CHAPTER 5

The Challenges of Delegate Meetings

Abstract This chapter reviews experiences observing budget delegate training meetings and one delegate meeting. It reviews a denial of access to other meetings and some alternative data collection that reveals that budget delegate meetings occur behind closed doors. This opacity is particularly concerning because of evidence that many delegates are present as advocates of particular projects and participants are over-represented by relatively well-off members of the community, while many disadvantaged participants lack adequate resources to be delegates. We discuss issues of equity, inclusion, the lack of transparency, and issues involving project advocacy through an exploration of media content connected to these meetings.

Keywords Delegate · Disadvantaged · Equity · Inclusion · Media

In this chapter, we unpack the central themes at issue in Phase 2 of our observations at the delegate meetings. Each research assistant attended one delegate training session. At that point the research was paused because one of the council offices notified the PI that delegate meetings are closed to the public.[1] We were stunned. Why would a process

[1] As a result, the human subjects application had to be revised before further action could be taken.

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grounded in the ideals of public participation be closed at any juncture? What content would be discussed or procedures would be used that would make any stakeholder want to prevent others from having access to the meeting?

Much of the delegate process, where the most important agenda setting decisions are made, was closed to the research process. Pozen (2019) argues that transparency is not a good in itself, rather it is an instrumental good for the purpose of assuring good governance and good public service. Thus, the expectation of transparency in a particular setting requires nuance and justification. For the PBNYC, there are two particular reasons why transparency should be expected. First, an underlying theme of PB as presented by representatives of the PB entities, emphasizes transparency as a purpose of PB. It is not unreasonable to expect the PBNYC process to exhibit a value that is itself promoted by PBNYC. Second, an asserted objective of PBNYC is to share power. Obscuring the decision process by hiding the agenda setting component is contrary to this objective.

Given the thicket of issues at stake, we pursued questions around this topic as far as possible. When the research was restarted with added notification, the council office still rejected access to its delegate meetings. The other council office did not overtly refuse access; however, it provided meeting dates and times only after our repeated efforts. As a result, only one delegate meeting was attended. Because of timing and logistics, no other council office was reached for observation of additional delegate meetings before the timeframe of the delegate meetings expired. When we started this research, we did not expect access to be a problem, but it became a guiding indictment in tracking the citizen experience of PB.

Equity and Inclusion

Looking away from the ideals of PBNYC to the actual experience of what it's like to be a citizen in these processes, the delegate sessions revealed a key issue: who was at these meetings and who they served. That participants had some attentiveness to this topic provides room for hope. Yet the inadequacies of PB to currently address them loomed large given how many of the "already served" and "overserved" participate in these sessions.

The first delegate training meeting was comprised of two main phases. The first phase (after a brief introduction) combined a slideshow presentation with substantial discussion. The second phase involved a question and answer session. The first slides discussed the process for the meeting. The council office predetermined the delegate categories as education; culture and community facilities; parks and environment; and youth. There was substantial discussion of "whittling" the hundreds of proposals to a small number for the ballot. Two principles are discussed, financial conflict of interest (you can propose, but not vote) and equity and inclusion, a topic that repeats several times through the conversation and leads to substantial discussion. In the following remarks, the issue of who is served comes to the fore:

Speaker 5: To the question earlier about neighborhoods that are underserved and how do we ensure that they're represented, I just kind of want to do a little poll quiz kind of in the room. So, who is from [i.e. Neighborhood 1: the wealthiest neighborhood in the district]?[2] If you could raise your hand. Who's from, I don't know [inaudible: Neighborhood 2]? Again, these are the people that will be looking at the ideas and then narrowing them down to the projects in which the entire community votes on, so just be very mindful of the folks that are stewarding the process along. Who is from [Neighborhood 3]? That's awesome. We definitely need those ideas. [Neighborhood 4]? What do we got? [crosstalk: Neighborhood 5].

Speaker 7: [Neighborhood 6]. [crosstalk].

Speaker 5: Okay. So just wanted everyone to notice that at least half of the room is from [Neighborhood 1] and [I] just wanted to name that and pay attention to that.

