



Special Communications Committee – Board of Representatives

Bob Lion, Chair Nina Sherwood, Vice Chair

Committee Report

Date: Wednesday, June 27, 2018
Time: 7:00 p.m.
Place: Democratic Caucus Room, 4th Floor Government Center, 888
Washington Boulevard, Stamford, CT

The Communications Committee met as indicated above. In attendance were Chair Lion, Vice Chair Sherwood and Committee Member Reps. Michelson, Moore, Morson, Nabel and Zelinsky. Absent or excused was Rep. Matherne. Also present were Rep. McMullen; Libby Carlson, Mayor's Office; and Kathy Emmet, Corporation Counsel.

Chair Lion called the meeting to order at 7:00 p.m.

Item No.	Description	Committee Action
1. C30.002	REVIEW; Review of current outreach processes 03/05/18 – Submitted by Rep. Lion 03/15/18 – Report Made & Held in Committee 05/02/18 – Report Made & Held in Committee 05/22/18 – Held in Committee	Report Made

Ms. Carlson reviewed the [attached handout](#) with the Committee:

- Press releases for the Mayor or Managers & Directors are sometimes news related and sometimes information related
- The website has the capability of sending emails blasts (list has about 1-200 people)
- She is working on collecting emails from the website to send bi-weekly emails through Mailchimp
- Variable Message Boards are used throughout the City in English and Spanish
- CTAlerts reverse 911 system is for emergency events and has about 68,000 contacts or updating residents who opt-in on an issue in a specific location
- There is an emergency hotline residents can call into during an emergency
- There has not been an attempt to combine the email lists from all departments
- The Mayor's Calendar goes out to people who have asked to be on the list
- Mayor's Night In is not generally on social media, but could be
- These events and request for emails could be in The Advocate; these might be considered ads which need to be paid for
- The Mayor's Office is not usually notified about requests that are made to Citizens' Services

The Committee next considered Item 3

¹3. C30.007 REVIEW; FOIA & Liability Issues Raised by the Use of **Report Made**
Social Media.
05/23/18 – Submitted by Rep. Lion

Ms. Emmett discussed of the things that the committee should be aware as follows:

- Records retention is required under FOIA for all government business (this is a challenge for Snapchat, which is intended to go away)
- It is a formal and complicated and process to destroy records
- Government business done on private accounts are also subject to FOIA
- Email and Facebook communications among members could be considered meetings under FOIA
- Curating content is an issue – Can't take down content you don't agree with; there must be universally applicable neutral principles which don't eliminate information based upon protectable content (e.g. can prohibit vulgar postings, but can't make judgments); could subject to 1st Amendment challenges
- Libby and Kathy Ruther are the only ones who have access to post on the City Facebook page as the City, but anyone can post comments (comments are still subject to FOIA)
- Someone has to monitor the content
- Who has authority to make decisions about content, given the variety of points of view; it should be limited to basic information about what is going on
- A meeting under FOIA is a proceeding of the body; which tends to be discussing an item on the agenda (there are dueling court decisions about whether a quorum is needed); the FOI Commission takes a very broad view of proceedings
- There was a recent decision about President Trump's Twitter account that held that since he is using it for government communications, he can't block someone from access to it
- The recent Supreme Court case on the travel ban spent a great deal of time reviewing the President's Twitter account; social media is available to be reviewed
- On the State level there have been campaign finance violation issues raised in connection with the use of social media
- There is also the concern about slander and libel claims raised by comments on social media
- Comments on social media might raise issues from participating in subsequent appeals of Zoning Board decisions depending upon what the member says (this is different from the court cases on this which specifically address members speaking at the Zoning Board hearings and then participating in the appeal)
- Representatives, as elected officials, can express their opinions on social media

2. C30.004 REVIEW; Discuss a communications allowance to assist **Held 6-0-1**
Board of Representatives members to communicate
issue-oriented matters with constituents, and propose
draft rules governing the appropriate use of said
allowance.
03/06/18 – Submitted by Reps. de la Cruz, Lion,
Sherwood, Michelson, Matherne, Zelinsky
03/15/18 –Held in Committee
05/02/18 –Held in Committee
05/22/18 – Held in Committee

A motion to hold this item was made, seconded and approved by a vote of 6-0-0 (Reps. Lion, Sherwood, Michelson, Moore, Nabel and Zelinsky in favor; Rep. Morson abstaining).

