



City of Santa Clara

Meeting Agenda

Governance and Ethics Committee

Special Meeting

Monday, April 13, 2026

6:00 PM

City Hall – Council Chambers
1500 Warburton Avenue
Santa Clara, CA 95050

The City of Santa Clara is conducting Governance and Ethics Committee meetings in-person and continues to have methods for the public to participate remotely or in-person.

- Via Zoom: <https://santaclaraca.zoom.us/j/98559951444>
- Webinar ID: 985 5995 1444
- By phone: +1 669 444 9171

To submit written public comment before meeting:

Send email to mayorandcouncil@santaclaraca.gov by 10 a.m. one day before the date of the meeting. Emails will be forwarded to Committee members and will be uploaded as supplemental meeting material.

Note: Emails received as public comment will not be read aloud during the meeting.

CALL TO ORDER AND ROLL CALL

CONSENT CALENDAR

1. 26-430 [Approval of the March 30, 2026 Governance and Ethics Committee Special Meeting Minutes](#)

Recommendation: Approval of the March 30, 2026 Governance and Ethics Committee Special Meeting Minutes

PUBLIC PRESENTATIONS

[This item is reserved for persons to address the body on any matter not on the agenda that is within the subject matter jurisdiction of the body. The law does not permit action on, or extended discussion of, any item not on the agenda except under special circumstances. The governing body, or staff, may briefly respond to statements made or questions posed, and appropriate body may request staff to report back at a subsequent meeting.]

GENERAL BUSINESS

2. **26-429** [Review and Action on the 2026 Governance and Ethics Committee Workplan \(CONTINUED FROM MARCH 30, 2026\)](#)

Recommendation: Approve the 2026 Governance and Ethics Committee Workplan with any additional amendments.

3. **26-428** [Action on Council Policy Establishing an Annual Performance Review Process for Council Appointees \(DEFERRED FROM MARCH 30, 2026\)](#)

Recommendation: Approve a new Council policy for the Performance Evaluation Process for Council Appointees, and present the proposed new Council policy to the full City Council for consideration and approval.

STAFF REPORT

COMMITTEE MEMBER REPORTS / FUTURE REFERRALS FOR CONSIDERATION

1. *Gift policy for under \$50*
2. *City Council Meeting Schedule: Increase the number of calendared City Council Meetings from 2 per month to 3 per month or 36 total. July and August split for break is inconsistent with other agencies*
3. *Review Council Policy 042 ("Reconsideration of Council Action") including adjunct topics such as definition of prevailing party*
4. *Review Council Policy 030 ("Adding an Item to the Agenda") - Clear up ability to do 030 requests in response to public presentations without consultation of City Staff in advance. Isn't the rule no action from public presentations?*
5. *Develop a policy to defer items when there is a quorum but requires unanimous vote. Perhaps also when an item requires N votes and N+1 councilmembers are present.*
6. *City Council Meeting Agenda Posting: Improve tentative meeting agendas and require agenda packets published by EOB on Thursdays instead of Fridays*
7. *Public Record Act (PRA) Policy Review: Restrictions on spurious PRA requests*
8. *Rank Choice Voting*
9. *More funding for commissioners to attend conferences – a budget process*
10. *Healthcare for Councilmembers*
11. *Per councilmember travel budgets by district*
12. *Increasing City Council pay*
13. *Hiring an "ethics" consultant to guide candidates for elections. "Last word forum" – not dependent on City Clerk. Use of Council Chamber for debates, etc. Hiring League of Women's voters to run a candidate forum.*
14. *Fix Lobbyist ordinance and registrations*
15. *Separate "mayorandcouncil" email account for public and for councilmembers to use*
16. *Clarification of Councilmember behests*
17. *Tracking of District level services and budgets*
18. *Change policy on action minutes from commissions and committees or require transcripts of meetings to be posted on Legistar*
19. *Clearer process for how Commissions create their workplans – less staff driven*
20. *Update City Code on HOA bylaws to be approved by Council (Keith Stattenfield at 1/11/2022 council meeting)*
21. *Formal Standards for Reappointments to Boards and Commissions:*
 - *Consistent attendance and active engagement at board meetings;*
 - *Fulfillment of general or assigned board duties and responsibilities;*
 - *Compliance with all applicable City rules and regulations;*
 - *Maintenance of any required qualifications to serve;*
 - *Legal conflicts of interest that may materially restrict a member's ability to participate in board or commission's decision-making;*
 - *Communicated reservations or apparent limitations on a member's availability or capacity to serve for the duration of the upcoming term.*
22. *Formalize when Commissioners absence can be excused or not excused*
23. *Review of all policy changes since 2023*
24. *Review of Council Priorities since 2021*
25. *Democracy in processes (in particular review of 030 policy)*
26. *AI policies*
27. *Data Retention schedules*
28. *Policies regarding response times to public outreach*

ADJOURNMENT

The next scheduled meeting for the Governance and Ethics Committee is a special meeting on April 30, 2026 at 10 a.m.

