

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON GOVERNMENTAL OPERATIONS

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April 28, 2009
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HELD AT: Council Chambers
City Hall

B E F O R E:
HELEN SEARS
Chairperson

COUNCIL MEMBERS:
Erik Martin Dilan
Simcha Felder
Peter F. Vallone, Jr.
Inez E. Dickens

A P P E A R A N C E S (CONTINUED)

Jennifer Blum
Director of Special Projects
Department of Citywide Administrative Services

Mark Daly
Director of Communications
Department of Citywide Administrative Services

Kevin DePodwin
Office of Operations and Strategic Planning

DeNora Getachew
Director of Public Policy and Legislative Council
Citizens Union

Chris Keeley
Associate Director
Common Cause New York

2 CHAIRPERSON SEARS: Ready? Okay.

3 Good afternoon and welcome to the hearing on
4 Government Operations. My name is Helen Sears and
5 I am the new Chair of the Committee. And I'm
6 joined, I have to say first, by Counsel Lacy
7 Clarke and Josh Gerber, and also Jeremy Drucka
8 [phonetic], who is sitting to the side there,
9 thank you for being here.

10 And today the Committee will
11 consider Intro 952, a Local Law to amend the New
12 York City Charter in relations to requiring the
13 City Record to be published online and available
14 to the public at no charge.

15 This bill would increase public
16 accessibility to the important information
17 contained in the City Record while still providing
18 for hard copies to be published periodically.

19 Those hard copies would be
20 accessible at the offices of the borough
21 presidents, Council Members, Community Boards,
22 branches of the public libraries, and the
23 Municipal Research Center for inspection.

24 While the Committee acknowledges
25 the fact that the purposes of this law would be

1
2 best accomplished with a companion state law
3 allowing certain procurement notices to be
4 published electronically, something that we will
5 work diligently to pass and hopefully with the
6 Administration to work together on that, this is
7 still an important step in enhancing public access
8 to important notices while saving taxpayer
9 dollars.

10 It currently costs approximately
11 1.2 million per year to print and mail the City
12 Record in its present form. Utilizing readily
13 available technology, this bill would be able to
14 significantly reduce those costs while still
15 enhancing public access to the City Record--a
16 worthy goal in the current economic climate.

17 The City Record provides the public
18 with much important information regarding city
19 agencies, including information regarding public
20 hearings and meetings, court notices, property
21 disposition, procurement agency rulemaking, and
22 special changes in personnel. It also publishes
23 procurement notices which provide contractors and
24 vendors the opportunity to compete for New York
25 City's \$7 billion worth of contracts for various

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goods and services annually.

Because of the importance of this information, enhancing public access is vital. The ability to do so at a significant cost savings, we think is a win-win situation for New Yorkers.

The Committee is looking forward to hearing from the Administration regarding the potential savings that could be realized by the enactment of this legislation. We are also interested in hearing from advocates and other members of the public on the merits of the bill.

I think that we are joined by my colleague Erik Dilan from Brooklyn, thank you for being here.

And with that, we will go straight to Jennifer Blum from DCAS, and thank you for being here.

Oh wait, excuse me, he sneaked in so quietly that here the Chair and I'm following in his footsteps. I don't know how you got past me, usually you just have a lot of fanfare, but we're introduced by Simcha Felder, the former Chair of this Committee who has remained on the

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2 Committee and thank you, thank you, thank you.

3 COUNCIL MEMBER FELDER: Thank you.

4 DIRECTOR JENNIFER BLUM: Good
5 afternoon, Chair Sears and members of the
6 Governmental Operations Committee. I am Jennifer
7 Blum, Director of Special Projects in the
8 Commissioner's office at the Department of
9 Citywide Administrative Services. I am joined by
10 my colleagues, to my left Mark Daly, Director of
11 Communications at DCAS, and to my right Kevin
12 DePodwin, who is in our Office of Operations and
13 Strategic Planning.

14 On behalf of Commissioner Martha
15 Hirst, I would like to thank you for this
16 opportunity to discuss Intro 952 in relation to
17 requiring the City Record to be published online
18 and made available to the public at no charge, and
19 our efforts to publish the City Record
20 electronically.

21 The New York City Charter requires
22 DCAS to publish the City Record, which is the
23 official journal of the City of New York. The
24 City Record must be published each and every
25 weekday, except legal holidays. As you noted, it

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2 includes notices from city agencies regarding
3 public hearings and meetings, court notices,
4 property dispositions, procurement solicitations,
5 contract awards, agency rules, and special
6 materials such as changes in personnel.

