



## CITY OF PALO ALTO OFFICE OF THE CITY CLERK

May 4, 2015

The Honorable City Council  
Palo Alto, California

### **Policy and Services Committee Recommendation Regarding Changes to City Council and Standing Committee Minutes**

#### **Recommendation**

Staff recommends the City Council discuss and affirm Policy and Service Committee recommendation to move to Action minutes to record the proceedings of the Council and Standing Committee meetings, to include retaining DVD's of the meetings as a source of minutes. Staff is looking for guidance whether to also produce Verbatim minutes, or Verbatim minutes for specific agenda items when needed.

#### **Executive Summary**

On December 16, 2014, the Policy and Services Committee voted 3-1, Schmid no, to immediately move to Action minutes and to retain the video as the formal record of the City Council and Standing Committee meetings, and that the City Council was to determine whether verbatim minutes were necessary.

Currently, the City Clerk's Office produces Sense Minutes of City Council and Council Standing Committee meetings, as directed by Municipal Code Section [2.04.160](#) (Attachment A). Sense Minutes include all actions taken and a short synopsis of the remarks by Council Members, Staff and members of the public as they speak regarding a particular matter under discussion. Council and some Standing Committee meeting minutes are typed by a contracted transcription service; the remainder are typed by Clerk Staff. In the event Council affirms the change to Action minutes, Staff will have to bring back an Ordinance, on Consent, changing the Municipal Code.

#### **Background**

During a Council meeting, City Clerk Staff begins the Action Minutes (Attachment B) by typing the names of all speakers and the motions. The second Staff member types the motions (Attachment C) so they appear on the screen for Council and the public to view. Within one week, Staff produces the final Action Minutes, which consists of just the motions. The Action minutes are then sent off to the transcriptionist to type the Sense Minutes. Depending on the length of the meeting and how many other sets of minutes they are working on, the minutes could take two or more weeks to return to us. A final review of the completed minutes is done by the City Clerk, and the minutes are placed on the agenda for Council's approval. This whole process may take up to a month to complete.

Last year a question was submitted to the City Clerks ListServe inquiring what types of

minutes were completed by cities. Of the 72 agencies that responded, 35 use Action Minutes and relied on the meeting video as the official record of the meeting. Thirty cities use Sense/Summary minutes and the remaining seven used detailed summary minutes. No agency used verbatim minutes. The Midpeninsula Media Center records all of our meetings and places them, via YouTube on their website. We are in the process of putting the link to these videos in a table that will include links to the agendas and minutes for each meeting. We are working to make it easier for the public to have all information regarding a meeting in one location.

### **Resource Impact**

In the event Council chooses to affirm the use of Action minutes and the video to be the official record of their meetings, the City Clerk's Office will save approximately \$20,000 in contract transcription fees. In the event that Sense or Verbatim minutes are needed for a specific agenda item, these can be completed by either Clerk Staff or the outside transcription service.

### **ATTACHMENTS:**

- Attachment A: Municipal Code Section (DOCX)
- Attachment B: 03-16-15 CCM Draft Action (DOC)
- Attachment C: 04-06-15 CCM Motions (DOC)
- Attachment D: 12-16-14 P&S EXCERPT 2(DOC)

Department Head: Beth Minor, City Clerk



**2.04.160 City council minutes.**

(a) The minutes of the council shall be kept by the city clerk. The minutes shall be neatly typewritten or printed in a book kept for that purpose, with a record of each particular type of business transacted set off in paragraphs, with proper subheadings.

(b) The minutes shall include a record of all business discussed at regular or special meetings of the council. The minutes shall be sense minutes and need not be a verbatim transcript of the proceedings. Sense minutes include all actions taken and a short synopsis of the remarks of such council members, staff and members of the public as speak upon a particular matter under discussion. A record shall be made of the names and addresses of persons addressing the council, together with a brief summary of their remarks indicating whether they spoke in support of or in opposition to such matter. Nothing in this section shall be construed to compel registration as a condition to attendance at a meeting.

(c) As soon as possible after each council meeting the city clerk shall cause a copy of the minutes to be forwarded to each council member, the city manager, other officers and department heads of the city, all newspapers of general circulation within the city, and be made available to the public at the front counter in the city clerk's office, the table and bulletin board in the council chambers, and all city libraries, except the Children's Library.