MEETING DISCLOSURES

The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision. Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred. If a person wishes to challenge the nature of the above section in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of Santa Clara, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

If a member of the public submits a speaker card for any agenda items, their name will appear in the Minutes. If no speaker card is submitted, the Minutes will reflect "Public Speaker."

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the City of Santa Clara will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities, and will ensure that all existing facilities will be made accessible to the maximum extent feasible. The City of Santa Clara will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities including those with speech, hearing, or vision impairments so they can participate equally in the City's programs, services, and activities. The City of Santa Clara will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities.

Agendas and other written materials distributed during a public meeting that are public record will be made available by the City in an appropriate alternative format. Contact the City Clerk's Office at 1 408-615-2220 with your request for an alternative format copy of the agenda or other written materials.

Individuals who require an auxiliary aid or service for effective communication, or any other disability-related modification of policies or procedures, or other accommodation, in order to participate in a program, service, or activity of the City of Santa Clara, should contact the City's ADA Coordinator at 408-615-3000 as soon as possible but no later than 48 hours before the scheduled event.



Agenda Report

26-430

Agenda Date: 4/13/2026

REPORT TO GOVERNANCE AND ETHICS COMMITTEE

SUBJECT

Approval of the March 30, 2026 Governance and Ethics Committee Special Meeting Minutes

ENVIRONMENTAL REVIEW

The action being considered does not constitute a “project” within the meaning of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

FISCAL IMPACT

There is no fiscal impact to the City other than administrative staff time.

PUBLIC CONTACT

Public contact was made by posting the Committee agenda on the City’s official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City’s website and in the City Clerk’s Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk’s Office at (408) 615-2220, email clerk@santaclaraca.gov or at the public information desk at any City of Santa Clara public library.

RECOMMENDATION

Approval of the March 30, 2026 Governance and Ethics Committee Special Meeting Minutes

Reviewed by: Maria Le, Assistant to the City Manager, City Manager’s Office

Approved by: Jovan D. Grogan, City Manager

ATTACHMENTS

1. March 30, 2026 Governance and Ethics Committee Special Meeting Minutes Draft



City of Santa Clara

Meeting Minutes

Governance and Ethics Committee

03/30/2026

10:00 AM

City Hall – Council Chambers
1500 Warburton Avenue
Santa Clara, CA 95050

Special Meeting

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- Via Zoom: <https://santaclaraca.zoom.us/j/98559951444>
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CALL TO ORDER AND ROLL CALL

Chair Jain called the meeting to order at 10:02 a.m. and read the statement for Zoom participants.

Present 3 - Member Raj Chahal, Chair Suds Jain, and Member Kevin Park

CONSENT CALENDAR

PUBLIC PRESENTATIONS

Member of the public Anurag Dixit asked if there was a committee that addresses environmental preservation or endangered species preservation, in addition, if any City bodies were exempt from state or federal laws. **Chair Jain** stated NEPA and CEQA guidelines are part of the process and there are exemptions and mitigated negative declarations, and referred constituent to the City Manager's and City Attorney's office on information on the exemptions.

Member of the public Adam stated the process for Council Policy 030 ("Adding an item to the agenda") needs to be reviewed and is not community centric. He added a community member requested an item about three weeks ago to discuss the downtown project and a written petition was also submitted, however the item then takes time to be agendized to be heard at a meeting. **Chair Jain** added the policy is listed as future referral for this Committee.

Member of the public Jay requested Council Policy 055 ("Meeting Management Protocols") allow for items pulled by the member of the public be taken ahead of agenda items and not taken at late hours.

City Manager Grogan noted the section on the agenda for future referrals for consideration that the Committee members could bring forth these policies for discussion.