7 Currently, the daily circulation of
8 the City Record is approximately 1,400 copies per
9 day. According to the Charter, it is the
10 responsibility of DCAS to provide the borough
11 presidents, the Council Members, and all Community
12 Boards, library branches, and certain media
13 outlets with free subscriptions to the City
14 Record. Over 300 copies are delivered to private
15 subscribers. As you also noted, contractual costs
16 for printing, mailing, and delivery of the paper
17 totaled approximately 1.2 million in FY 2008.

18 DCAS maintains an application that
19 is called City Record On-Line, which features the
20 electronic version of the procurement notices that
21 appear in the Solicitations and Awards section of
22 the printed version of the City Record. In June
23 2002, City Record On-Line was established to allow
24 city agencies to submit procurement notices
25 electronically, and in June 2004, vendors had the

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2 capability to register and search advertisements
3 on City Record On-Line. City Record On-Line
4 offers current and archived solicitations and
5 awards, and gives vendors the opportunity to
6 register to receive bid notifications by e-mail.
7 The site includes a fully searchable database of
8 current awards and solicitations using various
9 criteria, such as due date, publication date,
10 agency, procurement category, commodity codes, and
11 keywords. In addition, solicitations can be
12 downloaded directly from the site.

13 DCAS also directs agencies to
14 submit procurement notices using the online
15 application for posting on City Record On-Line and
16 printing in the City Record. Procurement notices
17 printed in the City Record are electronically
18 available for the convenience of readers and
19 vendors; however, the print edition of the paper
20 is the official publication of these and other
21 advertisements.

22 While the printed publication
23 continues to be the authoritative source for
24 solicitations and other notices, City Record On-
25 Line affords vendors and interested parties the

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2 opportunity to review and access full procurement
3 notices at home or at work and at any time, day or
4 night. Furthermore, City Record On-Line
5 facilitates the dissemination of procurement
6 notices by city agencies.

7 Publishing the City Record

8 electronically offers a number of advantages to
9 both the city and the public. In the absence of
10 the requirement to print the City Record, DCAS
11 will be able to significantly decrease costs
12 associated with the production of the paper. At
13 the same time, providing the City Record as an
14 electronic newspaper will increase the ease of
15 circulation and, thus, should expand readership.

16 Evolving to an electronic format of
17 the City Record also supports Mayor Bloomberg's
18 PlaNYC carbon emission reduction goals. The
19 printing, processing, and delivery of newsprint
20 are energy and resource-intensive processes.
21 Allowing for the electronic publication of the
22 City Record would be a considerable energy
23 conservation and waste reduction measure. By
24 eliminating the ongoing need to publish printed
25 editions of the paper, the city will continue to

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2 set an example for other municipalities.

3 The Administration supports the
4 objective of Intro 952, which seeks to amend the
5 Charter to permit the City Record to be published
6 online. However, we have concerns about whether a
7 Local Law would be sufficient to ensure that
8 electronic publication of the City Record would
9 satisfy state laws requiring publication of
10 notices. We are currently working with the city
11 Law Department and the Mayor's office on a state
12 legislative proposal that would authorize
13 electronic publication of the City Record and we
14 look forward to closely collaborating with this
15 Committee on these efforts.

16 Thank you again for this
17 opportunity to testify about Intro 952. We
18 appreciate your support of our endeavors to
19 electronically publish the City Record. And my
20 colleagues and I are happy to answer any questions
21 you might have.

22 [Pause]

23 CHAIRPERSON SEARS: We are joined
24 by our colleague Inez Dickens from Manhattan,
25 thank you for being here.

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2 I think just a few questions and--
3 do my colleagues have any questions? Well just
4 Inez does? Eric, do you have one? And Simcha,
5 not yet, they'll have more, I think, to do at that
6 point.

7 Did you state how much will be
8 saved by doing this? I think I know the answer to
9 that and I'm just looking at some of the questions
10 that were prepared, but I have some that I think
11 maybe I don't need to look at that.

12 I think one of the questions that
13 have been raised is that not everybody would be
14 able to have access online, but when I look at the
15 subscriptions, which are very limited, there are
16 not very many, and the fact of what you send out
17 hard copy on a daily basis. It seems to me that
18 having them online, we'd be able to reach so many
19 more people and not for those who don't have
20 computers at home, but certainly going to the
21 library and having access to senior centers for
22 those that are seniors and like to do that. Have
23 you been confronted by that or are you comfortable
24 with the fact that saying that not many people
25 have computers? And have access to what is the

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objective of the bill?

