



National [REDACTED]
Freedom [REDACTED]
Of [REDACTED]
Information [REDACTED]
Coalition [REDACTED]

— 30 YEARS —



PublicInput.com

Virtual Meetings & Sunshine:

*Hosting secure, virtual meetings
—without violating public record laws*



Allie Breyer
Digital Coordinator



Daniel Bevarly
Executive Director



Graham Stone
VP of Government Relationships



PublicInput.com

Agenda for today

- The challenges of virtual public meetings
- States give the green light – reinvention vs. replication
- What are current expectations of public record laws?
- Addressing the two big challenges: security and equity
- How can we avoid ‘hijacking’ while maintaining best practices?
- Examples of secure, virtual meetings



Graham Stone

VP of Government Relationships
PublicInput.com



Public**Input**.com

A recap of the early challenges

Miami governments grapple with coronavirus by canceling or closing public meetings

Apr 1, 10:00 am

CANCELLED - Los Angeles City Council Agenda

Tucson halts public meetings, asks events to cancel over coronavirus

Zoning Public Notice: Cancelled Meetings

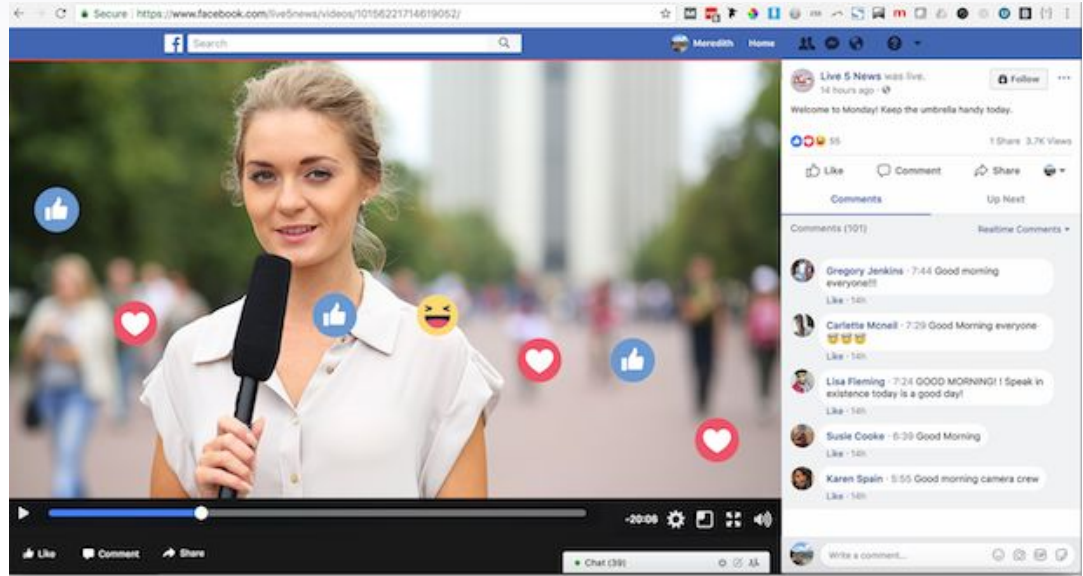
A recap of the early challenges: Social Live Streaming

Drawbacks

Limited to one presenter or one room

Deleted comment records liabilities

Unmoderated public comments



A recap of the early challenges: Conferencing tools

Drawbacks

Access control issues

Require broadband or downloaded apps

Unstructured, un-moderated comments

Public records lost in chat windows



Relinquishing screen control to facilitate public comment



States are giving virtual the green light

General Assembly Passes Legislation Modifying Open Meetings Act as Part of COVID-19 Response

3/30/2020

On March 25, 2020, the Ohio General Assembly passed and sent to Governor Mike DeWine Amended. Substitute House Bill 197. Included in the lengthy enactment, in a portion that relates to the conduct of public meetings and hearings, these changes are to be in effect during the period of the Executive Order 2020-01D issued on March 9, 2020, and extend beyond that date. On March 27, Governor DeWine signed the Assembly to be an emergency measure, and, upon its effective date,

The enactment provides that, during its effective period, hearings by means of teleconference, video conference, or other electronic means defined as any hearing under R.C. 109.01, or any other hearing, shall be considered to be a matter before the public body. "Public body" and "meeting" shall have the same meaning as in R.C. 109.01.

