



**CITIZENS UNION OF THE CITY OF NEW YORK**  
**Testimony to the**  
**Committee on Technology in Government of the New York City Council**  
**On Implementation of the Webcasting Law and Intro 28**  
**February 24, 2014**

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Good afternoon, Chair Vacca, and other members of the Committee on Technology in Government. My name is Rachael Fauss, and I am the Policy and Research Manager of Citizens Union of the City of New York, a nonpartisan good government group dedicated to making democracy work for all New Yorkers. Citizens Union serves as a civic watchdog, combating corruption and fighting for political reform. We work to ensure fair and open elections, honest and efficient government, and a civically-engaged public.

Citizens Union is pleased that the Committee on Technology is focusing its first meeting of the new session on webcasting, particularly given the enactment in December 2013 of Local Law 103, now requiring the city's public meetings to be webcast beginning March 2<sup>nd</sup> of this year. Citizens Union pushed for the enactment of this law, having testified before the Council multiple times, in April 2013 as well as in 2008.<sup>1</sup> We additionally met with the Mayor's Office of Media and Entertainment (MOME) on multiple occasions over the last few years, informing the live webcasting and telecasting of the City Council's stated and committee hearings, which paved the way for the passage for Local Law 103. Citizens Union also advocated strongly for the law to apply to the City Board of Elections, and we are pleased that the Board has announced they will be putting into place webcasting of their weekly meetings in the very near future.<sup>2</sup> The new law also had the support of the civic and tech communities through the New York City Transparency Working Group, of which Citizens Union is a member.

This new law builds on the City Council's important record of increasing government transparency and accessibility, such as the city's landmark Open Data Law, which we know will be a future topic of this Committee's work. Given the potential impact of both of these laws, we believe that Council oversight will benefit their implementation. We recognize that it will be challenging for the new administration to meet the March deadline for webcasting of all city public meetings for some agencies. We, as part of the Transparency Working Group, have communicated to First Deputy Mayor Anthony Shorris that we believe the implementation of the law is a priority, given the potential it

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<sup>1</sup>April 2013 testimony available at [http://www.citizensunion.org/www/cu/site/hosting/Testimony/CU\\_Testimony\\_AgencyWebcasting\\_Intro%20132\\_04\\_29\\_13.pdf](http://www.citizensunion.org/www/cu/site/hosting/Testimony/CU_Testimony_AgencyWebcasting_Intro%20132_04_29_13.pdf); October 2008 Testimony available at:

[http://www.citizensunion.org/site\\_res\\_view\\_template.aspx?id=c4949235-e49e-49c9-a877-8fceb15edde0](http://www.citizensunion.org/site_res_view_template.aspx?id=c4949235-e49e-49c9-a877-8fceb15edde0)

<sup>2</sup> See Citizens Union's joint letter to the Board of Elections in 2011:

[http://www.citizensunion.org/www/cu/site/hosting/Letters%20and%20Correspondence/CU\\_Letter\\_CityBoardofElections\\_Webcasting\\_09\\_29\\_11.pdf](http://www.citizensunion.org/www/cu/site/hosting/Letters%20and%20Correspondence/CU_Letter_CityBoardofElections_Webcasting_09_29_11.pdf)

has to not only increase transparency and public access, but also to modernize the way in which agencies interact with the public. We look forward to learning more about the administration's plans to implement the law. I will now turn to Citizens Union's review of the possible scope of the implementation of the law.

**Citizens Union Review of City Entities with Public Meetings**

We have reviewed city agencies, commissions, boards and other entities that hold regular or frequent public meetings and hearings, and have identified 34 possible agencies that may be subject to the new law that do not currently webcast their meetings. This is balanced, however, by 14 city entities that currently do webcast their meetings (though it should be noted that some do so as a result of state executive order, such as the Municipal Water Authority). The complete list of these city entities identified by Citizens Union is attached to our testimony.

Among the city entities which currently webcast are:

- The Mayor's office, including press conferences and other major announcements;
- The New York City Council, which led by example prior to passage of Local Law 103;
- The New York City Campaign Finance Board (CFB), including meetings of its Voter Assistance and Advisory Committee;
- The City's Five Pension Boards – NYCERS, the Police and Fire Department Pension Funds, Teachers Retirement System and the Board of Education Retirement System; and
- The Taxi and Limousine Commission.

