



Agenda Report

18-442

Agenda Date: 4/23/2018

REPORT TO GOVERNANCE COMMITTEE

SUBJECT

Discussion and Potential Action on Rescission of Various Council Policies

BACKGROUND

The Governance Committee identified the City of Santa Clara Policy and Procedure Manual as a priority of the Governance Committee Work Plan, which was adopted on January 15, 2016.

The Governance Committee approved the staff recommendation to direct the City Manager to return to the Governance Committee with a work plan focusing on the review of the City of Santa Clara Policy and Procedure Manual and the streamlining of administrative processes at the meeting held on February 12, 2018.

DISCUSSION

As part of the Work Plan, staff conducted a review of the policies and procedures (P&P) in the City of Santa Clara Policy and Procedure Manual and identified six policies for rescission: P&P 010 City Council Meetings Video Tapes, P&P 012 Electronic Organizers, P&P 013 Fireworks Display Permit, P&P 021 Public Requests for Photocopies of Agenda Items, P&P 023 Recreational Bonfires, and P&P 026 Sale of Used Fire Helmets or Police Equipment as Mementos.

P&P 010 City Council Meetings Video Tapes is an obsolete policy, as meetings are no longer videotaped and are now available online on the City's website and on the City's YouTube channel.

P&P 012 Electronic Organizers is an obsolete policy, as the City of Santa Clara no longer issues electronic organizers and now issues iPad tablets for the Mayor and Council's use. The use of tablets is addressed in P&P 046 Mayor & Council Public Records Policy, which states that the City shall provide the Mayor and Council Members with separate publicly owned devices such as cell phones and tablets for the conduct of City business and that the Mayor and Council shall only use official City email and text accounts to conduct City business.

P&P 013 Fireworks Display Permit is an obsolete policy, as fireworks display permits are regulated by the County of Santa Clara by Section A33-62 - Permits (County Ordinance No. NS-300 882, Attachment 8 hereto). This ordinance was adopted by the County in 2015 and renders moot the provisions of P&P 013.

P&P 021 Public Requests for Photocopies of Agenda Items is not needed, as agendas are available online and available in hardcopy at the Council meeting. The fee for photocopies is listed in the City of Santa Clara Municipal Fee Schedule (Attachment 9).

P&P 023 Recreational Bonfires is an obsolete policy, as the requirements for recreational bonfires are now contained in the State of California Fire Code in Section 307 (Open Burning, Recreational

Fires, and Portable Outdoor Fireplaces, Attachment 10 hereto). Any permitting of recreational fires would be completed in accordance with the provisions and procedures contained within the Fire Code.

P&P 026 Sale of Used Fire Helmets or Police Equipment as Mementos is in violation of Section 2.105.350(e) Surplus Personal Property of the Santa Clara City Code (Attachment 11), which states that no City employee may bid upon or purchase any surplus item for sale.

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.

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 beginning the Thursday evening before the Tuesday 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

Recommend to the City Council to adopt a resolution to rescind P&P 010 City Council Meetings Video Tapes, P&P 012 Electronic Organizers, P&P 013 Fireworks Display Permit, P&P 021 Public Requests for Photocopies of Agenda Items, P&P 023 Recreational Bonfires, and P&P 026 Sale of Used Fire Helmets or Police Equipment as Mementos.

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Reviewed by: Brian Doyle, City Attorney

Reviewed by: Walter C. Rossmann, Chief Operating Officer

Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Reserved for Governance Committee Report
2. P&P 010 City Council Meetings Video Tapes
3. P&P 012 Electronic Organizers
4. P&P 013 Fireworks Display Permit
5. P&P 021 Public Requests for Photocopies of Agenda Items
6. P&P 023 Recreational Bonfires
7. P&P 026 Sale of Used Fire Helmets or Police Equipment as Mementos
8. County of Santa Clara Ordinance No. NS-300 882
9. Excerpt from City of Santa Clara Municipal Fee Schedule
10. Excerpt from State of California Fire Code - Section 307
11. Excerpt from Santa Clara City Code - Section 2.105.350(e)
12. Proposed Resolution to Rescind Various Council Policies