(d) At the meeting following publication, council minutes shall be agendized by the city clerk for the council's approval. Corrections to the minutes shall be made at the meeting. Council members may submit their corrections in writing or orally to the city clerk's office before the time of the meeting. The city clerk shall distribute a written copy of all corrections received during regular business hours to all council members at the meeting.

(Ord. 4692 § 1 (part), 2001)



# CITY OF PALO ALTO CITY COUNCIL DRAFT ACTION MINUTES

Regular Meeting  
March 16, 2015

The City Council of the City of Palo Alto met on this date in the Council Chambers at 6:07 P.M.

Present: Berman, Burt, DuBois, Filseth, Kniss, Schmid, Wolbach arrived @ 6:21 P.M.

Absent: Holman, Scharff

## Special Orders of the Day

1. Presentation of Proclamation to Exchange Students from Tsuchiura, Japan and Presentation of Matt Schlegel, Marathon Runner.

Vice Mayor Schmid

Diana Nemet,

Vice Mayor Schmid

Ms. Nemet

Matt Schlegel

Jennifer Buenrostro

Etsuo Sato

Council Member Kniss

Vice Mayor Schmid read the Proclamation.

## Agenda Changes, Additions and Deletions

Vice Mayor Schmid announced that Agenda Item Number 9 will be postponed

James Keene, City Manager

Vice Mayor Schmid

**MOTION:** Council Member Burt moved, seconded by Council Member Kniss to continue Agenda Item 9- CONFERENCE WITH REAL PROPERTY NEGOTIATORS, CALIFORNIA GOVERNMENT CODE SECTION 54956.8 to a date unknown.

**MOTION PASSED:** 7-0 Holman, Scharff absent

## City Manager Comments

Jim Keene, City Manager

Vice Mayor Schmid

Council Member Kniss read the Proclamation for Ray Bacchetti.

Vice Mayor Schmid

Council Member Berman

Council Member Burt

Dennis Burns, Police Chief

## Oral Communications

William Conlon

Eamonn Gormley

Jeff Hoel

Stephanie Munoz

Catherine Marteneau

Consent Calendar

**MOTION:** Council Member DuBois moved, seconded by Council Member Berman to approve Agenda Item Numbers 2-14.

2. Approval of a Contract with SCS Field Services in an Amount Not to Exceed \$139,060 for the First Year to Provide Landfill Gas and Leachate Control Systems Maintenance, Monitoring, and Reporting Services and to Exercise the Option of a Second and Third Year of the Contract.
3. Approval of a Site and Design Application by Peck Desing on Behalf of Walnut Holding, LLC for a new 13,118 sf Single Family Home, detached garage, and pool; and Associated Site Improvements on a 10.39 Acre Parcel of Land in the Open Space (OS) Zone District located at 820 Los Trancos Road. Environmental Assessment: Mitigated Negative Declaration has Been Prepared.
4. Approval and Authorization for the City Manager to Execute Amendment One to Memorandum of Understanding with the Santa Clara Valley Water District to Increase Palo Alto's Total Cost Obligation by \$500,000 Through FY 2016 for a Total Cost Obligation of \$1,235,915 to Fund Water Conservation Rebate and Incentive Programs and Adoption of a Related Budget Amendment Ordinance 5313 entitled "Budget Amendment Ordinance for the Council for the City of Palo Alto for Fiscal Year 2015 to Provide Appropriation in the Amount of \$400,000."

**MOTION PASSED:** 7-0 Holman, Scharff absent

Action Items

5. Comprehensive Plan Update Status and Discussion of Existing Comprehensive Plan Themes and Structure.

Hillary Gitelman, Planning and Community Environment Director

Vice Mayor Schmid

Mila Zelkhas

Stephanie Munoz

Bob Moss

Vice Mayor Schmid

Council Member Burt

Ms. Gitelman

Council Member Burt

Mark Michael, Planning and Transportation Commissioner

Council Member Burt

Mr. Michael

Council Member Burt

Ms. Gitelman

Council Member Burt concept plans

James Keene, City Manager

Council Member Burt

Council Member DuBois

Ms. Gitelman

Council Member DuBois

Ms. Gitelman

Council Member DuBois

Ms. Gitelman



Council Member DuBois

Ms. Gitelman

Council Member DuBois

Ms. Gitelman

Council Member DuBois

Council Member Kniss

Ms. Gitelman

Council Member Kniss

Ms. Gitelman

Council Member Kniss

Council Member Filseth not in comp plan quantitative element

Council Member Berman

Ms. Gitelman

Council Member Berman

Council Member Wolbach

Ms. Gitelman

Mr. Keene

Council Member Wolbach

Vice Mayor Schmid land use

**MOTION:** Vice Mayor Schmid moved, seconded by Council Member XX that the Summit sessions will explore the impacts of replacing Theme Number 6-Meeting Residential and Commercial Needs, with following:

1. the number of residents and the number of employees will grow at the same rate over time;
2. the rate of growth of jobs and residents will remain at or below the

Council Member DuBois

Vice Mayor Schmid

Mr. Keene

Vice Mayor Schmid

**MOTION FAILED DUE TO THE LACK OF A SECOND**

Council Member DuBois

Council Member Filseth

Council Member Burt

Vice Mayor Schmid

Ms. Gitelman great line of discussion how council would like to be involved involve council at these major issue points schedule sessions to go further into the words

Vice Mayor Schmid

Council Member Wolbach

Ms. Gitelman

Council Member Wolbach direction or redirection on themes, calendar

Mr. Keene

Council member Dubois

**MOTION:** Council Member DuBois moved, seconded by Council Member Burt to have a deeper discussion on the Comprehensive Plan on the overarching goals and vision statement of each element before the Summit and the Comprehensive Plan process.

Ms. Gitelman

Council Member Burt

Council Member Filseth

Ms. Gitelman

Council Member Filseth

Council Member Wolbach

Council Member DuBois

Council Member Burt

Council Member Wolbach

Ms. Gitelman

Council Member Wolbach

**MOTION PASSED:** 7-0 Holman, Scharff absent

Council took a break from 8:45-8:51 P.M.

Adjournment: The meeting was adjourned at 12:30 A.M.



# CITY OF PALO ALTO CITY COUNCIL ACTION MINUTES

Regular Meeting  
April 6, 2015

The City Council of the City of Palo Alto met on this date in the Council Chambers at 6:06 P.M.

Present: Berman, Burt, Filseth, Holman, Kniss arrived at 7:14 P.M.,  
Scharff, Schmid, Wolbach

Absent: DuBois

## Study Session

1. Cost of Services Update and Draft User Fee Cost Recovery Level Policy Discussion.

## Special Orders of the Day

2. Selection of Applicants to Interview on April 15, 2015 for the Human Relations Commission, the Public Art Commission and the Utilities Advisory Commission.

**MOTION:** Vice Mayor Schmid moved, seconded by Council Member Wolbach to interview all candidates for the Human Relations Commission, the Public Art Commission and the Utilities Advisor Commission.

**MOTION PASSED:** 6-1 Scharff no, DuBois, Kniss absent

## Agenda Changes, Additions and Deletions

None.

## Minutes Approval

3. January 20, 2015, February 9 and February 17, 2015.

# ACTION MINUTES

**MOTION:** Vice Mayor Schmid moved, seconded by Council Member Kniss to approve the minutes of January 20, February 9 and 17, 2015.

**MOTION PASSED:** 7-0-1 Scharff abstaining, DuBois absent

## Consent Calendar

**MOTION:** Council Member Burt moved, seconded by Vice Mayor Schmid, third by Council Member Filseth to pull Agenda Item Number 15- Appeal of the Planning and Community Environment Director's Architectural Review Approval of a 31,407 s.f., Four Story, Mixed Use Building With Parking Facilities on Two Subterranean Levels Requested by Ken Hayes Architects, Inc. on Behalf of Kipling Post LP to Replace Two One-story Commercial/Retail Buildings on an 11,000 s.f. Site in the Downtown Commercial (CD-C (GF)(P)) Zone District Located at 429 University Avenue, to be heard on May 4, 2015.

**MOTION:** Vice Mayor Schmid moved, seconded by Council Member Kniss to approve Agenda Item Numbers 4-14 & 16.

4. Approve and Authorize the City Manager to Execute a Construction Contract with Cal Electro Inc. in the Amount of \$514,000 for the Electric Underground Rebuild and Re-conductor Project, Phase III Along and Near (A) San Antonio Road Between East Charleston and Middlefield Roads and, (B) Middlefield Road Between East Charleston and East Meadow Drive.
5. Approval of a Construction Grant Agreement with The Association of Bay Area Governments and the San Francisco Bay Area Water Trail in the Amount of \$40,000 for Palo Alto Baylands Sailing Station Accessibility Improvements and Adoption of a Budget Amendment Ordinance 5315 entitled "Budget Amendment Ordinance of the Council of the City of Palo Alto in the Capital Project Fund in Amount of \$40,000."
6. Policy and Services Committee Recommendation to Accept the Auditor's Office Quarterly Report as of December 31, 2014.
7. Resolution 9502 entitled "Resolution of the Council of the City of Palo Alto Amending the Structure of the Palo Alto/Stanford Citizen Corps Council / Palo Alto Emergency Services Council."

