



**Levy County Public Information Strategic Plan Goal 1.2:
Investigate the Feasibility of Live-Stream Video of the BoCC Meetings**

July 16, 2024
and
July 29, 2024 Addendum: ADA Compliance

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Public Information Strategic Plan

The Board of County Commissioners (BoCC) approved the Levy County Public Information Strategic Plan during their March 19, 2024 meeting. This plan was developed to provide a data-driven evaluation of the priorities of the community, the BoCC Members, and the Members of the BoCC Management Team. The identified priorities were used as the foundation for strategic initiatives, goals, and objectives that were designed to guide the work efforts of the new Public Information Officer position through July 2025. The following is a summary of the Public Information Strategic Plan Goals.



Goal 1.2

Public Information Strategic Plan Goal 1.2 and its associated objectives are as follows:

Goal 1.2	Investigate the feasibility of a live-stream video of the BoCC Meetings.
Objectives	1.2.1 Research whether / how other counties live-stream video their meetings, including the associated costs of both video and archiving.
	Due Date: July 1, 2024
	1.2.2 Present a formal plan to the BoCC for consideration and possible action on the live-streaming of meetings.
	Due Date: July 16, 2024
	Outcome: A definitive plan for the future about whether or not the BoCC meetings will be live-streamed.

Records Information Management

The following is referenced from the Office of the Attorney General Ashley Moody.¹

Does the law require that a public meeting be audio taped?

There is no requirement under the Sunshine Law that a public board or commission make tape recordings, but if they are made, they become public records.

What is a public record?

The Florida Supreme Court has determined that public records are all materials made or received by an agency in connection with official business that are used to perpetuate, communicate, or formalize knowledge. They are not limited to traditional written documents. Tapes, photographs, films, and sound recordings are also considered public records and are subject to inspection unless a statutory exemption exists.

¹ <https://www.myfloridalegal.com/open-government/frequently-asked-questions>

The 2024 Government in the Sunshine Manual: A Reference for Compliance with Florida's Public Records and Open Meetings Laws²

Section 3: Minutes:

c. Tape recording or Internet archive as minutes

The Sunshine Law does not require that public boards and commissions tape record their meetings. See AGO 86-21. However, other statutes may require that certain proceedings be recorded. See *Carlson v. Department of Revenue*, 227 So. 3d 1261 (Fla.1st DCA 2017) (statute mandating that a "complete recording" be made of portions of a closed negotiation team meeting requires more than an agenda and meeting notes). Cf. AGO 10-42 (where statute requires that all closed proceedings of child abuse death review committee be recorded and that no portion be off the record, audio recording of the proceedings "would appear to be the most expedient and cost-efficient manner to ensure that all discussion is recorded").

However, while a board is authorized to tape record the proceedings if it chooses to do so, the Sunshine Law also requires written minutes. AGO 75-45. Similarly, while a board may archive the full text of all workshop discussions conducted on the Internet, written minutes of the workshops must also be prepared and promptly recorded. AGO 08-65.

Moreover, the tape recordings are public records and their retention is governed by schedules established by the Division of Library and Information Services of the Department of State in accordance with s. 257.36(6), F.S. AGO 86-21. Accord AGO 86-93 (tape recordings of school board meetings are subject to Public Records Act even though written minutes are required to be prepared and made available to the public).

² <https://www.myfloridalegal.com/sites/default/files/2024-government-in-the-sunshine-manual-web.pdf>

The Public Records Law, Florida Statutes, Chapter 119³

119.01 General state policy on public records.—

(1) It is the policy of this state that all state, county, and municipal records are open for personal inspection and copying by any person. Providing access to public records is a duty of each agency.

(2)(a) Automation of public records must not erode the right of access to those records. As each agency increases its use of and dependence on electronic recordkeeping, each agency must provide reasonable public access to records electronically maintained and must ensure that exempt or confidential records are not disclosed except as otherwise permitted by law.

(b) When designing or acquiring an electronic recordkeeping system, an agency must consider whether such system is capable of providing data in some common format such as, but not limited to, the American Standard Code for Information Interchange.

(c) An agency may not enter into a contract for the creation or maintenance of a public records database if that contract impairs the ability of the public to inspect or copy the public records of the agency, including public records that are online or stored in an electronic recordkeeping system used by the agency.

