE 1

Section 1.01 - Name

The name of the organization shall be P. A. C. 10, (Public Access Channel 10) Public Access Users Group (P.A.U.G.)

ARTICLE 11

Section 2.01 - Principal Office

The principal office for the transaction of the activities and affairs of P. A. C. 10 shall be located within the City of Corpus Christi, Texas.

ARTICLE 111

Section 3.01 - Purposes

The specific and primary purposes are as follows: P. A. C. 10, the Channel 10 P. A. U. G., is organized to:

Develop and promote the community use of Public Access Channel 10 and future communications media in a non-discriminatory manner that promotes a free exchange of ideas and information.

This shall include administering the Rules and Procedures for Public Access Cablecasting, maintaining the scheduling of programs, resolving disputes and promoting public participation in freedom of speech.

(a) To educate individuals and nonprofit organizations in the use of various media tools and techniques. (b) to promote programs and support the use of various media and artistic expression. (c) To help in production that is of public interest. (d) Conduct the bi-annual Public Access Timeslot Lotteries for Public Access Channel 10. The Spring Lottery shall be conducted during the last fourteen (14) days of April. The Fall Lottery shall be conducted during the last fourteen (14) days of October. The day of the week and the time the lottery is to be held is to be determined by the Board. The lottery shall be conducted in accordance with the Rules and Procedures for Public Access Cablecasting. The C.C.I.S.D. programs may be allowed to keep their same time slots if approved by a vote of the majority of the Producers present at the lottery. The Producer must be present at the lottery to draw their own lottery number unless a representative of the Producer has written authorization from the Producer being represented. The Board shall make a good faith effort to accept all programming and to encourage participation in the lottery as dictated by the Director of City Communications Department. The Board shall also make a good faith effort to schedule the programming of Occasional Producers into empty time slots. In the event no empty time slots are available the Board shall make a good faith effort to adjust the current scheduling in the least intrusive manner to the schedule to implement the occasional programming. Factors to be considered in rescheduling current programming will include.

- (1) The notice period the Occasional Producer has given.
- (2) The length of the Occasional Producer's program.
- (3) The disruption to the schedule.
- (4) The access to other media outlets available to the Producer.

An Occasional Producer is defined as one who has not participated in the lottery, and who desires to cablecast no more than two (2) shows or less for a schedule time not to exceed a total of two (2) hours over a period of time not to exceed one (1) month. The Occasional Producer is required to obtain permission from Producers whose time slot is requested in the event the time slot is currently being used.

Such proof shall be an instrument in writing from the Producer having the time slot being requested and shall be submitted to the Board no later than two (2) weeks prior to the cablecasting of such show. If permission is not given, the Occasional Producer must select a different time slot that is empty or cycle through the same process of obtaining permission for a time slot, which is filled.

ARTICLE IV

Section 4.01 - Definition

Membership is open to all residents of the City of Corpus Christi, Texas that are at least eighteen (18) years of age or older. These By-Laws must be consistent with the current set of Rules and Procedures for Public Access Cablecasting as adopted by the City of Corpus Christi, Texas. All Producers must comply with the most current set of the Rules and Procedures for Public Access Cablecasting.

It is the responsibility of the Producer to comply with the Rules and Procedures for Public Access Cablecasting. Your signature on the application is a statement that you have received a copy, you have read, that you understand and will comply with all provisions of the Rules and Procedures for Public Access Cablecasting.

Section 4.02 - Membership Fees

The membership fee is charged to cover the operational cost of P. A. C. 10. The amount of the fee will be determined by a majority vote of the Producers present at any legally called membership meeting. Each six (6) months the fee must be paid by each Producer who desires to air a program on Channel 10. In order to participate in the Time Slot Lottery for the cablecasting schedule, the individual must be current with their membership fee paid for the lottery period for which the lottery is being conducted, and have a new application on file. The application can be turned in and the membership fee paid at any time up to the time of the lottery. If for any reason the Producer's program is removed from the schedule the money paid as the membership fee **shall** not be refunded.