# ACTION MINUTES

8. Approval of Letter of Agreement with the City of Sunnyvale for Emergency Operations Plan.
9. Approval of Contract with Traffic Data Services, Inc. for a Total of \$100,000 to Provide On-Call Traffic Data Collection Services and Approval of a Budget Amendment Ordinance 5316 entitled "Budget Amendment Ordinance of the Council of the City of Palo Alto in the University Avenue Parking Permit Fund and the General Fund."
10. Approval of Contract Number C15155597 with Biggs Cardosa & Associates, Inc. in an Amount Not to Exceed \$149,250 for Consulting Engineering Services for the Citywide Bridge Assessment Project – CIP PE-13012.
11. Approval of a Record of Land Use Action and a Site and Design Application for a New Single-Story, Single-Family Residence and Associated Site Improvements on a 3.5-Acre Parcel of Land in the Open Space (OS) Zoning District Located at 805 Los Trancos Road.
12. Adoption of Corrected Resolution 9499 entitled "Resolution of the Council of the City of Palo Alto of the Council Ordering Weed Nuisance Abated."
13. Confirmation of Appointment of Suzanne Mason as Assistant City Manager and Approval of Employment Agreement.
14. Adoption of a Contract Amendment with Val Security and a Budget Amendment Ordinance in the Amount of \$175,000 to Increase the Project Safety Net Fund and Decrease the Stanford Medical Center Development Agreement Fund.
15. ~~Appeal of the Planning and Community Environment Director's Architectural Review Approval of a 31,407 s.f., Four Story, Mixed Use Building With Parking Facilities on Two Subterranean Levels Requested by Ken Hayes Architects, Inc. on Behalf of Kipling Post LP to Replace Two One-story Commercial/Retail Buildings on an 11,000 s.f. Site in the Downtown Commercial (CD-C (GF)(P)) Zone District Located at 429 University Avenue.~~
16. Approval of a Contract Amendment with Genuent USA, LLC, Intratek Computer, Inc., Digital Intelligence Systems, LLC, GTC Systems, Inc., Modis, Inc., Bodhtree Solutions, Inc. and Signature Technology Group,

# ACTION MINUTES

Inc. For IT Temporary Staffing Support Services in a Total Amount Not to Exceed \$650,000 Per Fiscal Year for All Seven Contracts.

**MOTION FOR AGENDA ITEM NUMBERS 4-14 AND 16 PASSED:** 8-0  
DuBois absent

## Action Items

17. TEFRA HEARING: Regarding Conduit Financing for the Stevenson House Project, Located at 455 East Charleston Road, Palo Alto, and Adoption of a Resolution 9502, and Approving the Issuance of Revenue Bonds by the California Municipal Finance Authority for the Purpose of Financing the Acquisition and Rehabilitation of a Multifamily Rental Housing Facility.

Public Hearing opened at: 8:06 P.M.

Public Hearing closed at 8:09 P.M.

**MOTION:** Council Member Scharff moved, seconded by Council Member Kniss to adopt the Resolution approving the issuance of the bonds by the California Municipal Finance Authority (CMFA) for the benefit of Palo Alto Senior Housing Project, Inc. Stevenson House LP (Borrower).

**MOTION PASSED:** 8-0 DuBois absent

18. City Council Direction Regarding: (1) Parameters of an Interim Ordinance to Prohibit Conversion of Ground Floor Retail and Services to Other Uses, and (2) Subsequent Steps to Establish Zoning Regulations to Preserve and Promote Active Ground Floor Uses in the City's Commercial Areas.