DIRECTOR BLUM: I think our intention was that the legislation give us the freedom not to publish the City Record as a newspaper. What we did envision was that we would be able to produce the City Record on demand in a printed format, but not necessarily a newspaper format. So for example, if a constituent should come to your office and asked to see the City Record, you could go online and print them on 8.5 x 11 or 8.5 x 14 paper the information, but we wouldn't be bound to produce a newspaper on newsprint, but instead we could provide those that don't have access to a computer or to the Internet on demand copies of the information.

It's also, we do have this existing application, City Record On-Line, which is limited just to procurement notices and the hits that we get on a monthly basis show that the ease of accessing the information definitely boosts readership.

CHAIRPERSON SEARS: You mentioned the word hits, do you have any idea what kind of hits will be there once this is online or do you

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2 anticipate having more than what is being
3 circulated at this time?

4 DIRECTOR BLUM: Well for City
5 Record On-Line, which is our existing application,
6 which I said is just limited to procurement
7 notices, we get about 200,000 hits annually.

8 CHAIRPERSON SEARS: That's rather
9 satisfactory--

10 DIRECTOR BLUM: I'm sorry, that's
11 year-to-date data so--

12 CHAIRPERSON SEARS: Okay. All
13 right, so then you would certainly anticipate more
14 than what would be, and, I think, Community Board
15 members certainly would have more time doing this
16 online than they would taking the paper and having
17 to plow through that.

18 I have a few more, but we'll go to
19 Inez Dickens and your question.

20 COUNCIL MEMBER DICKENS: Thank you,
21 Madam Chair. You mentioned how much you would
22 save by doing it online. You also, I think,
23 mentioned that there is 500 mailed to private
24 subscribers. Since online would be free, how much
25 would you lose in income versus the cost of

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printing?

DIRECTOR BLUM: We only have 345 paid subscribers, which would come to about \$130,000 in lost revenue, our printing contract, as was noted, is approximately \$1.2 million.

COUNCIL MEMBER DICKENS: Okay.

DIRECTOR BLUM: Most of the subscribers are individuals such as yourself and other agencies, agency personnel, elected officials.

COUNCIL MEMBER DICKENS: All right, now for those persons who do not have Internet and you said that they would have to demand or ask for a hard copy, how would that be done? Would there be a cost affiliated with that? Could they do it by telephone? Would they have to come down, would they have to write? How would on demand--what does that mean.

DIRECTOR BLUM: First of all, we think that there will be plenty of locations where New Yorkers can go to print a copy of the information they're interested in. We also envision continuing to allow subscriptions for those people who might be interested in still

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2 having a subscription. However, we wouldn't be
3 bound to print it in a newspaper format.

4 COUNCIL MEMBER DICKENS: For
5 instance, you said that there would be hard copies
6 available in certain locations, do you intend to
7 send a certain number to say Community Boards or
8 to Council offices so that communities could pick
9 them up within their neighborhoods?

10 DIRECTOR BLUM: No, we are
11 envisioning that a constituent could come into
12 your office or their Community Board office and
13 ask to see particular information and the staff
14 would print it for them off the computer, where
15 it's readily accessible.

16 COUNCIL MEMBER DICKENS: So then
17 demand just means they could go to a Community
18 Board or to my office and ask my staff to go
19 online and print them up a certain section, rather
20 than hard copies being provided to Community
21 Boards and to Council offices for distribution, is
22 that my understanding?

23 DIRECTOR BLUM: That is your
24 understanding, except that we would also allow for
25 paid subscriptions, should someone choose to still

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2 get a hardcopy of the City Record, they could do
3 so, we just wouldn't be required to provide it in
4 a newspaper format. We wouldn't be required to
5 have an actual document on newsprint.

6 COUNCIL MEMBER DICKENS: I daresay
7 there won't be many paid subscriptions if you can
8 get it online for free. So I'm just concerned
9 about communities where Internet access is limited
10 and how those communities would be able to get a
11 hardcopy and what does on demand mean. That's why
12 I wanted to know, could I call your office, could
13 I tell a constituent to call your office or call
14 DCAS or call whatever it's published and ask that
15 a hardcopy be sent out to them, or could they pick
16 it up and would you be willing to provide our
17 offices with a certain number of hard copies that
18 we could indeed distribute to our communities?