ARTICLE V

Section 5.01 - Voting

At any legally called membership meeting of the P. A. C. 10 Producers each Producer present (with their membership fee paid) shall be entitled to one vote. The election of the Board will be conducted each year at the legally called membership meeting that is held during the last fourteen (14) days of April.

A member of the Board can only be removed from office by a majority vote of the Producers in attendance at any legally called membership meeting. A replacement member of the Board shall be elected at the same meeting where a member of the Board is removed. Each member of the Board must be a Producer.

ARTICLE VI

Section 6.01 - Elected and Replacement

The number of Board members shall consist of not less than five (5) members, nor more than eleven (11) members, and may be altered by resolution adopted by a vote of a majority of the Producers in attendance at any legally called membership meeting. Each member of the Board shall be elected by a majority vote of the Producers voting at the meeting held in April of each year. The Board member shall hold the position for a term of one (1) year and each member shall be elected to serve until his successor has been elected and has qualified. Membership fee must be paid and having no violation of Section 55-444 of the Rules and Procedures for Public Access Cablecasting in the past six (6) months. A Board member may resign at any time by submitting a written letter of resignation to the entire Board.

After receiving the letter of resignation the Board is required to call a meeting to discuss and accept the resignation. If the office of any Board member becomes vacant for any reason a special membership meeting shall be called to elect a replacement. The newly elected Board member shall serve only until such time as the un-expired term of their predecessor shall have expired unless re-elected. If any member of the Board is absent from three (3) called Board meetings in a period of twelve (12) months, except for an emergency, that Board member shall be removed and their replacement will be elected at the next legally called membership meeting.

Section 6.02 - Transition Period

The newly elected Board shall take their positions on the second (2nd) Thursday in May following the election. The newly elected Board shall have their term expire on the same day and time in May of the following year. During the period of the election and the taking of positions by the new Board members, the current Board members and the newly elected Board members shall conduct the transferring of business in this period known as the transition period, which is from the election in April to the second (2nd) Thursday in May. During this transition period all records, legal and non-legal shall be corrected to reflect that of the newly elected Board members. Any expenses incurred during the past term and the transition period shall carry forward to the term of the newly elected Board. Newly elected Board members shall assume all the responsibilities that must be carried out as to ensure the smooth operation of P. A. C. 10.. All old business shall be carried over and stand as current business of P. A. C. 10.. Board members elected prior to the election in April shall continue to act solely as the replacement Board member until the second (2nd) Thursday in May.

Section 6.03 - Officers

The Board members shall consist of a President, one or more Vice Presidents, a Secretary and a Treasurer.

It shall be the responsibility of the Board to periodically monitor the programs that are aired on Public Access Television and report any and all Section 55-444 violations that are observed to the Director of City Communications Department. The Board may submit to the Producers a request to add additional positions as P. A. C. 10 may need to facilitate the needs of the P.A.U.G..

Section 6.04 - Term of Office

The term of office for each member of the Board shall be for a period of one (1) year or to finish the term of their predecessor. A member of the Board can seek re-election.

Section 6.05 Management

The management of the affairs of P. A. C. 10 shall be vested in the Board with the approval of the majority of the Producers present at the legally called membership meeting on issues that alter legal business activities such as by-laws, amendments to the by-laws, purchases up to two hundred dollars (\$200.00) at any one transaction. The Board will reflect the supporting constituency of P. A. C. 10.

Section 6.06 - Board of Directors

The President shall be the Chief Executive Office of P. A. C. 10. The President is required to preside at all meetings of the Board and all legally called membership meetings. The President shall have general management in the business and affairs of P. A. C. 10 with the support of the Board and shall see that all orders and resolutions of the Board are carried into effect. The President shall also assign duties to other Board members when necessary. The President shall be governed by the entire body of the Producers. The majority of the Producers shall have final approval to changes whether resolution to documents and business matters of P. A. C. 10.

