

Staff: Committee on Technology  
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*THE COUNCIL*

**Committee Report of the Infrastructure Division**

Robert Newman, Legislative Director

**COMMITTEE ON TECHNOLOGY**

Hon. James Vacca, Chair

February 24, 2014

Int. No. 28: By Council Members Vacca, Chin, Cumbo,  
Dromm, Koo, and Levin

Title: A Local Law to amend the New York city  
charter, in relation to requiring that all  
community board full board meetings be  
webcast.

Charter: Amends subdivision h of section 2800.

**Oversight: The Implementation of Local Law 103 of 2013  
Requiring that All Public Meetings Be Webcast**

## **1. INTRODUCTION**

On Monday, February 24, 2014, at 1:00 PM, the Committee on Technology, chaired by Council Member James Vacca, will hold a hearing on Int. No. 28, which requires that all community board full board meetings be webcast. The hearing will also address the implementation of Local Law 103 of 2013, which requires that all public meetings be webcast.

## **2. WEBCASTING**

Webcasting is the distribution of video and audio via the Internet to any personal computer or video-capable device connected to the Internet. Webcasting is similar to broadcasting (transmission of video and audio via radio waves) and cablecasting (transmission of video and audio via cable), differing only in the technology used to deliver video and audio and the means of transmission. Because video and audio require a huge amount of data, and because many Internet connections have limited bandwidth available and/or high network latency,<sup>1</sup> webcasts are compressed and encoded using complicated mathematical algorithms known as codecs.<sup>2</sup> Compressed files are much smaller, and take less time to transmit via the Internet. Furthermore, most webcasts make use of streaming media technology to deliver video and audio to the user, which begins playback before the file has been completely transferred. Webcasts can be live (with a short delay) or archived online and made available on-demand and may even be saved

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<sup>1</sup> Latency is the delay between the transmission and reception of information.

<sup>2</sup> Codec stands for compression/decompression algorithm. Many codecs are available to the public for free, but high quality codecs are often only available commercially.

locally by personal computer for playback at a later time without the need for an Internet connection.

### **3. NEW YORK STATE EXECUTIVE ORDER NUMBER 3**

On January 1, 2007 former New York Governor Elliot Spitzer promulgated Executive Order No. 3 (“the Order”), which requires all meetings of State agencies and public authorities subject to the Open Meetings Law to be broadcast on the Internet through the use of webcasting no later than July 1, 2007.<sup>3</sup> The Order is intended to inform the public of the activities involved in decision making by allowing citizens to observe meetings that are open to the public by use of the Internet. Included in the definition of a State agency is any department, office, board, commission, and any other instrumentality of the State.<sup>4</sup> In addition, the Order requires that all governmental entities that are subject to the provisions of the Open Meetings Law submit a report to the Secretary to the Governor by December 31, 2007 that includes the number of meetings webcast that year and a summary of comments received from the public about the new broadcast. On June 18, 2008, former Governor Paterson signed Executive Order No. 9 which ordered the continuation of Executive Order No. 3, along with other Executive Orders.<sup>5</sup> On January 1, 2011, Governor Andrew Cuomo signed Executive Order No. 2

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<sup>3</sup> Governor Eliot Spitzer, “Executive Order No. 3: Promotion of Public Access to Government Decisionmaking,” January 1, 2007, *available at* [http://www.governor.ny.gov/archive/spitzer/executiveorders/eo\\_3.html](http://www.governor.ny.gov/archive/spitzer/executiveorders/eo_3.html).

<sup>4</sup> *Id.*

<sup>5</sup> Governor David A. Paterson, “Executive Order No. 9: Review, Continuation, and Expiration of Prior Executive Orders,” June 18, 2008, *available at* [http://www.governor.ny.gov/archive/paterson/executiveorders/eo\\_9.html](http://www.governor.ny.gov/archive/paterson/executiveorders/eo_9.html).

which ordered the continuation of Executive Order No. 3, along with other Executive Orders.<sup>6</sup>

The Chief Information Officer/Office for Technology (CIO/OFT), the Office of General Services, and the Department of State have worked jointly to help State agencies implement Executive Order 3, including the creation of a Best Practices Guideline<sup>7</sup> and a Mandatory Technology Standard.<sup>8</sup> New York State maintains an Internet portal that allows visitors to view a list of New York State agency and authority webcasts.<sup>9</sup> The State webcast portal permits visitors to search webcasts by date or by agency.