Although delegates are admonished to exhibit concern for the underserved, they are likely to be relatively well-off members of the community. Likely because the topics of equity and inclusion are raised as ideals in these meetings, at least the speaker keeps the group focused on what

[2] Neighborhood wealth determined by income map at https://project.wnyc.org/median-income-nation/

participation means in the context of participatory budgeting. The fissures between what should and does happen started to present themselves in the very idea that citizens have to show up for PB sessions.

Speaker 7: But we're not going out to underserved neighborhoods to highlight their problems. People need to come to the committee with their ideas.

Speaker 2: Well, yes and no. I'll give you an example for my first year. We were [inaudible] on the education committee and we got a bunch of ideas from the neighborhood assemblies and one delegate halfway through said how many schools are there in the district? 17. They were like there's only eight schools here. They're like can we go out and go and ask these other schools? We were already halfway through the process and people were like wait a minute. These people already have ideas. It's not fair to them. We're like that's the point of PB. Ultimately, the group decided, and we asked [inaudible] can we do this because nobody knew the rules. We're like, "Yeah. You guys figure it out." So, everybody chose a different school, contacted the principal and we actually got a few visional ideas that would have not happened. So, you're not limited by the ideas that are submitted at the time that you start this process.

Speaker 7: Exactly, because we're talking about underserved neighborhoods and the neighborhoods represented here are pretty well served.

Speaker 2: Yes.

Speaker 7: Because we're the people who are paying attention and are able to attend meetings and able to volunteer.

At the heart of this discussion, the speakers tussle with issues of representation, how the usual suspects tend to show up to PB meetings, and most importantly, who exactly has the time, attention, and resources to volunteer for democracy. Speaker 2 lays out that, practically speaking (and there is some room for optimism in these remarks), in the first year the education committee just decided to reach out to the schools themselves rather than waiting for those representing these institutions across the area to show up to a session. It takes citizens to pull out a key fact for

what's happening: PB's very structure and stages may prevent the sessions from being as inclusive as they might. That the participant worked with the principals in the district is also telling. This was surely an effort to be inclusive, but going to the heads of these institutions rather than other community stakeholders (teachers, students, staff) evidenced another way that equity and inclusion are so easily bypassed.

Despite the presence of the already served or overserved, what we did learn is that one person can make a substantial difference in forcing these considerations. Speaker 1 eloquently argued that:

> This is, I think, one of the things you're going to grapple with and I think it's one of the great questions about democracy. What it means [inaudible] inequality, how much of the goal is to attend to and serve underserved or disenfranchised communities or places that have been left out and how much of the goal is to provide good, strong, public institutions because if we don't have them in all neighborhoods … You could argue that [Neighborhood 1] doesn't need a library because people can just afford to go to the bookstore. But democracy does setup libraries in all our neighborhoods, the richer and the poor. So, this is what's on you is to try to figure out how to balance this out. … You can scan the ideas from what's there already to try to help you but this is how it works. Those questions are on us and on the ballot. They're on you.

The context for these comments can be found in the words of George Washington Plunkitt: "If there's a fire in Ninth, Tenth, or Eleventh Avenue, for example, any hour of the day or night, I'm usually there with some of my election district captains as soon as the fire engines. If a family is burned out I don't ask whether they are Republicans or Democrats, and I don't refer them to the Charity Organization Society, which would investigate their case in a month or two and decide they were worthy of help about the time they are dead from starvation. I just get quarters for them, buy clothes for them if their clothes were burned up, and fix them up till they get things runnin' again. It's philanthropy, but it's politics, too — mighty good politics. Who can tell how many votes one of these fires bring me" (Plunkitt & Riordon, 1905, pp. 51–52)? These words occur in the chapter "To Hold Your District, Study Human Nature and Act Accordin'," where he makes clear that his largess, or at least his empathy,

is spread around to all, whatever their station in life.[3] Similarly, the very existence of PB at least makes the presence or absence of what's available to one's community—and surrounding communities—an issue for public discussion. Even if the structure or processes available might be imperfect, having a forum communicating that democratic budget allocations should be within more people's reach might grow their own legs, so to speak.

