

EXECUTIVE ORDER No.138

July 26, 2010

MAYOR'S OFFICE OF MEDIA AND ENTERTAINMENT

WHEREAS New York City is an international center of new and traditional media, and the continued health and development of all forms of media are vital to the economic success of the City; and

WHEREAS, there is a need for uniform operation of the City's diverse media functions, including operation of the City's media assets, encouragement of local economic activity by the film, broadcasting, cable, theatre and digital industries and encouragement and development of new media technologies; and

WHEREAS, to ensure the City's media services are well-coordinated to maximize opportunities in the most efficient and cost effective manner, the functions of New York City Media Group (NYC Media), Mayor's Office of Film Theatre and Broadcasting ("MOFTB"), and certain digital and new media functions should be operated jointly; and

WHEREAS, Charter § 1072(p) grants the Department of Information Technology and Telecommunications ("DOITT") the power to perform such responsibilities with respect to information technology and telecommunications as the Mayor shall direct; and

WHEREAS, DOITT is the license holder for the City's television and radio stations, which, together with its cable assets, comprise NYC Media; and

WHEREAS, MOFTB currently resides in the Department of Small Business Services ("DSBS") and was established by Executive Order No. 47 dated January 4, 1993, as amended by Executive Order No. 49, dated September 13, 2004, to issue required permits for film, television and still photography production in the City and to provide information, assistance, programming and other necessary activities to facilitate and encourage film, theatre and television activities in the City;

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered:

Section 1. Mayor's Office of Media and Entertainment. The Mayor's Office of Media and Entertainment is hereby established.

§2. Scope of Duties. The Mayor's Office of Media and Entertainment ("MOME") shall consist of NYC Media, MOFTB and the Office of Digital Coordination, and shall be headed by a commissioner, to be appointed by and serve at the pleasure of the Mayor. The commissioner shall report to the Deputy Mayor for Economic Development and work closely with the commissioner of DOITT on administrative and operational priorities and policies. The commissioner of MOME shall also serve as the commissioner of MOFTB. The commissioner shall take all appropriate steps to integrate staff functions and titles of the units operated under MOME.

§ 3. NYC Media. NYC Media shall:

- a. Serve as the official television, radio and online network of the City.
- b. Develop, produce, broadcast and otherwise distribute programmatic content about the City.
- c. Perform such other functions as are deemed necessary by the commissioner of the Mayor's Office of Media and Entertainment to facilitate the development and dissemination of programmatic content about the City.

§ 4. Continuation of MOFTB. Nothing in this Order shall affect the jurisdiction of MOFTB as set forth in Executive Order No. 47, dated January 4, 1993, as amended by Executive Order No. 49, dated September 13, 2004. Staffing and other assistance to the Mayor's Office of Film, Theatre and Broadcasting may be provided by the DOITT, DSBS or by any other appropriate agency. MOFTB's function of issuing all permits required for film and television production and for still photography shoots in the City shall remain in DSBS. To preserve the regulatory jurisdiction of MOFTB, the Commissioner of MOME shall be an SBS employee and shall manage all appropriate DOITT staff.

§ 5. Office of Digital Coordination. The Office of Digital Coordination shall work with DOITT's Office of Web and New Media Operations to coordinate the City's digital media, and shall have responsibility for the design and direction of the City's message across all channels of the City's website, social media, mobile and other digital media initiatives in order to enhance communications between City government and the public.

§ 6. Effective as of the date of this order, or as soon as practicable thereafter, the following functions currently performed by DSBS shall be transferred to DOITT and supervised and/or managed by the Mayor's Office of Media and Entertainment:

- a. Provision of information and assistance necessary to enable filmmakers and broadcasters to operate in the City;

b. Development of programs and activities designed to encourage theatrical production and attendance in the City;

c. Coordination of assistance from other City agencies for films and television productions in the City;

d. Marketing of the City as a location for film, theater, and television production; and

e. Provision of support services for the issuance of all permits required for film and television production and for still photography shoots in the City.

§ 7. The personnel of the Mayor's Office of Media and Entertainment shall be employees of DOITT, except as otherwise provided by this executive order. DOITT shall provide administrative and technical support to the Mayor's Office of Media and Entertainment, including staffing, human resources and labor relations; legal services; general financial services support including budget, payroll, procurement and payables/receivables; and technical support including desktop, network and fiber/wireless communications.

§ 8. The Department of Citywide Administrative Services, DOITT, and DSBS shall take all steps necessary, consistent with applicable law, to implement this Order, including ensuring the transfer, pursuant to section 70(2) of the Civil Service Law, of employees substantially engaged in the performance of the functions described in section 4. Employees who are subject to pending disciplinary charges on the date of the functional transfer, or against whom a disciplinary penalty has been assessed but not yet served or paid, on or prior to such date, shall be retained in the employment of DSBS until the resolution of the adjudicative or administrative proceedings and until any outstanding disciplinary penalty has been served or paid.

§ 9. This Order shall take effect immediately.

Michael R. Bloomberg
Mayor