



City of Santa Clara

Meeting Minutes

Governance and Ethics Committee

10/04/2024

10:00 AM

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

Special Meeting

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 8 a.m. the day of the meeting. Those 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

Chair Chahal called the meeting to order at 10:09 a.m.

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

CONSENT CALENDAR

1A. [24-706](#) Approval of the July 2, 2024 Governance and Ethics Committee Special Meeting Minutes

Recommendation: Approve the minutes of the July 2, 2024 Governance and Ethics Committee Special Meeting

Committee Member Jain motioned, seconded by Committee Member Park to approve the meeting minutes for the July 2, 2024 Governance and Ethics Committee meeting.

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

PUBLIC PRESENTATIONS

None.

GENERAL BUSINESS

2. [24-437](#) Review and Discussion of Text Message Retention

Recommendation: Consider and direct staff to develop possible modifications to Council Policy 046 regarding the City's text message retention policy, for consideration and approval by the full City Council

Staff presented information on potential options for a text messaging archive platform, Smarsh, for City-issued mobile phones. The Committee discussed various options for maintaining text messages as public records on both City and personal mobile devices for City business matters.

Committee Member Park motioned, seconded by Committee Member Jain and motioned approved to: 1) Adopt the 2-year retention policy for text messages in Council Policy 046 and forward to full City Council for consideration and approval. 2) The Committee directed staff to return to the Governance and Ethics Committee with additional options for other applications for text message retention, in addition to SMARSH for consideration by the Committee.

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

3. [24-707](#) Action on a Council Policy for Meeting Management Procedures and Protocols for Recommendation to the City Council for its Consideration and Approval

Recommendation: Consider proposed new Council Policy 054, entitled Council Meeting Management Procedures and Protocols, and provide direction to staff as the Committee deems appropriate to forward the policy, with any approved modifications, for consideration and approval by the City Council

City Attorney Glen Googins presented on Agenda item #3 - Action on a Policy for Meeting Management protocols. City Attorney Googins presented information on a recommended formal policy and procedure, Council Policy 054 ("City Council Meeting Management Procedures and Protocols") for consideration by the Committee.

City Attorney Googins stated some rules are consistent with current Council practices that had not been formalized, other proposed rules and procedures are taken directly by Rosenberg's Rules of Order, or are based on "best practice" rules used by other cities. The policy is expressly subject to the requirements of the Brown Act and the terms of the City Charter.

The Committee discussed the draft policy for consideration to be forwarded to the full City Council for its consideration. **Committee Member Park** commented the policy should not discourage debate or additional rounds of questions.

Committee Member Jain motioned, seconded by **Committee Member Park** and motion passed to approve the staff recommendations as presented for Council Policy 054 for Meeting Management Procedures.

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

4. [24-704](#) Review and Discussion of Mayoral Certificates of Recognition and Possible Recommendations to bring forth to the City Council for Consideration

Recommendation: Discuss and provide direction regarding Mayoral Certificates of Recognition

Staff presented background on Item #4 for the Review and Discussion of Mayoral Certificates of Recognition and possible revisions to the policy. Staff presented background that on the June 10, 2024, the Committee requested further discussion on Mayoral Certificates of Recognition. On September 10, 2024, the City Council approved amendments to Council Policy 020 (“Proclamations, Commendations and Certificates of Recognition”) which included substantial changes to the policy to include City Council signatures on Proclamations & Commendations, and the addition of a new City Council District Certificates of Recognition which bear the signature of the Mayor and the particular City Councilmember.

The Committee had a discussion on Council Policy 020. Committee members discussed potentially including a process in the policy to change the guidelines specifically for Mayoral Cert to include the signature of a City Councilmember when requested, in addition to the Mayor, on the Mayoral Certificates of Recognition.

Committee Member Jain motioned, seconded by Committee Member Park to amend Council Policy 020 for Mayoral Certificates of Recognition, if requested by a Councilmember of particular Council district and if Councilmember has interest in the organization, the Mayoral Certificate of Recognition also bear the signature of the Mayor and City Councilmember. The action was to bring this forth to the full City Council for consideration.

Aye: 2 - Chair Chahal, and Member Jain

Nay: 1 - Member Park

STAFF REPORT

None.

COMMITTEE MEMBER REPORTS / FUTURE REFERRALS FOR CONSIDERATION

None.

ADJOURNMENT

Chair Chahal adjourned the meeting at 2:41 p.m.

Committee Member Jain motioned to adjourn the meeting, seconded by Committee Member Chahal to adjourn at 2:41 p.m.

The next regular Special Governance and Ethics Committee meeting is on December 2, 2024 at 1 p.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."

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