Regular Meeting February 2, 2004

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The City Council of the City of Palo Alto met on this date in the Council Chambers at 7:00 p.m.

PRESENT: Beecham, Burch, Cordell, Freeman, Kishimoto, Kleinberg,

Morton, Mossar, Ojakian

SPECIAL ORDERS OF THE DAY

1. Appointments to the Parks and Recreation Commission

FIRST ROUND OF VOTING FOR THE PARKS AND RECREATION COMMISSION

VOTING FOR ANN WARNER CRIBBS: Beecham, Burch, Cordell,

Freeman, Kishimoto, Kleinberg,

Morton, Mossar, Ojakian

VOTING FOR JASEN LARSEN: Cordell, Freeman

VOTING FOR PAUL LOSCH: Beecham, Burch, Cordell,

Freeman, Kishimoto, Kleinberg,

Morton, Mossar, Ojakian

VOTING FOR JEANETTE MARQUESS: Beecham, Burch, Kleinberg,

Morton, Mossar, Ojakian

VOTING FOR JUDITH STEINER: Beecham, Burch, Cordell,

Freeman, Kishimoto, Kleinberg,

Morton, Mossar, Ojakian

VOTING FOR ROSEMARY STEVENS: Kishimoto

VOTING FOR PETER WHELAN:

Assistant City Clerk Deanna Riding announced Anne Cribbs (with 9 votes), Judith Steiner (with 9 votes), Paul Losch (with 9 votes), and Jeanette Marquess (with 6 votes), were appointed on the first ballot to four, three-year terms ending July 31, 2007.

2. Selection of Candidates to Interview for the Utilities Advisory Committee

MOTION: Vice Mayor Burch moved, seconded by Morton, to interview all of the candidates.

Council Member Freeman said since there were 10 candidates and each person was allowed 10 minutes per interview, she asked to consider the

optional format of selecting a certain number of candidates to be interviewed.

Council Member Mossar suggested the alternative process where the Mayor selected an Ad Hoc Committee of two to three Council Members and asked they return to the next meeting with a list of candidates to be interviewed.

Mayor Beecham said an Ad Hoc Committee would be selected and asked for the recommendations at the next meeting.

MOTION WITHDRAWN BY MAKER AND SECONDER

BY A CONSENSUS OF THE COUNCIL Mayor to select an Ad Hoc Committee to bring back at the February 9, 2004 Council Meeting, their recommendations of Utilities Advisory Committee (UAC) candidates to be interviewed.

MOTION PASSED 9-0.

3. Learning Research Network (LERN) Recognition Award

Community Services Director Richard James recognized Director of Recreation, Open Space and Sciences Dan Williams, Project Manager Rob DeGeus, and Supervisor Minka Van Der Zwaag for their efforts in putting together a marketing plan to increase revenue stream and provide the best customer service for the Division. The plan was submitted to Learning Research Network (LERN), an international association for lifelong learning. There were 125 submittals from four different countries and Palo Alto won top honors. Implementation of the plan would be completed by June 30, 2004.

No action required.

ORAL COMMUNICATIONS

Victor Frost, Telephone Pole 1134, spoke regarding the homeless protest.

Ed Power, 2254 Dartmouth Street, spoke regarding good government.

Kathy Durham, 2039 Dartmouth Street, spoke regarding safe routes to schools.

Ann Crichton, 1062 Cardinal Way, spoke regarding safe routes to schools.

Jeff Brown, 660 Lincoln Avenue, spoke regarding the Safe Routes to Schools Task Force.

Council Member Mossar announced she was Chairperson for the City School Liaison Committee for the year. She and Assistant City Manager Emily Harrison had agendized a Citywide taskforce to deal with safety routes to schools and would address the matter at the first City/School Liaison Committee meeting in February 2004.

APPROVAL OF MINUTES

MOTION: Council Member Morton moved, seconded by Ojakian, to approve the minutes of December 15, 2003, as submitted.

MOTION PASSED 8-0-1, Cordell "abstaining."

CONSENT CALENDAR

Mayor Beecham announced Item No. 7 would be removed from the Consent Calendar at the request of staff.

Council Member Mossar moved, seconded by Kleinberg, to remove Item No. 8 to become Item No. 16A.

MOTION: Council Member Morton moved, seconded by Kishimoto, to approve Consent Calendar Item Nos. 4-6 and 9-11.

