

	<p><b>THE COUNCIL OF THE CITY OF NEW YORK FINANCE DIVISION</b></p> <p><b>, DIRECTOR , FIRST DEPUTY DIRECTOR</b></p> <p><b>FISCAL IMPACT STATEMENT</b></p> <p><b>PROPOSED INTRO. NO: 0328-2014</b></p> <p><b>COMMITTEE:</b> Government operations</p>
<p><b>TITLE:</b> A local law to amend the New York City charter, in relation to the creation of a centralized FOIL website.</p>	<p><b>SPONSOR(S):</b> Council Member Kallos on behalf of Manhattan Borough President Gale Brewer.</p>

**SUMMARY OF LEGISLATION:** This bill requires the Department of Information Technology and Telecommunications (“DOITT”) to create and maintain a website, in consultation with the Mayor’s Office of Operations (“Office”), that will serve as the centralized processing system for all Freedom of Information requests submitted to New York City agencies, the New York City Council, and the Office of the Comptroller.

This online portal will allow the public to submit, view, track and receive responses to FOIL requests completely online; it will also provide state-of-the-art automation technologies that will significantly reduce the time and resources required for agencies to respond to FOIL requests, and significantly increase the overall transparency and efficiency of the FOIL process in New York City government.

In addition, the FOIL portal will track statistics about each FOIL request filed with City agencies, including:

- The name and organization of the requesting party;
- The date the request was received;
- The date and content of the agency’s acknowledgement of receipt;
- The date and content of the agency’s determination of the request; and
- A downloadable copy of the records released (if any) in response to the request;

This data will be summarized and published on a public-facing dashboard which aggregates that information into performance metrics, such as the number of requests received, processed, and granted or denied. The dashboard will display statistics about the average time to process requests for each agency, spotlighting high-performing agencies so best practices can be documented and disseminated. This data will be in an open format and available via application programming interface.

Agencies will also release datasets, which are the subjects of FOIL requests, in whole or in part, on the open data portal established by Local Law 11 of 2012. This legislation will improve the efficiency, reduce the cost, and quantify the performance of City agencies’ FOIL response processes.

**EFFECTIVE DATE:** This legislation would take effect one year after its enactment, however, the Mayor’s Office of Operations shall report to city council within 90 days on the status of implementation of the portal, and DOITT shall take all actions prior to the effective date as are necessary for the timely implementation of this legislation.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2016

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY15</b>	<b>FY Succeeding Effective FY16</b>	<b>Full Fiscal Impact FY17</b>
<b>Revenue</b>	0	0	0
<b>Expenditures</b>	\$1,282,320	\$400,000	\$400,000
<b>Cost Savings</b>	\$0	\$4,000,000	\$4,000,000
<b>Net (Loss)/Savings</b>	(\$1,282,320)	\$3,600,000	\$3,600,000

**IMPACT ON REVENUES:** New York State’s FOIL does not permit agencies to charge fees for responses, only for creating paper copies of records. These fees are intended to reimburse copying expenditures, not to generate revenue.

**IMPACT ON EXPENDITURES:** The proposed legislation would require a one-time expenditure of approximately \$1.2 million dollars, or roughly the same cost as creating the Open Data Portal mandated by Local Law 11 of 2012, the Open Data law. Recurring operating costs would be in the range of \$400,000 annually

The FOIL portal and centralized reporting and tracking process, will produce significant annual savings, estimated at a minimum of \$million. These will come from improved efficiency in the FOIL response process at City agencies. There are roughly 50,000 FOIL requests filed each year in the City, and at an average cost of \$300 per request, New York City is estimated to spend \$15 million responding to FOIL requests annually. Automated FOIL processing software like the Open FOIL portal has reduced the cost of FOIL responses by between 66% and 90% elsewhere.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** General Fund

**SOURCE OF INFORMATION:**

**ESTIMATE PREPARED BY:**

**ESTIMATE REVIEWED BY:**

**LEGISLATIVE HISTORY:**

**DATE SUBMITTED TO COUNCIL:**