19 DIRECTOR BLUM: Certainly you could
20 call DCAS and we would print whatever information
21 was required. The point of the legislation is so
22 that we don't print copies that sit on a shelf or
23 sits in someone's office and are not utilized. As
24 computer access increases, it's certainly
25 available at all the public libraries, computers

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2 are found in every elected official's office, and
3 certainly we provide the information out of DCAS,
4 but the idea is that we don't print copies.

5 COUNCIL MEMBER DICKENS: Well I'm
6 very glad to see that this legislation is being
7 considered that we're having this hearing, that
8 it's the possibility of free access for it online.
9 I am concerned about DCAS deciding that I have
10 available staff to sit there and make copies of
11 the newspaper or even to have the time to go
12 online and scroll through to find out which part
13 of it, or for that matter with the budget being
14 constantly cut to the Community Boards, that they
15 would even have staff available to do that. So I
16 do have some concerns about that, although I'm
17 very happy about it being online free, there are
18 some additional concerns inherent in this
19 legislation that I don't think has been thought
20 out.

21 Thank you so much for your
22 testimony.

23 DIRECTOR BLUM: We're happy to
24 discuss those concerns with you as we move
25 forward. Thank you.

CHAIRPERSON SEARS: Councilman
Dilan.

COUNCIL MEMBER DILAN: Thank you,
Madam Chair.

Ms. Blum, I just want to focus on
the final part of your testimony where you seem to
paint a strong picture of support for the bill
until the final paragraph and, understandably,
because it revolves around the publication of
notices. Could you just tell me what the hurdles
that you face in the state, the reason why this is
necessary, and the efforts that your department
has taken to clear those hurdles on the state
level.

DIRECTOR BLUM: Absolutely.
Originally, when we discussed this proposal with
the Committee Chair, we were under the
understanding that we could do this at the local
level and solely at the local level and as
discussions continued with the law department, it
became clear that the extent of state law that
requires notices be printed was so vast that it
seemed almost impossible to capture everything in
one fell swoop and what we didn't want to do is

1 really to miss anything.

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3 There are requirements all over--
4 procurement law, in the construction law, GML 103-
5 -all over state law for printing notices and it
6 has been determined, and it's been discussed also
7 with the Chair, that just to cross our Ts, dot our
8 Is, it makes sense to ensure that we do it
9 correctly we do it at the state level. And I
10 think it's still under discussion what we need to
11 do here at the local level, whether it would be
12 another Local Law or a Home Rule message that
13 partners with the state legislation, I think we're
14 all still discussing that.

15 COUNCIL MEMBER DILAN: Okay. So it
16 sounds like you're going to need some sort of
17 change in state laws in order to do this, is that
18 accurate?

19 DIRECTOR BLUM: That is accurate.

20 COUNCIL MEMBER DILAN: Okay. And
21 it also sounds like, Madam Chair, this bill is a
22 money saver, it's something that I'm inclined to
23 support, but I would like to at least know that we
24 can get there and satisfy all the legal
25 requirements that we are bound to satisfy, and I'm

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2 sure under your guidance, we'll get there.

3 So just a final question, Ms. Blum,
4 do you feel we can get to that point?

5 DIRECTOR BLUM: Absolutely. We're
6 working closely with the Chair and the Committee
7 staff and we look forward to working with you, but
8 especially with the law department to figure this
9 out. This is something we very much want to do,
10 it's definitely moving the city in the right
11 direction. It fits perfectly with many of the
12 environmental initiatives that the city has going
13 on right now. And it is just kind of gets us into
14 the current century and we're absolutely looking
15 forward to making this happen.

16 COUNCIL MEMBER DILAN: Madam Chair,
17 I know I said final question, but I want to
18 squeeze one more in if I may.

19 Just how much savings do you
20 anticipate with the change?

21 DIRECTOR BLUM: Well we expect--our
22 current print contract is \$1.2 million, a loss of
23 revenue of about \$130,000, but there will be some
24 initial startup costs to designing and getting an
25 application online and we haven't fully fleshed

1
2 that out. The savings are going to be in the year
3 after year, once we no longer have to spend the
4 1.2 million on an annual basis.

5 COUNCIL MEMBER DILAN: Okay. Madam
6 Chair, she opened up another one for me, and I'm
7 sorry, this'll be my last one.

8 CHAIRPERSON SEARS: I said you can
9 have two, you can have three now.

10 COUNCIL MEMBER DILAN: No, no, I'm
11 done after this, I promise.

12 So then do you anticipate entering
13 into any software contracts during implementation?

14 DIRECTOR BLUM: I don't think we've
15 gotten that far, whether this is something we
16 would do in-house, we haven't explored that yet,
17 we're not there yet.

