

City Council Staff Report

September 16, 2003
Deputy City Manager

**SUBJECT APPROVAL OF PROGRAM GUIDELINES FOR THE PROPOSED
GENERAL PLAN MESSAGE FORUM**

STAFF RECOMMENDATION:

Staff recommends the City Council approve guidelines for a General Plan Message Forum as set forth in this report.

SUMMARY This report recommends guidelines to be used for a General Plan Message Forum (Message Forum) that will employ Internet based message board technology residing on a City server as part of the City's web site. The Message Forum will be provided to solicit conversation, discussion and comments related to the current process of updating the City's General Plan.

Honorable Mayor and Members of the City Council:

BACKGROUND

At your workshop of August 28, 2003, the City Council expressed an interest in utilizing the City's web site as an informational tool for the General Plan update process. Specifically, the Council discussed utilizing the web site to post the City's General Plan so it can be accessed by members of the public, for posting minutes, staff reports and miscellaneous information, and for listing notifications of public meetings regarding the General Plan. In addition, the Council discussed the concept of implementing a "message board" that could be used to solicit comments and discussion by the public regarding the General Plan and the General Plan process.

Internet based message boards are a common application found on hundreds of Internet web sites. A message board can be generally described as a method for providing discussion forums where individuals can participate in similar discussion topics over the Internet. Message board subjects range from complex policy and scientific issues to commentary on movies and pop

music. To participate in a message board, a user needs only to register at a specific Internet site (which usually involves providing a name and email address), sign on using an approved user name and typing a message that will be posted on the message board. Message boards differ from chat rooms in that there is not simultaneous conversation back and forth between two individuals. Yahoo.com/groups contains examples of hundreds of available message boards available on the Internet.

The purpose of the General Plan Message Forum will be to provide a means of soliciting conversation, discussion and comments regarding updating the City's General Plan. In essence, it adds another vehicle for public input that is in addition to public meetings and workshops. Because the General Plan Message Forum will be available to any individual with Internet access 24 hours a day, seven days a week, it represents a significant outreach tool that will hopefully lead to greater public participation in the General Plan process.

The process of installing a message board as part of the City's web site is a fairly routine matter involving the installing and configuring of message board software on a City web server. Staff is currently reviewing available software product available for this use and anticipates one will be purchased for approximately \$200 to \$400. Staff will use an existing server and as a result, installation will not require purchase of a new computer.

GENERAL PLAN MESSAGE FORUM GUIDELINES

Once the system software has been installed and configured, the first step in the implementation process involves identifying guidelines for the message board. As can be imagined, with hundreds of message boards available on the Internet, there are hundreds of guidelines that are applied to each group or organization's unique message board. As a result, there is not a particular set of guidelines or model applicable to all message boards. However, considering that the General Plan Message Forum will be presented as an extension of the City's public meeting process, the proposed guidelines should generally mirror the guidelines in place for City public meetings.

Listed below are the recommended guidelines, and the justification for the recommendations, for the operation of the Message Forum. Those guidelines pertaining to public usage are included on Attachment A, which will be posted on the Message Forum.

1. *The message board will be an open forum for public comment, and as a result, it will not be moderated by City staff.*

The majority of message boards employ a moderator who is responsible for reviewing messages prior to posting on the message board. The moderator's task is to assure that messages are consistent with the goals, policies and interests of the message board and germane to the discussions taking place. A moderator is seen as an important tool assuring that message boards stay attractive to those individuals regularly utilizing them as a form of entertainment or a source of information. It is also a way of assuring that messages with profanity, personal attacks and

other undesirable features are not posted on the message board. Without a moderator, there is concern that the message board will lose direction and be taken over by users with little or no interest in maintaining the purpose of the message board.

While the General Plan Message Forum would not include a moderator, staff will employ features provided with the message board software that automatically removes or “blacks out” profanity prior to the message being posted on the board. While staff recognizes the benefits of utilizing a moderator, it is recommending against this option for the following reasons:

- As indicated above, staff views the message board as an extension of an open public meeting scheduled to discuss the General Plan. As such, the Message Forum should be operated as if individuals were speaking during the “Meeting Open to the Public” section of an agenda. That is, people are encouraged to “step forward” and express their views in an open and uncensored manner.
 - Notwithstanding the concerns above, it would be difficult to adopt a set of guidelines that would be grounds for “censoring” (i.e., not posting a message transmitted to the Message Forum) an individual from participating in a public meeting.
 - Staffing to provide 24 hour, 7 day a week moderating of the Message Forum is impractical.
 - Not posting a message may result in considerable concern expressed by users and or segments of the community, concerned that their particular view points are not being posted or not being posted in a timely manner.
2. *Notwithstanding the self-moderation concept as detailed above, in accordance with the Building a Community of Character guidelines, the City will reserve the right to remove a message from the board, after it has been posted, for the following reasons:*
- *The message contains profanity*
 - *The message represents a personal attack on any participant in the General Plan process including a City Councilmember, a member of any General Plan committee or a staff member.*
 - *A message pertaining to illegal activity (an example may be an offer to buy or sell drugs).*

Because staff will not moderate the message board on a regular basis, messages would most likely be removed if a complaint is received by a user of the Message Forum or if a staff person views a message that is inconsistent with the guidelines. All removed messages will be saved in the event a copy is requested by a member of the public.

3. *Any individual wanting to participate in the General Plan Message Forum will be required to register using a real name and address.*

All messages posted on the General Plan Message Forum will include the individual's full name. Further, users will have access to the individuals address including City of residency.

4. Participants will be encouraged to adhere to values from the Building A Community of Character including:
 - *Use good manners.*
 - *Do not use bad language.*
 - *Tell the truth.*
 - *Practice self-control.*
 - *Avoid insults and personal attacks.*

Consistent with City public meetings, these provide clear direction regarding expectations for use of the board.

