



MARIPOSA COUNTY

Clerk of the Board of Supervisors • (209) 966-3222



RESOLUTION - ACTION REQUESTED 2015-250

MEETING: June 2, 2015

TO: The Board of Supervisors

FROM: Rene LaRoche, Clerk of the Board

RE: Approve Action Minutes Format Commencing with July 7, 2015, BOS Meeting

RECOMMENDATION AND JUSTIFICATION:

Approve use of Action Minute format for the Board of Supervisors meeting minutes for meetings where a confirmed recording exists; and implement the new format commencing with the July 7, 2015, meeting.

The minutes of the Board of Supervisors' meetings are prepared by the Clerk of the Board (COB) and serve as the official legislative record. Aspects of minutes are mandated by state regulations. California Government Code (GC) Section 25101(b) states that the Clerk of the Board shall:

"Keep and enter in the minute book of the board a full and complete record of the proceedings of the board at all regular and special meetings..."

Other code sections: speak to the need for minutes to be signed by the Chairman and the COB (GC Section 25103); mandate that books, records, and accounts of the Board shall be kept by the COB and available for public inspection (GC Section 25104); and require that "a fair statement of all its proceedings" be published within 10 days after each session of the board of supervisors (GC Section 25150.) However, there is no state regulation pertaining to the format in which the minutes must be prepared. Acceptable formats for minutes include action minutes, summary minutes, and verbatim minutes (which are transcripts of the proceedings.)

Locally, there exists a March 13, 1984, directive from the Board to the County Clerk (who was the Ex-Officio Clerk of the Board) to "continue recording Board meeting minutes as in past." The Directive also reports concerns from a former County Counsel regarding challenges to General Plan, Zones of Benefit, or other changes; and notes that County Counsel will prepare guidelines to be used. A search of the COB's records has been unable to find any such guidelines; however, a copy of the minutes from that date is attached and shows a format very close to an action format

Currently, Mariposa County minutes are prepared in a summary format which provides a narrative of the proceedings and the evolution of the decisions, along with the Board's actions. This format is very helpful when researching an issue as comments that are germane to the motion tend to be included; however, determination of what comments to include in the narrative is still subjective, at best. Additionally,

summary minutes require staff to listen to the recordings of the meetings, sometimes needing to listen to portions of the meeting several times in order to accurately capture a discussion. With complex issues, or long meetings, the time required for preparation can be extreme. A recent time study completed by the COB showed that preparation of the summary minutes for the average meeting may consume up to 20 hours of staff time (and much more if there are discussion and direction items) which requires the COB to work upwards of 55 hours per week in order to fulfill all duties and maintain current levels of service. To date, forty-seven California counties have adopted an action, or action hybrid, minutes format and report that completion time for a set of minutes has become a matter of days (sometimes hours) versus a matter of weeks, and that responses from both the public and staff have been favorable. Additionally, the action minutes format should not be an issue in the matter of challenges as meeting recordings, as well as transcripts of same, are typically required for court proceedings regardless of minutes detail. Lastly, it should also be noted that County Counsel has reviewed this request, and has no objections to the change in format.

Given a burgeoning workload caused by an ever increasing number of mandates from the State, and given that all Board meetings are recorded on two separate recorders, are available 24/7 on the internet, and are synchronized to cue up to the Board's consideration of an item, the COB is requesting permission to change the minutes format from the current summary format to action minutes format for those meetings where a confirmed recording exists. (Any meetings that lack an audio recording due to technical, or other, issues shall be memorialized in the summary minutes format.) For normal items, action minutes would include the item description (as is currently done), corrections/edits/amendments, motions, substitute motions, the vote, a list of individuals that spoke to the item and whether they were in support or were opposed (but would not include discussion points,) and any direction coming from the Board.

Use of action minutes will allow quick dissemination of Board decisions, full utilization of the technology at hand, will allow the COB more time to pursue other avenues and technologies to engage the public and provide enhanced services for better, overall, customer service and will, hopefully, delay the need for additional staffing for approximately 2-3, or more, years (if current levels of workload growth are maintained.)

BACKGROUND AND HISTORY OF BOARD ACTIONS:

March 13, 1984 - Direction from Board to County Clerk/Ex-Officio Clerk of the Board.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Continue preparing summary minutes and risk minutes being out of compliance with posting requirements due to the amount of time needed to prepare them; and ensure the need for an additional clerk, at least part-time, within the next year to help fulfill statutory duties.

ATTACHMENTS:

March 13, 1984, Board Directive Regarding Minutes Format (PDF)
Minutes Format - March 13, 1984 (PDF)

CAO RECOMMENDATION

Requested Action Recommended

Mary Hoatson

Mary Hoatson, CAO

5/26/2015

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Rosemarie Smallcombe, District I Supervisor

AYES: Smallcombe, Jones, Long, Cann, Carrier