

By-Laws of the Advisory Council for Cable Television Area II

ARTICLE I THE COUNCIL

Section 1 Name

This organization shall be known and designated by the name of “Advisory Council for Cable Television Area II”; hereinafter referred to as the Council.

Section 2 Franchise Area

Area II includes the following towns and cities: Bridgeport, Fairfield, Stratford, Milford, Orange, and Woodbridge; hereinafter referred to as the Council.

Section 3 Purpose and Objective

1. To affirm the Council’s role as the official representative of subscribers, library, educational and municipal agencies in the Franchise area and Public Access Producers at their request.
2. To solicit reactions to general programming and channel allocations from subscribers, community groups, public officials and media consultants at open Council meetings, by select committee, and through local media and in-house channels.
3. To provide oversight by select committee on any contractual agreement with outside vendors for the provision of Public Access, to consult with regional experts and volunteer consultants on local production needs and initiatives, to monitor Public Access funding requirements and annual spending levels.
4. To inform community groups and organizations, municipal officials and educational institutions of the uses of cable for local communication needs through select committees, local media and locally produced channels.
5. To identify and support, at the State and local level, regulatory and telecommunications policies and initiatives which enhance the Public Access resource with the Franchise area.
6. To be proactive in cable-related issues which protect the local citizenry, such as, but not limited to, First Amendment rights, franchise renewal, competition, Public Access mandate, telecommunications infrastructure, consumer feedback channels, at Council meetings, Public Utilities Regulatory Authority (PURA) hearings, with public officials, local media, franchise seekers and licensed franchise holders.
7. To form alliances with other cable advisory councils primarily for networking and informal exchange of information.
8. To give advice to the management of the cable television company upon such matters affecting the public as it deems necessary. The Council shall annually on a date not later than the first day of August, file a written report with, PURA, concerning its activities for the preceding twelve month period ending June 30th. (CT Regulations §16-333-30)
9. The Council shall submit to PURA as its annual report the complete and compiled monthly minutes of all regularly scheduled and special meetings for that operating year.

ARTICLE II MEMBERSHIP

Section 1 Appointment

1. The chief elected official of each town in the Franchise area shall appoint one or more members who are residents of said town in accordance with the population of said town as determined by the most recent United States Census in the following manner:
 - a) In towns having a population of less than 5,000, one (1) member;
 - b) In towns having a population of at least 5,000 but less than 20,000, two (2) members;
 - c) In towns having a population of at least 20,000 but less than 50,000, three (3) members;

- d) In towns having a population of 50,000 or more, four (4) members; and
 - e) Insofar as is possible, said appointments should reflect and be representative of the cultural, educational, ethnic, and economic makeup of the population inhabiting said towns with no more than one (1) appointment coming from said members' town's television committee [committee also means commission].
2. The Board of Education in each town in the Franchise area shall appoint one additional member to the Council. Such member need not be a member of said board nor reside in the town of employment.
 3. One additional member shall be appointed to the Council to represent all the libraries of general public use located within the Franchise area. In towns having the largest population therein, as determined by the most recent United States Census, the public library board charged with oversight and management of the town's public library as defined by §11-24a(b) of the General Statutes shall appoint the Council member. The member shall be a library board member or a professional library staff employee of a public library or private eleemosynary library of general public use in a town within the Franchise area. The Council member shall be an inhabitant of the town within the Franchise area.
 4. Each Franchisee shall appoint one member who shall possess some expertise in the field of cable television and who shall serve as a nonvoting member.
 5. Appointments to the Council shall be subject to the following limitations:
 - a) No paid employee of a nonprofit organization providing Community Access operations may serve on the Council;
 - b) No employee of a CATV company, its subsidiaries or affiliates may serve on the Council as a voting member;
 - c) No more than 25% of the seats to which appointments may be made to the Council, may be filled by persons who also are members of a Board of Directors of a nonprofit organization providing community access operations; and
 - d) Council members who also serve as members of a town's television committee providing community access operations must excuse themselves from voting on any financial matters to their access organization. (§16-333-25)
 6. Newly appointed members to the Council shall be provided with a packet of orientation materials on the operation and mission of the Council, among which shall be: By-laws, regulatory obligations, meetings, and current membership roster and telephone, fax, and e-mail list.
 7. The Council, at its discretion, may recruit members for the Council who will remain unaffiliated with any municipality and will remain a nonvoting member. Their membership on the Council will not fill any mandated quota for any municipality regardless of their town of residence. The Council may suggest to any appointing authority of any municipality within the Franchise area to appoint said nonvoting member from its municipality to full membership on the Council following all PURA and Council guidelines.
 8. No member who has been removed from the Council for cause may be re-appointed.

Section 2 Terms

1. Each member of the Council shall serve a term of two (2) years from July 1st in the year such member is appointed. Three months prior to the end of a said term, the Council secretary shall notify each member's appointing authority that the member's term will end on that June 30th. The said authority will be requested to submit a reappointment or replacement by that July 1st.
2. If, for any reason, the appointing authority fails to reappoint an existing member, the said member may be granted a one-time 90-day extension only after a vote is taken and ratified by the voting membership present.

