

# TRUCKEE TAHOE AIRPORT DISTRICT POLICY INSTRUCTION

## PI NUMBER 208

Formerly PI 208 and 208.1

Effective: May 24, 1994  
Rescinded: April 22, 1999  
Reinstated: January 27, 2005  
Approved: August 25, 2011  
Revised: September 28, 2022

**SUBJECT: RECORDING, RETENTION, DISSEMINATION OF AUDIO AND VIDEO MEETING RECORDS, AND DRAFTING OF MEETING MINUTES**

**PURPOSE:** To establish a policy on how Board of Director meetings will be recorded, establish time period for the retention of recordings and dissemination of copies, and transition the District's meeting minutes to the "brief summary" style. Brief summary style minutes are more efficient, succinct, cost-effective for staff to prepare, and more appropriately aligned with the intent of the California Government Code.

### **RECORDING, RETENTION, AND DISSEMINATION OF AUDIO AND VIDEO MEETING RECORDS POLICY:**

1. The TTAD Board of Directors' open and public, regular and special meetings may be recorded by the District for the purpose of accurately summarizing the actions of the Board for the permanent record (minutes).
2. These recordings of an open and public meeting shall be subject to inspection pursuant to the California Public Records Act, and shall be provided without charge, on a device made available by the District. The District will provide, "at cost", a copy of the recording when properly requested in writing. The District shall make reasonable efforts to disseminate recordings via digital media.
3. The District's recordings may be erased or destroyed, once the minutes are approved by the Board but in no event prior to the expiration of three hundred sixty five (365) days after the recording. In the event that a copy of a recording is provided to anyone as a public record, the District shall retain the original of the recording so provided, as well as each original from the meeting from which the copied tape was made, for as long as the District deems necessary.
4. Any person attending an open and public meeting shall have the right to record the proceedings with an audio or video recorder, or a still or motion picture camera, in the absence of a reasonable finding by the Board of Directors that the recording cannot continue due to noise, illumination, or obstruction of view that constitutes, or would constitute, a persistent disruption of the proceedings.

## BOARD MEETING MINUTES

### FINDINGS:

Legislative bodies must act, and must be seen to act, within the laws of the State of California and local charters, if applicable. Being seen to act within the law is important, because the legislative body's decisions may be subject to external scrutiny by the public, auditors, or judicial inquiry. Minutes testify that the correct procedures for decision-making were followed. Legislative body minutes shall be prepared in a manner consistent with the intent of the Government Code. Relevant Government Codes are as follows:

- Government Code 40801. The [district] 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.
- Government Code 54953(c)(2). The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.
- Government Code 53232.3(d). Members of a legislative body shall provide brief reports on meetings attended at the expense of the local agency at the next regular meeting of the legislative body.

All components of minutes shall be for the primary purpose of memorializing decisions made by the *legislative body*. Any minute component that does not serve this primary purpose should be minimized or eliminated; this includes comments made by *individual* body members and members of the public.

### GUIDELINES:

- Minutes should provide a record of:
  - When and where a meeting took place, and who was present (including member absences, late arrivals, departures, adjournment time);
  - Type of meeting (Regular/Special/Adjourned Regular);
  - What was considered;
  - What was decided; and
  - Agreed upon follow-up action. Pursuant to Government Code 54953(c)(2), minutes shall report any action taken and the vote or abstention on that action of each member present for the action.
- Verbatim style minutes will not be used, because verbatim or lengthy summary minutes do not serve the intent of the Government Code, which is to record the proceedings of the legislative body.
- The recommended style for the District is to draft *Brief summary* minutes, at a minimum, record the final decisions made; and, at a maximum, may record what advice the body was given to enable it to make its decisions, the body's thought process in making the decision, and the final decisions made. Emphasis is given on the body's thought process, not individual members'

thought processes. The minutes will summarize only the main points which arose in discussion if and only if they are relevant to the decision.

- Comments made by Directors such as “for the record” or “for the minutes” are to have no bearing on the content of minutes and are given no greater and no lesser consideration than other comments made at the public meeting. Directors seeking to memorialize comments should incorporate such verbiage into the language of the motion. As an alternative, Directors may submit written statements to be retained or attached with the meeting minutes but are not approved by the Board as part of the official record.
- Since the main purpose of minutes is to record the legislative body’s decision, summary minutes will be *brief*. By concentrating on the Board’s decision, brief summary minutes will provide only a select written recording of what was discussed at the meeting. Brief summary minutes will not attempt to reproduce, however summarily, what every speaker said. It will *only* record the essence of the discussion and include the main threads that lead to the *body’s conclusion*.
- To the fullest extent possible, the brief summary minutes will be impersonal and will not attribute views to individual Directors. Only the positions and decisions taken by the *whole legislative body* are relevant, not those of *individual Directors*. The passive voice is favored i.e. “It was suggested that...,” “It was generally felt that...,” “It was questioned whether...,” “During discussion, it was clarified...”
- While the primary purpose of minutes is to memorialize decisions made by the legislative body, as a whole, under limited circumstances it is necessary and/or appropriate to attribute comments to individual members including:
  - Individual member’s reports pursuant to Government Code 53232.3(d). The minute record shall include the type of meeting attended at the expense of the local agency and the subject matter.
  - Individual member’s reports on intergovernmental agencies. Brief summary minutes should include the type of meeting at a minimum, and, at the maximum, include the subject matter.
  - Individuals speaking under public comment. Brief summary minutes shall, at a minimum, list the public member’s name (if provided); and, at a maximum, include the overall topic and stance/position. Such as “Mr. Jones spoke in opposition to the Project X”. Being mindful that the minutes are written recordings of the legislative body’s proceedings, it is not appropriate to include detail of individual comments. There is an exception for public testimony provided during public hearings, for which the minutes shall include the speaker’s name (if provided) and a summary position of the speaker (i.e., supported or opposed).
- For Board and Community Workshops subject to the Brown Act, brief summary minutes, at a maximum, will record the overall topic, provided that no legislative actions were taken. It is advisable to note in the minutes that no legislative action was taken.

- Brief summary minutes will serve to clarify decisions taken and who is expected to execute the decisions. It will not be necessary to write down all action points or all tasks identified. Minutes will not serve as a substitute for task lists, and the focus will remain on the final decisions made by the legislative body. The language of the brief summary minutes will be relatively restrained and neutral, however impassioned the discussion. The brief summary minutes will record the substance of the point in an intemperate way.
- The Brief summary minutes will concentrate on central issues germane to the final decision. The record of the discussion will be presented in a logical sequence, rather than reproduced in the actual order they were made in discussion.
- To the best of District Staff's ability, the Brief summary minutes will be disseminated to the Board of Directors for their review within a week after the conclusion of the Board meeting.

In almost all cases, Board of Director Meetings are video recorded. A full accounting and review of individual comments and discussion is available for review by the Board of Directors, Staff, and Public on the District Website. These recordings will be cataloged and index for ease of access for viewers to find and review specific agenda items. The approved minutes are the official record of the actions and proceedings of the Board of Directors.

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Kat Rohlf, Board President