The Vice President / Presidents, if more than one, in the order of their seniority in the absence or disability of the President, perform the duties and exercise the powers of the President, and shall generally assist the President and perform such duties as the Board shall prescribe. The Vice President, in the order of seniority, shall act as a collective vote on issues upon the absence of the elected Vice President if there be more than one. Any and all motions put to a vote by the Board shall require the approval of the majority of the Board present and shall be included in the minutes.

The Secretary shall attend all meetings of the Board and all legally called membership meetings and record all votes in the minutes of all proceedings in a book to be kept for that purpose and shall perform like duties for the standing committees when required. The Secretary shall be required to inform all Producers in writing of any legally called membership meeting at least ten (10) days before the date of the meeting. The Secretary shall be required to post the notice of all legally called membership meetings on the Public Bulletin Board located at Corpus Christi City Hall. The Secretary shall keep in safe custody the Producer's applications and all documentation required for P. A. C. 10. The Secretary shall make copies of the Rules and Procedures for Public Access Cablecasting, the By-Laws, blank applications and other documents available to all the Producers. The Secretary shall obtain updated copies of any documents required by the City of Corpus Christi, and the Director of Communications Department. The Secretary shall also make available at the request of a Producer all documents pertaining to the business of P. A. C. 10. A minor fee will be charged if copies of any documents are requested. The secretary shall provide copies of all P. A. C. 10 applications to the Director of Communications Department within two (2) weeks after the Time Slot Lottery.

The Treasurer shall have the care and custody of the P. A. C. 10 funds, other valuable effects, keep full and accurate accounts / records of receipt and disbursements in books belonging to P. A. C. 10 in such depositories as may be designated by the Board. The Treasurer shall take proper vouchers for disbursements, and shall make a financial report to the Board at their regular meetings.

The Treasurer shall make a financial report to the Producers at any legally called membership meeting. The Treasurer shall keep an account of all transactions and of the financial condition of P. A. C. 10. Signatures on all documents, financial, shall consist of no less than two (2) whether it be bank documents or business purchases or other documents that requires monies exchanged in excess of two hundred dollars (\$200.00). Signatures required shall be that designated by the Board and such alternate signatures upon approval by the Board may be required upon the absence of any Board member whose signature is required. On all purchases of one hundred dollars (\$100.00) or more an approval of the majority of the Board in attendance must agree upon and be entered into the minutes. Any expenditure of more than one hundred dollars (\$100.00) except rent & utilities shall require two (2) signatures, to be decided on by the Board. Any purchase over two hundred dollars (\$200,00), except rent and utilities, shall require the approval of the majority of the Producers present at any legally called membership meeting and entered into the minutes. There shall be no cash withdrawals. All purchases shall be made by check or debit card.

ARTICLE VII

Section 7.01 - Board of Directors Meetings

The Board shall hold meetings, both regular and special for the entire Board. All Board members shall be notified no less than two (2) days in writing or by telephone before any special meeting called by the President or any other Board member. A legally held meeting of the Board shall require the presence of a majority of the Board to conduct any business.

If a move to vote on issues is necessary all Board members are required to be notified on issues at hand that require a vote. Such time constraints must be placed on issues requiring time sensitive issues.

All Producers may attend any Board meeting but not have a vote on issues of the Board. Any Producer will be given a chance to speak during public comment regarding concerns having to do with the concerns of P. A. C. 10 or the Producers as a whole. All Board members are required to attend all regular or special called Board meetings when ever possible. If a member of the Board is absent from three (3) Board meetings in a period of twelve (12) months, except for an emergency, that Board member shall be removed and their replacement will be elected at the next legally called membership meeting. There shall be a minimum of one (1) regular Board meeting each month. The Producers shall be advised of the location and time of the next Board meeting by calling any member of the Board.

Section 7.02 - Membership Meetings

All members of P. A. C. 10 shall be notified at least ten (10) days prior to any legally called membership meeting. Notification shall be in writing and the notice shall include a copy of the agenda. There shall be no less than two (2) regular membership meetings each year. The two (2) regular membership meetings are to be held at the same time and location as the Time Slot Lotteries are held.