¹ Video Time Stamp 00:25:20

As a Secondary Committee:

- ²1. [LR30.036](#) APPROVAL; Amendment to [Board of Representatives Rules of Procedure](#) to add a public participation session. **Approved by Committee 6-0-0**
03/07/18 – Submitted by Rep. Cottrell, Sherwood, Zelinsky, Lutz, Aquila, Nabel, Summerville and Matherne
Rep. Sherwood read the following email from Rep. Matherne into the record:

Unfortunately I will not be able to attend tonight's meeting, but I wanted to address the committee regarding the vote to approve item LR30.036 as a secondary committee. If possible, I'd like to request that the message below be distributed to the members of the Communications Committee, I have also asked Vice Chair Sherwood to read it into the record at tonight's committee meeting.

The last time this item was brought before L&R and Communications, L&R voted it down, while the Communications committee passed it unanimously. I believe this shows that this proposed rule change comes down to two questions.

-Should members of the public have an opportunity on every item to publicly address the Board of Representatives?

-Can we give members of the public this opportunity in a way that doesn't compromise the integrity of full board meetings?

(I believe the importance and prevalence of these two very different questions to be illustrated by the fact that even member(s) who sit on both the L&R and Communications committees voted differently just days apart in that same legislative round.)

First, should members of the public have an opportunity on every item to publicly address the Board of Representatives?

The current rules do not allow such opportunity. e.g. Despite an outcry of public interest in the recent vote regarding the appointment of Director Orgera, at no time did members of the public have an opportunity to publicly address the board. I view this as a complete failure of our current rules and practices. In my opinion, it is our responsibility not to try to replace the voices of our constituents with our own, but instead, to aspire to be a megaphone to give more power to the voices they already have.

Second, can we give members of the public this opportunity in a way that doesn't compromise the integrity of full board meetings?

In the latest version of this proposed rule change before you tonight, members of the public would only be granted the ability to speak to the full board regarding current agenda items, and only ones that they haven't already been given the opportunity to speak on previously. No one would be given the opportunity to have a "repeat performance". I believe this almost surgically highlights, and solves, some of the current communications issues we have on the board, while respecting both the voices of our constituents and the time of the dedicated volunteers of the board. Further, different versions of this rule have been in use on different boards and commissions in this city, state, and all across this country. In my opinion, our ability to implement a rule such as this is already as tried and true as any of the other rules and procedures we follow as members of the board.

It is my hope that this committee will again vote unanimously in favor of giving our constituents a voice in the future and fate of our city, and be given the opportunity to

² Video Time Stamp 01:10:45

speak to everything we do to serve them.

I will proudly be speaking in favor of this rule change on the floor at the next meeting of the full board, and hope you'll join me in voting for its approval.

Rep. Raven Matherne - District 19

Committee members discussed this item as follows:

- As of now, constituents do not have an opportunity to address the Board on items that do not have public hearings
- Representatives have limited opportunities to speak with constituents
- This proposal is only for a trial period
- This version gives the President too much discretion
- What does "avoidance of doubt" in subsection b. mean?
- There is no guarantee that this will only be 30 minutes long
- This is a representative body and the representatives are supposed to speak for their constituents

A motion to approve this item was made, seconded and approved by a vote of 6-0-0 (Reps. Lion, Sherwood, Michelson, Moore, Nabel and Zelinsky in favor).

Chair Lion noted that he does not intend to hold a meeting in July and that he is preparing an initial draft of the Committee's report to the full board.

Chair Lion adjourned the meeting at 8:45 p.m.

Respectfully submitted,
Bob Lion, Chair

This meeting is on [video](#).