GENERAL BUSINESS

1. [26-206](#) Approval of the January 16, 2026 Special Governance and Ethics Committee Special Meeting Minutes

Recommendation: Approval of the January 16, 2026 Special Governance and Ethics Committee Special Meeting Minutes

Committee Member Park noted the minutes used to be under the Consent Calendar and not under General Business. Staff responded it was moved since there was only one item under consent calendar. **Chair Jain** stated he has also seen the consent calendar with only one item on other committees. Staff will adjust the agenda order for the approval of minutes to appear under Consent Calendar for next meeting.

Committee member Chahal motioned to approve the minutes from the **January 16, 2026 meeting, seconded by Committee Member Park and motion approved.**

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

2. [26-205](#) Review and Provide Direction on the 2026 City Council Priority Setting Session Framework

Recommendation: Review and Provide Direction for the 2026 City Council Priority Session Framework

City Manager Jovan Grogan presented on the background and proposed framework for the upcoming 2026 City Council Annual Priority Setting Session. City Manager Grogan stated the City Council convenes a Priority Setting Session each year to establish citywide priorities and initiatives for the upcoming fiscal year. The session typically has been held in February or March. However, given the significant staff time dedicated to major event planning in 2026, the City is scheduling the 2026 Priority Setting Session in May 2026. In addition, the City could retain the previous consultant to facilitate the 2026 session.

Committee members had a robust discussion on the proposed framework and provided comments regarding past sessions. The Committee discussed the following components for the annual City Council Priority Session framework: 1) Scheduling sessions earlier in calendar year, aligned with the budget process, 2) Retreat with multi-day, break out sessions, 3) Time frame should allow public participation with one session starting mid-day to evening, 4) Scientific Survey and general community responses, 5) Commissions, Boards & Committee Input should allow these bodies submit 1-2 priorities for consideration, 6) Public comment throughout session, 7) Council priorities process: Individual Councilmember priorities could be submitted in advance for staff analysis prior to session, at least 1 priority per Councilmember on final list, and ranking of final priorities by City Council, 8) Facilitator should conduct pre-session meetings with Councilmembers, 9) Reporting on priorities by dashboard to track status and 6-month check in, and 10) distribute 2024 priorities in advance to Council to bring back any items for consideration.

Member of the public Wanda Buck stated all of these items take a lot time to address all the issues and suggested key issues should be addressed, commented that surveys for engagement can take a long time, and stated ethics is important.

Member of the public Dan Ondrasek commented on the last survey for the priority setting session which identified homelessness and drug abuse were the top two items that were prioritized, which primarily have oversight by the County and state. He recommended to ask the public what is the most important project that City staff are working on for the public. **Chair Jain** added the City is working on an interim supportive housing project.

Member of the public KPT added that the survey could be administered

by the City Councilmembers to ask what their district priorities, surveys that may not reach marginalized communities and those unable to attend.

Member of the public Adam Thompson stated the time of day of the past priority setting sessions limits public participation. He suggested having more than one session to come back to the public. In addition, some priorities listed in 2024 are not Citywide goals such as "improve employee morale" and "witting ambiguous contracts" and should be staff goals.

3. [26-203](#) Action on Council Policy Establishing an Annual Performance Review Process for Council Appointees

Recommendation: Approve a new Council policy for the Performance Evaluation Process for Council Appointees, and present the proposed new Council policy to the full City Council for consideration and approval.

The Committee deferred this item to a future agenda due to time constraints.

4. [26-202](#) Review and Action on the 2026 Governance and Ethics Committee Workplan

Recommendation: Approve the 2026 Governance and Ethics Committee Workplan with any additional amendments.

Assistant to the City Manager Maria Le presented on the proposed 2026 Committee workplan. The Committee had a discussion on the workplan and presented additional items for consideration.

Committee Member Kevin Park stated workload and priorities have increased over time and there should be consideration for a full-time City Council to address the City's growth, workload, stadium, and budget and to increase the frequency of the Governance and Ethics Committee meetings. Committee Member Park added items for consideration: review Council Policy 055 ("Meeting Management Protocols"), review Council Policy 042 ("Reconsideration of Council Action"), review Council Policy 030 ("Adding an Item on an Agenda").

Chair Suds Jain also agreed on increasing the committee meeting schedule to meeting and added items for consideration: Gift policy for items under \$50, establishing City Council meetings from 2 per month to 3 per month, review Council Policy 042 ("Reconsideration of Council Action"), policy to defer items when there is quorum but requires unanimous votes, review Council Policy 030 ("Adding an Item on an Agenda") and clear up action on 030 requests in response to public presentations without consultation of City staff in advance, improve Tentative Meeting Agendas and require Council packets earlier than Fridays, restrictions on multiple PRA requests, hiring an Ethics consultant to guide candidates elections and not dependent on Clerk, Council travel policy budget by district, separate the Mayor and Council general email inbox for public and Council use, and review Council Policy 055 ("Meeting Management Protocols") to allow robust discussion by Council.