Section 3 Board Appointments

1. The Council shall designate one of its members its representative to the board of directors of Sound View Community Media, Inc. (SVCN) and shall serve as a member of the SVCN Board or as a liaison to that board.
2. A member of the Council may sit on any Board providing the seat does not pose a conflict of interest with Council business and shall comply with all Council By-laws.

Section 4 Vacancies

1. Vacancies occurring on the Council for any reason can be filled only by the respective appointing authority which approved the member who has retired, resigned or otherwise became unable to serve. The member so chosen to fill a vacancy shall hold the seat until the term of the member whom said new member has been appointed to replace shall expire.
2. Any member may resign from the Council at any time by delivering a written resignation to the Council secretary and to the appointing authority. Such resignation shall take effect at the time specified therein. No acceptance of such resignation shall be necessary to make it effective.
3. The chief elected official from the town in which a vacant seat exists shall appoint a member to fill such vacancy if any other appointing authority fails to do so within three (3) months of the vacancy occurrence.

Section 5 Compensation

Members of the Council shall serve without compensation.

Section 6 Duties

1. It shall be the duty of all members of the Council to attend all regularly scheduled meetings. If a Council member has three (3) consecutive unexcused absences or does not attend 50% of the regular meetings duly noticed and held within a twelve (12) month period, then that member will be deemed to have resigned from the Council. (§16-333-26)
2. The Council members from each town shall hold an annual meeting with the support and cooperation of the chief elected official of the said town with citizens of that town to inform, discuss, and to solicit information and concerns regarding regulatory development, public access, franchise renewal and services provided by each license holder in the Franchise area.

ARTICLE III OFFICERS

Section 1 Elections

1. The Council shall elect its own Chairperson, Vice-Chairperson, Secretary and Treasurer at any regular June meeting. Said officers will take office on July 1st to coincide with the Council's operating year.
2. Nominations for officers shall be accepted from the floor prior to the casting of ballots.
3. The voting for officers shall be by secret ballot. The candidate receiving the majority of votes cast shall be selected. In the event no candidate has a majority, subsequent ballots shall be taken with the low vote-getter being eliminated after each subsequent ballot until a candidate receives a majority of the cast votes for selection. In the event the low vote-getter is tied, a special ballot will be cast between the tied parties and the candidate receiving the majority on this special ballot shall remain in the running until all others are eliminated.
4. The Council secretary will tabulate all ballots.
5. The Chairperson and Vice-Chairperson seats may not be held by the same member.

Section 2 Terms

1. Each Officer shall serve a term of two (2) years with no term limits. Should an Officer be unable to complete their term, a new Officer may be appointed by the Council's highest ranking Officer. Any appointments shall be to finish out the vacated term.
2. The organizational meeting of the Council shall be the first meeting in July to June 30th.

Section 3 Duties

1. Chairperson
 - a) Shall prepare an agenda for each regular meeting and special meeting;
 - b) Shall consult with the Council to make appointment recommendations to the chief elected official or Board of Education official in any town planning to fill a vacancy;
 - c) Shall appoint members to standing or select committees and who, as charged by the Chairperson, shall appear and represent the Council at any public hearings or meetings and shall testify at such hearing or meeting on behalf of the Council as its representative.
 - d) Shall assign dates and locations of meetings provided the Council fails to do so. Should a meeting be cancelled or postponed, the Chairperson shall assign an alternate date and/or location.
 - e) Shall represent the Council's agreed upon position on all issues brought before PURA or shall appoint a representative to do so ; and
 - f) Shall prepare an annual report to be presented at the annual meeting for Council approval. The report will be forwarded as required by state regulations to PURA no later than August 1st of the same year.
2. Vice Chairperson
 - a) Shall administer the Council attendance policy and take roll call;
 - b) Shall conduct correspondence regarding town representative appointments. The Vice-Chairperson will report to the Council the appointment or resignation of members and shall maintain and circulate a roster of current members; and
 - c) Shall, in absence of the Chairperson, call meetings to order and preside over as would the Chairperson.
3. Secretary
 - a) Shall act as the recording officer of the Council and the custodian of its records only when not specifically assigned to others. The records shall include:
 - i) the minutes of all regular and special meetings,
 - ii) roster of active Council members, and
 - iii) member attendance as recorded by the Vice-Chairperson;
 - b) Shall notify all officers and committees of their appoints;
 - c) Shall keep a book of By-laws and standing rules;
 - d) Shall send out proper notices by electronic mail or mail of all regular meetings at least five (5) days prior to such meetings;
 - e) Shall conduct correspondence for the Council except as otherwise provided herein;
 - f) Shall maintain a list of standing and select committee members; and
 - g) Shall, in the absence of the Chairperson and Vice-Chairperson, call meetings to order and preside over until a Chair Pro Tem is elected.
4. Treasurer
 - a) Shall act as the Council's banker, holding the funds deposited to the Council and paying out on the order of the Council;
 - b) Shall present a report at least four (4) times a year as described by Council vote or by the Chairperson. Reports should consist of any information regarding the receipts and disbursements previously authorized by the Council and should include vouchers;

- c) Shall present an annual fiscal report at the annual meeting. The report shall consist of any information regarding the receipts and disbursements made during the Council's operating year;
- d) Shall, in the absence of the Chairperson, Vice-Chairperson and Secretary, call meetings to order and preside over until a Chair Pro Tem is elected; and
- e) Shall sign, with the Chairperson, checks drawn on the treasury. Any single expenditure which exceeds Five Hundred (\$500.00) Dollars shall first be approved by the Council at a regular or special meeting.

