

RESOLUTION NO 85-8

A RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF INDIAN WELLS, CALIFORNIA, STANDARDIZING  
PROCEDURES RELATING TO OFFICIAL MINUTES.

WHEREAS, the Government Code specifically requires that City Clerks in general law cities keep a record, journal of proceedings or minutes of City Council meetings; and

WHEREAS, official minutes must be kept to furnish evidence that the City Council has complied with the law or rules by which it is governed and the motions contained in the official minutes are treated as evidence in a court of law; and

WHEREAS, from time to time different employees with varying skills will attend board meetings of City Council, Commissions, and other constituted groups for the purpose of compiling a minute record at actions taken at that body.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Indian Wells, California, does hereby standardize procedures relating to official minutes and establishes minimum standards as follows:

SECTION 1: HEADING:

Subject headings shall be one (1) or two (2) lines in length and utilized for cross references in the comprehensive general index of the official minutes and other listings, and for filing a copy in the applicable case file. Headings shall be concise.

SECTION 2: BACKGROUND MATERIAL:

A) Background material shall be a brief description of the subject. Agenda material may be utilized in original or paraphrased form in lieu of original composition. Supplemental background material relating to presentation and discussion may be added by attentive clerical notetaking.

B) Any written statement by a member of the board, or any statement a board member specifically requests be included in the minutes shall be so included (requests shall be made during meeting).

C) If the subject matter has appeared at previous meetings, repetition will not be necessary as minutes serve as a chronological history.

SECTION 3: PUBLIC HEARINGS:

Public hearings have a special procedure announced by the chairman. Minute format at such hearings shall include the following elements:

A) Open.

B) Reception of pros and cons and other comments. Names and addresses, if possible, of those giving testimony shall be noted.

C) Continuance (where applicable). A continuance must be by motion.

D) Close. It may be necessary for the chairman to receive majority approval to close the public hearing if there is a question of whether or not additional testimony is desired.

SECTION 4: BOARD ACTION (RECORD OF ACTION/MINUTE ORDER):

Board action must be accurately and thoroughly drafted. Elements of a motion may noted as follows:

After discussion, it was moved by \_\_\_\_\_,  
seconded by \_\_\_\_\_, and (unanimously, if  
applicable) carried/failed to carry to (do something,  
use a descriptive verb i.e. ADOPT/APPROVE/AUTHORIZE/  
AWARD/CONTINUE/DENY)

\_\_\_\_\_

\_\_\_\_\_

(also, if City Council resolution, type resolution title)

\_\_\_\_\_

\_\_\_\_\_

(if not unanimous, insert) by the following vote:

AYES: \_\_\_\_\_  
NOES: \_\_\_\_\_  
ABSTAIN: \_\_\_\_\_  
ABSENT: \_\_\_\_\_

SECTION 5: REPORTS, IDEAS, AND SUGGESTIONS:

Where reports, ideas, suggestions, and other remarks are not accompanied by a motion they shall not be included in the minutes except when specifically requested as outlined in Section 2(b) of this Resolution.

SECTION 6: CLERICAL AIDES:

A) Clerical aides are not considered public record.

B) Notes are considered clerical aides and shall be kept until the official minutes are approved at the next board meeting. There is no prescribed retention period for notes thereafter.

C) Tapes of board meeting are considered clerical aides.

- 1) Tape recordings shall be used by Deputy City Clerks consecutively and on both sides for tape recording board meetings.
- 2) Deputy City Clerks shall list the counter number on the tape machine after board motions to facilitate the use of the tape in preparation of official minutes.
- 3) The Finance Director shall organize and store tapes in the vault. Tapes are to be retained for one year and recycled thereafter.
- 4) While the tapes are not considered public record, all requests to review or duplicate them will be honored after the minutes have been approved. The city has no equipment for public use; therefore; customers are requested to bring their own review and/or duplicating equipment.

The Finance Director shall charge all customers research time and incidental costs incurred.

SECTION 7: TIME ELEMENT:

It will be a goal that the deputy clerk taking the minutes will have accomplished the draft by Wednesday of the week following the meeting.

SECTION 8: LEGAL STATUS, STORAGE, AND COPYING:

The minutes become legislative law upon becoming confirmed and approved by the board at a subsequent meeting. The official minute books shall be kept in the vault when not checked out for day use within city hall. Copying minute records on request are subject to all xerox charges unless for official use.

PASSED APPROVED, AND ADOPTED this 21st day of March, 1985, by the following vote:

AYES: Adeck, Arenstein, Aughtry, Conner, Oliphant

NOES: NONE



RICHARD R. OLIPHANT, Mayor

ATTEST:



PRINCE E. PIERSON  
City Manager/Clerk