

Mount Dora Ends Livestreaming Of Meetings For Now



Mount Dora Mayor Nick Girones speaks during a press conference on July 18 at Mount Dora City Hall. Girones said he is a believer of people attending meetings or work sessions in person. (Whitney Lehnecker/Daily Commercial)

By **Roxanne Brown**

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MOUNT DORA — City officials are taking a step back from Facebook live until City Council members decide if they want to proceed with it in the future.

City spokeswoman Lisa McDonald said an expert attorney advised officials that the city needs to create a livestreaming policy.

“We have a social media policy, but it does not address livestreaming,” McDonald said.

Social Media Attorney Mark Fiedelholz, of Windermere, told the council the break should continue until the city has a broadcasting policy in place to cover livestreams and ensure they will stand up to federal court standards and questions of liability when it comes to sunshine and public record laws.

“Social media is tricky because on the one hand, it’s moving you to be more engaging, more transparent, more personal, but when you get into court, they don’t see it that way,” Fiedelholz said. “You are all broadcasters and that is your duty of care now. You have a higher duty of care and when you do live streaming, you’re expected by our federal courts to know that.”

The discussion was initiated by at least one resident’s request that the city livestream City Council work sessions in addition to the regular City Council meetings that have been livestreamed since April 2017.

In an email to the Daily Commercial, Mark Slaby, a former councilman, said that livestreaming of the council meetings for those who could not attend was sufficient until more and more discussions prior to votes were reserved for separate work sessions.

One example he gave was a discussion on the city's Capital Improvement Program concerning millions of dollars and a decision on what projects to pursue for the next five years that took place at a work session.

He said he's shared his concerns with city officials and staff.

"I (and others I spoke with) have become concerned the government is conducting important discussions about taxpayers' money without the full transparency one would expect, especially about finances. Not everyone is available to attend a meeting at 9 a.m. that will last most of the day," Slaby said. "While audio of the sessions are typically provided, they are not posted for a day to several days after meetings and audio lacks the value of both audio/visual of Facebook Live."

Fiedelholtz said the thing to stay focused on are legal ramifications of livestreaming without proper protection on the city's behalf.

"You have to modify your livestream to your legal authority, not to what people want you to do," Fiedelholtz said. "The legal authority is the U.S. Supreme Court saying you are all broadcasters and you are on high risk mediums now."

Mayor Nick Girone said he is a believer of people attending meetings or work sessions in person, explaining that part of good communication and dialogue between officials and residents is face-to-face communication and interaction.

"People like watching us on Facebook, but I like seeing people here at our meetings," Girone said.

Fiedelholtz told the council that public records laws dictate consistency, so livestreaming all open meetings should be considered.

"When we started livestreaming, we definitely put the cart before the horse a little bit," Councilman Harmon Massey said.

Vice Mayor Cathy Hoechst said the main thing is to protect the city.

"I'm not so concerned about the transparency issue. I just want to make sure we're protected from liability," she said.