CITY COUNCIL AGENDA REPORT

MEETING DATE: October 4, 2005 **ITEM NUMBER:**

SUBJECT: **Action Minutes for City Council Meetings**

DATE: **September 29, 2005**

FROM: **City Manager**

PRESENTATION BY: **Allan Roeder, City Manager**
Julie Folcik, Deputy City Clerk

FOR FURTHER INFORMATION CONTACT: **Julie Folcik, Deputy City Clerk (714) 754-5221**

RECOMMENDATION:

Approve an Action Minute format for the City Council meeting minutes.

BACKGROUND:

At the meeting of September 6, 2005, a change in the format of the current City Council minutes from that of summary minutes to an action minute format was considered. The following report addresses some of the questions and concerns raised by the Council and the members of the public relative to the proposed change.

The minutes of the City Council meetings are prepared by the City Clerk's office, approved by the City Council, and serve as the official legislative record. The importance of the minutes and its accuracy is for historical purposes as well as for informing the public on the general business of the Council and the decisions that are being made that affect them. The minutes are prepared as required by the state code, which stipulates that the Clerk shall maintain a record of the proceedings (California Government Code Section 36814).

DISCUSSION:

While the requirement does not fully address the format in which the minutes must be prepared it is clear that the minutes are intended to be a written account of that which took place and the actions taken on the items presented at the meeting (Government Code Section 36814).

A goal of the City is to provide accessible government to its constituency. That goal as it relates to the City Council meetings means providing the agenda and its documentation to the public as quickly as possible (currently allowing for five days of public review of the items), making these documents available on the website and then

providing an “action agenda” that is prepared within a couple days after the meeting. The “action agenda” (not to be confused with the proposed “action minutes”) was produced out of the desire to advise the public of the actions that took place at the meeting as quickly as possible without the need to wait for the minutes to be completed and approved.

The areas of concern voiced at the September 6, 2005, meeting regarding the proposed change in the minutes format, were that of accessibility and retention of the recordings. The following discusses the concerns and some of the alternatives that are available.

Accessibility to information was broken down to three areas:

1) accessibility by those members of the public who do not have cable or Internet/computer access,
2) access to the video and linked minutes/documents after having been removed from the website, and
3) accessibility to a transcript of the meeting or a portion thereof.

Accessibility to the meeting information by those members of the public who do not have cable or Internet/computer access. As is currently the practice, one may obtain from the clerk’s office a copy of the agenda, its documentation (5 days prior to the meeting), the “action agenda” (typically within 2-3 days after the meeting), the City Council meeting minutes (may be prepared for approval within 2-4 weeks after the meeting), or a copy of the video of the meeting. A compact disk of the audio recording (digital .mp3 format) is also available although a computer is needed in which to play the CD. Extra copies of these documents are made available to the public, at no charge for the meeting. There is a cost however to obtaining a copy of the video at $19.00/tape and a copy of a CD is $8.00

Accessibility of the video and linked minutes/documents after having been removed from the website. The current term of the contract with Granicus for maintaining the recordings on the website is for one year. If it is the desire of the council, the term may be extended (for example to three years) at the time of contract renewal. There will be a slight increase in the cost due to storage of the additional media. After the agreed upon time has expired for maintaining the meetings on the web, the recordings can be brought back in-house to be stored either on a server called a “Media Vault” or maintained on DVD’s. The “Media Vault” has the capability of maintaining 10-15 years of recordings. Requests by the public for a copy of a recording can be made either to the Video Communications Supervisor or the City Clerk’s office and would be produced on a DVD (current cost is $19.00/each). The time stamps and the documents linked to the video will remain on these recordings so that all of the information is available at viewer’s fingertips. To provide this capability a server and the necessary software would need to be purchased at an estimated cost of a little over $16,000.00.

Accessibility to a transcript of the meeting or a portion thereof. There are a few alternatives that would offer an individual a transcription of the meeting. The new streaming media solution also offers the capability of including closed captioning. This would be a searchable script, which would be produced in real time. This additional and contracted service is provided through a direct link via the phone line or Internet, which connects the "captionist" to the meeting. With the use of special software and an encoder (for closed captioning over the cable station) the words are then typed and displayed (typically at the bottom of the video screen) just after they are spoken. After the meeting and upon request, this script may be printed for review. This service would also allow those members of our constituency who utilize the closed captioning option on their television sets to view the spoken word of the meeting, thereby providing an additional benefit. The accuracy rate is said to be 90+ percent. The cost associated with this service is calculated at an hourly rate. There are several companies that provide captioning services. The expected cost could be $150.00 to $300.00 per hour. In the 2004 the average length of a City Council meeting was four hours, which would equate to an estimated cost of $14,500 per year (at $150.00 per hour, not including special meetings or study sessions).

There is also the option of "off-line closed-captioning" which would provide the closed-captioning after the meeting has taken place and would only be available for the replays of the meeting either on cable or the Internet and made a part of the archived recording. As with the "real-time closed-captioning" there is the capability of searchable text and printing of the document and the capability to time-coding of the script. The accuracy rate is said to be 95+ percent.

Another alternative is a "simple transcription" of the item of interest. This may be done by available clerk staff for which there is a cost equal to the hourly rate multiplied by the length of time it would take to prepare the transcript. Historically, few requests have been made and while the City Clerk's office does provide the service the preference has been to purchase a copy of the audio recording and the interested party has provided their own means of transcription. It should also be noted that there are companies that also provide "simple transcription" services, in which the cost is also calculated by the hour.