The majority of these agencies have utilized Livestream to webcast their meetings, though other services have been used. The CFB uses an ad-free paid version of Livestream, which costs \$350 a month. We believe that the Council and these agencies have helped pave the way for other agencies to comply with the law, and encourage the sharing of information as the city goes forward in complying with the law. We applaud the CFB for sharing information regarding their experience webcasting at this hearing today.

Among the 34 city entities which do not currently webcast their meetings, and have frequent meetings or hearings, per Citizens Union's review of the City Record posting of meetings, are the following:

- City Planning Commission (though it should be noted that video of meetings is currently on their website and available through the NYC gov channel);
- Panel for Educational Policy (only audio is currently available);
- Department of Transportation;

- Landmarks Preservation Commission; and
- Board of Standards and Appeals, among others.

The webcast of these meetings are of high value to the public, given that they often involve important land use and policy decisions. In reviewing the City Record for notices of public meetings, Citizens Union also found several boards and commissions which have regular meetings, yet do not have websites. These include the Parole Commission and the Board of Revisions and Awards. Given that their activities are not currently transparent through any website, the value of these meetings may not be known by the public, but become more valuable with webcasting.

It should also be noted that there are possible cost savings and synergies for city entities in the sharing of technology and contracts for webcasting. The city should examine whether agencies may obtain cheaper webcasting services with optimal features by using bulk purchasing power through a joint procurement effort on behalf of all agencies. Additionally, the Mayor's Office of Media and Entertainment, which has recorded video and facilitated webcasting of the City Council proceedings as well as footage of the Mayor's events and press conference, should be used as a resource for other agencies, provided sufficient support. While Citizens Union does not support the use of a particularly vendor, we would like to note certain best practices that should be utilized:

#### ***Best Practices for Webcasting***

- Inclusion of associated materials as part of the webcast, for example on a split screen showing the meeting on one side and the minutes and documents under discussion on the other (note that under Section 103 the state open meetings law, even draft or proposed regulations are subject to public review);
- Searchability of archived video, minutes and documents by key words and terms;
- "One-stop" shopping, as is done currently by New York City in its portal for open data, and New York State for its webcasted meetings.<sup>3</sup>

**Additionally, we believe that a comprehensive list of city entities subject to the webcasting law should be provided by the Law Department.** This will ensure that the Council and civic groups are able to do proper oversight of the implementation of the law.

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<sup>3</sup> See NYS's website: <http://www.nysegov.com/webcast.cfm>.

### **Intro 28**

Citizens Union does not currently have a position on Intro 28 which is currently drafted to require meetings and hearings of community boards to be recorded, and webcast to the extent practicable, though we have had preliminary discussions about the bill. We believe that while there is a potential for community boards to be even more accessible to the public through this measure, there are important implementation challenges to take into account. Given that the city is currently implementing Local Law 103, we think that there are important lessons that can be learned regarding potential expanded implementation by community boards. We would like to recognize that the Council is smartly discussing these two issues simultaneously in this hearing.

Citizens Union urges the Council to carefully consider this expansion and not seek to move the legislation too quickly. In considering the bill, there are some items that Citizens Union believes should be considered:

- Potential costs – community boards often lack resources to perform other basic functions. If more money is made available to the operations of community boards, it would be good to know where they would need the money as opposed to being given a pot of money to implement a council directed initiative. This is why Citizens Union supports independent budgeting for community boards;
- Given that community board meetings are held in the evening, it makes it more possible for the public to already attend and witness the proceedings. The partial appeal in webcasting city agency meetings is that these meetings are often held during the day and makes it difficult for the public to attend. It should be noted, however, that the legislation would provide archival footage of meetings that would further enhance their accessibility;
- Possible synergies among community boards for implementation and cost savings, such as through sharing of platforms;
- The need for there also to be overall modernization efforts for technology of community boards, including their websites; and
- Ensuring a reasonable effective date that allows for implementation to be completed. The enactment date is currently 90 days after the legislation is signed into law.

At a later date, Citizens Union will develop a position but cannot at this time either support or oppose this proposed law.

I thank you for the opportunity to testify, and am available to answer any questions you have.