**MOTION:** Council Member Scharff moved, seconded by Council Member Burt to direct Staff to prepare and return to Council with an urgency ordinance, including at a minimum the following:

1. A Citywide prohibition on converting existing ground floor retail uses to other uses until existing retail protections can be reviewed and revised as needed. Extend the same protections to eating and drinking uses, personal services, hotels, theatres, and travel agencies (permitted ground floor uses in the Downtown GF combining district); and

# ACTION MINUTES

2. Apply the prohibition to those retail services operating as of March 2, 2015 and for which no discretionary application involving a change of use has been submitted to the City by March 2, 2015; and
3. Include within the ordinance an appeal to the City Council in cases of financial hardship or showing that the facility is unsuited for successful retail use; and
4. Allow existing retail service facilities to be demolished and rebuilt provided that the retail square footage is only reduced by the minimum amount needed to provide access to any new upper floors and/or lower level parking; and
5. Retail services that are grandfathered in as legal non-conforming shall not be protected or required to remain; and
6. The Municipal Code's definition of retail services and the other uses cited above shall be continued; and
7. The ordinance will be effective for an initial 45 days with an option to extend if the urgency continues. Staff is also directed to prepare a traditional ordinance for consideration by the Planning and Transportation Commission and the City Council as a "backstop" to extend the interim measures until existing retail protections can be reviewed and revised as needed; and
8. Nothing in the ordinance shall alter requirements of site-specific Planned Community zoning ordinances or adopted conditions of approval. Also, nothing in the ordinance shall affect the need for a conditional use permit for certain allowed uses where such requirements currently exist, although use permit requirements and affected uses could be adjusted in the permanent ordinance that follows.

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** that conditional uses for ground floor retail areas are not permitted in retail districts while the interim ordinance is in effect.

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to delete Number 5- Retail services that are grandfathered in as legal non-conforming shall not be protected or required to remain in the Motion.



# ACTION MINUTES

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** modify first sentence of Municipal Code Section 18.04.030 (125) to begin "Retail service" means a use predominantly engaged in providing...

Council Member Kniss left the meeting at 10:00 PM

**MOTION AS AMENDED PASSED:** 7-0 DuBois, Kniss absent

**MOTION:** Council Member Scharff moved, seconded by Mayor Holman to direct Staff that once the interim Ordinance is in place:

1. To bring forward the interim Ordinance as a regular Ordinance for Council adoption; and
2. Subsequently, to prioritize consideration of permanent retail protections starting with retail uses allowed on California Avenue and boundaries of the Retail (R) combining district. Also prioritize an analysis of retail trends and desired adjustments to the Ground Floor (GF) combining district in Downtown, followed by consideration of other commercial zones within the City.

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** to direct Staff to prepare an Ordinance to extend the boundaries of the (R) combining district to Cambridge Avenue.

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** that projects in the pipeline that do not have applications for planning entitlements on file on March 2, 2015 would be subject to the Ordinance.

**INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER** that both instances of "interim" in the first sentence of the Motion be changed to "urgency."

**MOTION AS AMENDED PASSED:** 7-0 DuBois, Kniss absent

Inter-Governmental Legislative Affairs

None.

# ACTION MINUTES

## Council Member Questions, Comments and Announcements

Council Member Scharff inquired if Council Members should keep the Packet Books for Agenda Item Number 18- City Council Direction Regarding: (1) Parameters of an Interim Ordinance to Prohibit Conversion of Ground Floor Retail and Services to Other Uses, and (2) Subsequent Steps to Establish Zoning Regulations to Preserve and Promote Active Ground Floor Uses in the City's Commercial Areas.

Hillary Gitelman, Director of Planning and Community Environment responded yes.

## Closed Session

**MOTION:** Council Member Filseth moved, seconded by Vice Mayor Schmid to go into Closed Session.

**MOTION PASSED:** 6-0 Scharff not participating, DuBois, Kniss absent

Council went into Closed Session at 10:49 P.M.

## 19. CONFERENCE WITH CITY LABOR NEGOTIATORS

City Designated Representatives: City Manager and his designees pursuant to Merit System Rules and Regulations (James Keene, Kathy Shen, Melissa Tronquet, Dania Torres Wong, Sandra Blanch, David Ramberg, Joe Saccio, Molly Stump, Walter Rossmann)  
Employee Organizations: Palo Alto Police Officers Association (PAPOA); International Association of Fire Fighters (IAFF), Local 1319  
Authority: Government Code Section 54957.6(a)

The Council reconvened from the Closed Session at 12:23 A.M., Mayor Holman reported no reportable action.

Adjournment: The meeting was adjourned at 12:23 A.M.