LEGISLATIVE

4. Ordinance 4818 entitled "Ordinance of the Council of the City of Palo Alto Approving and Adopting Plans for a Native Plant Potting Area in the City-Owned Baylands at the Duck Pond Maintenance Yard" (1st reading passed 01/12/04, 9-0)



- 5. Ordinance 4819 entitled "Ordinance of the Council of the City of Palo Alto Establishing the Downtown Palo Alto Business Improvement District in the City of Palo Alto" (1st reading passed 01/12/04, 9-0)
- 6. Resolution 8396 entitled "Resolution of the Council of the City of Palo Alto Levying an Assessment for Fiscal Year 2003-2004 in Connection with the Downtown Palo Alto Business Improvement District"
- 7. Approval of Resolutions of Intention to Amend the Contract with California Public Employees' Retirement System (CALPERS) and International Association of Firefighters (Local 1319, IAFF) and to Authorize Side Letter Agreement for Change to Employer Paid Member Contributions

Resolution of the Council of the City of Palo Alto to Commence Paying

and Reporting the Value of Employer Paid Member Contributions for Fire Department Personnel (IAFF)

ADMINISTRATIVE



- Amendment No. One to Existing Contract No. S1128584 with URS Greiner-Woodward-Clyde, Inc. in the amount of \$26,740 to Provide Engineering Design Services for Electrical and Plumbing Systems Associated with the Construction of an Automotive Washing Facility
- Contract with Monterey Mechanical Co. in the amount of \$519,880 for the Operations Building Heating, Ventilation, and Air-Conditioning Upgrade Project at the Regional Water Quality Control Plant (Wastewater Treatment Capital Improvement Program Project WQ-80021)
- 11. Referral to Finance Committee to Consider Participation in a Lawsuit against the State of California to Invalidate the Preemption of One-Quarter Cent of Local Sales Tax as Part of the "Triple Flip"

MOTION PASSED 9-0 for Item Nos. 4-6 and 9-11.

UNFINISHED BUSINESS

12. <u>Public Hearing</u>: The City Council of Palo Alto will consider adopting a resolution declaring Council policy to mitigate development impacts and initiate proceedings to establish a transportation impact fee Citywide. (Continued from 1/20/04)

Director of Planning and Community Environment Steve Emslie said due to the expiration of the development moratorium in November 2003, the item was coupled with Council's discussion of the Charleston/Arastradero Corridor Plan. Implementation of the Corridor Plan depended on outside funding. The expansion of the City's transportation impact fee would be a major funding source. With the lifting of the moratorium, staff felt Council needed to act on the Resolution to inform applicants of a fee on projects requiring additional vehicular trips. It was a "placeholder" Resolution for projects coming through prior to the official adoption of the transportation fee. Projects would be charged the fee when the building permit was issued.

Mayor Beecham declared the public hearing open and, receiving no requests to speak, declared the public hearing closed.

MOTION: Council Member Morton moved, seconded by Kishimoto, to

approve the staff recommendation to adopt a Resolution providing the legal framework and policy direction necessary for the City to use "placeholder" fee conditions in anticipation of the Council adopting a citywide Transportation Impact Fee.

<u>Resolution 8397</u> entitled "Resolution of the Council of the City of Palo Alto Declaring Council Policy to Mitigate Development Impacts and Initiating Proceedings to Establish a Transportation Impact Fee"

Council Member Morton said the Resolution would allow funding for special projects to benefit the community.

Council Member Kishimoto said she was a strong proponent of development impact fees so any growth within the City could be mitigated effectively.

Council Member Mossar asked why the Resolution did not state a set fee.

Mr. Emslie said the fee would be set when Council adopted it in May. The Resolution ensured that future projects coming in prior to the adoption of the fee would be subject to the fee.

Mayor Mossar asked if projects already in process would be charged the fee.

Mr. Emslie said yes it did apply to current projects.

Mayor Mossar asked how it would differ to simply wait until spring and adopt a transportation fee and, at that time, state that projects in process were required to pay the fee.

Interim City Attorney Wynne Furth said it was based on cases dealing with issues on how a city planned to impose a fee without having all projects pay the fee prior to pulling their final permits. Although the Resolution stated in general terms what the fee would be, it had sufficient definition to give adequate notice to those undertaking projects as to what the nature of the fee would be. It gave staff direction, when they were looking at projects needing to be consistent with the Comprehensive Plan (Comp Plan), to say they would only be consistent with the Comp Plan if and when the fee was adopted the projects were required to pay the fee.

