



City of Santa Clara

Meeting Minutes

Governance and Ethics Committee

06/05/2023

3:00 PM

Hybrid Meeting
City Hall - Council Chambers
1500 Warburton Avenue
Santa Clara, CA 95050

CALL TO ORDER AND ROLL CALL

Chair Jain called the meeting to order at 3:01 p.m.

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

CONSENT CALENDAR

- [23-640](#) Approval of the March 13, 2023 Governance and Ethics Committee Meeting Minutes
Recommendation: Approve the minutes of the March 13, 2023 Governance and Ethics Committee meeting
A motion was made by Member Chahal to approve the March 13, 2023 meeting minutes. Committee Member Gillmor abstained due to not being present at the March meeting.
Aye: 2 - Member Chahal, and Chair Jain
Abstained: 1 - Member Gillmor

PUBLIC PRESENTATIONS

Member of the public **Kirk Vartan** addressed the Committee and requested additional analysis and focus on ethics issues and the Ethics program in the City.

Member of the public **Wanda Buck** addressed the Committee to discuss ethics in our City.

GENERAL BUSINESS

2. [23-638](#) Review and Provide Direction to Staff on an Updated Process for Mayor and Council calling a Special Meeting

Recommendation:

Provide staff direction on the proposed process and updated form for calling a special meeting.

City Attorney Glen Googins presented on the current process for the Mayor and Council to call a special meeting. Staff presented an updated form for the Committee review and consideration. The proposed process provides for improved Council-Executive staff coordination and scheduling, with the updated form including provisions for prior consultations with the City Manager/City Attorney. The proposed process is meant to streamline and not create additional barriers to set a special meeting. Committee members had a discussion on the use of the existing form.

Member Gillmor motioned to approve staff recommendation for an updated process for the Mayor and Council to call a special meeting, motion seconded by Member Chahal.

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

3. [23-653](#) Review and Discussion of Council Policy 030 Adding an Item on the Agenda

Recommendation: Provide direction to staff on possible updates to the policy.

City Attorney Glen Googins presented on Council Policy 030 and the current process to add an item on the City Council meeting agenda. Staff requested input on modifications presented to Council Policy 030 including: prior consultation for the Mayor and Council prior to submitting a written request, provide clarity on how and when Councilmembers may request an item be referred to staff, or for action on a future agenda, and consider moving Council referrals to the end of the Council meeting.

Committee members discussed the intent and use of Council Policy 030 by Councilmembers and the need for ways for the public to address the City Council.

Member of the public Kirk Vartan stated it is important to incorporate public discussion and feedback when the public asks questions during meetings.

City Manager Grogan added a future Council priority and goal setting process would allow for a public process where the public submits ideas for Council goals or strategic initiatives for consideration.

Member Gillmor motioned to refer item to staff to return with modifications to the process which includes options for the public to address the City Council and motion seconded by Member Chahal.

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

4. [23-658](#) Discuss and Consider Proposed Amendments to Policy and Procedure 006 Guidelines for Commissioners for Attendance and Conferences

Recommendation:

1. Approve proposed amendments to Policy and Procedure 006 Guidelines for Commissioners for Attendance and Conferences and Training Events
2. Recommend any proposed amendments be brought forward to City Council for consideration and approval

Committee members reviewed and discussed proposed amendments to policy and procedure 006 Guidelines for Commissioners for Attendance and Conferences. Committee members also referenced Council 043-Official Travel by Council policy and stated this should be further reviewed.

Committee member Chahal motioned to approve staff recommendation to Council Policy 006 Guidelines for Commissioners for Attendance at Conferences with amended changes including: removal of times of travel, addition of an exception for the City Manager to approve travel not pre-approved by Board or Commission, and bring forth to City Council for final approval. Motion seconded by Member Gillmor.

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

5. [23-763](#) Review and Discussion of Council Policy 020 Proclamations, Commendations and Certificates of Recognition

Recommendation: Deferred to September 11, 2023 Governance and Ethics Committee Meeting

Committee approved to defer the review and discussion of Council Policy 020 Proclamations, Commendations and Certificates of Recognition.

6. [23-770](#) Discuss and Consider Modification to the Work Plan or an Alternative Process to Evaluate the Creation of an Independent Ethics Commission
- Committee members discussed the City's Ethics program and options to consider forming an Ethics Committee and considering bringing on an Ethics consultant.
- Member of the public **Kirk Vartan** stated the need to address the public trust issue and the need for an Ethics consultant.
- Member of the public **Wanda Buck** stated the need for a separate Ethics Committee to provide guidance.
- Member Gillmor motioned to discuss and consider an Independent Ethics Commission and seconded by Chair Jain.**
- Aye: 3 - Member Gillmor, Member Chahal, and Chair Jain**

STAFF REPORT

City Attorney Update on AB 1234 Training Program

City Attorney Glen Googins provided an update on the upcoming AB1234 training for the City Council, boards and commissions with an opportunity for the public to also observe or potentially participate in the training.

COMMITTEE MEMBER REPORTS / FUTURE REFERRALS FOR CONSIDERATION

Committee Member Gilmor stated she would reach out to Chair on bringing back other areas of the Grand Jury Report that deal with City ethics and other operations, since some of the City responses to the report were referred to this Committee.

Chair Jain stated he would like to refer the review of the Ethics and Values document on a future agenda.

Chair Jain also suggested additional meetings to be added to Governance and Ethics Committee schedule as four meetings a year does not allow enough time.

ADJOURNMENT

The meeting was adjourned at 5:02 p.m.