(d) Subject to the restrictions of copyright and trade secret laws and public records exemptions, agency use of proprietary software must not diminish the right of the public to inspect and copy a public record.

(e) Providing access to public records by remote electronic means is an additional method of access that agencies should strive to provide to the extent feasible. If an agency provides access to public records by remote electronic means, such access should be provided in the most cost-effective and efficient manner available to the agency providing the information.

(f) Each agency that maintains a public record in an electronic recordkeeping system shall provide to any person, pursuant to this chapter, a copy of any public record in that system which is not exempted by law from public disclosure. An agency must provide a copy of the record in the medium requested if the agency maintains the record in that medium, and the agency may charge a fee in accordance with this chapter. For the purpose of satisfying a public records request, the fee to be charged by an agency if it elects to provide a copy of a public record in a medium not routinely used by the agency, or if it elects to compile information not routinely developed or maintained by the agency or that requires a substantial amount of manipulation or programming, must be in accordance with s. 119.07(4).

(3) If public funds are expended by an agency in payment of dues or membership contributions for any person, corporation, foundation, trust, association, group, or other organization, all the financial, business, and membership records of that person, corporation, foundation, trust, association, group, or other organization which pertain to the public agency are public records and subject to the provisions of s. 119.07.

History.—s. 1, ch. 5942, 1909; RGS 424; CGL 490; s. 1, ch. 73-98; s. 2, ch. 75-225; s. 2, ch. 83-286; s. 4, ch. 86-163; ss. 1, 5, ch. 95-296; s. 2, ch. 2004-335; s. 1, ch. 2005-251.

³ http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0119/0119.html

Florida Statutes 257.36 (5)⁴

(5) For the purposes of this section, the term “agency” shall mean any state, county, district, or municipal officer, department, division, bureau, board, commission, or other separate unit of government created or established by law. It is the duty of each agency to:

(a) Cooperate with the division in complying with the provisions of this chapter and designate a records management liaison officer.

(b) Establish and maintain an active and continuing program for the economical and efficient management of records.

(6) A public record may be destroyed or otherwise disposed of only in accordance with retention schedules established by the division. The division shall adopt reasonable rules not inconsistent with this chapter which shall be binding on all agencies relating to the destruction and disposition of records. Such rules shall provide, but not be limited to:

(a) Procedures for complying and submitting to the division records-retention schedules.

(b) Procedures for the physical destruction or other disposal of records.

(c) Standards for the reproduction of records for security or with a view to the disposal of the original record.

History.—s. 5, ch. 67-50; ss. 10, 35, ch. 69-106; s. 4, ch. 81-173; s. 24, ch. 83-339; s. 46, ch. 86-163; s. 8, ch. 95-296; s. 34, ch. 2000-258; s. 15, ch. 2004-335; s. 5, ch. 2015-117.

Note.—Former s. 267.051.

Research of Other Counties

Research for this initiative involved reaching out to representatives of Gilchrist, Flagler, and Pasco Counties. All three counties currently livestream and archive their meetings on YouTube Channels. The actual approach to live streaming varied greatly from simply installing a stationary camera and a laptop in the meeting room (approximately \$6,000) to installing a full recording studio with stations for two videographers to allow for multiple camera angles as well as close-up and wide-screen pictures (approximately \$70,000).