18 COUNCIL MEMBER DILAN: Okay. But
19 it is possible?

20 DIRECTOR BLUM: That we will enter
21 into a consulting contract for--

22 COUNCIL MEMBER DILAN: To handle
23 this online so that it can be utilized fully on
24 the Internet electronically.

25 DIRECTOR BLUM: I think typically

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2 the city, whether it be DoITT or DCAS would house
3 the application, but generally we have consulting
4 support for most IT applications.

5 COUNCIL MEMBER DILAN: Okay.

6 DIRECTOR BLUM: If you mean on an
7 ongoing basis--

8 COUNCIL MEMBER DILAN: No, I'm just
9 going to take the answer as you're not sure, it is
10 possible that the city can do it in-house, but
11 it's also possible that a contract may have to be
12 entered into, would that be safe?

13 DIRECTOR BLUM: That's correct.

14 COUNCIL MEMBER DILAN: Okay. Thank
15 you, Madam Chair.

16 CHAIRPERSON SEARS: Thank you. I
17 think for the Committee's information, once it was
18 really realized that we had to have the state
19 involved into doing this, many other things
20 unfolded. And my question is how well has Albany
21 received this idea, since we now have to work with
22 Albany to make this as perfect as you're talking
23 about, and also the other things and how we
24 contract and so on. So how have you been greeted
25 in Albany?

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2 DIRECTOR BLUM: I have to check
3 with the state legislative office on how those
4 discussions are going. I'm sorry, I don't have an
5 update on that right now, but I'll be happy to
6 call you with that.

7 CHAIRPERSON SEARS: Happy to get
8 back to us.

9 DIRECTOR BLUM: Yeah, absolutely.

10 CHAIRPERSON SEARS: Excellent, I
11 think the committee should know that because it's
12 just something that we basically have to work with
13 and turn out a good bill so that we have--you're
14 not in [off mic] in passing it.

15 DIRECTOR BLUM: A good point
16 Janine, who works with me, just made is that the
17 State Contract Reporter is primarily an online
18 application. So I think they're quite used to--

19 CHAIRPERSON SEARS: Okay.

20 DIRECTOR BLUM: --using an online,
21 an application. My gut says--

22 CHAIRPERSON SEARS: We'll note
23 that--

24 DIRECTOR BLUM: --they'll be
25 supportive.

2 CHAIRPERSON SEARS: --we'll note
3 that for the record. All right, thank you.

4 We are joined by my colleague Peter
5 Vallone from Queens. Welcome, thank you for being
6 here.

7 Let's see, we have one last
8 question from me. Now you've heard some concerns
9 from the committee members, but do you have any
10 that it maybe has been brought out that we have
11 not discussed that you may think may just slow
12 down the process a little bit? Or is this
13 considered a win-win situation once we get Albany
14 on-board?

15 DIRECTOR BLUM: We're very positive
16 at DCAS, we think it's a win-win. Our big hurdle
17 right now is just working through the legalities
18 of it and making sure that we do it in the
19 absolutely appropriate and correct way. But we
20 truly believe that we will get there sooner rather
21 than later and we look forward to your support.

22 CHAIRPERSON SEARS: Well the
23 Committee will work very closely with you and the
24 members. And if there are no further questions,
25 we thank you for your time being here and

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2 hopefully we'll be able to move this along fairly
3 quickly. Thank you.

4 We have some advocates here and,
5 let's see, maybe we'll do--

6 [Pause]

7 CHAIRPERSON SEARS: Okay. We have
8 Chris Keeley from Common Cause and the DeNora
9 Getachew from Citizens Union.

10 We have the two of you come up
11 together.

12 [Pause]

13 [Off mic]

14 CHAIRPERSON SEARS: You are ready,
15 so you may decide who chooses to go first, but
16 first I have to say DeNora Getachew, although I
17 wasn't here, but you have been counsel to this
18 committee, so welcome back.

19 MS. DENORA GETACHEW: Thank you.

20 CHAIRPERSON SEARS: Would you like
21 to go first? But please state your name for the
22 record.

23 MS. GETACHEW: Good afternoon,
24 Chair Sears and other members of the Committee on
25 Governmental Operations. My name is DeNora

1
2 Getachew and I am the Director of Public Policy
3 and Legislative Council for Citizens Union, which
4 is an independent nonpartisan civic organization
5 of New Yorkers that promote good government and
6 advance political reform in our city and state.