#### **4. ADVANTAGES OF MUNICIPAL WEBCASTING**

There are many advantages associated with municipal webcasting of open meetings. First, webcasting increases public access to government. Webcasting and archival video on-demand permits persons who cannot attend a meeting, whether due to other obligations, travel restrictions, inclement weather, physical disability, infirmity, or simply lack of space in the meeting venue, to stay informed about the actions of their local government. Second, archival video on-demand allows persons to have complete access to full government meetings according to their own schedules and at no cost,<sup>10</sup> which may result in increased transparency and community involvement. Third, webcasting and archival video permits those persons interested in the proceedings, but

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<sup>6</sup> Governor Andrew Cuomo, "Executive Order No. 2: Review, Continuation and Expiration of Prior Executive Orders, January 1, 2011, *available at* <http://www.governor.ny.gov/executiveorder/2>.

<sup>7</sup> New York State Chief Information Officer/Office for Technology, Best Practice Guideline G07-002, Webcasting Open Meetings, *available at* <http://www.cio.ny.gov/policy/G07-002/G07-002.pdf>.

<sup>8</sup> New York State Chief Information Officer/Office for Technology, NYC Mandatory Technology Standard S07-001, Webcasting Open Meetings, *available at* <http://www.cio.ny.gov/policy/S07-001/S07-001.pdf>.

<sup>9</sup> This portal is available at <http://www.nysegov.com/webcast.cfm>

<sup>10</sup> Transcripts of City Council meetings are available at the City Clerk's Office for a flat fee of \$20 for an electronic version or \$1 per page for a print version. The minutes of some City agency meetings are available at <http://www.nyc.gov>.

who do not wish to actively participate, to save travel time or money. Finally, webcasting enhances a municipality's image as open, accountable, and technologically forward.

Hundreds of municipalities in the United States offer webcasting and archival video on-demand of their meetings. Most significantly, the New York City Council webcasts all of its public committee hearings, as well as its "stated meetings" at which the entire Council meets.

## **5. LOCAL LAW 103 OF 2013**

Local Law 103 of 2013 amends section 1063 of chapter 47 of the New York City Charter by adding a new subdivision d which requires all City agencies, committees, commissions, task forces, and the City Council to record their open meetings in digital video format and webcast the meeting live where practicable. Recordings shall be archived and made available to the public on the City's website, or, in the case of the council, on the council's website not more than 72 hours after the adjournment of the meeting or hearing recorded.

Local Law 103 went into effect on December 2, 2013. Pursuant to its terms, all covered entities are required to begin webcasting their open meetings no later than March 1, 2014.

## **6. INT. NO. 28**

Int. No. 28 amends subdivision h of section 2800 of the New York City Charter. Section 1 of the bill requires that that all community boards record their public meetings and hearings in digital video format. Such meetings and hearings are to be webcast live, where practicable, and the recordings of such meetings and hearings are to be archived

and made available to the public on the community board or city's website not more than seventy-two hours after adjournment of the meeting or hearing recorded. These requirements do not apply to executive sessions of community boards, or to committee meetings of community boards.

Section two of the bill states that the local law will take effect ninety days after its enactment.

Int. No. 28

By Council Member Vacca, Chin, Cumbo, Dromm, Koo, and Levin

A LOCAL LAW

To amend the New York city charter, in relation to requiring that all community board full board meetings be webcast.

Be it enacted by the Council as follows:

Section 1. Subdivision h of section 2800 of the New York city charter is amended to read as follows:

h. Except during the months of July and August, each community board shall meet at least once each month within the community district and conduct at least one public hearing each month. Notwithstanding the foregoing, a community board shall be required to meet for purposes of reviewing the scope or design of a capital project located within such community board's district when such scope or design is presented to the community board. Such review shall be completed within thirty days after receipt of such scope or design. Each board shall give adequate public notice of its meetings and hearings and shall make such meetings and hearings available for broadcasting and cablecasting. Each board shall record its public meetings and hearings in digital video format. Such meetings and hearings shall be webcast live, where practicable, and the recordings of such meetings and hearings shall be archived and made available to the public on the community board or city's website not more than seventy-two hours after

adjournment of the meeting or hearing recorded. These recording, webcasting, and online posting requirements shall not apply to executive sessions of community boards, entered into pursuant to section 105 of the New York state public officers law, or to committee meetings, held pursuant to subdivision i of this section. At each public meeting, the board shall set aside time to hear from the public. The borough president shall provide each board with a meeting place if requested by the board.

§2. This local law shall take effect ninety days after its enactment.

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