Members of public bodies are permitted to attend meetings in person or by electronic means under the provisions and which the public body may determine. Members attending in this manner are to be considered present for the purpose of voting on matters coming before the public body or adopted by the public body during such a session, meeting or hearing.

The public body is required to give notice of the meeting and the agenda to be completed by reasonable methods by which the meeting or hearing. In an emergency situation, the public body may determine the manner of notice.

JUSTIN P. WILSON
Comptroller



JASON E. MUMPOWER
Deputy Comptroller

Memorandum

Date: March 20, 2020

To: Tennessee Local Government Officials, Leaders, and Legal Representatives

From: Office of the Tennessee Comptroller of the Treasury

Subject: Revised: COVID-19 Guidance

Local governing bodies throughout Tennessee are impacted by the COVID-19 pandemic. We recognize that many of you may have questions about how to carry out your governance and operational responsibilities lawfully and effectively. This memorandum addresses recent changes related to Tennessee's open meeting requirements and addresses what all local governments should do to ensure policies are in place to respond to this situation.

STATE POLITICS

Local NC governments can't meet in City Hall. Are online meetings legal?

6 ("the Order"), which ("MA") to the extent ("TOMA") to meet and meeting electronically is light of the COVID-19

or any other public body of the governing body.



COMMONWEALTH of VIRGINIA

Office of the Attorney General

202 North Ninth Street
Richmond, Virginia 23219
804-786-2071
Fax 804-786-1991
Virginia Relay Services
800-828-1120
7-1-1

March 20, 2020

(ip) Sullivan, Jr.
Delegates

your request for an official advisory opinion in accordance with § 2.2-505 of

Issues Presented

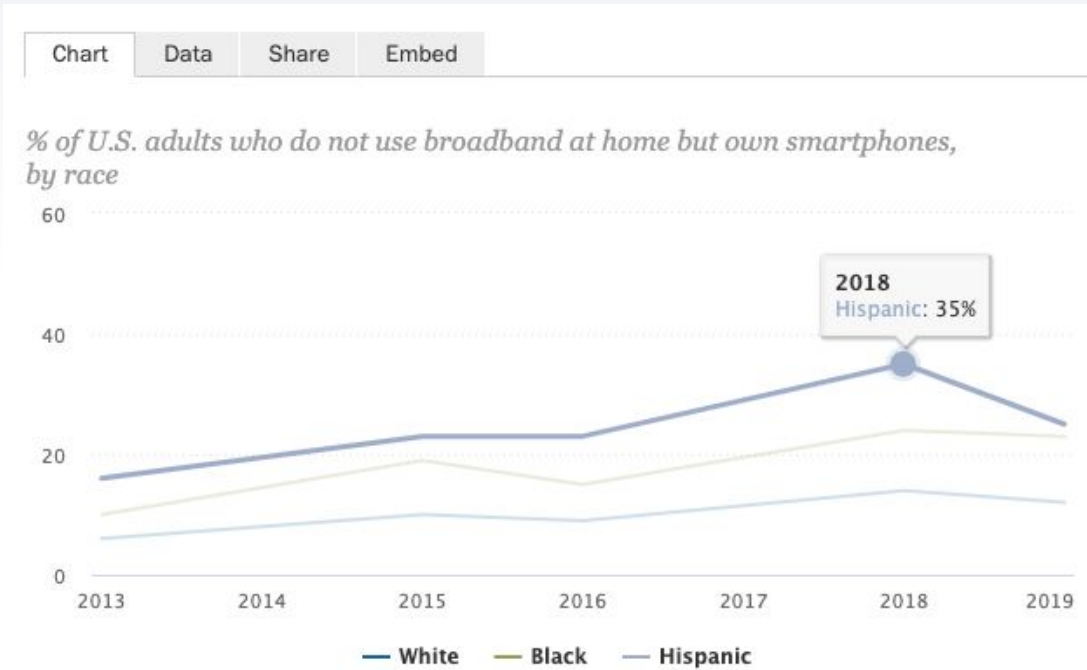
but how public bodies may continue to conduct business during the current pandemic, you have asked:

Code § 2.2-3708.2(A)(3) permit public bodies (including local governments) to hold meetings solely by electronic communication during the

Accessibility is personal



Equality of access



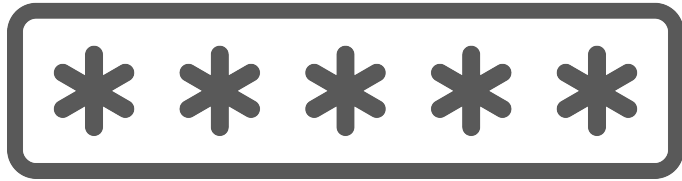
Many households cannot download conferencing software or stream live video.