7 Thank you for the opportunity to
8 testify before the Committee--as you noted, a
9 committee that I formerly was the counsel of--in
10 support of Intro 952, which is sponsored by Chair
11 Sears and, among others, Council Member Brewer and
12 Council Member and former Chair of the Committee
13 Simcha Felder, who have been strong advocates of
14 good government issues in the past.

15 Citizens Union--

16 MR. CHRIS KEELEY: That was good.

17 MS. GETACHEW: You like that?

18 MR. KEELEY: Yeah.

19 MS. GETACHEW: Citizens Union
20 believes--

21 [Off mic]

22 CHAIRPERSON SEARS: I knew he was
23 quiet for too--

24 [Pause]

25 MS. GETACHEW: --believes it is not

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2 only timely, but critically important that
3 government take steps to make government more
4 transparent, because doing so directly correlates
5 to expanding the public's access to information
6 about government performance and decision-making
7 and ensures that citizens can hold their
8 government accountable.

9 We believe that efforts to provide
10 more government documents online not only serves
11 to increase transparency, but can also save
12 government resources and time, which, according to
13 DCAS is true, because it would also eliminate many
14 of the formal and informal requests to agency
15 personnel for basic information already provided
16 in existing documents and reports.

17 Citizens Union supports Intro 952,
18 which would require DCAS or a successor agency to
19 publish the City Record On-Line, free of charge,
20 and be updated at least daily. We applaud these
21 efforts to make this available online because the
22 court notices, rule changes, and procurement
23 actions and awards that are included in the City
24 Record are important things that this city
25 constituents should be aware of. We think this

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2 change would make the publication--by putting it
3 online, it would make the publication better serve
4 the public and, also in line with the New York
5 State Register, which is online and available free
6 of charge, make sure that citizens have all the
7 information they need to understand what's going
8 on with government.

9 The bill mandates that the City
10 Record would also be--hard copies of it still
11 available to Council Members and other people who
12 subscribe to it, which we think is important
13 because many people may not have access to the
14 Internet, which was a part of DCAS's testimony.
15 The bill mandates that the Commissioner of DCAS
16 would be responsible for deciding how often to put
17 out a printed copy of this and Citizens Union
18 thinks, at least at the outset, until some of the
19 subscribers are more familiar with the online
20 version of this document, that it should be a
21 weekly or bi-weekly effort just to make sure that
22 people still understand what's going on.
23 Ultimately we think that maybe moving to a monthly
24 system of actual hard copies, it makes senses, but
25 we don't want people to lose the valuable

1 information that's included in there.

2
3 Citizens Union has been active in
4 pushing for further government transparency. In
5 particular, we testified before the Committee on
6 Technology in Government that we think the
7 Department of Records and Information Services
8 should become a one-stop shop for city government
9 information because they currently hold much of
10 the city publications that are available from
11 various agencies and Council Members, etc. And so
12 we would recommend that you consider either
13 including a link to the City Record On-Line or the
14 City Record On-Line itself on the Department of
15 Records website so that all of government
16 information along the same lines is available in
17 one place.

18 We also would recommend that the
19 City Record On-Line be fully searchable and
20 archived, which would encourage citizens to look
21 at back issues and make sure that they're aware of
22 things that have happened in the past.

23 Also provide the ability for e-mail
24 alerts or Real Simple Syndication feeds to make
25 sure that people stay up-to-date about what's

1
2 going on in areas that they're interested in.

3 We hope that DCAS will work with
4 the Department of Records and DoITT to ensure that
5 the website is user-friendly as possible,
6 especially with respect to layout and past
7 editions.

8 Finally, the bill proposes that the
9 City Records website be implemented 90 days after
10 enactment of the law. While Citizens Union is not
11 sure whether that is a realistic timeline with
12 respect to all of the development that needs to
13 take place for creating such a website, we hope
14 that all the city agencies and government will
15 work with DCAS and the Department of Records to
16 accomplish that.

17 I thank you for the opportunity to
18 testify before the Committee and I look forward to
19 working with you and your staff to make this a
20 reality.

