

Brian Hamilton
bhamilton@theunion.com

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Brian Hamilton: NID directors not ready for prime time?

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Laura Mahaffy/lmahaffy@theunion.com | The Union

Happy Sunshine Week, western Nevada County!

What's that? You're not familiar? That's OK. It's somewhat of a niche audience that knows about it. But let's see if we can expand that a bit.

Sunshine Week's not a national holiday — and even it were, it's not like the news takes a day off; just ask members of our team who work the holidays — but it is a national observance celebrating the laws we have in place to protect the public's right to know what its government is doing.

And let's just hope, particularly in the midst of all this "fake news" nonsense, that it's not only

journalists and members of the media who still hold that right near and dear, but also a good number of American citizens.

“On March 8, NID’s board balked at video broadcasts of its meetings — with directors pointing to the cost of such a production, the need for citizens to actually attend the meetings to be “in the moment” and apparently the potential for anyone around the globe to watch them.

Here in California, we have the [Brown Act](#) and the Bagley-Keene Act, both geared to ensure transparency in all levels of government in the Golden State by requiring proper notice of meetings and public access to them.

"The people of this State do not yield their sovereignty to the agencies which serve them," Bagley-Keene states. "The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know."

Here in western Nevada County, the vast majority of local government entities do a solid job of meeting requirements under the law. In fact, not only are we presented with adequate advance notice of meetings and agendas on the topics to be covered, but also minutes of the meetings, summaries of actions taken and even live video broadcasts that remain available — and indexed for easy access to each agenda item — to the public for full review after adjournment.

For a newsroom intent on keeping our community informed, those are not tools to be taken for granted.

Understanding the transparency those efforts afford us, I couldn't help but scratch my head while reading [YubaNet's report on a recent meeting](#) of the Nevada Irrigation District's board of directors. As YubaNet Editor Pascale Fusshoeller put it, "Livestreaming and video replay of public meetings is the norm for Nevada County, the town of Truckee, the cities of Grass Valley and Nevada City. But NID is bucking the trend and four out of five directors have no intention of claiming YouTube, Periscope or Facebook Live fame."

On March 8, NID's board balked at video broadcasts of its meetings — with directors pointing to the cost of such a production, the need for citizens to actually attend the meetings to be "in the moment" and apparently the potential for anyone around the globe to watch them.

"I'm not sure about YouTube," said Division IV Director Will Morebeck, "wanting, you know, the whole world ... I mean YouTube goes everywhere in the world."

Um ... precisely? Isn't that the whole point — providing access to the public?

GET WITH THE PROGRAM

Look, no one is saying NID falls short of its legal responsibility by choosing not to provide video of board deliberations and decisions.

But after reviewing the audio recording of their discussion, some directors seem to miss the full scope of their commitment to the community they serve.

"I had to look at what I feel are my responsibilities and they are to protect the ratepayers and the taxpayers, and the assets of the district and the environmental resources therein — also to protect the integrity and the availability of the water supply," said Division II Director John Drew. "It is not my responsibility to facilitate and finance the creation of a vicarious relationship with the public. It's just not there. It's not my responsibility. As I said before, if anybody in the audience with their dozens of handheld devices want to record the board meetings, they can. They can stream it anywhere they want to, at zero cost to the ratepayers and to the taxpayers."

Sure they can, and then your constituents can hope there were members of the public — or media — available to be on hand to do the actual work. And they also can hope the video was an accurate representation of what happened, without any selective editing, and hope it will be posted in a timely manner so they know how their director represented them in the decisions made.

Or, of course, NID could simply join the rest of our government agencies who offer such a service to their constituents (aka, "ratepayers," "taxpayers" and "voters").

NID directors voted unanimously to continue with audio recordings, using a system the district implemented years ago.

But with that vote, the board also decided to soon, for the first time, start posting the audio recordings at the district website, NIDWater.com.

"Audio recordings have been available for many years in various forms as the industry has developed (tapes, CDs, etc.)," NID staff wrote in an email. "It is Board policy to avoid unnecessary expense to ratepayers. ... There has been an ongoing dialogue about this for some time, considering all of the different forms of meeting access to determine the best route for expanding access to customers."

For now, to gain access to audio recordings, one must file a public records request with the district, which we did to obtain audio of the March 8 meeting. Despite legally having 10 days to respond, NID staff kindly expedited the public records request and provided a digital copy on a thumb drive, which eliminated the \$5 charge for a compact disc copy.

In the recording, after her own motion to further research the cost of video broadcasts died without a second, Division I Director Nancy Weber said she'd rather not vote to continue audio-only recordings, but that it was in the end "better than nothing."

AGAIN, WHY NO VIDEO?

The district's IT staff estimated a cost of \$20,000, on the high end, to fund video broadcasts.

It seemed surreal to hear hand-wringing over such an investment, considering NID seeks community support for its [Centennial Reservoir](#) project, which comes with a price tag recently estimated by its board chairman at \$500 million.

Considering the scope of that investment, NID's directors should be bending over backwards in the name of transparency.

Weber nailed it, though, in noting NID has spent more than \$100,000 with a public relations firm on outreach efforts for the dam project.

"I would question why we're willing to do this for Centennial and we're not willing to do it to have the information go out to the public from all of these meetings," Weber said. "This issue here, folks, is not money. The issue here is, do we want to be video-recorded and livestreamed and archived?"

"And it needs to be done. It is done throughout the community. It is done in the other governmental agencies. ... We need to do this as a service to the public as a part of doing business."

Along with the cost of that service, Morebeck pointed to the potential expense his rural constituents could incur in downloading data to watch NID videos — if they had the choice to do so, an option they don't currently have. And, he said, if people are interested in the board's meetings, they should show up in person.

"When you watch it on video, it's not the same," Morebeck said. "... If you really want to be at a meeting, be in the moment."

Of course, for many, that's not an option.

NID's board meetings are scheduled for the second and fourth Wednesdays of each month, starting at 9 a.m. — when, for many of us, being "in the moment" means carpooling kids to school and then, you know, heading to work.

Similar complaints are made by the working folk about the meeting times of Nevada County's Board of Supervisors.

But, of course, video of those meetings is readily available at MyNevadaCounty.com.

Contact Editor Brian Hamilton at bhamilton@theunion.com or 530-477-4249.