

7/15/2019

ITEM #4



**City of  
Santa Clara**  
The Center of What's Possible

**Governance in the City of Santa Clara  
Consensus from December 2018 Council Workshop  
Preparing for City Council Districts**

| Guiding Governance Principles Identified in December 2018                  | We are doing well with this one | We should discuss this one in September |
|--|---------------------------------|---|
| 1. We all care about and will govern for the entire Santa Clara community. |                                 |   |
| 2. We will follow our Santa Clara ethical values.                          |                                 |   |
| 3. We will follow our council-manager form of government.                  |                                 |   |

| 10 Commitments Identified in December 2018  | We are doing well with this one | We should discuss this one in September |
|---|---------------------------------|---|
| 1. City Manager and Council will plan strategically city-wide.  |                                 |   |
| 2. City Manager and staff will surface issues where plans, processes, resources, and other areas impacted may not be conducive to a district-focused response.  |                                 |   |
| 3. City Manager will work with the City Council on governance issues that advance the goals and priorities of Santa Clara.  |                                 |   |
| 4. City Manager will work with the City Council on governance issues that may constrain our growth.   |                                 |   |
| 5. City Manager will provide the same information to all members of Council.  |                                 |   |
| 6. City Manager will manage city-wide and speak up where there is tension, lack of resources, or other issues to be addressed.  |                                 |   |
| 7. Staff will work through the City Manager.  |                                 |   |
| 8. City Manager and Councilmembers will hold one-on-one meetings.   |                                 |   |
| 9. Councilmembers may communicate either directly with the City Manager or speak to Directors on specific issues. When the latter occurs, Directors are advised to let the City Manager know as soon as practical on the communication exchange. This enables the City Manager to track what is important to each Councilmember and for the City Manager to remain accountable. |                                 |   |
| 10. City Council will consult the City Manager often to ensure the Council's actions align to administrative resources, protocols, and values.  |                                 |   |

**POST MEETING MATERIAL**

| Procedural and Other Questions  | December 2019 Discussion Summary   |
|---|--|
| What constitutes a "district issue?"  | <ul style="list-style-type: none"> <li>• Geographic boundaries (something in the district)</li> <li>• Land use issues</li> <li>• Neighborhood or individual issue</li> <li>• City systems are not set up to focus on districts</li> </ul>  |
| How will staff route calls from residents?  | <ul style="list-style-type: none"> <li>• Continue current practice</li> <li>• Systems do not allow to identify which district someone lives in</li> <li>• Councilmembers will tell staff if it is in district; will let the councilmember know</li> </ul>  |
| How will staff prioritize requests from Councilmembers?   | <ul style="list-style-type: none"> <li>• Continue existing process</li> </ul>  |
| Will the City Manager continue to provide information to the entire Council?                          | <ul style="list-style-type: none"> <li>• Yes; current practice will continue</li> <li>• When a councilmember asks for a report, Deanna sends to full city council</li> </ul>   |
| If someone calls me and they are in another district, can I help them?                                | <ul style="list-style-type: none"> <li>• Accept the call; give the councilmember a heads up – transparency<br/><i>"We all work together"</i></li> </ul>  |
| Can a Councilmember have monthly meetings open to anyone in the community?                            | <ul style="list-style-type: none"> <li>• Yes (this is without staff assistance)</li> </ul>   |
| How will staff handle it if Councilmembers want to have "town halls" in their districts?              | <ul style="list-style-type: none"> <li>• Discuss this question during January priority setting session (e.g., how often, what topics, put districts together, or not when to conduct, logistics, staffing, should Mayor lead the meeting, etc.)</li> <li>• Concern about staff capacity</li> </ul> |
| On NextDoor, should Councilmembers only communicate with the people in their district?                | <ul style="list-style-type: none"> <li>• No; continue current practice</li> </ul>  |
| Should the Mayor call on the Councilmember from a district where a project is located to speak first? | <ul style="list-style-type: none"> <li>• Optional based on the Councilmember's preference</li> <li>• The Councilmembers is to let the Mayor know if he or she wishes to speak first</li> </ul>   |
| How can the Mayor help individual Councilmembers?   | <ul style="list-style-type: none"> <li>• Be accessible and available</li> <li>• Accompany councilmembers in districts</li> </ul>   |
| Does the city council want to be reflected by district?   | <ul style="list-style-type: none"> <li>• Yes; this item has been reviewed by the Governance and Ethics Committee, and recommendations will be provided for the Council's review in July 2019</li> <li>• Add district numbers to plaques on the dais</li> </ul>                                     |