81%
of Americans
Have a smartphone

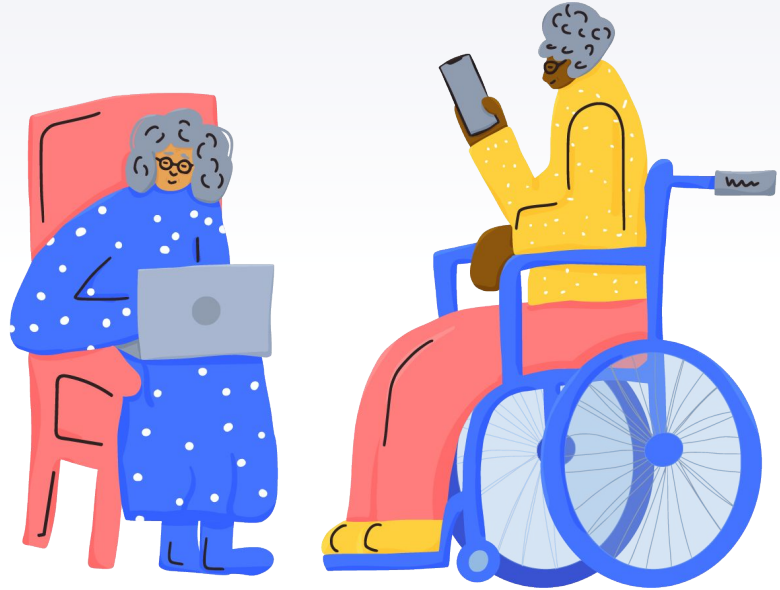
20%
of Americans rely on
mobile phone data for internet
(can't access webinar format)

35%
of US minorities rely on
mobile phone data for internet

Two big challenges have emerged



Security



Accessibility

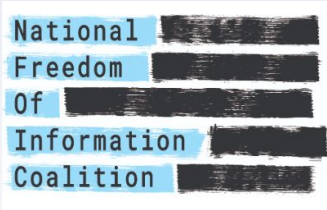


Daniel Bevarly

Executive Director

National Freedom of Information Coalition





Best Practices and Professional Standards

The Challenge:

Access to government meetings and information should not be negatively affected when public institutions switch to virtual administration or digital platforms to manage these services.

Instead, government transparency specific to public engagement and public information practices should be replicated, even enhanced through technology solutions and improved administrative practices due to capabilities and especially in the case of national emergencies. However:

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Best Practices and Professional Standards

- More than 200 Illinois mayors requested the state's Attorney General to allow them to ignore the five-business day deadline for responding to public record requests required in the state's FOI Act.
- Most government agencies in southern California are simply refusing to provide records to the public as required under the state's Public Records Act, according to The Voice of San Diego.
- Hawaii's Governor suspended state laws that require that government agencies meet in public and that government records be made public as part of the administration's emergency response to COVID-19.

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Best Practices and Professional Standards

- Hawaii is one of 35 states that have at least temporarily altered their open government laws because of the coronavirus crisis a USA Today Network investigation found.
- Other state and local government agencies have refused public record requests arguing they are too busy on “essential” work to attend to the public’s right to know what their government is doing in their name and with their tax dollars.
- Hundreds of public bodies report shortcomings in the technologies they are using to manage public meetings and public records that have hampered and prevented their compliance to state open government laws.

Best Practices and Professional Standards

Emerging Trends in public information management:

- **Legal** – Litigation is a growing response to denied public records and access to public meetings by journalists and the public.
- **Economic** – Administrative costs are growing to collect, organize and manage public information and public engagement.
- **Political** – The level of transparency correlates to the level of trust in public institutions and officials.
- **Technology** – The digital transformation's impact on public engagement provides evidence that communication and information sharing technologies, when applied correctly can provide economic and political benefits

Best Practices and Professional Standards

Goal: Improve efficiency, lower agency and legal costs, increase participation and decrease political friction.

