

INDIAN WELLS CITY COUNCIL

April 6, 2023



To: City Council
From: City Manager Department
Prepared by: Angelica Avila, City Clerk
Subject: **Resolution Re-Establishing Procedures Relating to Official Minutes**

RECOMMENDED ACTION:

Council **ADOPTS** Resolution Re-Establishing Procedures Relating to Official Minutes.

BACKGROUND:

Indian Wells, as a Charter City can create systems and implement administrative practices to help improve governance. In 1985, the City adopted Resolution No. 1985-8 establishing procedures relating to official minutes (**Attachment #1**). The purpose of meeting minutes is to record actions taken at meetings. Minutes serve as the official record, the legal record, and the public record of what was decided at meetings.

Minutes provide a historical record of actions and decisions and give the administrative the authority to implement decisions. In accordance with state law, good governance, and best practices in local government, meeting minutes should be transparent and open for all to view. Best practices help to promote the public's confidence and trust in leadership of their local government officials.

DISCUSSION:

City staff assigned to the various City legislative body's attend meetings to compile minute record of actions taken. This includes City Council, Planning Commission, Community Activities, Grants-In-Aid and other City legislative committees subject to the Brown Act. Minutes, audio recordings and video recordings are kept as permanent records and provide evidence of City business proceedings as required by the Brown Act. Current practice under Resolution 85-8 requires the Minutes be presented to the legislative body for confirmation before being finalized and posted to the City 's website. Prior to the routine videotaping of legislative meetings, this was the standard practice throughout the state. Government Code section 40801 states that the "City Clerk shall keep an accurate record of the proceeding of the legislative body and the board of equalization in books bearing appropriate titles and devoted exclusively to such purposes, respectively. The

books shall have a comprehensive general index.” State law does not require confirmation of the Minutes by the legislative body.

The City Clerk is recommending a revised process to streamline and make minutes of meetings more readily available to the public. Approval of minutes by the legislative body can take months to approve depending on the meeting schedule of the legislative body. The process proposed in the attached Resolution provides the City Clerk or designee to finalize the Minutes within fifteen (15) business days following a meeting, without the need to agendaize the Minutes for the legislative body’s consideration and approval. Minutes shall be provided to legislative bodies for review before being authorized and posted on the City website. In the event a member of a legislative body requests amendment to the Minutes, the Clerk would consult notes taken at the affected meeting, review the video recording of said meeting, and confer with the City Attorney as necessary. Any delays in meeting minutes shall be referred to the Clerk to ensure minutes are reviewed and uploaded in timely manner. Administrators shall send meeting minutes for approvals via electronic signatures which saves a substantial amount of time and allows the City to better serve the community.

The process outlined above has been approved by the City Attorney’s Office and is authorized under California Law.

ATTACHMENTS:

1. Resolution 85-8
2. Draft Resolution Approving Minutes Procedure