Upon a written request from five (5) Producers a special membership meeting will be called. Such request shall be in writing and addressed to the Board. The written request shall require a minimum of five (5) signatures of the Producers and can be delivered to any member of the Board. The request must state why the Producers are requesting the meeting and must be for a valid reason. The Board shall call a membership meeting no later than fifteen (15) days after the request is received. The Board shall then follow the proper procedures in regards to calling a legal membership meeting and the Producers shall be notified.

Section 7.03 - Quorum

At any legally called membership meeting, a majority of the Producers shall constitute a quorum for the transaction of voting on issues that will alter or change the business actions of P. A. C. 10, and the act of a majority of the Producers in attendance at any legally called membership meeting at which there is a quorum shall be the act of the Producers.

Section 7.04 - Notice of Membership Meetings

Producers shall be notified by mail or in person at least ten (10) days prior to the day of the membership meeting. The notice must include a copy of the agenda for the meeting. Any additional items may be added to the agenda at the request of a Producer and shall require five (5) days notice prior to the membership meeting. The request must be in writing and can be delivered to any member of the Board. All legally called membership meetings shall be publicly posted on the Public Notice Bulletin Board at the Corpus Christi City Hall and filed with the City Secretary no less than three (3) working days prior to the day of the meeting as per Section 2-183 (b) of the City Code. Two copies of the agenda must be delivered to the City Secretary.

Section 7.05 - Right to Assembly

The Producers shall have the right to assemble at any time or place without the consent or any interference from any member of the Board. For any action to be voted upon, the meeting must be a legally called meeting that was called by a majority of the Board.

ARTICLE VIII

Section 8.01 - Amendments

The Board can amend, alter or repeal these By-Laws and adopt new By-Laws, from time to time, by an affirmative vote of a majority of the Producers in attendance at any legally called membership meeting, provided that notice of the proposal to make changes, alter, amend or repeal the By-Laws was included in the agenda for the membership meeting at which the action takes place. Final approval and acceptance of any changes shall be decided by a vote of the majority of the Producers in attendance at any called membership meeting.

ARTICLE IX

Section 9.01 - Appeals

Unresolved disputes, that are not related to a violation of the Rules and Procedures for Public Access Cablecasting, between the Board and a Producer or between Producers shall follow the process as set forth in Article X Section 10.01 of these By-Laws. If a complaint is not resolved to the Producer's satisfaction by the Board within eight (8) working days, after receipt of the complaint, the Producer can submit the complaint, in writing, through the City Secretary for the Director of City Communications Department.

ARTICLE X

Section 10.01 - Complaint Process

Producers are required to submit in writing to the Board any internal complaint regarding an individual Producer and or any member of the Board. Upon receiving the complaint the Board shall call a special Board meeting no later than eight (8) working days of receipt of the complaint. The Producer that filed the complaint shall be notified of the special meeting no later than three (3) working days prior to the meeting date. A majority of the Board as well as the complaint issuer must be present for any action to be taken. There must be supporting documents as to what the complaint is in regards to. Simple word of mouth will not be accepted as a complaint. Other Producers may be present but may only address the Board during the comment request time of the meeting or to give evidence regarding the complaint. If the complaint is regarding a Producer who is a Board member or his / her program, that Board member shall abstain from the discussion by the Board and voting on the decision regarding the complaint. The remaining Board members shall hear the complaint. The Board member who the complaint is against can testify in his / her defense. The Board shall make every attempt to resolve the issue. If the complaint is not resolved to the Producer's satisfaction the Producer may submit a notice of appeal to the City Secretary within seven (7) working days for the Director of City Communications Department to appeal the decision of the Board.