Council Member Mossar asked why that differed from the ability to require mitigation on projects based upon case law to require payments for mitigation of impacts directly attributable to the project.

Ms. Furth said the City could not levy a fee unless an Ordinance was in place establishing the fee.

Council Member Mossar said a \$250,000 fee was collected when the Palo Alto Medical Foundation (PAMF) project was approved and held for the eventual construction of the Homer Avenue Tunnel, which could have been deemed as a transportation impact fee. She questioned why a Resolution was now necessary when it was not required for the PAMF project.

Ms. Furth thought the fee was for a conditional use permit.

Mr. Emslie said it caught projects with mitigated impacts, such as projects requiring minor work generating added trips but not subject to discretionary permits.

Ms. Furth said plans subject to a Planned Community (PC) district did not require a holding Resolution because the project had Council's discretion when the plan was approved.

Council Member Mossar did not support the motion. She needed more detailed information and would wait to hear the Planning and Transportation Commission's (P&TC) recommendations in the spring and it was discussed at the Council level.

Council Member Kleinberg asked to explore the impact on housing. She felt the policy would be a disincentive to housing developers and could not see how it fit the Resolution.

Mr. Emslie said developers had a certain perception of fee standardization. It took the guesswork out of planning a project. A Citywide impact fee added a level of certainty enhancing the change over of uses and provided the mechanism for fair distribution of cost improvements.

Council Member Kleinberg asked what portion of the Resolution needed Council's direction in the way of limitations and exceptions.

Mr. Emslie said the fee would have to meet a legal standard and be directly linked but could not be more than what was valid between the impact and the fees. Appropriate language would be added if Council desired.

Council Member Kleinberg said State law allowed secondary units that potentially could provide an enormous amount of housing with traffic impacts. She had concerns of the smaller housing units having to face large impact fees if all projects were charged a "fair share". She felt the term "fair share" was vague and asked if the Resolution could be fashioned to reflect her concern.

Ms. Furth said a section could be added to the Resolution to exempt certain uses.

Council Member Kleinberg said the current climate of Palo Alto was to encourage businesses to evolve and could increase traffic. She would not support the motion unless the Resolution was more defined.

Council Member Morton clarified Council was not to specify the amount or range of the traffic mitigation measures but to announce a policy of adopting a form of mitigation imposed on current and future projects. Council would provide the appropriate mitigation level to current projects to bear their fair share.

Council Member Cordell asked when Council would be asked to approve the transportation impact fee.

Mr. Emslie said in mid-May.

Council Member Cordell asked if the Resolution were approved, would monies be collected between now and the time when transportation impact fees were approved.

Mr. Emslie said no.

Council Member Cordell asked how much revenue would be generated between now and the adoption of the impact fee for projects in process.

Mr. Emslie said approximately \$100,000.

Council Member Kishimoto said she was in favor of adopting the Resolution since applicants would pay a portion of the impact fees.

Council Freeman supported the motion.

Council Member Ojakian asked if projects tagged by the Resolution would be provided in May.

Mr. Emslie said they would be provided.

Council Member Ojakian asked for clarification on levied fees against new trips generated by change in land use. Did it mean change in zoning or to cover any intensification of a particular site even if zoning were not changed.

Mr. Emslie said it related to a level of intensity change.

Council Member Ojakian said he supported the motion.

Mayor Beecham said he opposed the motion.

MOTION PASSED 5-4, Beecham, Cordell, Kleinberg, Mossar "no".

PUBLIC HEARINGS

*13. <u>Public Hearing</u>: The City Council will consider the provisions of Section 8.08.020 of the Palo Alto Municipal Code, declaring all weeds growing upon any private property or in any public street or alley, as defined in Section 8.08.010 of the Palo Alto Municipal Code, constitute a public nuisance, which nuisance must be abated by the destruction or removal thereof *This item is quasi-judicial and subject to Council's Disclosure Policy

MOTION: Council Member Morton moved, seconded by Ojakian, to approve the staff recommendation to adopt the Resolution ordering the abatement of weeds.

Resolution 8398 entitled "Resolution of the Council of the City of Palo Alto Ordering Weed Nuisance Abated"

MOTION PASSED 9-0.