A holistic approach is required to identify and adopt solutions to the administrative challenges across the enterprise:

- Improve training and education;
- Establish professional standards and adopt best practices;
- Utilize technology to replicate and improve administrative processes
- Embrace a cultural change in managing public engagement (meetings) and public information (records) that meet public expectations

A virtual public meeting must:

Provide a way for multiple presenters to engage remotely

Capture, moderate, and retain all public comments

Allow easy, open access for residents without broadband

Allow easy, open participation without a personal computer

Protect against hijacking and trolling

IT teams are being tasked with solving

 **Mike Sarasti** @Sarasti · Mar 26

In midst of incredibly difficult times, we made bit of history at @CityofMiami last night. We held 1st virtual commission meeting & introduced 3 new methods of #publicparticipation. It's a template for the future. Proud of our electeds, admin, & team for embracing #DigitalGov



The screenshot shows a virtual meeting interface. At the top, it says "Commission Meeting". Below that is a grid of video thumbnails for participants. On the right, there's a large video feed of a person speaking. At the bottom, there's a sidebar titled "How to Provide Comment" with three options: "Voice Message", "Online Comment Form", and "Upload a Video". Each option has a brief description and a deadline of March 26th, 2020.



Broad themes we're observing

IT teams are facing the brunt of the pressure

Access is being politicized to block projects

Costs per engagement are decreasing

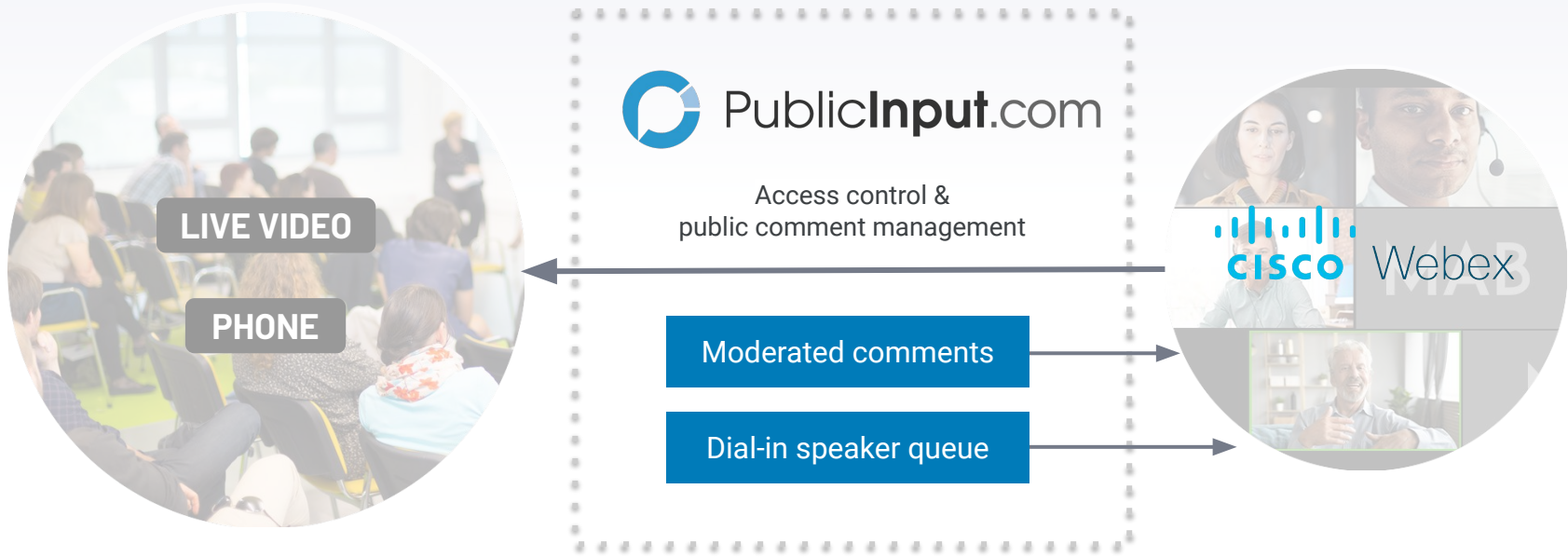


\$50,000 Traditional Public Hearing

VS

\$20,000 Virtual Public Hearing

Creating two rooms: **public** and **access-controlled**



Open public access

Protected meeting room

The innovators are making it happen

APR City of Gulf Shores Virtual City Council Meeting 4/13/2020 4:00pm

13  Mon, Apr 13 2:30 pm

 Participate by phone: **855-925-2801** Meeting code: 8006

 Text **P802** to **855-925-2801**



Your meeting question or comment

Logged in as **Jay Dawkins**  **Comment**

Post on behalf of Gulf Shores, AL

What rights do homeowners have to stop this development for simply NIMBY (Not in my backyard?)