Another speaker demonstrated this point, building off of the last speaker's remarks:

Speaker 5: Yeah. Before we kind of move on, just to kind of relate to some of that. … I went through the census tracks for everyone in the district and a lot of the places … There's a lot of $30,000 or $40,000 households like average median household income, $30,000–$40,000 especially in the southern part of the district. So, if you look at [the council district] as a whole I think it's like 80, 90. It's a good amount. It's definitely upper middle class, but I knew that that wasn't the whole story. So, I kind of dug in a little bit and the census tracks are only going to 1000–1500 people. In many parts of the district there are many $20,000–$30,000 average median household incomes. So, it really is incumbent on us to be noticing that and to lift them up as much as possible.

[later returning to the topic]

Speaker 11: One other thing about parks is a lot of ideas come in about [a large park]. So, we talked about the needs analysis. We had that tension where on the one hand the delegates had this obligation to look for other places that

[3] Plunkitt's point is that political success is achieved by delivering benefits to the public. He accomplished this through a combination of "honest graft" and the use of a portion of that graft to meet the needs of his district. He does not provide for public programs that anticipate those needs and have resources on hand; in fact, he disparages that approach. He wants the public to know that it is he, George Washington Plunkitt, who made sure those needs were met. Removing the graft and replacing it with earmarks, a similar process is described in the comments above. The resources are not made available in the first place, they are withheld until there is an opportunity to provide them in a public way. The analogy is not exact, but the basic approach, public delivery of benefits for voters, remains.

> might benefit more from the parks [because the park] has the [a focused support group], but most of the ideas from [the park] and so many people from all over the city use [the park] that is just not for the people in the neighborhood.

In both speakers' comments, the plot thickens. Both are guided by a responsibility to make the budget process and eventual allocations as equitable and inclusive as possible, yet an overriding disconnect between current and needed knowledge, and their positionalities in these forums versus the spaces and places where those could make a difference operate, permeates their talk.

Other topics at this delegate training meeting included repeated discussion of the need to reduce the hundreds of proposals to a small number. Many are eliminated by a determination that they are not viable, but viability varies from not eligible, to costing too much within the scope of the council member's commitment of discretionary funds, to possible exclusion for unspecified reasons by the city agencies (as argued in the last chapter, that gives top-down entities a great deal of power in these matters). However, after all of this trimming, this happened:

> *Speaker 5*: So [the Education Committee] is a double committee. So, the Arts and Culture Committee as well as the Education Committee, there will be six projects that go on to the public ballot that the community will vote on. So that seems pretty daunting. Like there's 100, 200 ideas. A lot of the ideas will be duplicative or not feasible for several reasons or they'll be as vague as "having fun" and they kind of just drop off. So, I think last year we only had 8 to 10 viable projects and from the 8 to 10 we chose six.

Although we observed an intention to provide consideration for (if not actual voice to) the underserved, of the most significance to this project, *no access was provided to observe this intention in practice*, since the council office refused our access to delegate meetings. Citizens clearly wrestled with equity and inclusion throughout this process, but those intentions may matter very little. The critical turning point is when/what ideas get reduced to those that will go up for public consideration—but the lack

of transparency toward that step leaves open for the already served, the overserved, and a variety of top-down single agency or special/clientalistic interests to enter the picture and choose only those deemed important to a narrow group.

In fact, continuing the theme of top-down involvement from first PB stage, there were several remarks concerning city agencies that substitute their practices and preferences to those of the PB committees:

> *Speaker 5*: So, I've had people that have an idea for an expense project or buying technology at this school and it's only going to cost $2000, which would be ineligible for an expense project. So, the idea in the bundling piece would be to get three schools and then buy $2000 worth of equipment for three schools and … then that would have put you into the eligibility category at least for the costing. That's not a guarantee or anything but just to kind of define what we mean by bundling.
>
> *Speaker 2*: And the example there is that the Department of Sanitation doesn't allow you to … If you want to do a bunch of street trash cans they don't allow you to bundle them so that you can do two things. … One trash can itself is not enough to be a capital project so that agency specifically says you can't do that so that may come up.