7/15/2019

ITEM # 4



CITY OF SANTA CLARA  
OFFICE OF THE CITY CLERK  
2019 JUN 20 AM 10:40

June 18, 2019

Mr. Hosam Haggag  
City of Santa Clara  
1500 Warburton Avenue  
Santa Clara, California 95050

*Sent via email:* Clerk@santaclaraca.gov

Dear Mr. Haggag:

The 2018-2019 Santa Clara County Civil Grand Jury is transmitting to you its Final Report, **Inquiry into the Governance of the Valley Transportation Authority.**

California Penal Code § 933(c) requires that a governing body of the particular public agency or department which has been the subject of a Grand Jury final report shall respond within 90 days to the Presiding Judge of the Superior Court on the findings and recommendations pertaining to matters under the control of the governing body. California Penal Code § 933.05 contains guidelines for responses to Grand Jury findings and recommendations and is attached to this letter.

**Please note:**

1. As stated in Penal Code § 933.05(a), attached, you are required to "Agree" or "Disagree" with the applicable Finding: 1. If you disagree, in whole or part, you must include an explanation of the reasons you disagree.
2. As stated in Penal Code § 933.05(b), attached, you are required to respond to each applicable Recommendation: 1c, 1d, and 1e with one of four possible actions.

Your comments are due to the office of the Honorable Deborah A. Ryan, Presiding Judge, Santa Clara County Superior Court, 191 North First Street, San Jose, CA 95113, no later than **Monday, September 16, 2019.**

Copies of all responses shall be placed on file with the Clerk of the Court.

Sincerely,

A handwritten signature in black ink, appearing to be 'J. Pedersen', followed by a long horizontal line.

John Pedersen  
Foreperson  
2018-2019 Civil Grand Jury

**Encl.: Inquiry into the Governance of the Valley Transportation Authority**

## California Statutes Annotated - 2018

West's Annotated California Codes

Penal Code (Refs & Annos)

Part 2. Of Criminal Procedure (Refs & Annos)

Title 4. Grand Jury Proceedings (Refs & Annos)

Chapter 3. Powers and Duties of Grand Jury (Refs & Annos)

Article 2. Investigation of County, City, and District Affairs (Refs & Annos)

West's Ann.Cal.Penal Code § 933.05

§ 933.05. Responses to findings

Currentness

(a) For purposes of subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:

(1) The respondent agrees with the finding.

(2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.

(b) For purposes of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:

(1) The recommendation has been implemented, with a summary regarding the implemented action.

(2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.

(3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.

(4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

(c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall

respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decisionmaking authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

(d) A grand jury may request a subject person or entity to come before the grand jury for the purpose of reading and discussing the findings of the grand jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.

(e) During an investigation, the grand jury shall meet with the subject of that investigation regarding the investigation, unless the court, either on its own determination or upon request of the foreperson of the grand jury, determines that such a meeting would be detrimental.

(f) A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.

#### **Credits**

(Added by Stats.1996, c. 1170 (S.B.1457), § 1. Amended by Stats.1997, c. 443 (A.B.829), § 5.)

#### **HISTORICAL AND STATUTORY NOTES**

##### **2008 Main Volume**

Stats.1997, c. 443 (A.B.829), in subds. (a) and (b), in the introductory paragraphs, substituted "(b)" for "(c)"; in subd. (b)(3), substituted "head" for "director"; in subd. (c), inserted "agency or" throughout; inserted subd. (e), relating to investigations and meetings with the grand jury; and, in subd. (f), substituted "presiding" for "supervising".

#### **CROSS REFERENCES**

Grand jury defined, see Penal Code § 888.

Words and phrases, "county", see Penal Code § 691.

#### **RESEARCH REFERENCES**

##### **Encyclopedias**

Cal. Jur. 3d Criminal Law: Pretrial Proceedings § 716, Recommendations and Reporting.

Cal. Jur. 3d Criminal Law: Pretrial Proceedings § 717, Responses to Findings.

##### **Treatises and Practice Aids**

Witkin, California Criminal Law 4th Introduction to Criminal Procedure § 43, Reports.

West's Ann. Cal. Penal Code § 933.05, CA PENAL § 933.05

Current with all 2017 Reg.Sess. laws.

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