Section 10.02 - Forfeiture of the time slots and removal from the Public Access Channels

No program will be permitted to be broadcast over the Public Access Channels if the program violates one (1) or more of the rules identified in Section 55-444 of the Rules and Procedures for Public Access Cablecasting. Complaints regarding violations of Section 55-444 of the Rules and Procedures for Public Access Cablecasting must be submitted in writing, to the Director of City Communications Department, via the City Secretary. Producers will be notified in writing, by the City of Corpus Christi, of the complaint. The written notice will inform the Producer that the failure to provide a written statement of explanation will result in the forfeiture of their time slot and the use of the Public Access Channels for a period of sixty (60) days. Producers will also be informed in writing that three (3) violations of Section 55-444 in any six (6) month period will result in the forfeiture of their time slots and the use of the Public Access Channels for a period of sixty (60) days.

If a Section 55-444 violation is evident, that media will be removed from airing and the repeat showing, and the media will be turned over to the Director of City Communications Department, by the Board, for viewing and discussion with the Producer when the complaint is heard. The Producer must take corrective action on any program with a rule violation.

Lottery periods begin the first (1st) Sunday in June and December. At the lottery the Producers will decide on a designated location for the Producers to drop off their media for delivery to the City . Media for the first program, weekly or monthly in a lottery period must be dropped off at the designated location no later than 10:00 A.M. on the Wednesday before the first (1st) Sunday of the lottery period.

Following the first (1st) media drop off, cut off time to drop off media for a weekly program for delivery to the Director of City Communications Department is 10:00 A.M. on Wednesday of each week. Cut off time to drop off media for a monthly program for delivery to the Director of City Communications Department is 10:00 A.M. on the Wednesday before the first (1st) Sunday of each month. Turning in a blank DVD or one that will not play is the same as not turning in media.

A program may be cablecast as an original and only one (1) repeat in the same lottery period in the Producer's allotted time slot, but not in consecutive (back to back) weeks for a weekly program or months for a monthly program. A program may be cablecast as an original and only one (1) repeat in subsequent lottery periods.

The Board will maintain a list that indicates media that was dropped off by the Producers and delivered to the Director of City Communications Department. A monthly log of media dropped off by the Producers will be submitted to the Director of City Communication Department within the first seven (7) days of each month. The City staff will then send written notification to the Producers who forfeits the use of their time slots and the use of the Public Access Channels for not turning in media. The Director of City Communications Department will review the monthly log and decide whether or not to remove Producers who failed to submit media as required.

The Board will provide the Director of City Communications Department with a weekly log of the media that was dropped off by the Producers.

If a series Producer of a weekly or monthly program fails to supply media, on time, that program will not be aired that week or month. No late media will be accepted for delivery to the Director of City Communications Department. The individual Producer shall not delivery the media to the Director of City Communications Department. There will be no exceptions.

If a series Producer of a monthly program fails to supply media on time for delivery to the Director of City Communications Department for two (2) consecutive months that Producer will forfeit their time slot and the use of the Public Access Channels for six months. Turning in a blank DVD or one that will not play is the same as not turning in media.

If a series Producer of a weekly program fails to supply media on time for delivery to the Director of City Communications Department for four (4) consecutive weeks that Producer will forfeit their time slot and the use of the Public Access Channels for sixty (60) days or for the remainder of that lottery period which ever is longer. Turning in a blank DVD or one that will not play is the same as not turning in media.

When a weekly or monthly program is removed from the schedule, for any reason, under no circumstance will that program, with the same or a different title, be allowed to be aired on the Public Access Channels, with the same or a different Producer, during the time of suspension.

An appeal of the decision of the Director of City Communications Department can be made to the Assistant City Manager in accordance with the procedures specified in the Rules and Procedures for Public Access Cablecasting and the City Charter. The Producer will have to contact the City Secretary for the proper action to take.

These By-Laws are here-by approved, voted on and accepted by the Producers present at the Producer's membership meeting of P. A. C. 10 on this date: **October 14, 2017**

President: Jack Gordy 793 - 8978 _____.

Senior Vice President : Gerald Sansing 855 - 7051 _____.

Co-Vice President: Ed Bennett 334 - 4713 _____.

Secretary: _____.

Treasurer : Kirk D. Logan 779 - 1186 _____.