The point here is that Department of Sanitation applies administrative rules that, at a minimum, are not explained to the PB participants. The Department of Sanitation has an administrative rule that prevents the bundling of smaller objects to make a capital project (the minimum cost in 2018 when this happened was $35,000). This administrative rule might be reasonable, although it appears inconsistent with a different administrative rule at the Department of Education that allows the bundling of computers to achieve a target value. Whether reasonable or not, the PB participants don't understand that it ultimately expresses an arbitrary view.

Wrestling with larger city agencies certainly brought into view how much equity and inclusion the participants in these meetings felt they had too, since so much of what was being discussed was accountable to agency or representative oversight. Sometimes the speakers wrestled with

the crossings of these agencies—who has what jurisdiction with certain budgeting matters—for instance, as one participant asked the others if there was "in the past another committee for traffic and would that fall under parks and environment this year?" Another speaker replied that it may be a possibility, since the Department of Transportation "doesn't want to be a part of this process." Figuring out which agencies should be involved, for what reasons, and whether or not these desires were laid out in stone somewhere, or simply the preference of some individual or group within constituted barriers to the deliberative processes.

Research notes from the second delegate training meeting show several topics of interest.[4] First, delegates are seated in groups according to the category they will examine. Second, the notes do not describe an overview session, instead this session includes meeting with agency representatives. This fact leaves it unclear whether the council office held another prior meeting that was not communicated to the research team, or whether, instead, this council office simply combined the two types of meetings. Because of this arrangement, the observer joined one of the groups. A specific research note indicates an agency representative asked each person in that group, "what's your project idea?", which the observer understood to mean that the delegate was present to represent his or her own project—bringing further into view the challenge of equity and inclusion at this stage.

A desire for information that was not readily available or available in a form usable in council district-level decision-making also arose in the meeting between delegates and agencies. A back and forth between a delegate and an agency representative concerning projects that are already planned proves illustrative:

> The delegate asks, "Can we see the list of underway projects to figure out what is redundant?" The agency representative responds, "Your councilmember can provide that list."
>
> The delegate asks, "Could we have seen the list *before* the neighborhood assemblies?" The agency representative does not directly answer.
>
> The delegate asks, "How can we know what is a valid idea before seeing this list?' The agency representative does not provide a response.

[4] This session is not supported by a transcript.

Through this passive failure to assist with this information the participants are denied insight into what might be pointless requests because the projects are already planned; but they are also denied insight into the kinds of projects that might make sense. An observational note further indicates: "Next, committees will refine ideas, later submit formally to Parks who will weigh in again and provide estimates for individual project costs. These will be the numbers that appear on the ballot." In terms of equity and inclusion, the PB participants have inadequate access to information and the agency representative does not take steps to resolve it. Instead, participants are referred to a website that has so much information that the PB participants cannot process it (at one stage) and refer them to their council office at another. The decisions in this meeting are finalized except for costs, and it isn't clear how or when the cost information will be incorporated into the ballot.

In consultation with another primary researcher, we were provided a handout that the New York City Department of Transportation [DOT] distributed by an agency/delegate. The DOT handout says: "DOT urges PB Transportation Committees to nominate existing DOT capital projects for PB funding."[5] We were told that when DOT supplied the handout, they also said that they would oppose any other capital projects. These communications indicate that at least for some types of projects, agencies exhibit determined expert effort to shape the proposed projects. These efforts mirror the consultation process associated with community board agency consultations and suggest a future that will reflect capture by the agencies. With respect to the validating role that experts play, it is clear they exhibit considerable influence and the comments strongly suggest that this influence is not simply through the expert determination of project eligibility, but also, to an unknown degree, the substitution of organizational-based preferences in place of the organically arising community preferences.

The last meeting observed was a single delegate session.[6] This was apparently the last delegate meeting for this district. Among the participants were leaders from previously observed neighborhood assemblies and

[5] This shared information is included with permission from the original researcher.