21 CHAIRPERSON SEARS: Thank you.

22 MR. KEELEY: Thank you. Good
23 afternoon. Thank you, Chair Sears and members of
24 the Government Operations Committee, for this
25 opportunity to speak before you today. My name is

1
2 Chris Keeley, I'm Associate Director of Common
3 Cause New York. We're a non-partisan, non-profit
4 citizens' lobby and a leading force in the battle
5 for honest and accountable government. We're here
6 to testify in support of today's proposal. We do
7 have some recommendations and questions that I'd
8 like to put forward today.

9 We've already run through--DCAS has
10 kindly already run through, as we did at the
11 beginning, of what exactly the City Records On-
12 Line and newspaper do, so we don't need to rehash
13 what I have in my testimony.

14 But, at its core, we support the
15 efforts to bring this valuable information online.
16 It's currently in the printed version, it's not
17 online, that's a very, very valuable step.

18 In many respects, it echoes the
19 goals of Local Law 11, which was passed in 2003,
20 that its stated goal was to bring New York as
21 leading the nation in using information
22 technologies, to improve the efficiency and
23 accessibility of municipal government, and using
24 the internet as a powerful means of accomplishing
25 these twin goals. We think that this furthers

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2 that mission, that's a very noble mission, that's
3 the direction New York City should continue to go
4 in.

5 That said, we must remember, as
6 Council Member Dickens raised a few minutes ago,
7 not everyone has access to the Internet, that we
8 do have to continue expanding quality Internet
9 connections, the city's broadband, the Broadband
10 Advisory Group has been working very positively in
11 that direction, we support their efforts.

12 As DeNora mentioned, there should
13 be an overlap between the creation of the online
14 version and as we scale back on the printed
15 version. We need to make sure that people aren't
16 left behind through this transition, so maybe a
17 period of three to six months, maybe we can look
18 at something like that where it still continues to
19 be published on a day-to-day schedule, then after
20 that initial transition period, then it can start
21 to be scaled back along the lines that DeNora was
22 talking about of maybe every two weeks or so
23 publishing it. That way any things that may be up
24 for 30-day comments, 30-day applications, that
25 that way people are certain not to miss out, that

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2 having it regularly enough that you're not going
3 to miss that window.

4 The City Record website should be
5 developed in a strategic way to make sure that
6 it's easily updated and that it's easily
7 accessible, also, as all city websites should be,
8 that they're compliant with the American with
9 Disability Act.

10 That, right now, as the website
11 stands, it has very impressive features, being
12 able to search, being able to sort, being able to
13 access a great deal of information--this is a very
14 good thing. And we think that as they start to
15 bring in this additional information to the online
16 version, they should continue to think creatively,
17 they should continue to make sure that all of that
18 information is readily accessible. As DeNora
19 mentioned, e-mail alerts would be a very positive
20 thing. Currently, under their bid process, you
21 can check off what types of e-mail alerts you'd
22 like to receive, on what issues--that's very
23 positive and that should be done going forward.
24 If you're looking, you know, check off public
25 hearings or check off agency rule makings, which

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2 agencies are you interested in, so that people
3 don't get inundated, but that you can easily find
4 and track what it is exactly that you're
5 interested in.

6 In that same light, as DeNora
7 mentioned, RSS feeds, the Real Simple Syndication
8 feeds, tagging things along that way so that
9 people can sign up easily for exactly those types
10 of issues that they're interested in.

11 And also under the current system,
12 under the current website, you need to register
13 beyond the initial accessibility, beyond the
14 initial e-mail sign-up to gain more access to
15 information. There's compulsory registration--
16 that should be eliminated. Registration's fine,
17 if you want to have some form, obviously
18 registration if you're signing up for an e-mail
19 alert, you need to do that, you need to be able to
20 put in your e-mail address, but to require the
21 level of information that they require to put in
22 for the bids, which is more than just name and e-
23 mail address, it's not incredibly personal, but to
24 the same extent, we don't need that information
25 off the bat. When we're going to be looking at

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2 public hearings, when we're going to be looking at
3 agency rulemakings, the simpler the better. The
4 last hurdles that we're putting out there, the
5 more accessible it's going to be for people, the
6 more that New Yorkers are going to be able to get
7 at that information.

8 And I'd just like to highlight one
9 thing that came up in, not DeNora's, but the
10 Administration's testimony, which was, we were
11 talking about the state has online contractor
12 information on the website, and that's true,
13 that's valuable, but there's a difference between
14 the users that are going to be looking at
15 contracting information versus more everyday New
16 Yorkers that are going to be looking at public
17 hearings, agency rulemakings, things that are a
18 little bit more pedestrian, so to say. So I think
19 that it's important to realize that there are
20 varying levels of sophistication as far as
21 computer use and Internet accessibility and we
22 should be sure to keep that in mind as we step
23 forward.