# **POLICY AND SERVICES COMMITTEE EXCERPT MINUTES**

Special Meeting  
Tuesday, December 16, 2014

Chairperson Price called the meeting to order at 6:0 P.M. in the Council Conference Room, 250 Hamilton Avenue, Palo Alto, California.

Present: Klein arrived at 6:13 P.M., Price (Chair), Scharff, Schmid

Absent:

## ORAL COMMUNICATIONS

None

## AGENDA ITEMS

2. Discussion of the Cost of Various Forms of City Council and Standing Committee Minutes.

Beth Minor, Acting City Clerk, said on September 23, 2014 the Policy & Services Committee (Committee) requested Staff return with the breakdown costs of City Council and Standing Committee minutes in verbatim, sense, and action. At the present time and for the past three years the City Clerk's department held a transcription contract for typing minutes; the contract was \$24,000 annually. She continued, the standard hourly rate of the transcriptionist was \$32 and for rush transcription the cost was \$36 per hour; a rush request was turned around in three days' time. The contract called for the service to supply two transcriptionists dedicated to the City Clerk's minute requests. The current Municipal Code stated the minutes produced were to be sense minutes. She noted if there was a change requested by Council there would need to be a change to the Ordinance. Staff compiled research from other cities within California; 35 out of the 72 responses used action minutes and relied heavily on the video of the meeting as the record of the meeting. The action minutes consisted of the item title and the Motion. There were 30 cities that used sense or summary minutes while none of the 72 agencies used verbatim minutes. Sense minutes provided the general discussion although verbatim minutes included incomplete sentences and the thoughts spoken by the speaker. She noted verbatim minutes were not cleaned or adjusted by Staff.

# MINUTES

Herb Borock was opposed to action minutes because there should be a historic memory of why a specific decision was made. He noted in the 1980's the sense minutes were more intense, closer to verbatim minutes.

Council Member Schmid wanted to plea for verbatim minutes. The production cost of the current minutes was \$24,000 and the verbatim might be a third higher. He felt it was worth the additional funds.

Ms. Minor stated the current contract was for \$24,000 per year but the total amount allotted may or may not be used.

Council Member Schmid found the verbatim minutes from the Planning and Transportation Commission (P&TC) to be valuable. The Utilities Advisory Commission (UAC) minutes were in a sense type format and there was not enough information to decipher what had happened. If the goal was to provide an accurate account of what happened at a meeting sense minutes were not the way. He agreed the video was available but the ratio of time between watching the meeting and reading a set of verbatim minutes was 6 to 1. He felt verbatim minutes were worth the cost of approximately \$32,000 annually.

Council Member Klein agreed with Council Member Schmid on the aspect of historical record; there was not sufficient weight given on the video reordered meetings. The sense minutes had become dangerous because the minutes were being typed by an outside person or Staff and the comments made during the meeting could be misinterpreted. As the City Attorney pointed out there could be legal complications. His first choice was action minutes and then verbatim minutes with the video.

Council Member Scharff did not believe sense minutes were an option. He felt the action minutes were simple to read and you see the action taken. He thought Staff produced the action minutes during the Council meeting.

Ms. Minor stated the body of the action minutes was typed at the meeting and Staff reviewed the video during the following week to verify the accuracy.

Council Member Scharff stated there should be action minutes no matter what final decision was made and if there needed to be more information. He was satisfied with verbatim minutes as needed. He asked if there were action and verbatim minutes which would be the official minutes of record.

Felicia Gross, Assistant City Attorney, stated as long as both types of minutes were completed, both types could be designated as the official record.

# MINUTES

Council Member Scharff said when it was indicated by the City Attorney a set of sense minutes were contradicted by the video he felt the official record should be the video.

Chair Price concurred with Council Member Klein that action minutes were appropriate. There was the option for verbatim minutes at a later date if necessary.

Ms. Minor acknowledged there had been times when verbatim minutes were necessary for legal matters.

Chair Price felt the ability to fall back on the video to produce a set of verbatim minutes was a safe guard. She believed the video and action minutes were a sufficient record.

Council Member Scharff sensed the verbatim minutes were a tool for Council and the public to verify what happened at a meeting they may not have been able to attend without spending the time reviewing the video.

Council Member Klein asked if the videos could be more searchable for the viewers.

Ms. Minor stated the Midpeninsula Media Center had a limited ability of making them searchable. The Clerk's department used a system for processing agendas which had the ability to view the videos. Staff uploaded the videos. The goal was for the Minute Traq system to be incorporated into the media room once the construction was complete. The video could be essentially book marked while it was being recorded.