[6] No transcript is available for this meeting. As mentioned in an earlier note, the GA had a set of audio files that were, in fact, blank. He did not know why they were blank. The answer given is "technical issues."

the delegate training session. The session involved groups by category. We noted:

> The format of this meeting is similar to the neighborhood assemblies to the extent that the groups are sitting around discussing and refining ideas – [the] main difference now is that there are rough quotes on cost of proposals.

The observer followed the school's related session. The final proposed projects, to be submitted for a final cost estimate, specifically target the schools from which teachers are attending the session.

Opacity and Advocacy

Because of the denied access, we modified the remainder of the observation agenda to include many publicly available and other data focused on the delegate meetings. First, documents were collected from the internet and from council members. There was a wide search for internet postings, including: (a) all identifiable news media postings, focusing on smaller local media, (b) all identifiable postings from the council offices, and (c) social media postings from council members and their offices. Council members were also asked for copies of newsletters for the period beginning early in 2018. Only a limited number were provided. Table 5.1 lists all of the items that we examined.

Our goal was to study the degree to which information about the budget delegate process is communicated to the public. In total, 1592

Table 5.1 PB Items Examined

Item	*Number*	*Item*	*Number*
News media	**1295**	**Council communications**	**297**
Blog post	101	Council.nyc	100
Online news papers	1164	Council member web pages	57
Online magazines	5	Newsletters	62
Online multimedia	25	Facebook feed	63
		Twitter feed	15
Total all forms			1592

items were collected as pdf files, which were either saved as searchable or converted to searchable documents with OCR software. Some Facebook and Twitter feeds were broken into segments, so the total number of sites visited is somewhat fewer. Items ranged in length from a half page or less to 318 pages (a Twitter feed).

The search was conducted using current online sources found through Google using "participatory budget" as the search term and limited to New York City, supplemented by further searching through identified online news media using the media's search options; and searching for and through the Twitter and Facebook sites of PB engaged council members. The search was focused primarily on the most recent year first, followed by a search back to the first year of New York City's participatory budgeting program in 2011. There are some duplicate items, as some publishers of online newspapers publish more than one newspaper and use identical, or nearly identical, articles with more than one newspaper. Although extensive, the search could not be exhaustive.

The 1592 items were searched for the term "delegate" to focus on this portion of the PB process, resulting in 240 items (see Table 5.2) for further review. Of these, eight were found to use the term "delegate" with other meanings—such as references to other sorts of delegates, or use of the term as a verb—leaving 232 that mention budget delegates. Of these, only one Facebook feed, which is mirrored with two links, provided one advance notice of a series of budget delegate meetings. In comparison, these items contain six advance notices of budget delegate

Table 5.2 Classification of Content

Notices and calendar Mention		*Substantial content*		*Limited or other content*	
Classification	*Count*	*Classification*	*Count*	*Classification*	*Count*
Meeting notice	1(2)[a]	Call for delegates	21	Brief mention	13
Training notice	6	Delegate narrative	30	On to next stage	30
Other notice	14	General description	95		
Calendar overview	27	Praise/Thank you	28	Other meanings	8
		Cost obstacle	2		
Total	48(49)	Total	176	Total	51

[a]There was only one prior notice of a delegate meeting, it appeared in two mirrored posts

Note This table sums to more than 240 because some items are tagged with more than one classification

training meetings (where no decisions take place), 14 advance notices of neighborhood assemblies and other sorts of events, and 27 overviews of the then-forthcoming participatory budgeting calendars, without specific dates. Other remarks about delegate meetings include one Twitter notice of a meeting that was concurrently taking place and Facebook pages that contain photos or comments referencing meetings that have taken place in the days just before the posts.

If there's any finding that emerged from these data, it's that many budget delegate meetings for PBNYC are opaque and filled with insurmountable barriers to many citizens. The budget delegate meetings, in which the most critical decisions are made, are not communicated to the public in advance of the meetings. We found no evidence that council offices provide systematic public notice or open access to budget delegate meetings. Furthermore, the texts that we searched testified to many of these themes and more. The following are some specific comments from news media of note.