14. <u>Public Hearing</u>: The City Council will consider an ordinance amending Section 18.01.060 of the Palo Alto Municipal Code (the Zoning Code), which relates to the City Attorney's authorization to initiate and prosecute criminal and civil actions to abate zoning violations as public nuisances. The ordinance will clarify the code section's intent that the City Attorney be permitted, rather than mandated, to initiate civil actions to abate zoning violations.

Ordinance of the Council of the City of Palo Alto Amending Title 18 (Zoning), Chapter 18.01 (Adoption, Purposes and Enforcement), Section 18.01.60 (Noncompliance a Public Nuisance) of the Palo Alto Municipal Code Relating to the City Attorney's Authorization to Initiate and Prosecute Criminal and Civil Actions to Abate Zoning Violations as Public Nuisances

Mayor Beecham read into the record a letter from the City Attorney, dated February 2, 2004, to hold a Closed Session on February 17, 2004, so the City Attorney could brief Council regarding the action.

MOTION: Council Member Kleinberg moved, seconded by Mossar, to continue the public hearing and the item to the regular City Council meeting of February 17, 2004, at which time public testimony taken at tonight's meeting will not be heard again, and to request the item return to the

Council with the assurance it reflects the Planning and Transportation Commission's recommendation and, if not, ask staff to explain. Also, a Closed Session would be held at the February 17, 2004, Council meeting regarding pending litigation concerning this item.

Council Member Freeman asked if it were possible to have another open hearing if an issue occurred prior to the February 17, 2004 meeting.

Mayor Beecham said Council had the authority to reopen the Public Hearing.

Ms. Furth advised to take testimonies that evening and continue both the matter and the public hearing, making it clear Council would not hear the same testimonies again and to limit further comments at the second hearing treating it as one continuous hearing.

Council Member Morton said since he held stock in Safeway he needed guidance from the City Attorney as to whether it would be a conflict of interest if he were to participate.

Ms. Furth said Safeway had been dismissed from the case and any decisions would not lead to a conflict of interest.

Council Member Morton said he would continue to participate in the matter.

Council Member Cordell asked if new issues occurred, would individuals speaking that evening be precluded from speaking again on February 17, 2004.

Mayor Beecham said Council had the ability to decide whether information was new or not. He preferred people who gave testimony at that evening's meeting not anticipate being heard again when the hearing reopened on February 17, 2004.

Planning Commissioner Patrick Burt said the P&TC endorsed the proposed Ordinance and recommended Council direct staff to evaluate if the current recourse available for citizens to address nuisance problems were adequate within the City's practices. He raised the issue as to whether the City needed to reexamine how grievances should be processed.

Ms. Furth said after hearing the testimonies, a decision had to be made as to whether to close the hearing and continue the matter, or continue both the hearing and the matter and to clarify in the motion that public who spoke at that evening's meeting would not be heard again on February 17, 2004.

Mike Liveright, 260 Byron Street, asked the City to continue to enforce laws

consistently and even-handedly and urged not to adopt the ordinance change.

John K. Abraham asked to speak if new issues should arise. He spoke on the City's lack of enforcing the nuisance laws and how they were settled without documentation.

Jack Martin spoke on the how the City did not enforce nuisance laws. Mark Cairns, 718 San Carlos Court, spoke regarding his lawsuit against the City and the City's lack of enforcing the nuisance laws. He urged voting against the ordinance change.

Jay Hammer said he would speak in two weeks.

Jon Mammet said he would defer to speak in two weeks.

Lynn Chiapella, 631 Colorado Avenue, spoke regarding noise complaints she filed against Safeway and the lack of the City's code enforcement with no support from the City Attorney on numerous City violations.

Bob Moss, 4010 Orme Street, urged the Council to reject the Attorney's proposal. He said if the law was changed or made optional, it would create public doubt about how businesses and legal issues were conducted in the City.

Tom Pencek, 3495 Ramona, echoed Mr. Moss's comments and felt changing the law would create an unnecessary burden.

Alice McCarthy, 749 San Carlos Court, spoke regarding problems she encountered from Safeway and its customers during the past 30 years.

Joy Ogawa, Yale Street, asked to wait and see if change was necessary and urged the Council to table the discussion until lawsuits become a problem, as predicted by the City Attorney's office.

Mayor Beecham temporarily closed the public hearing to date certain of February 17, 2004.