9 days ago  Reply  Agree

Mayor answered your question...through the public input during meetings at a time and dates to be determined

 Reply  Agree 9 days ago

Will there be a jet ski launch?

9 days ago  Reply  Agree

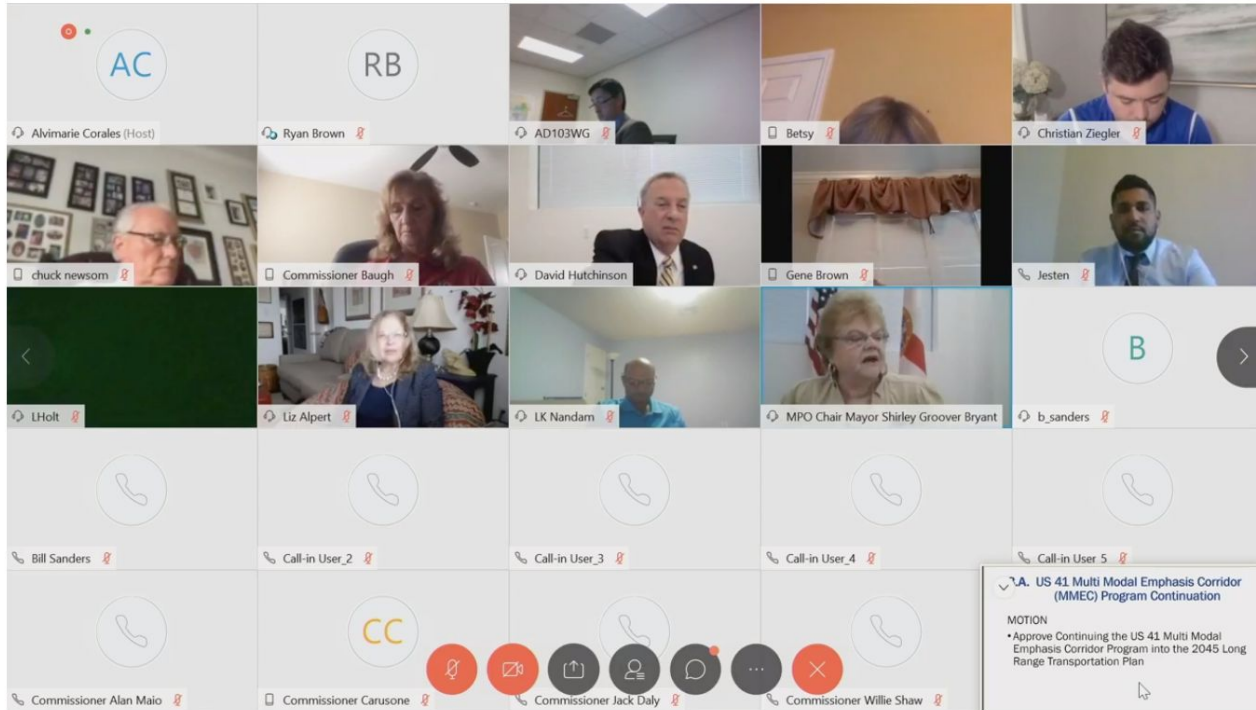
no...kayak and non motorized launch

 Reply  Agree 9 days ago

Just got on here did they say any time frame for the beach re-opening for weddings?



The innovators are making it happen



Your meeting question or comment

Logged in as **Jay Dawkins** ▾

Comment

Post on behalf of Sarasota-Manatee FL MPO

CORINNE TUCKER (Sarasota-Manatee FL MPO) You can leave your comment here using the chatbox!

2 days ago

↩ Reply

If there is a chat function for participants, I would suggest those on the phones with feedback utilize that function.

