

RESOLUTION NO. 18-8535

A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA REPEALING SECTION C OF RESOLUTION NO. 6603 AND ADOPTING THE CITY OF SANTA CLARA COUNCIL POLICY MANUAL

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, the City of Santa Clara Policy and Procedure Manual currently includes 46 policies adopted by the City Council over the course of several decades, some of which deal entirely or substantially in administrative procedures more appropriately within the purview of the City Manager's Office;

WHEREAS, changing the title from "City of Santa Clara Policy and Procedure Manual" to "City of Santa Clara Council Policy Manual" will clarify that the manual will focus on and only include policies and procedures by which the City Council, Boards, Commissions, Standing and Ad Hoc Committees, shall conduct City Council business and activities; and,

WHEREAS, establishing a policy on the City of Santa Clara Council Policy Manual (hereinafter referred to as "Council Policy Manual") will serve as a preamble to the Council Policy Manual and provide procedures for the preparation, distribution, and maintenance of Council policies as well as for the review and approval of new or amended policies;

WHEREAS, in the interests of efficiency and streamlining City processes, and in accordance with the provisions of the City Code and Charter, the City Council now desires to amend the title of its Policy Manual and adopt an introductory policy.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That Section C of Resolution No. 6603 in which the City Council policy manual was entitled the "City of Santa Clara Policy and Procedure Manual" is hereby repealed, and the new title of "City of Santa Clara Council Policy Manual" is hereby adopted.

2. That the Council Policy Manual Policy is hereby adopted, and the City Manager is directed to number (and renumber, as appropriate) the policies in the manual such that they are organized in a logical fashion.

3. Effective date. This resolution shall become effective immediately

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 12th DAY OF JUNE, 2018, BY THE FOLLOWING VOTE:

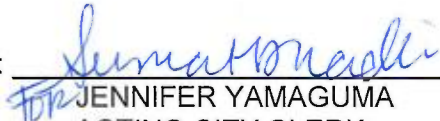
AYES:	COUNCILORS:	Davis, Kolstad, Mahan, O'Neill, and Watanabe and Mayor Gillmor
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NOES:	COUNCILORS:	None
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ABSENT:	COUNCILORS:	None
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ABSTAINED:	COUNCILORS:	None
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ATTEST: _____


JENNIFER YAMAGUMA
ACTING CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:

1. Resolution No. 6603
2. Council Policy Manual

RESOLUTION NO. 6603

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF SANTA CLARA AUTHORIZING THE CITY MANAGER
TO EXECUTE ROUTINE DOCUMENTS AND ADOPTING THE
CITY OF SANTA CLARA POLICY AND PROCEDURE MANUAL

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANTA CLARA,
CALIFORNIA, as follows:

WHEREAS, from time to time, either due to unforeseen circumstances and/or the need to act quickly to secure an opportunity beneficial to the City's interests which may not be able to be secured if a decision must wait until the next regular Council meeting, it becomes necessary and practical for the City Manager to have the authority to execute certain routine documents on behalf of the City; and,

WHEREAS, the City Council deems it to be efficient as well as the proper and economical use of City staff and the City Council's time to authorize the City Manager or her/his designee to execute certain routine documents on behalf of the City in order to expedite the smooth operation of the City's business and prevent unnecessary delay.

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE
CITY OF SANTA CLARA, as follows:

- A. That the City Manager or designee is authorized to approve and execute routine documents which fall under the general intent of delegation of authority under this Resolution, including, but now limited to, the following primary categories:

1) City Licenses, Documents and Agreements:

The City Manager or designee is authorized to approve and execute the following documents:

- a) various agreements and documents allowing the use of the City name or name of any City department or facility or use the City emblem by third parties; and
- b) rental agreements for City-owned residential and commercial real property, City owned equipment and/or facilities;

2) Third Party Licenses, Documents and Agreements:

The City Manager or designee is authorized to approve and execute the following documents:

- a) Licensing or conditional use agreements which allow the City access to proprietary information, data or materials owned by third party such as computer software, maps statistics or other materials which require a license or subscription agreement to be signed by a city official

- b) confidentiality agreements and documents with third parties;
- c) nondisclosure agreements and documents with third parties;
- d) partnership, cost sharing and in kind service agreements with other public agencies or private entities.

3) **Hold Harmless and Indemnification Agreements:**

The City Manager or designee is authorized to approve and execute the following documents:

- a) hold harmless and indemnification agreements to and from third party(ies) (i.e.: for City personnel participation in various activities such as fire training or training with the Highway Patrol); and
 - b) releases of liability and similar documents.
- B. That prior to execution of routine documents by the City Manager or her/his designee, such documents shall be subject to review and approval by the City Attorney's office for the form and legality. If the City Manager deems it to further benefit the City, she/he may delegate authority to execute specific categories of documents to one or more City employees in writing.
- C. 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.

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I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 13th day of July, 1999, by the following votes:

AYES: COUNCILORS: Diridon, Gillmor, Mahan, McLemore, Parle and Mayor Nadler

NOES: COUNCILORS: None

ABSENT: COUNCILORS: Matthews

ABSTAINED: COUNCILORS: None

ATTEST: J. E. Boccignone
J. E. BOCCIGNONE
City Clerk
City of Santa Clara



COUNCIL POLICY MANUAL

PURPOSE

The City of Santa Clara Council Policy Manual (hereinafter referred to as "Council Policy Manual") sets forth policies and procedures by which the City Council, Boards, Commissions, Standing and Ad Hoc Committees, shall conduct City Council business and activities.

The Council Policy Manual establishes standard policies to guide a number of the various functions of the City Council and procedures by which such functions are to be performed. It is the purpose of this Policy to establish procedures for the preparation, distribution, and maintenance of Council policies in the Council Policy Manual.

POLICY

PREPARATION

The Council Policy Manual shall include Council policies pertaining to the process by which Council makes decisions on a variety of topics for which Council bears such decision-making responsibility, by virtue of California State law, the Charter of the City of Santa Clara, the Santa Clara City Code, or resolutions.

New Council policies shall first be reviewed and approved by the Governance Committee. Upon such approval by the Governance Committee, Council policies shall be presented for review and approval by the full Council, and shall be adopted by resolution. Upon adoption by resolution, Council policies shall be included in the Council Policy Manual accompanied with the resolution and the date of adoption. Each Council policy shall include its history, including date of adoption and any amendments.

DISTRIBUTION

The Council Policy Manual shall be made available electronically to all City departments.

The Council Policy Manual shall be available to the general public on the City's website or in-person at the City Clerk's Office and the City's libraries.

MAINTENANCE

The Council Policy Manual shall contain all Council policies adopted by resolution of the City Council. The City Council shall amend or rescind the Council Policy Manual on an as-needed basis, and by the same process outlined above for new Council policies. All policy amendments or rescissions shall be adopted and/or incorporated by resolution.

COUNCIL POLICY MANUAL (cont.)

PROCEDURE

1. The City Manager's Office may originate, or as directed by Council or Governance Committee, draft policy proposals or policy amendment/rescission proposals for formal consideration.
2. The proposed Council Policy action will be presented first to the Governance Committee for review and approval and, if approved, to the City Council for adoption.
3. After official adoption by the City Council, the Mayor and Council Offices shall update the Council Policy Manual's Table of Contents to reflect the adopted or amended policy and be responsible for the distribution of the Council policy.
4. The City Manager's Office and the City Attorney's Office shall annually review the Council Policy Manual to determine which, if any, policies need review, revision, or rescission.