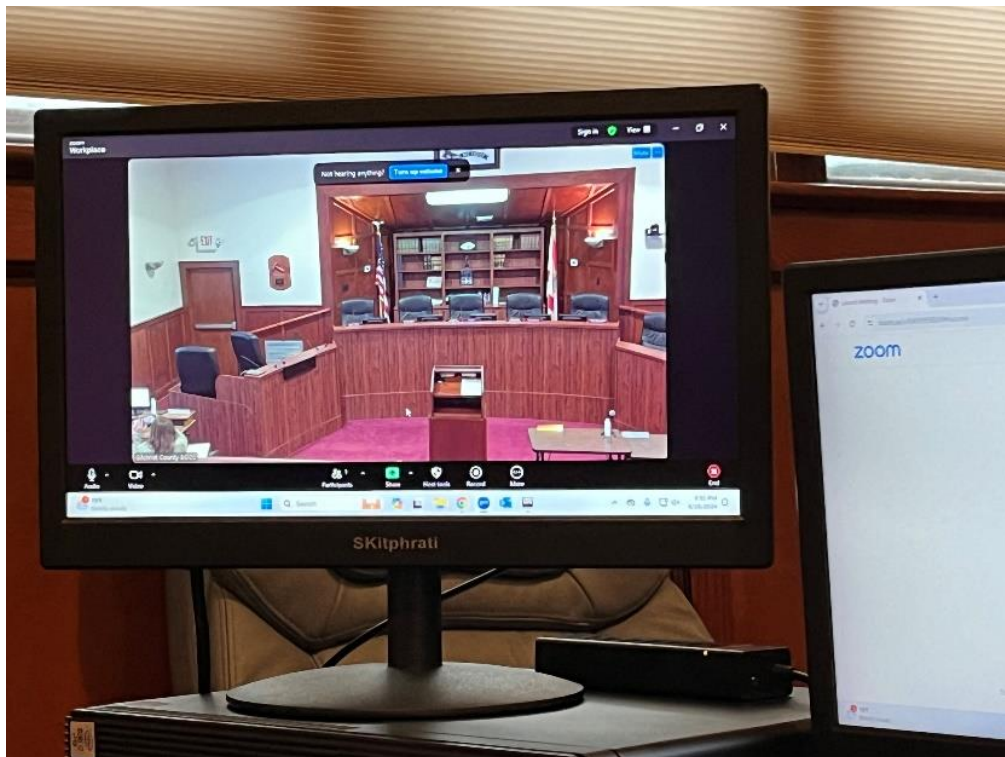
As Gilchrist County is close in proximity to Levy County and is more comparable to Levy County in the size of its staff and the scope of services that are delivered by the county as compared to Flagler and Pasco Counties, the Levy County Public Information Officer traveled to Gilchrist County to observe their live-streaming system. The following images are from Gilchrist County, where two stationary cameras were installed.

⁴ http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0200-0299/0257/Sections/0257.36.html

The first camera is above the door at the rear of the meeting room.



This camera is focused on the Gilchrist County Board of Commissioners and transmits the following image.



Levy County Board of County Commission
Mary-Ellen Harper, MPA, EFO, Public Information Officer
P.O. Box 310 Bronson Florida 32621
Telephone (352) 722.2244 Email: PIO@LevyCounty.org Website: www.levycounty.org

The second camera is focused on the podium, where members of the public are invited to comment.



This second camera allows for images of the faces of members of the public to be recorded while they present public comments. Gilchrist County reported that they could record their meetings with a single camera if they were satisfied with the video recording only the back of someone's head while they present their public comment.

The video recorded by the cameras is relayed to a computer in the meeting room.



The meetings are then transmitted via Zoom and archived on the Gilchrist County BoCC YouTube Channel.



Gilchrist County BOCC

@GilchristCountyBOCC · 6 subscribers · 3 videos

More about this channel ...more

Subscribe

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Board of County Commission Decision

Levy County Public Information Strategic Plan Goal 1.2 is to “Investigate the feasibility of live-stream video of the BoCC Meetings.” By submission of this report, the Goal has been achieved by its due date of July 16, 2024. The following is suggested for Board consideration:

1. Is the BoCC interested in live-streaming their meetings?
2. If the Board decides that they are interested in live-streaming their meetings, a determination should be made as to:
 - A. How simple or complex a system (single camera versus a full recording studio with multiple stations for recording) does the BoCC want?
 - B. When is the BoCC interested in initiating this project (now, a future budget year, etc.)?
 - C. Where will the funding for this project come from?

Appendix A of this report includes O’Cull Electric, LLC’s proposal to install one or two cameras to live-stream BoCC Meetings in the Meeting Room. The Levy County Director of Construction and Maintenance met with a representative from O’Cull Electric LLC, reviewed their proposal, and is satisfied that it is a reasonable proposal should the Board choose to install a simple system to livestream meetings. O’Cull Electric LLC installed the computer screens in the Levy County Emergency Operations Center and the Gilchrist County live-stream system.