Section 4 Removal

- 1. An Officer of the Council, for abuse of authority or misconduct in office, may be removed upon two-thirds (2/3) vote of the existing voting membership provided that the charge against the officer has been made in writing and a copy has been filed with the Secretary or Chairperson at least two (2) weeks before such vote is taken. The Secretary shall notify all members of the pending action at least one week prior to the action. Should an officer be removed, a special election to fill the vacancy shall be held at the next regularly scheduled meeting. The Secretary shall send a special notice to all Council members at least one week before the special election. Removal from office does not affect one's membership to the Council.

ARTICLE IV COMMITTEES

Section 1 Standing Committees

- 1. A Standing Committee shall consist of at least three (3) members appointed by the Chairperson. The committee may also consult with interested citizens in the Franchise area who are volunteer or paid consultants and who have an area of expertise concerning the committee's function.
- 2. The Chairperson may serve as an ex-officio member.
- 3. A Standing Committee shall report to the Council or Chairperson as requested by either.
- 4. The Standing Committees are as follows: By-laws Committee; Public Access Committee and Government Access Television Alliance (GATA) Committee.
- 5. By-laws Committee shall review and evaluate all Council By-laws and report on same to the Council annually.

Section 2 Select Committees

- 1. A Select Committee shall consist of at least three (3) members appointed by the Chairperson. The committee may also consult with interested citizens in the Franchise area who are volunteer or paid consultants and who have an area of expertise concerning the committee's function.
- 2. The Chairperson may serve as an ex-officio member.
- 3. A Select Committee shall report to the Council or Chairperson as requested by either.

ARTICLE V MEETINGS

Section 1 Operating Year

The operating year will be from July 1 through June 30.

Section 2 Regular Meetings

- 1. Shall be held on the third Thursday of September, October, November, March, April, May and June or such other date as the Council may adopt.
- 2. Prior to January 1 of each calendar year the Council shall determine the regular meeting dates, times and places for the calendar year and shall notify each town clerk in Area 2.
- 3. A call to order to do business shall require the attendance of at least 50% plus 1 member of the eligible voting members. A member is considered to be in attendance if physically present or via teleconference.
- 4. Shall adhere to the agenda prepared by the Chairperson and be adjourned by a majority vote.

5. Shall be open to the public.

Section 3 Special Meetings

1. Shall be called by Council vote or by the Chairperson.
2. Shall be conducted as are regular meetings.
3. Proper notice of such meeting shall be by first class mail and/or electronic mail sent by the Secretary at least seventy-two (72) hours prior to such meeting and shall be posted with each town clerk in Area 2.

Section 4 Annual Meeting

1. Shall be held during September of each operating year.
2. Shall be held in a location determined by Council vote.
3. Shall be conducted as are regular meetings.

Section 5 Voting

1. Debate and voting procedures shall be governed by Robert's Rules of Order, Newly Revised.
2. No member shall vote on a motion or amendment if not present.
3. Motions shall be passed by a majority vote of the members present.
4. Motions are tabled for further consideration by a majority vote of the members present.
5. No motion shall be passed that conflict with rules of higher order (i.e., state or federal law).

ARTICLE VI FUNDING

The franchisee shall annually contribute to the Advisory Council an amount not less than Two Thousand (\$2,000.00) Dollars per §16-331c of the Connecticut General Statutes. The Council may, at its option, receive any or all of its funding through in-kind services of the franchisee. The Council shall annually, on August 1, provide PURA with an accounting of any funding or services received.

ARTICLE VII AMENDMENT OF BY-LAWS

1. By-law revisions proposed by the By-laws Committee shall be presented to the Council members in writing and voted upon at the next Council meeting.
2. Amendments presented by individuals shall be presented to the Council members in writing at a regular meeting of the Council and forwarded to the By-laws Committee for consideration. The Committee shall report its recommendations at the next regular Council meeting. A vote of two-thirds (2/3) majority of eligible members present is required for passage.
3. If the By-laws Committee fails to report as required, the proposal shall be considered by the membership and acted upon immediately. The requisite two-thirds (2/3) majority for passage is necessary.

THESE BY-LAWS OF THE ADVISORY COUNCIL FOR CABLE TELEVISION AREA II WERE AMENDED AND ADOPTED ON APRIL 16, 2015 AND TAKE EFFECT AS OF THAT DATE.