Committee Member Chahal agreed with the Committee members on the suggested workplan items.

Member of the Public Jay stated the last City Council meeting displayed the dynamic of the Mayor and unprofessionalism on how Councilmembers are treated and suggested to expedite the conflict resolution training for the City Council.

Member of the Public Jay stated the last City Council meeting was not conducive to a public meeting.

City Manager Grogan stated the Committee workplan items are a major

workload capacity, therefore there is a backlog of items. He stated there has not been a clear process on how items are also added to the workplan. The item to establish a comprehensive City Council policy manual is set for the December meeting to address some of the concerns today. City Manager suggested a special Committee meeting to prioritize the work plan items and the majority of the Committee can vote on the workplan items.

STAFF REPORT

None.

COMMITTEE MEMBER REPORTS / FUTURE REFERRALS FOR CONSIDERATION

The items listed on the future referral list may be brought to the discussion of the workplan when the special meeting is scheduled.

ADJOURNMENT

Chair Suds Jain adjourned the meeting at 12:37 p.m.



Agenda Report

26-429

Agenda Date: 4/13/2026

REPORT TO GOVERNANCE AND ETHICS COMMITTEE

SUBJECT

Review and Action on the 2026 Governance and Ethics Committee Workplan (**CONTINUED FROM MARCH 30, 2026**)

BACKGROUND

On an annual basis, the Governance and Ethics Committee establishes a workplan with items prioritized for the calendar year. Additional items may be recommended by the Committee or staff, which staff will bring forward as appropriate.

On March 30, 2026, this agenda item was brought forth for review and consideration to the Governance and Ethics Committee. Committee members discussed and added a few additional items for consideration to the workplan. In addition, Committee members stated the meeting schedule for the Governance and Ethics Committee should be reviewed with more meetings to allow time to complete the workplan items. The Committee directed staff to schedule a special Committee meeting to review, prioritize and vote on the workplan items.

DISCUSSION

To prepare and plan for the Committee workload, staff developed a proposed workplan for the 2026 calendar year. The workplan includes items which have been carried over from the previous approved workplan, and potential new items requested by Committee members and/or recommended by staff. It is also important to note, some work plan items listed may require more than one meeting to allow for full discussion and Committee action. During the year the Committee and staff may amend the workplan to add, delete, or re-prioritize items as desired or needed.

Proposed 2026 Workplan Items

Committee Meeting Date:	Agenda Item(s):
March 30, 2026	1) Review and Provide Direction on the 2026 City Council Priority Setting Session 2) Action on Council Policy Establishing an Annual Performance Review Process for Council Appointees 3) Review and Action on 2026 Workplan
April 13, 2026	4) Review and Action on 2026 Workplan (CONTINUED) 5) Action on Council Policy Establishing an Annual Performance Review Process for Council (DEFERRED)

April 30, 2026, Special Meeting	1) Presentation by Outside Consultant for the Review of and Recommendations Regarding Potential Adoption of an Ethics Commission or Ethics Program and the Approval of Proposed Changes to City's Existing Ethics Policies Previously Presented to Committee (Continued) 2) Review and Approval of Amendments to Council Policy 042 ("Reconsideration of Council Action")
May TBD (Special Meeting)	1) Review of Council Policy 055 ("Meeting Management Protocol") 2) Discuss and Provide direction to Staff on Council Policy that provides guidance on the scheduled start times and frequency of regular City Council meetings 3) Process for Scheduling Special City Council meetings and Closed Sessions
June 1, 2026	1) Review of a Policy Limiting Resolution Matters Outside Jurisdiction of the City
September 14, 2026	1) Review of additional Text Messaging Retention applications (in addition to Smarsh) (Continued)
December 7, 2026	1) Review of Proposed Comprehensive City Council Policies and Procedure manual (1 st draft)

Additional Committee Member Workplan Items for Consideration

At the date of this agenda posting, staff requested Committee members to submit any additional referrals for consideration for the workplan discussion. The following is a list of the items submitted for consideration by the Committee members:

1. Gift policy for under \$50
2. City Council Meeting Schedule: Increase the number of calendared City Council Meetings from 2 per month to 3 per month or 36 total. July and August split for break is inconsistent with other agencies
3. Review Council Policy 042 ("Reconsideration of Council Action") including adjunct topics such as definition of prevailing party
4. Review Council Policy 030 ("Adding an Item to the Agenda"): Clarify ability to do 030 requests in response to public presentations without consultation of City Staff in advance and confirm if the rule is no action from public presentations
5. Develop a policy to defer items when there is a quorum but requires unanimous vote. Perhaps

also when an item requires N votes and N+1 councilmembers are present

6. City Council Meeting Agenda Posting: Improve tentative meeting agendas and require agenda packets published by end of business on Thursdays instead of Fridays
7. Public Record Act (PRA) Policy Review: Restrictions on spurious PRA requests
8. Rank Choice Voting
9. More funding for commissioners to attend conferences - a budget process
10. Healthcare for Councilmembers
11. Per Councilmember travel budgets by district
12. Increasing City Council pay
13. Hiring an "ethics" consultant to guide candidates for elections. "Last word forum" - not dependent on City Clerk. Use of Council Chamber for debates, etc. Hiring League of Women's voters to run a candidate forum.
14. Fix Lobbyist ordinance and registrations
15. Separate "mayorandcouncil" email account for public and for councilmembers to use
16. Clarification of Councilmember behests
17. Tracking of District level services and budgets
18. Change policy on action minutes from commissions and committees or require transcripts of meetings to be posted on Legistar
19. Clearer process for how Commissions create their workplans - less staff driven
20. Update City Code on HOA bylaws to be approved by Council (Keith Stattenfield at 1/11/2022 City Council meeting)
21. Formal Standards for Reappointments to Boards and Commissions:
 - Consistent attendance and active engagement at board meetings;
 - Fulfillment of general or assigned board duties and responsibilities;
 - Compliance with all applicable City rules and regulations;
 - Maintenance of any required qualifications to serve;
 - Legal conflicts of interest that may materially restrict a member's ability to participate in board or commission's decision-making;
 - Communicated reservations or apparent limitations on a member's availability or capacity to serve for the duration of the upcoming term.

22. Formalize when Commissioners absence can be excused or not excused
23. Review of all policy changes since 2023
24. Review of Council Priorities since 2021
25. Democracy in processes (in particular review of Council Policy 030)
26. AI policies
27. Data Retention schedules
28. Policies regarding response times to public outreach

ENVIRONMENTAL REVIEW

The action being considered does not constitute a “project” within the meaning of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment

FISCAL IMPACT

There is no fiscal impact to the City other than staff time.

COORDINATION

This report was coordinated by the City Manager’s Office.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City’s official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City’s website and in the City Clerk’s Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk’s Office at (408) 615-2220, email clerk@santaclaraca.gov <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

RECOMMENDATION

Approve the 2026 Governance and Ethics Committee Workplan with any additional amendments.

Reviewed by: Maria Le, Assistant to the City Manager, City Manager’s Office

Approved by: Jovan D. Grogan, City Manager



Agenda Report

26-428

Agenda Date: 4/13/2026

REPORT TO GOVERNANCE AND ETHICS COMMITTEE

SUBJECT

Action on Council Policy Establishing an Annual Performance Review Process for Council Appointees (**DEFERRED FROM MARCH 30, 2026**)

BACKGROUND

Currently, there is no established process for City Council to evaluate and assess the performance of Council appointees, including employees in the classifications of City Manager and City Attorney. The City Council had expressed interest in adopting a policy to achieve predictability, transparency, and consistency in the performance evaluation and assessment of Council appointees.

DISCUSSION

This item for the Governance and Ethics Committee consideration is a new Council policy for the performance evaluation process for Council appointees, including employees in the City Manager and City Attorney classifications.

The following is a summary of the notable provisions of the new Council policy, and a complete copy of the new Council policy is attached:

Annual Rating Period: The rating period for Council appointees shall be January 1st through December 31st of each year.

Facilitator: The Human Resources Director shall secure the use of a performance appraisal facilitator to be selected by City Council to assist with the performance evaluation and assessment of the Council appointees, including meeting with and interviewing City Council and any other identified staff members to gather information necessary for the performance appraisal.

