

DBTL Update #38 - Library Project Subcommittee

Hi all ~

Things are on hold right now, while the *newly formed 3 Council member Subcommittee* studies alternatives to the library-in-a-garage project for a few months. Meanwhile the Lot 4 Mixed-Use Project still appears in the CIP budget (for consideration at Tuesday's City Council meeting).

Unfortunately, the motion that was unanimously passed by Council is confusing. The altered motion to create the Subcommittee was not read to Council before they voted. We've added a page to our DBTL web site that will be used, as best as we are able, to document the Subcommittee as it proceeds with its closed meetings. Keep track of it here: <https://dontburythelibrary.weebly.com/2019-council-subcommittee.html>

The Subcommittee meetings are closed to the public. We cannot even silently observe the proceedings. More not-transparent, huh?

We think the Subcommittee is really committed to looking at alternatives to including a new library in a new Mixed-Use Project, so our concern is not necessarily with it. That said, we also know the City is really committed to building the Mixed-Use Project that was approved in September 2018. Our concern remains that this Subcommittee will be used as window dressing to move the approved project along, unchanged. We can only hope the Subcommittee will not allow itself to be so used. We also remain hopeful that when it is DBTL's turn to be interviewed by the Subcommittee that we can have an audience truly receptive to a case for renovation and revitalization of the downtown library.

So far, all we know is that the Subcommittee (Brown, Cummings, Meyers) met with unidentified "staff" on May 30th. We've no idea when they will next meet, or if they will meet during the July Council recess, because there is no reporting to Council required. Well, that's not quite true, because at the May 14 Council meeting the subcommittee was requested informally to come back initially to Council with their work plan before beginning their major work. They agreed to do so. Maybe they will, maybe they won't. These things have a way of falling through

the cracks. At least no other council member may communicate with the Subcommittee, because that would violate the Brown Act.

Brown Act caution from the City Attorney:

"... the Brown Act (at Section 54952.2(b)(1)), states that '[a] majority of the members of a legislative body shall not, outside a meeting authorized by this chapter, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body.' Because the ad hoc library committee is composed of three members that will need to communicate with each other about the task assigned to it, any communications by a member of the subcommittee with another councilmember who is not a member would involve a 'majority.'

"Therefore: (1) Councilmembers assigned to the subcommittee are cautioned to please communicate solely with other subcommittee members with respect to the library project; and (2) Councilmembers not assigned to the subcommittee are cautioned against contacting or communicating with subcommittee members about the library project."

Jean Brocklebank

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