MOTION PASSED 9-0.

RECESS: 9:45 p.m. to 9:50 p.m.

REPORTS OF OFFICIALS

15. Service Efforts and Accomplishments Report 2002-03

City Auditor Sharon Erickson presented the City's Service Efforts and Accomplishments Report (SEA) for 2002-2003. It summarized the performance of City services over the past five years, as outlined in the Report from the City Auditor dated January 2004. The report included 2003's Citizen Survey and could be obtained from the City Auditor's Office and from the City's website.

Council Member Morton said within the past two years, the City moved from budgeting to quantifying some of the effects on what had been accomplished as a community.

Council Member Kleinberg asked why recycling had declined by 5 percent.

Ms. Erickson suspected the economy, the decline in businesses, and less landfill use.

Mayor Beecham added there was also a decrease in commercial space usage.

Council Member Ojakian said in 1994, the Governmental Accounting Standards Board (GASB), 1994, addressed the SEA report and asked how many jurisdictions produced that type of report.

Ms. Erickson said she did not know the number of reports produced, but Palo Alto was the first in Northern California. Palo Alto was a charter member of the Association of Government Accountants, which was putting together a certification of excellence in SEA reporting. The report would be submitted to the Association. The Citizens Survey involved a mailing of 1,200 questionnaires to residential addresses from the postal list.

Council Member Ojakian suggested including City businesses and employees in future surveys since they shared services and spent money in Palo Alto. He asked how could the report be useful to citizens and Council Members.

Ms. Erickson said it would be useful to monitor numbers and use statistics in making decisions on how to spend resources.

Council Freeman asked the report include how many comparison cities had advanced technology that actually would be felt quickly by the population in addition to those felt only for reporting purposes. Also, it would help to find alternative ways on how children got to school instead of parents driving them to school.

Vice Mayor Burch asked how the response rate of 48 percent compared to other cities.

Ms. Erickson said 25-40 per cent was the average response on that type of survey.

No action required.

COUNCIL MATTERS

16. Scheduling of Council Vacation

Council Member Freeman said school started August 24, 2004, and it would be nice to have a couple weeks before August 24 as vacation.

Vice Mayor Burch suggested the last Council Meeting on August 9, 2004 with vacation to start on August 10 through September 12, 2004 and Council Meetings reconvene on Monday, September 13, 2004.

MOTION: Vice Mayor Burch moved, seconded by Kleinberg, to adopt the resolution scheduling the City Council vacation for Calendar Year 2004 from August 10, 2004, through September 12, 2004, with the first regular City Council meeting scheduled for September 13, 2004.

Resolution 8399 entitled "Resolution of the Council of the City of Palo Alto Scheduling the City Council Vacation for Calendar Year 2004"

MOTION PASSED 9-0.

16A. (Old Item No. 8) Palo Alto Historical Association Recommendation to Rename "Arastradero Preserve" as the "Enid Pearson Arastradero Preserve"

Assistant City Manager Emily Harrison said the matter was referred to the Palo Alto Historical Association and Tom Wyman would speak on the Association's recommendation and deliberation.

Council Member Mossar suggested allowing the Policy and Services (P&S) Committee to establish a process for selecting names and to consider the recommendation in the context of the larger process.

Library Advisory Commissioner Tom Wyman said discussions of the recommendation were held at the Board and Committee level and concluded renaming of the Arastradero Preserve would be an appropriate honor to bestow on Enid Pearson

Bunny Good, P.O. Box 824, Menlo Park, opposed renaming of the park.

Michael Clausson, 354 Poe Street, said he was executive director of an

environmental association based in Palo Alto and the stewards of Arastradero Preserve. The association preferred keeping the name.

Emily Renzel, 1056 Forest Avenue, urged the Council to rename the park after Enid Pearson for her enormous contribution to the parks.

Betsy Allyn, Wilmar Drive, spoke in favor of renaming the park to Enid Pearson Arastradero Preserve.

MOTION: Council Member Mossar moved, seconded by Morton, to defer discussion of the item until the Policy and Services Committee had time to discuss the process for naming/renaming a park, as well as a recommendation on the policy.

Council Member Morton said because it was a scheduled issue before the P&S Committee, he felt it was appropriate to handle the policy issue before Council made a decision. He would like the process to begin with discussion on how names were established and should an entire park or a portion be renamed after an individual.

