Draft

City of Santa Clara

Meeting Minutes

Governance and Ethics Committee

09/11/2023	**3:00 PM**	**Hybrid Meeting** **City Hall** **1500 Warburton Avenue** **Santa Clara, CA 95050**

CALL TO ORDER AND ROLL CALL

Chair Jain called the meeting to order at 3:07 p.m.

Present 3 - Member Lisa M. Gillmor, Member Raj Chahal, and Chair Sudhanshu Jain

CONSENT CALENDAR

1. 23-997 Approval of the June 5, 2023 Governance and Ethics Committee Meeting Minutes

Recommendation: Approve the minutes of the June 5, 2023 Governance and Ethics Committee Meeting.

Member Chahal made a comment the Council Policy 020 was included in the minutes to return to this September 11, 2023 meeting, however, he understood the staff report indicates it will be deferred to the December 4, 2023 Governance and Ethics Committee meeting.

A motion was made by Member Chahal, seconded by Member Gillmor to approve June 5, 2023 minutes.

Aye: 3 - Member Gillmor, Member Chahal, and Chair Jain

PUBLIC PRESENTATIONS

Member of the public **Kirk Vartan** stated he sent an email to Governance and Ethics Committee, City Manager and City Attorney as to why the Grand Jury Report is not on the agenda and not been discussed at the Governance and Ethics Committee and provided comments on ethics.

Member of the public **Tom Shanks** provided comments about the July 11, 2023 City Council meeting and the discussion on the Independent Ethics Commission.

Member of the public **Wanda Buck** provided comments on ethics.

GENERAL BUSINESS

2. 23-984 Approve Proposed Amendment to Council Policy 035 (Naming of Facilities)

Recommendation: Approve amendment to Council Policy 035 ("Naming of Facilities") and bring forth to City Council for Adoption

City Manager Grogan presented an update on Council Policy 035 Policy for Naming of Facilities and a proposed addition to the policy to include Naming Rights Agreements which may provide a financial benefit to the City. Members asked questions about naming rights and time limits for naming, if facilities include street names, and renaming existing facilities . Staff responded proper processes would be implemented to award naming rights agreements and would need to research further on changing existing facilities.

Member Gillmor motioned and was seconded by Member Chahal to approve amendment to Council Policy 035 and bring forth to Council for adoption. Motion was approved.

Aye: 3 - Member Gillmor, Member Chahal, and Chair Jain

3. 23-989 2024 Council Priority Session Framework

Recommendation:

Review and provide input on the 2024 Council Priority Setting Session Framework and forward to the full Council for consideration

City Manager Grogan updated the Committee on the 2024 Council Priority session framework and an update on the Boards, Commissions and Committees Workplan development.

Committee members had a discussion to include opportunities for public comment, the timeline for identifying priorities near the annual budget process, and Boards, Commissions, and Committees work plans should allow additional feedback from members.

Staff responded the goal of the Council Priority session is to determine the overall high level priorities Council goals and not focused on budgetary allocations. Member of the public **Kirk Vartan** stated we should ensure ethics is topic at the Council Priority sessions.

A motion was made by Member Chahal and seconded by Member Gillmor to approve the staff recommendation and ensure opportunities for public participation during the sessions and forward to full Council for consideration. The motion was approved.

Aye: 3 - Member Gillmor, Member Chahal, and Chair Jain

4. 23-994 Action on Recommendation to the Governance and Ethics Committee to Amend Council Policy 030, entitled Adding an Item on the Agenda and forward to the City Council for Consideration

Recommendation: In order to enhance and streamline the processing of both City Council and public petitions for Council action, staff recommends that the Governance and Ethics Committee approve the revised 030 Policy, subject to any further amendments it may agree to, and recommend to the full Council its consideration and approval of the amended policy.

City Manager Grogan presented on proposed changes to Council Policy 030. Member of the public **Kirk Vartan** stated whether the policy would remove written petitions. Staff responded members of the public may still submit written petitions during Public Presentations of the agenda.

A motion was made by Member Gillmor and seconded by Member Chahal to approve the staff recommendation to bring forth Council Policy 030 to the full Council for consideration and approval of the amended policy.

Aye: 3 - Member Gillmor, Member Chahal, and Chair Jain

5. 23-992 Informational Report on Transcription Services for Meeting Recordings (Referred from December 5, 2022 meeting)

Recommendation: Staff makes no recommendation as this is an informational report only.

City Manager Grogan presented an informational report on transcription services for meeting recordings. Committee members had comments on archiving audio and discussions time periods, the use of action minutes and ability to search for transcripts. **Assistant City Clerk Nora Pimentel** stated the current retention policy includes videos as permanent records and not transcripts, she added action minutes does include the motion and recommendation.

Member Gillmor motioned, seconded by Member Chahal to note and file the report and to include user friendly search for transcripts.

Aye: 3 - Member Gillmor, Member Chahal, and Chair Jain

6. 23-993 Action to Defer Workplan Items to December 2023 Governance and Ethics Committee Meeting

Recommendation: Action to Defer Workplan Items to the December 4, 2023 Governance and Ethics Committee meeting.

Chair Jain requested a possible special meeting for Governance and Ethics Committee to address items. **City Manager Grogan** stated we would have to review staff scheduling and current work load.

Member of the public **Kirk Vartan** added if Committee would additional ethics and public issues, in addition to AB1234 training, for future item. Member of the public **Wanda Buck** suggested we have an Ethics Committee.

A motion was made by Member Chahal and seconded by Chair Jain to approve staff recommendation to defer items to December 2023 meeting.

Aye: 2 - Member Chahal, and Chair Jain

Absent: 1 - Member Gillmor

STAFF REPORT

AB1234 Open Government and Ethics Update

City Attorney Glen Googins provided an update on the upcoming AB1234 training for the City Council, Boards and Commissions and City employees on October 26, 2023. The upcoming training includes an opportunity for the public to also observe or potentially participate in the training.

Update on Email Retention Policy

City Attorney Glen Googins provided an update on the Email Retention Policy and stated staff will review and bring forth any recommendations to a future Committee meeting.

COMMITTEE MEMBER REPORTS / FUTURE REFERRALS FOR CONSIDERATION

Chair Jain stated during Council meetings Public Presentations are heard after the Consent Calendar. He requested staff consider Public Presentations at the beginning of the meeting for 30 minutes and the remainder of Public Presentations at the end of the agenda. Staff said they would review the request for consideration for the 2024 Governance and Ethics work plan.

ADJOURNMENT

Chair Jain adjourned the meeting at 5:35 p.m.