Concerning the inability to be a delegate, we learned that "For some, however, the time investment was an unconquerable barrier. Gracie Xavier, a Flatbush resident, reflects that she was 'not as involved' as she should have been. But she also says that meetings conflicted with her work schedule" (Whitman, 2012, para. 10). Beyond what we found in attending meetings, there's a wealth of reactions along similar lines—PB processes do not make it easy to be a delegate. Concerning the way delegates are selected, Guarino (2015) establishes that "Starting this year, the councilman's office will be asking each civic association and other organizations to select a delegate. They will work with and train these delegates who will then solicit ideas from the community" (para. 14). Here in microcosm is the top-down and representation problem we had seen in both the first and second stages. Equity issues abound, for instance, with "Mott Haven resident Carmen Aquino [who] said she is worried so many of the budget delegates are from Manhattan. 'How is it going to be fair for us to propose projects? How many of those projects that we are going to propose are really going to get funding?'" (Robinson, 2011, para. 8–9).

Concerning access or delegate commitment, Rom (2016) notes how, "Citywide, in 2014 fewer than half of those who signed up to be delegates at the beginning of the process ended up serving actively through the delegate phase, even as the number of participants has grown yearly, according to a report put out by the Urban Justice Center" (para. 41). What starts with excitement about PB too often does not equal the necessary follow-through for what, to many, can be a very long process. Tied

into these themes is a noteworthy discouragement about both the means and ends of PB: "'We have some projects that have been backed up for years,' said Dan Mundy Jr, president of the Broad Channel Civic Association. 'Some of my delegates won't come anymore because they feel that after all the effort they have put in nothing has come out of it'" (Gelfand, 2016, para. 3). What's clear is that for many citizens the time and effort have not matched the expectations heralded by PB for real money and real power.

Despite PB's opacity, we found evidence suggesting that delegates engage as delegates to promote specific projects. Delegates come to the meetings not necessarily to generate ideas or sift many notable options, but, in many instances, to engage as advocates. One report revealed that "Shields was a budget delegate last year, but his pet project, funding another soccer turf near the Fulton Houses on W. 17th St., wasn't selected" (Rack, 2015, para. 24). Another covered a teenager who "was one of the 'delegates' who backed one of the competing proposals during the months of preparation before the voting. He said he put in roughly 25 hours of work toward the cause, including attending meetings with Johnson's staff, as well as LAB School community members." Ultimately, "the proposal to get money for a new public address system for the school fell short. But a concerted effort to rally support through the P.T.A. and among students 'flushed out' the vote for the bathroom idea, though city funding will ultimately come through another channel" (Z. Williams, 2015a, para. 18).

We learned that "With tens of thousands of potential voters, delegates said they would focus on mobilizing their own supporters through community groups, canvassing and phone-banking rather than knocking competing projects" (Z. Williams, 2015b, para. 23). At the same time, "Muhlenberg Library Manager Lateshe Lee noted that her patrons would be 'really excited' about the win, 'because they've been asking us about it for the past couple of weeks.' The road to success was a long one — this was the second year the library appeared on the ballot, and it was through the work of outside delegates (along with some custom bookmarks getting out the word to vote) that finally secured a win" (Egan, 2016, para. 10). It is clear that delegates are advocates for particular projects; however, it is not clear whether they arrive as advocates or become advocates during the delegate process. News media reports are more ambiguous on this than some of the other forms of data collection with which we engaged. While delegates are shown to be advocates of

projects, news media have no obligation to clarify this, and the lack of clarity suggests yet another reason why more transparency is needed.

Such unknowns contribute to the opacity of PB processes as played out on the ground. The experience of the delegate meetings, in general, is one with closed boundaries, discouragement, elite dominance, and people acting on behalf of particular interests rather than as deliberatively democratic citizens in pursuit of community-generated budget allocations. In the next chapter, we move to the next stage of observations: the project expos and pop-up voting procedures. It is in this stage that the problems of equity and inclusion and opacity and advocacy become especially clear.

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