This report is not intended to recommend a specific system, timeline, or vendor but to provide the BoCC with sufficient information to determine whether they are interested in pursuing live-streaming their meetings. Should the BoCC pursue this project, additional quotes would be required to comply with the County’s Procurement Policy.

July 29, 2024 Addendum: ADA Compliance

As stated above, this report intended to provide the BoCC with sufficient information to determine whether they are interested in live-streaming their meetings with the expectation that if there is an interest, additional research would be necessary to decide on the plan that best suits the needs of the Levy County BoCC. Further research includes details about options for compliance with the Americans with Disabilities Act (ADA) Compliance. As there were several inquiries about ADA Compliance from Commissioners following receipt of this original report, additional information on ADA Compliance has been included as an Addendum.

To comply with ADA guidelines, online videos are required to have some form of captioning available for viewers. There are two options for captioning: open and closed. Open captions are always in view and cannot be turned off, whereas closed captions can be turned on and off by the viewer.

YouTube supports closed captioning. Editing the closed caption file is required before publishing the video because auto-generated caption files often contain misspellings and errors. According to the Department of Justice for compliance with the ADA, auto-generated caption files supplied by YouTube and others are not considered viable. Once the file is edited, it is ADA-compliant.

YouTube is a free platform that will archive videos. With every third-party service, there is always the risk that they could lose or otherwise discontinue access to posted videos. This risk could be minimized by maintaining copies of all files uploaded to the platform so they are not lost if the posted videos are no longer available.

There are many options available for archiving and ADA compliance outside of YouTube that can be investigated should the BoCC decide to pursue live streaming its meetings. For comparison, another option is CivicPlus Media. CivicPlus is the company that is creating the new BoCC Website. The BoCC also uses CivicPlus for Municode, Municode Meetings, an Archiving system (formally Archive Social) for all Social Media Sites, the Current Website, and, coming soon, the Electronic Public Records Request System. CivicPlus Media offers the following:

- Immediate availability of live or recorded videos for on-demand viewing; no additional steps for manual file uploads
- High-definition video for professional-quality presentations
- Link meeting agendas and bookmarks
- Auto-start recordings of meetings so video viewers never miss a moment of live proceedings
- Live and on-demand closed captioning, transcription, translation, and transcoding services are available to adhere to accessibility standards
- Automatically upload videos for on-demand playback
- Ensuring compliance with Public Records Requirements — the add-on creates a permanent, owned location for videos.

Appendix B includes the CivicPlus Media Fact Sheet and cost proposal. The current annual cost of CivicPlus Media is \$6,500.

Appendix A: Quote from O’Cull Electric



PROPOSAL

TO: Mary-Ellen Harper Levy County BOCC 310 School Street Bronson, FL 32621	Project: Levy BOCC Single Camera Solution Address: 310 School Street Bronson, FL 32621 Date: 7/15/2024
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We propose to furnish all materials, equipment, and labor, subject to any exclusions listed below, required to complete the following:

O’Cull Electric is Pleased to provide a quote to supply and install a single or dual PTZ camera system for Levy County with the following capabilities

- Select and control the PTZ camera or Cameras from a custom GUI interface from the presenters computer using a custom programmed control processor
- Embed the audio and video into an format that can be utilized by YouTube/Facebook Live or other streaming services
- Provide custom presets for the cameras based on what type of presentation is being produced in the boardroom and where the presenters are located in the room
- Extend video from both camera locations to the presenters area
- Extend audio to the presenters computer
- Add a small matrix switch to switch between the lectern and County Personnel lap tops that will stream the video to the desired web service

1. Single PTZ Camera (Installed and Programmed)	\$6,727.38
2. Secondary PTZ Camera (Installed and Programmed)	\$4,674.60

Description of Services:

Deduct \$4,674.60 from the total of the is estimate for a single camera solution.

