



**ALBANY ARTS COMMITTEE  
REGULAR MEETING AGENDA**

**1249 Marin Avenue, Albany Community Center, Edith Stone Room  
Monday, June 13, 2011 – 7:00 p.m.**

---

**1. CALL TO ORDER**

**2. APPROVAL OF MINUTES**

**3. PUBLIC COMMENTS**

For persons desiring to address the Committee on an item that is not on the agenda please note that City policy limits each speaker to three (3) minutes. The Brown Act limits the Committee's ability to take and/or discuss items that are not on the agenda; therefore, such items are normally referred to staff for comment or to a future agenda.

**4. COMMENTS/ANNOUNCEMENTS FROM COMMITTEE MEMBERS**

**5. COMMENTS/ANNOUNCEMENTS FROM STAFF**

**6. DISCUSSION/POSSIBLE ACTION ITEMS:**

**6-1 Preliminary Blogging Guidelines** – Committee will review the memo by City Attorney, Robert Zweben.

**6-2 Art on Utility Boxes and Murals** – Chair McQuaid will provide an update on the organization and implementation of a program for art on utility boxes and murals.

**6-3 Poet Laureate** – Committee Member Goodman will provide an update.

**6-4 Heron** – Committee Member Norman will provide an update on her discussion with the artist about restoring the piece.

**6-5 Thousand Oaks Neighborhood Association Mural Program** – Committee Member Goodman will provide information.

**7. ITEMS FOR THE NEXT AGENDA**

**8. ADJOURNMENT**

*Please note that if you provide your name and address when speaking before the Committee it will become part of the official public record, which will be posted on the internet.*



**A Regular Meeting of the Albany Arts Committee Minutes**  
**Monday, May 9, 2011**  
**Albany Community Center**  
**Edith Stone Room, 1249 Marin Ave.**  
**7:00 p.m.**

**1. Call to Order:** 7:05p.m. Committee Members present: Chair McQuaid, Members Adame, Black, Goodman and Norman. Member absent: St. George  
Staff present: Supervisor Isabelle Leduc

**2. Approval of Minutes: April 2011**

**Motion:** Motion to approve minutes from April 11, 2011 by Member Adame and seconded by Member Black. Motion carried Member McQuaid and Goodman in favor. Member Norman abstains.

**3. Public Comment:**

**4. Comments/Announcements From Committee Members:**

**5. Comments/Announcements from Staff:**

**6. Discussion and possible action on matters related to the following items, which could include reports and/or proposed resolutions if any:**

**6-1 Consideration of Artistic Bike Racks in the Active Transportation Plan –** Aleida Andrino-Chavez, Transportation Planner, presented information for consideration of artistic bike racks in the Active Transportation Plan.

**Motion:** Motion to support the inclusion of creative bicycle racks in the City of Albany Active Transportation Plan was made by Member Adame and seconded by member Black. Motion carried all in favor.

**6-2 Art on Utility Boxes and Murals –** Committee discussion on the organization and implementation of a program for art on utility boxes and murals.  
Member Norman and Chair McQuaid agreed to work together as a subcommittee.

**6-3 City Branding –** Chair McQuaid will provide information on the marketing “reveal” meeting May 4<sup>th</sup>.

**6-4 Self-Sustaining Committee –** Committee discussion how it could be more self-sustaining in light of the City’s fiscal situation.

**6-5 Poet Laureate –** Committee Member Goodman will provide an update.

**Motion:** Motion to extend the application deadline for Poet Laureate submissions to July 29, 2011 and to organize public viewing and judging in order to have a finalist at the September 2011 Arts Committee meeting was made by Member Goodman and seconded by member Adame. Motion carried all in favor.

- 6-6 Arts & Green Festival** – Subcommittee will provide an update on the implementation of the event May 1, 2011.
- 6-7 Heron** – Committee Member Norman will provide an update on her discussion with the artist about restoring the piece.
- 6-8 Ocean View Community Organic Garden Mural Dedication Ceremony** – The ceremony has been rescheduled to Sunday, May 22 at 11:00 AM.

**7. Future Agenda Items:** Heron, Art on utility boxes, murals

**8. Adjournment: 8:31pm**

**CITY OF ALBANY**  
**PRELIMINARY GUIDELINES FOR BLOGGING PARTICIPANTS**

The purpose of this memo is to provide guidelines to appointed and elected members of City Council, Commissions, Committees and Boards on participating in blogs. It was prompted by a solicitation by the Albany Patch to appointees to post blogs on its web site.

Blogging has become a popular means of communication. It is a form of communication, however, that can result in violations of the Brown Act. Some Brown Act provisions restrict what public officials of cities may or may not communicate about city business.

The Brown Act was enacted to regulate how a city conducts its business. Open meeting laws are designed to make sure that decisions are made at properly noticed meetings at which the public may attend. Decision makers are supposed to discuss decisions at public meetings. The development of a collective concurrence as to an action taken is supposed to be done at a noticed meeting that is open to the public.

Over the years the Brown Act provisions have been interpreted to prohibit certain types of communications that occur outside of the public meeting. For example, serial meetings are prohibited. A serial meeting is where a string of conversations take place starting with person A, who then talks to B, and then B talks to C. If A, B, and C constitute the majority of members on a council, committee, or commission, then the serial discussion could well be seen as being improper.

Blogging, like serial meetings, could result in the same problem. If members of a committee, commission, or council commence to express views on a blog about subject matters before the particular body, then the various posts could morph into the functional equivalent of a serial meeting. The Brown Act is best viewed with a cautious approach, favoring restraint rather than risking public criticism that certain forms of communication may result in conducting meaningful discussions outside of the formally noticed public meeting.

Blogging can also result in another concern that could affect how Council, commissions, committees, or boards operate. If one member of a body blogs about issues that are being considered by the particular body, other members may feel that a response cannot be made without risking being involved in an impermissible discussion. In that circumstance members could feel they are unable to communicate on an equal footing with the person who first posted a blog.

Given the relative newness of blogging as a communication forum for public officials, the following guidelines are suggested as an initial framework for members of appointed and elected City bodies:

1. Members of appointed and elected bodies should avoid blogging in a substantive manner about matters that are currently being taken up by their committee, commission, board, or Council.
2. Members of the City Council or Planning Commission should never blog about items/issues that are either before the body or likely going to be before the body that concern the granting, suspending, or revoking of a permit. These are sometimes referred to as administrative or quasi judicial matters. Fair hearing and due process rights could be affected. Individual members could be accused of being bias based on something said in a blog.
3. It would make sense for each commission, committee and board to discuss blogging. Developing some protocol may make sense to avoid uncomfortable communication dynamics among the membership. Recently, one committee delegated to one member the task of blogging about what that committee is considering as agenda items and what public outreach programs are offered to the public.
4. Ask for the staff to review and to comment on a draft of a proposed blog or present it to the body that you are a member of prior to publishing may be a helpful exercise and may assist in avoiding problems.
5. When in doubt about the propriety of what you are considering to write on a blog, contact the city attorney.

As the City has more specific experiences with blogging, guidelines may well be refined. For the time being it is suggested that those who desire to blog be mindful that while you have every right to express yourself, your role as a member/volunteer on city government comes with a responsibility to be mindful of the need to act consistently with many legislative enactments, and in particular with the provisions of the Brown Act.

Robert Zweben  
City Attorney  
May 2011