5. *City staff will not compile, tally, arrange or provide any excerpts of messages posted on the board.*

This policy is important to remain consistent with the focus of the message board as a conversational and discussion tool. If messages are reproduced, compiled, tallied etc., the Message Forum could be viewed as more of a decision making tool which is inconsistent with the stated use of the board. Further, it is nearly impossible to verify the source of all comments and as a result, their validity is questionable at best. As a result, staff would not respond to requests to reproduce certain messages or to tally message results on a particular topic. However, in accordance with the State Public Records Act, staff would reproduce the entire message database in an electronic format if formally requested by the public. In addition, staff will maintain information indicating the number of users registered and the number of messages saved in the Message Forums database.

6. *The Message Forum will not include any tools for tallying message comments or voting in favor or against a message posted.*

Many message boards allow participants to vote on whether they agree or disagree with a matter posted on the message board. However, for the purpose of this General Plan process, this type of tallying or support/opposition seems to be counterproductive to soliciting conversation and comments. Further, this activity creates a perception of support, or opposition, for a particular viewpoint that cannot be validated.

7. *Staff will not respond to messages in an attempt to provide clarification or to correct inaccurate information.*

As noted above, the message board will not be moderated and as a result, staff will not, interrupt the open flow of messages in an attempt to provide information that may lead a conversation in one direction or another.

8. *The City may elect to deactivate the message board at any time.*

Based on the intended purpose of the message board, staff intends to remove the message board from the City web site 30 days after final approval of the General Plan unless directed by the City Council to retain the message board for another use. Message board data will be archived for six months after final approval of the General Plan.

CITY COUNCIL, COMMISSION AND COMMITTEE USE OF MESSAGE BOARD

As defined in the Brown Act, a “meeting” is “any congregation of a majority of the members of a legislative body at the same time and place to hear, discuss, or deliberate upon any item that is within the subject matter jurisdiction of the legislative body or the local agency to which it pertains.” (Gov., Code, seq. 54952.(2a).) This includes “any use of ...technological devices...to develop a collective concurrence. (Gov Code, seq.54952.(2b).)

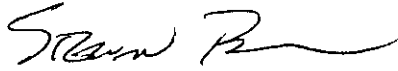
With some exceptions that are not relevant, all meetings of a legislative body must be open and public and held only after an agenda is posted. (Gov. Code, seq. 54953, subsection A and seq. 54942.) As a result, staff is recommending the City Council, commission and committee members refrain from participating in the message board as this could inadvertently result in a prohibited serial meeting under the Brown Act. Further, staff recommends that a message be posted on the message board indicating that City Councilmembers and members of Boards and Commissions subject to the Brown Act will not participate in the General Plan Message Forum.

While it is difficult to determine the potential for a majority of the Council or a commission participating in the General Plan Message Forum, as indicated in the above paragraph, there is concern regarding the actual and the appearance of a Brown Act violation. Notwithstanding the above, Council, commission and committee members may view the message board at any time.

FISCAL IMPACT

The financial impact involved with acquiring, installing and maintaining the message board is expected to be approximately \$300. Staff anticipates there will not be any significant cost regarding maintaining the software.

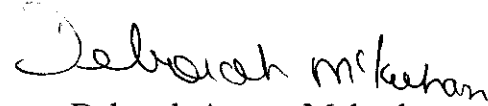
Respectfully Submitted,



Steven R. Bocian
Deputy City Manager



Michael Roush
City Attorney



Deborah Acosta Mckeehan
City Manager

Attachments

SR.9.16.03. Discussion Forum

ATTACHMENT A

(To be posted on the Message Forum)

Guidelines for use of City of Pleasanton General Plan Message Forum

This General Plan Message Forum is provided by the City of Pleasanton as a means of soliciting conversation, discussion and comments regarding the current process of updating the City's General Plan. Additional information regarding General Plan process and public meetings is available on the City's web site. All members of the public are encouraged to attend these public meetings and to participate in this message board.

Building a Community of Values

The City of Pleasanton and the Pleasanton Unified School District have adopted a "Building a Community of Character" that, in part, includes values applied to public meetings and the use of this Message Forum. The values are as follows:

- Use good manners
- Do not use bad language
- Tell the truth
- Practice self-control
- Avoid insults and personal attacks

Please adhere to these values when using this message board. Your cooperation with this matter will assure the Message Forum is an important tool for conversing on matters related to the City General Plan.

Self Moderation

This Message Forum is self moderated, meaning all submitted messages will be posted except that the message board software is configured to automatically remove profanity prior to posting and under certain situations as detailed below. Due to this self moderation, please do not post questions to city council or city staff persons regarding city services or the General Plan process as no response from the City will be provided. If you have a particular question regarding City Services, you may submit an email to the City using the City web site.

In the following circumstances, the City reserves the right to remove a message from the Message Forum:

- The message contains profanity
- The message represents a personal attack on any participant in the General Plan process including a city council member, a member of any General Plan committee or a staff member.
- A message pertaining to illegal activity (example, offers to buy or sell drugs)

ATTACHMENT A (Continued)

Message Board Participation

You must sign in with your real name, address and email to use the message board and respond to an email requesting verification. Your name and city of residence will be posted with your message. The City will not compile, tally or duplicate individual messages posed on the Message Forum.

Continued Availability of Message Forum

This message board is provided for the General Plan update process. The City may elect to deactivate the message board at any time. The City will retain all information in the Message Forum database for six months after the expiration of this Message Forum.

Public Document

Information posted on the Message Forum is a matter of public record and may be duplicated or copied by members of the public.