Subtotal:	\$11,401.98
*0% Tax:	\$0.00
TOTAL:	\$11,401.98

Terms and Conditions

1. O’Cull Electric LLC. agrees to install / service the proposed system(s) at the specified location(s) as

O’CULL ELECTRIC, LLC - 4110 SE 5TH ST - OCALA, FL 34471 - FL- #EC0002736

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July 29, 2024 Amendment – Appendix B: CivicPlus Media



CivicPlus[®] Media

Live and Recorded

- ▶ Board meetings
- ▶ Community concerts or parades
- ▶ School sporting events
- ▶ Council meetings
- ▶ Elected official Q&A sessions
- ▶ Press conferences

Engage Your Residents With Live and Recorded Video

Today's digitally minded residents are logging more hours watching online video than ever before, and they are searching for content that ranges from entertaining to informative. For local governments, video is a powerful mechanism for sharing news and events, encouraging civic participation, meeting transparency requirements, building a brand, recruiting employees, and encouraging residents to develop a sense of civic pride.

Media is a core component of the Civic Experience Platform and is accessible through our Municipal Website and Agenda and Meeting Management solutions. With CivicPlus[®] Media, you can integrate live or recorded videos of meetings and events, anywhere on your website that is easily accessible by residents, from any desktop computer or mobile device — no technical or coding skills necessary.



888-228-2233 | CivicPlus.com



Record Live Streams or Automatically Upload Videos So Residents Never Miss an Update

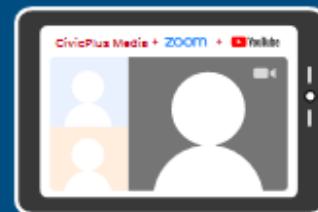
▶ Immediate availability of live or recorded videos for on-demand viewing; no additional steps or manual file uploads	▶ Auto-start recordings of meetings so video viewers never miss a moment of live proceedings
▶ High-definition video for professional-quality presentations	▶ Live and on-demand closed captioning, transcription, translation, and transcoding services are available to adhere to accessibility standards
▶ Link meeting agendas and bookmarks	▶ Multiple concurrent video streams

Add CivicPlus Media to Your Existing Media Provider and Benefit From Advantages That Include:

- ✔ Automatically upload videos for on-demand playback
- ✔ Maintaining and growing resident engagement — retain your existing media provider's engagement capabilities, plus expand your digital footprint with additional video access via your website
- ✔ Ensuring compliance with FOIA Standards — our add-on creates a permanent, owned location for your videos, so rest easy knowing your content won't be removed from public records
- ✔ Simplifying meeting moderating — with CivicPlus Media, you can avoid public commenting and in-meeting actions such as hand raising, muting, and unmuting

Enhance Your Meeting Process With CivicPlus' Agenda and Meeting Management Integration

- ✔ With Live Meeting Manager, you can save time by completing your post-meeting tasks with integrated video bookmarking.
- ✔ Increase public access and resident satisfaction.
- ✔ Our integration removes external linking so that community members can access agendas, packets, minutes, and videos inside the public portal, creating an enjoyable user experience for residents.



888-228-2233 | CivicPlus.com

02-1001-043023



CivicPlus
 302 South 4th St. Suite 500
 Manhattan, KS 66502
 US

Quote #:
Date:
Expires On:

Statement of Work
 Q-79919-1
 7/25/2024 3:16 PM
 9/23/2024

Client:
 Levy County, FL

Bill To:
 LEVY COUNTY, FLORIDA

SALESPERSON	Phone	EMAIL	DELIVERY METHOD	PAYMENT METHOD
Hope Padilla		hope.padilla@civicplus.com		Net 30

One-time(s)

QTY	PRODUCT NAME	DESCRIPTION
1.00	CivicPlus Media: Implementation Fee	CivicPlus Media: Implementation Fee

Recurring Service(s)

QTY	PRODUCT NAME	DESCRIPTION
1.00	CivicPlus Media Annual Fee	CivicPlus Media Annual Fee: Unlimited storage, unlimited users, up to 3 concurrent streams

Total Investment - Prorated Year 1	USD 4,912.90
Annual Recurring Services (Subject to Uplift)	USD 6,500.00

Total Days of Quote:219

Initial Term	Beginning at signing and ending 2/28/2025, Renewal Term 3/1 each calendar year
Initial Term Invoice Schedule	100% invoiced at signing, to be prorated based on signature date.

The Annual Recurring Services subscription fee for the Products (as described above) included in this SOW are prorated and co-terminated to align with the Client's current CivicClerk billing schedule and the Annual Recurring Services amount will subsequently be added to Client's Term and regularly scheduled annual invoices under the terms of the Agreement.

V. PD 06.01.2015-0048

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