Transcription software is also available, and provides the capability to not only transcribe the spoken word, but some can also direct your computer to perform standard desktop functions through voice recognition. While the accuracy is said to be 95+ percent, in order for the software to function properly it recognizes only one voice. The only alternative through this solution would be for a staff member, after the meeting, to repeat into a digital recorder the meeting discussion, as they hear it, and the software would then transcribe it. While the software can transcribe up to 150 words per minute it can only transcribe as quickly as the individual can repeat the dialog. While it would minimize the keystrokes in transcribing the discussion, this approach would not necessarily be a time saver for this type of transcription.

Retention was also a topic that requires some clarification relative to maintaining of the videotapes/recordings. Currently, there is not an established retention schedule for the videotapes of the meetings. Therefore, the recordings have been stored since the televising of the City Council meetings began in 1988. Audio recordings, on the other hand, are recordings used by the Deputy City Clerk and her staff to prepare the minutes. According to our municipal code the audio recordings are used as a stenographic aid and are to be kept for one year. It should be pointed out that while it may be desirable to retain the media indefinitely, there is a concern relative to the long-term storage (this is also true for any storage of data). The integrity of the record should be considered, after its average shelf life has expired. In addition the ever-changing world of technology may also be a factor. Will the ability to retrieve the information 30 years from now still be possible? It should be noted that retention of the media is not a topic that need now be determined. Retention should be based upon what is acceptable for historical use (as a tool) and what is practically and legally suggested.

ALTERNATIVES

Several options have been presented to enhance the production and access to meeting information. It is evident that no one option stands alone to offer the complete dissemination of the information. Each option offers various tradeoffs in terms of the detail of information, cost of production, ease of public access and timeliness of distribution of information. Because there are a number of different combinations of options that might be assembled to create alternatives for consideration, the following "Menu" was created to assist the City Council in its deliberations. It very simply lists the various options involving production, detail and availability of minutes.

Minutes

1. **Action Minutes** – The primary focus of this format lists the business at hand listing items, motions, votes and speakers and topics, positions on subject matters and few comments. Produced and available to City Council and public within 3 to 4 days. Reduction in staff preparation time by 15 hours.

2. **Modified Action Minutes** – Action minutes with expanded discussions (summary) for Public Hearings. Produced and available to City Council and public within 5 to 7 days. Reduction in staff preparation time by approximately 10 hours.

3. **Summary Minutes (present format)** – Summary of the proceedings and includes paraphrasing of comments by public as well as City Council and staff. Produced and available to City Council and the public within 2 to 4 weeks. Staff time averaging 30 hours per meeting would remain the same.

4. **Verbatim Transcripts –** A complete transcript of all City Council, public and staff comments. Produced and available to the City Council and public within 30 days.

Additional staff or contract services for transcriptions required. If contracted the average cost of transcription is estimated at the starting rate of $ 65.00 per hour.

Access/Availability

1. **Hard Copy of Minutes –** Retained as a permanent record with the City Clerk's Office. Available to the public via the City's Website or directly from the Clerk's Office during normal working hours.

2. **Video Tape –** Reproduced in real time, upon request, at a cost of $19.00 each tape.

3. **CD –** Produced upon request, audio only, in an .mp3 format (windows media player, required in order to play), at a cost of $8.00 each.

4. **DVD –** Produced upon request, includes video, linked documents, minutes, and is time stamped with the "jump to points." This disk is to be played using a computer and is produced at a cost of $19.00 each.

5. **Cable Television** – Channel 24 is available to Costa Mesa's residents through their monthly cable subscription. The City Council meetings are recorded live on meeting nights and rebroadcast several times during the week.

6. **Web Streaming –** This capability is available free over the Internet and may be viewed (using windows media player) at the convenience of the end-user. Accessibility is not restricted only to Costa Mesa residents and includes links to the documents and the agenda/minutes. Retention on the website may be increased, with Council's direction, at the time of contract renewal.

7. **Real-time Closed Captioning –** Transcription of the meeting in progress that is scrolled at the bottom of the screen during broadcasting. This additional and contracted service, would be viewable on either on the television or the computer, and would later provide a searchable text. Cost and accuracy varies with each company.

8. **Transcription –** Service provided by the City Clerk's on request, at a cost of the hourly rate to prepare.

The hard copy of the minutes (irrespective of the format) are, and will remain, the permanent record of the proceedings of the City Council advising as to:

- the items discussed,
- all of the motions made,
- those members of the public who spoke to the item and their position,
- the votes cast,

- the actions that were taken,
- and some comments by council, (i.e. their position relative to the motions).

Key elements of the meeting are:

- the motions, which provide the direction, and
- the votes, which not only indicate the action approved but also advise as to the position of the council member (if they were for or against the item).

The recording of the meeting and the staff-reports are additional tools used to impart to the public, as well as to staff, important information. Technology simply has enabled us to bring these resources together for better accessibility, making research easier and convenient.

CONCLUSION:

Providing and maintaining an accurate account of the business that is undertaken by the City Council is the responsibility of the City Clerk's office. The current resources, of the agenda, action agenda, the minutes, the staff reports, the video and audio recordings, are all made available with the intent to inform the public. The move from summary minutes is not to disenfranchise the public from that information required to understand what took place. It is however, simply a change in the manner in which we provide such information. It is therefore requested that the Council consider changing the format in which the Council minutes are presented to that of action minutes.

JULIE FOLCIK	ALLAN L. ROEDER
Deputy City Clerk	City Manager

DISTRIBUTION: City Council
City Manager
City Attorney
Administrative Services

ATTACHMENT:

1. Staff Report from the September 6, 2005 Council Meeting
2. Costa Mesa City Council Summary Minutes for March 15, 2005.
3. Sample of proposed action minutes from City Council Meeting of March 15, 2005.