Timeline: The new Council policy provides a timeline for the evaluation and assessment process, including but not limited to the months when certain actions are expected to be completed such as the selected facilitator meeting with City Council and staff (January); meeting with the City Council and the Council appointee in closed session to provide the results of their work (February); the City Council appointing a subcommittee to meet with the Council appointee to negotiate any changes to compensation, benefits, or any other requested modifications to the Council appointee's employment agreement (March); the subcommittee meeting with the full City Council in closed session to present the results of negotiations with the Council appointee and provide a recommendation for further discussion and action in open session (May).

It should be noted that the new Council policy also calls for a salary increase of approximately 2% or the applicable CPI (Consumer Price Index for Urban Consumers (CPI-U) for San Francisco-Oakland-

Hayward), whichever is lesser, in the event the City Council does not complete the outlined process on or before May 31st.

In the event City Council seeks to take action for providing any further modifications or adjustments concerning compensation, benefits or other modifications to the Council appointee's employment agreement after May 31st, the Human Resources Director shall bring such modifications or adjustments to open session for discussion and approval.

If the Committee approves the new Council policy, staff will prepare the policy and present it to the full City Council for consideration and approval. If additional revisions are approved by the Committee, staff will also include those in the recommendation.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

FISCAL IMPACT

There is no fiscal impact with this report other than administrative staff time.

COORDINATION

This report was coordinated with the City Manager's Office, Human Resources Department and the City Attorney's Office.

PUBLIC CONTACT

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RECOMMENDATION

Approve a new Council policy for the Performance Evaluation Process for Council Appointees, and present the proposed new Council policy to the full City Council for consideration and approval.

Reviewed by: Marco Mercado, Acting Director of Human Resources

Approved by: Jōvan Grogan, City Manager

ATTACHMENTS

1. Council Policy - Council Appointee Performance Appraisal Process



PERFORMANCE EVALUATION PROCESS FOR COUNCIL APPOINTEES

POLICY

The purpose of this Policy is to provide guidance and establish a process in the performance evaluation and assessment by City Council of the Council appointees, including Employees in the classifications of City Manager and City Attorney.

The City Council will make its best efforts to undertake a performance appraisal of the Employee at least once every twelve (12) months following the Employee's original date of hire. The City Council maintains discretion to conduct performance appraisals more frequently if necessary. Performance Appraisals shall be conducted annually in accordance with the process set forth below. This process is intended to be essentially "automatic," and does not require Council or Employee direction to be initiated.

This Policy shall be referenced in the employment agreements governing the Council appointee positions.

PROCEDURE

- 1) For purposes of this Policy, an Employee's annual rating period shall be January 1st through December 31st of each year.
- 2) The Human Resources Director shall conduct a procurement for a performance appraisal facilitator, and shall present the results of such procurement process to Council for Council's final selection in November, unless the City has an existing contract with a facilitator. The facilitator must be available to begin work in December.
- 3) During the month of January, immediately following the end of the employee's rating period, the chosen facilitator will meet with the City Council and any other identified members of staff to conduct the interviews necessary for the Performance Appraisal.
- 4) During the month of February, the facilitator will meet with City Council and Employee in closed session to provide the results of his/her work.
- 5) During the month of March, the City Council shall meet in closed session, and shall appoint a subcommittee to meet with the Employee for the purposes of negotiating compensation, benefits, and any other requested modifications to the Employee's employment agreement. The subcommittee shall work with the Human Resources Director and



PERFORMANCE EVALUATION PROCESS FOR COUNCIL APPOINTEES

Chief Assistant City Attorney, as necessary, to complete its work.

- 6) During the month of May, the subcommittee shall return to the full City Council in closed session to present the results of its negotiations, and provide a recommendation to the full City Council for further discussion and action in open session. The City Council shall provide direction to the Human Resources Director regarding the details of the item to be brought back to Council in open session.
- 7) If City Council does not complete the process outlined above on or before May 31st, then Employee shall receive a salary increase of approximately 2% or applicable CPI¹, whichever is less, effective as described below.
- 8) During the month of June, the Human Resources Director shall bring forward an item in open session regarding approval of the modifications to the compensation, benefits, or other terms of employment for Employee, and related actions, to be effective the first pay period after July 1st. This shall be based either on the direction received from City Council under Section 6 above, or the default salary adjustment described in Section 7 above. If the direction from Council is that there are no modifications to any such terms, then there shall be no item brought to Council in open session for further discussion or action.
- 9) If the default salary adjustment under Section (7) was granted, then the City Council may take action later in the year to provide an additional adjustment, retroactive to the first pay period after July 1st.

¹ Consumer Price Index for All Urban Consumers (CPI-U) for San Francisco-Oakland-Hayward