SUBSTITUTE MOTION: Council Member Kishimoto moved, seconded by Freeman, to approve the Palo Alto Historical Association (PAHA) and staff recommendation regarding the resolution, introducing the ordinance, and to direct staff in future budgets to include costs of implementing the recommendation on a "replace as worn out" basis.

Ordinance of the Council of the City of Palo Alto Amending Palo Alto Municipal Code Section 22.08.330 to Formally Rename the Dedicated Parkland Called the "Arastradero Preserve" as the "Enid Pearson Arastradero Preserve

Resolution of the Council of the City of Palo Alto Renaming the Arastradero Preserve as the Enid Pearson Arastradero Preserve

Council Member Freeman had concerns of ensuring finances for signage be studied.

Vice Mayor Burch said adding a person's name to a park's name often caused confusion and recommended the matter be taken to the P&S Committee.

Council Member Cordell supported the original motion but not the substitute motion. She felt guidelines should be developed first, and then determine what action needed to be taken.

Council Member Ojakian asked if there was a policy for naming/renaming of a park.

Ms. Harrison said there were no guidelines for naming facilities and parks.

Council Member Kleinberg said her reason for referring the matter to P&S was because the law specifically stated the naming of new parks.

Council Member Ojakian clarified when the matter went before the P&S Committee, both the naming and renaming of parks would be discussed.

Ms. Harrison confirmed the matter would be going before the P&S Committee for the entire policy of naming/renaming of parks.

Council Member Ojakian voted against the substitute motion and voted for the original motion. He said a clear set of policies and guidelines should be established for all matters in naming a facility.

SUBSTITUTE MOTION WITHDRAWN BY MAKER AND SECONDER

Council Member Ojakian asked to include in the P&S Committee discussion the issue of honoring people, such as naming a building after an individual.

Ms. Harrison said it could be included if Council desired.

Mayor Beecham said the matter would be deferred until after the P&S Committee discussion on the appropriate policy and process of renaming parks.

MOTION PASSED 9-0.

COUNCIL COMMENTS, QUESTIONS, AND ANNOUNCEMENTS

Council Member Kleinberg announced the Superior Court of California was taking applications for service volunteers on the 2004-2005 Civil Grand Jury, with a deadline of Friday, February 6, 2004. She agreed with the decision to extend free parking Downtown on a month-to-month basis, and also requested the policy be revisited regarding the colored parking zones and longer term parking in garages.

Council Member Kishimoto recommended that a resolution of support for Measure Two (\$1 toll increase on Bay Area bridges) on the March 2, 2004 ballot be referred to the Policy and Services (P&S) Committee.

Mayor Beecham stated it was in the City's best interest to include the resolution on the February 9, 2004, City Council Consent Calendar without

going through the P&S Committee.

Council Member Morton noted the Auditor's Service Efforts and Accomplishments Report indicated a decline in recycling.

Assistant City Manager Harrison said staff would be reporting to the P&S Committee in March on the Single Stream Refuse Trial, which had been successful but would be a policy issue.

Council Member Kleinberg suggested a notice explaining the Americans with Disabilities Act (ADA) complaint be put on the recycle cans.

Council Member Ojakian questioned the action Council could take if it wanted to hear the matter on color zones, since action was made internally.

Ms. Harrison stated staff would initiate discussions with the Chamber of Commerce and the business district.

Mayor Beecham stated parking was vital to the merchants and staff would return with recommendations after talking with businesses.

Vice Mayor Burch questioned whether the City was responding quickly and consistently enough regarding code enforcement.

Mayor Beecham noted since Council Member Freeman had a possible conflict regarding the City/School Liaison Committee, the alternate appointment for the time being would be Vice Mayor Burch. He noted he would have appointments made to the Blue Ribbon Attorney Search Committee by the end of the week.

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ATTEST:		APPROVED:	
City Clerk		Mayor	

ADJOURNMENT: The meeting adjourned at 10:40 p.m.

NOTE: Sense minutes (synopsis) are prepared in accordance with Palo Alto Municipal Code Sections 2.04.180(a) and (b). The City Council and Standing Committee meeting tapes are made solely for the purpose of facilitating the preparation of the minutes of the meetings. City Council and Standing Committee meeting tapes are recycled 90 days from the date of the meeting. The tapes are available for members of the public to listen to during regular office hours.