24 Thank you again for this
25 opportunity to testify, we look forward to working

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2 with the committee and the administration on this,
3 and welcome any questions you may have.

4 CHAIRPERSON SEARS: Thank you for
5 testifying and you've given a lot of thought to
6 this, so what you have suggested has been very
7 helpful, and most certainly discuss those and work
8 those out in our future meetings.

9 As we move along, and there are
10 concerns, it seems like how could you lose with
11 this really, but there's always bound to be
12 something. So do you feel that the issues that
13 have been discussed and from the Administration
14 and what my colleagues have asked, do you think
15 that some of the most important issues have been
16 brought out today? And that maybe we need, as it
17 moves along, to discover what may need to be that
18 we're not talking about today?

19 MS. GETACHEW: I think, yes, the
20 new information that we gained from the
21 Administration with respect to the legal hurdles
22 at the state level were definitely something that
23 I was not familiar with, and so I think it was
24 definitely illustrative to the discussion and will
25 help move forward how to actually implement this

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2 and in what way the Council's legislative process
3 will be a part of that.

4 I think, as DCAS pointed out, and
5 as Chris pointed out in his testimony, there are
6 also many hurdles and making sure that it's
7 accessible to different users at varying levels of
8 skill set, Internet savvy, as well as need for the
9 site. I mean not every person that goes on the
10 site is going to be looking for detailed
11 contracting and procurement information, but might
12 actually just want to know when their local
13 Community Board hearing is or when the next City
14 Council hearing is.

15 So I think the discussion has
16 definitely been detailed enough to make sure that
17 all the considerations are going to have at least
18 been thought about for the first step. But we, as
19 anybody knows, when you start actually
20 implementing it, they're going to have to work out
21 the kinks along the way, but I think working with
22 DoITT and the Department of Records, who has some
23 experience in putting these types of documents
24 online will be helpful to them to figure out.

25 CHAIRPERSON SEARS: Yes, Chris?

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2 MR. KEELEY: And I'd also be
3 curious to know, and maybe this has already been
4 done, what the thoughts from Community Boards are.
5 I know that we at Common Cause didn't have a
6 chance to reach out to Community Boards to hear
7 what their experience would be of what happens
8 when we stop printing this and mailing it to you
9 all the time. A lot of this is volunteer work, a
10 lot of it's people that have very busy schedules,
11 and if they're not getting it in the mailbox, are
12 they going to be going out of their way to seek it
13 out? And I'm sure most of them will be, but that
14 does create an extra hurdle. So I'd be interested
15 to hear from them also if they're not here today--
16 excuse me if I'm jumping ahead, but I'd be
17 interested to hear from them as well.

18 CHAIRPERSON SEARS: It has been
19 discussed with Community Boards and I'm not sure
20 exactly at their full meetings if they have done
21 so. But I don't know actually how many copies are
22 given to Community Boards, that was a question
23 that we didn't ask. Do you have any idea?
24 Because I didn't think that every member of the
25 Community Board received a copy, I think the

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2 office did, but I'm not certain that it was every
3 member, which meant that the City Record is
4 available to them whenever they're up at the
5 office, but I think that that's something that we
6 should talk about. And I know that every Board
7 that I've gone to, every one of them seems to be
8 working on the Internet and everything else that
9 they can get from that.

10 Are there any questions for our
11 panel? With not, I want to thank you very much
12 and I think that we are on the way to making
13 something very nice happen, but we have to be
14 patient with it.

15 Once again, involved with the
16 state, and I say this very affectionately, it
17 doesn't move along as fast as we'd like it to, so
18 we're going to have to be patient with this.

19 If there is no other further
20 testimony, I don't have a gavel--oh here we go.

21 FEMALE VOICE: Here it is.

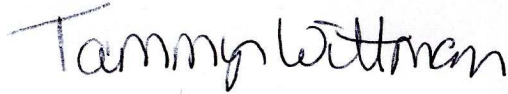
22 CHAIRPERSON SEARS: This meeting is
23 adjourned.

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C E R T I F I C A T E

I, Tammy Wittman, certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

A handwritten signature in black ink that reads "Tammy Wittman". The signature is written in a cursive, slightly slanted style.

Signature_____

Date May 22, 2009_____