2 days ago

↩ Reply ⊕ Agree

✓ A. US 41 Multi Modal Emphasis Corridor (MMEC) Program Continuation

MOTION

- Approve Continuing the US 41 Multi Modal Emphasis Corridor Program into the 2045 Long Range Transportation Plan

* Please enter your contact information and leave a comment below

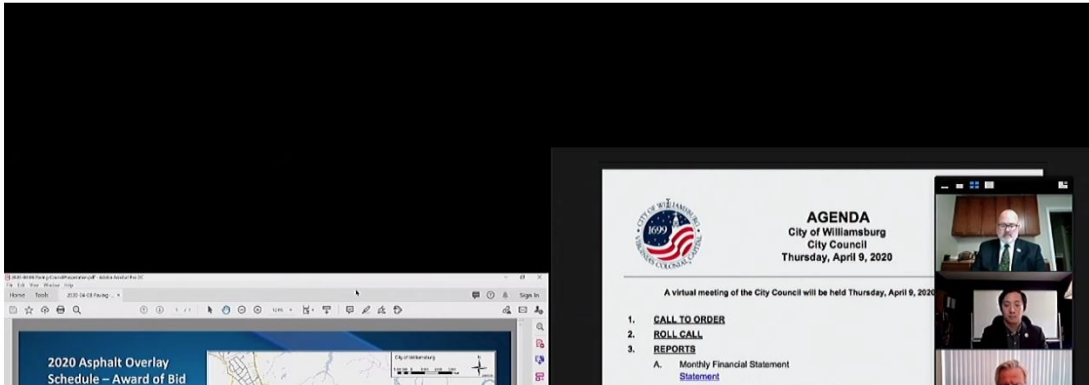
The innovators are making it happen

APR City Council Virtual Meeting - April 9, 2020

9 📅 Thu, Apr 09 2:00 pm

You may watch a live stream of the meeting below or on the:

- City's Facebook page at <https://www.facebook.com/Williamsburg.Virginia>
- City cable channel 48
- [City's e-Meetings page.](#)



Want to call in to speak during the open forum section of the meeting?

Use the information below to access the live meeting. You will remain muted until the Open Forum section and will then be called upon to speak in the order that you arrived in the meeting. Please state your name and address and you will have 5 minutes to address City Council on any topic.

Please ensure that you are not watching the meeting via the Internet or television as this will cause feedback during the meeting and we will have to mute your line.

Here are details:

Call in number: **(470) 869-2200**

We're in a live example of a virtual public meeting right now.

Q&A (or “Public Comment” period)



Allie Breyer
Digital Coordinator



States are reopening and they need data

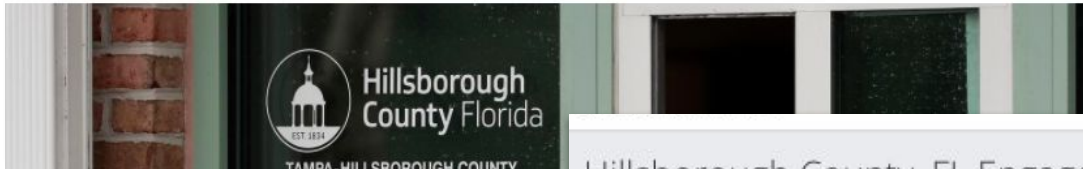
TEXAS

Texas to loosen restrictions on malls, movie theaters in staggered reopening

Gov. Greg Abbott will let a range of businesses start reopening but not salons, barber shops or gyms.

