



Agenda Report

18-443

Agenda Date: 4/23/2018

REPORT TO GOVERNANCE COMMITTEE

SUBJECT

2018 Governance Committee Work Plan and Establishment of a Council Policy Manual

BACKGROUND

At the February 12, 2018 Governance Committee meeting, the Governance Committee approved the staff recommendation to direct the City Manager to return to the 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. The Governance Committee identified the City of Santa Clara Policy and Procedure Manual as the primary focus of the 2018 Governance Committee Work Plan and the streamlining of administrative processes as a secondary focus of the Work Plan.

The City of Santa Clara Policy and Procedure Manual was adopted and incorporated by Section C of Resolution 6603 (Attachment 2) on July 13, 1999. Section C of Resolution 6603 states that "the City of Santa Clara Policy and Procedure Manual in its current form, and as subsequently amended from time to time, be adopted and incorporated by this reference." A preliminary review of the City of Santa Clara Policy and Procedure Manual found that certain policies are obsolete, administrative in nature, or contradict existing local, state, or federal laws.

DISCUSSION

Consistent with the staff recommendations approved at the recent Council Operational and Strategic Priority Setting Retreat and with the staff recommendation approved at the February 12, 2018 Governance Committee meeting, a thorough review of the City of Santa Clara Policy and Procedure Manual was conducted to identify obsolete policies that need to be updated or rescinded and to determine if new policies needed to be developed.

Based on the review of the City of Santa Clara Policy and Procedure Manual, staff identified policies for placement in the Council Policy Manual Work Plan Matrix (Attachment 3) in the following review categories: maintain status quo, further review, legal review, administrative in nature, or rescission. The current assessment of the Council Policy Manual Work Plan Matrix may change as staff delves into further review of the policies. As policies in the rescission category are administrative, obsolete, or contradict existing laws, staff recommends prioritizing the rescission of these policies first in the Work Plan. As the next step for the Work Plan, staff will bring forth policies in need of amendments to the Committee. At each meeting, staff will continue to bring substantive policy discussions with written reports to the Committee.

Staff recommends to change the title of the current manual from "City of Santa Clara Policy and Procedure Manual" to "City of Santa Clara Council Policy Manual" to focus the City of Santa Clara Council Policy Manual (hereinafter referred to as "Council Policy Manual") on policies and procedures by which the City Council, Boards, Commissions, Standing and Ad Hoc Committees, shall conduct City Council business and activities. This is a departure of the current Policy and Procedure Manual,

which includes a substantive amount of administrative procedures and is in conflict with the City Charter. The action to change the title alone helps restore the governance structure of the Council's focus on policy setting.

Therefore, staff recommends the adoption of the attached draft policy, Council Policy Manual (Attachment 4), which would serve as a preamble to the Council Policy Manual. This Policy provides a procedure for the preparation, distribution, and maintenance of the Council policies in the Council Policy Manual as well as a procedure for the review and approval of new or amended policies. With the Governance Committee's approval of the Council Policy Manual policy, the policy will be presented to full City Council for review, approval, and adoption by resolution.

To effectuate the name change, staff recommends that the City Council adopt a resolution repealing Section C of Resolution 6603 and amending the title of "City of Santa Clara Policy and Procedure Manual" to "City of Santa Clara Council Policy Manual."

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

1. Adopt the 2018 Governance Committee Work Plan
2. Recommend to the City Council to adopt a resolution repealing Section C of Resolution 6603 to amend the title of "City of Santa Clara Policy and Procedure Manual" to "City of Santa Clara Council Policy Manual" and approving the Council Policy Manual policy

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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. Resolution 6603
3. Council Policy Manual Work Plan Matrix
4. Council Policy Manual Policy
5. Proposed Resolution to Adopt Council Policy Manual