Chair Price clarified it was feasible with the software programs currently available to do preliminary marking of the recording to some degree.

Ms. Minor stated that was correct; although, it was not yet available in the videotaping booth in the Council Chambers.

Council Member Schmid asked where Chair Price sat on the sense minutes.

Chair Price felt the sense minutes tended to be more problematic and she preferred action minutes.

Council Member Schmid stated the Committee seemed to be in agreement; sense minutes were not as effective, action minutes were appropriate, although without verbatim minutes there would be elements of the discussion lost. The cost was so low that from a practical sense until Council

# MINUTES

could see the tracking technology on the video to proceed with verbatim minutes was an interim step.

Chair Price asked if there was a basis for the demand or interest for verbatim minutes.

Ms. Minor said no.

Council Member Scharff recommended the Policy & Services Committee drop sense minutes and immediately move to action minutes and recommend Council decide on whether they want to move forward with verbatim as well.

Council Member Schmid said the suggested Motion was an interim solution but the goal was for a Code change. He confirmed the Motion was to change the Code to drop sense minutes.

Council Member Scharff stated yes, his Motion would be to change the code to complete action minutes. If Council decided to move forward with verbatim minutes he did not feel they should be part of the Code. The action minutes and the video would be the formal record of the City.

James Keene, City Manager, asked if the process itself, with the intent of the Motion, was to ask Staff to bring the recommendation from the Committee to the Council with the change to the Code at the time of the Council meeting. Therefore, if the Council chose to accept the Motion they could enact the change at the time.

Council Member Scharff suggested Staff draft the Ordinance working with the City Attorney's office but the formal minutes would be action and the video. He recommended bringing forward the draft Ordinance as an Consent Item during the second Council meeting of 2015 and sometime during the month of January bring forward to Council whether or not they wanted verbatim minutes.

**MOTION:** Council Member Scharff moved, seconded by Council Member Klein that the Policy & Services Committee immediately move to action minutes and the video as the formal record of the City and recommend Council determine whether verbatim minutes were necessary.

Council Member Schmid noted the current code section 2.04.160 (b) read: *"The minutes shall include a record of all business discussed at regular or special meetings of the council. The minutes shall be sense minutes and need not be a verbatim transcript of the proceedings. Sense minutes include all actions taken and a short synopsis of the remarks of such council members, staff and members of the public as speak upon a particular matter*

# MINUTES

*under discussion. A record shall be made of the names and addresses of persons addressing the council, together with a brief summary of their remarks indicating whether they spoke in support of or in opposition to such matter. Nothing in this section shall be construed to compel registration as a condition to attendance at a meeting.”* He asked if the Motion was to drop that code section and replace it the “minutes shall be action minutes.”

Council Member Scharff stated yes.

Council Member Klein concurred.

Council Member Scharff was leaving the language to be determined by the City Attorney because he believed most City Clerk’s offices considered the video the formal record.

Council Member Schmid was opposed to the Motion because it was a reduction to the amount of materials available to the public.

Council Member Scharff did not understand how it was a reduction.

Council Member Schmid stated currently there were action minutes, sense minutes and the videotape. The Motion was to eliminate the sense minutes.

Council Member Scharff clarified the third item would be the verbatim minutes which was recommended to go before the full Council for them to make a final decision. He believed the verbatim minutes were a tool for Council and they were worth the cost. He asked for a commitment from the City Manager to bring forth the verbatim minutes discussion to the full Council within 45 days.

Mr. Keene stated that could be done; although, the unification of the Committee was while sense minutes provided more detail they were potentially less accurate as a historical record. He believed if enough City Council Members felt action minutes alone were not sufficient it would be a natural impulse for verbatim minutes. Three Council Members could pull the item from Consent into Action for a discussion during the meeting.

Chair Price acknowledged any recommendation brought forward had the potential to be changed completely by a majority.

Mr. Keene suggested producing action minutes for a couple of Council Meetings to give Council an idea of what to expect in order for them to make a final decision.

**MOTION PASSED:** 3-1 Schmid no

# MINUTES

Mr. Keene clarified the Motion was to place the Committee recommendation on the Consent Calendar.

Council Member Klein stated yes.

ADJOURNMENT: Meeting was adjourned at 7:37 P.M.