Hillsborough seeks public input on coronavirus response

The county says survey results will help guide its COVID-19 services



Hillsborough County, FL Engagement Dashboard

PARTICIPANTS

10,341

RESPONSES

264,017

COMMENTS

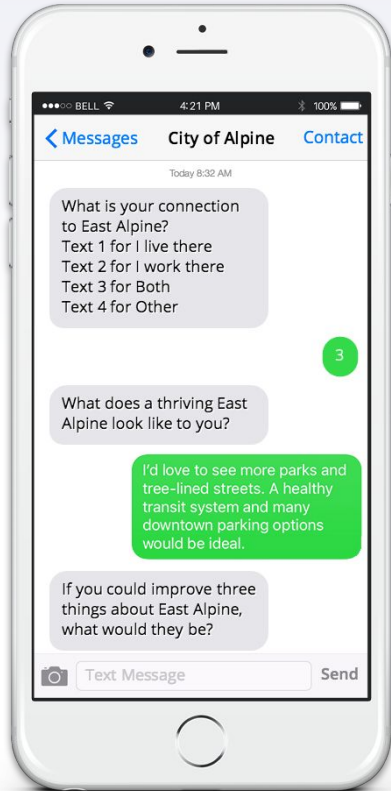
6,671

NEW SUBSCRIBERS

31,124

Last 7 Days ▾

Meetings are not the entire story

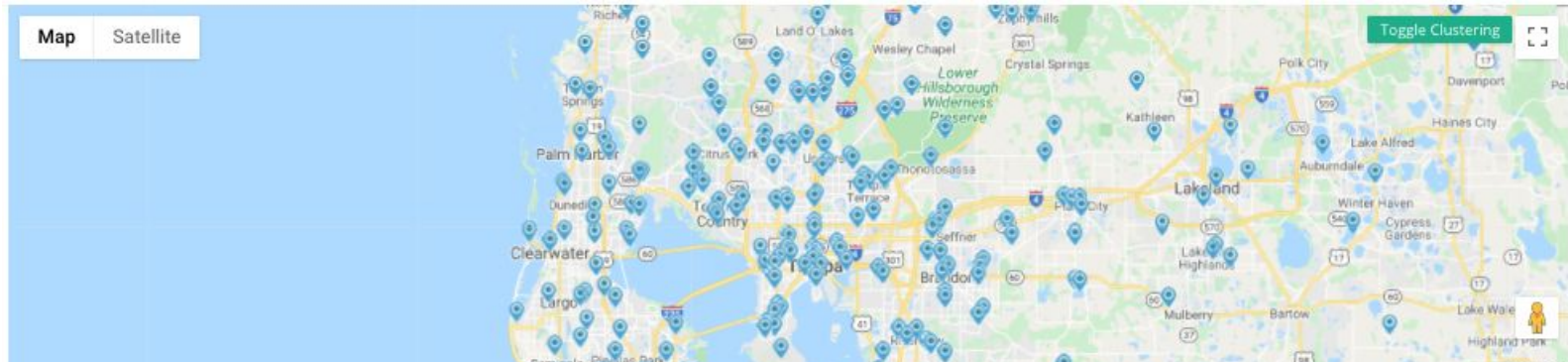


Connecting the dots across all interactions

Participants Download Participants List

Show 10 entries Filter:

Name	Email	Phone	Segments	Location	Source	Actions
Steven		720	Persons who Identify as Having a Disability or Caregivers	BOULDER, CO	Online	
Stevie			Longmont Longmont City Participants over 60 Persons who Identify as Having a Disability or Caregivers	LONGMONT, CO	Online	
Sue		303	Boulder City	BOULDER, CO	Online	
Susan			Boulder City Participants over 60	BOULDER, CO	Online	
susan			Persons who Identify as Having a Disability or Caregivers	LAFAYETTE, CO	Online	



Gain complete understanding by integrating modes

Wake BRT: Western Blvd

Project Engagement

VIEWS	PARTICIPANTS	RESPONSES	COMMENTS	SUBSCRIBERS	IMPRESSIONS
1,342	425	4,658	291	153	531

MOVE + TOGGLE COMMENTS FILTER BY SEGMENT OPTIONS

what is your residential zip code?

Zip code 27606
20.57%
87 of 423 located participants

If BRT service were provided along Western Blvd., where would you go using the service?

80%	9. Downtown Raleigh	297 ✓
58%	6. Dorothea Dix Park	215 ✓

All Departments 02/08/2019 To 01/08/2020 Last week Last month Last year

VISITORS	PARTICIPANTS	NEW SUBSCRIBERS	SOCIAL VIEWS	VOTES	COMMENTS	ACTIVE PROJECTS
62,425	11,757	4,521	33,641	144,679	20,432	98

Top Questions

How old are you?

2,162 respondents

Project Engagement

Comments for Do you have any concerns about residential infill development in Raleigh?

Smart Cloud BRTA Tag Cloud Smart Keywords

Save to Image Add to Report Download Tag Counts



Allie Breyer
Digital
Coordinator



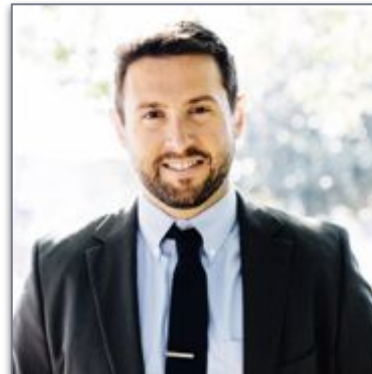
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Executive Director



Graham Stone
VP of Government
Relationships



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