



## Agenda Report

20-907

Agenda Date: 12/7/2020

### REPORT TO GOVERNANCE AND ETHICS COMMITTEE

#### SUBJECT

Review Reinstatement of International Exchange Commission (IEC) for Possible Recommendation to the City Council

#### BACKGROUND

At the January 2020 City Council Priority Setting Session, the City Council (Council) directed staff to evaluate the resources needed to reinstate the International Exchange Commission (IEC).

At the September 14, 2020 Governance and Ethics Committee (Committee) meeting, the Committee directed staff to move forward with reinstatement of the International Exchange Commission (IEC) in January 2021 or in early 2021.

#### DISCUSSION

Staff has outlined several considerations related to the possible reinstatement of the IEC.

##### Administrative Considerations

To reinstate the IEC, the Council would need to pass a new ordinance (Attachment 1) to reinstate the commission, including details such as number of commissioners, powers, functions, and duties. Additionally, Section 2.120.140 ("Cultural Commission") of the Santa Clara City Code (Attachment 2) would need to be amended to remove certain functions from the Cultural Commission.

Below are the current duties assigned to the Cultural Commission. The bolded items below were originally functions of the IEC. If approved, the proposed ordinance will charge the IEC with the bolded powers, functions, and duties and remove them from the Cultural Commission:

- **Act in an advisory capacity to the City Council in all matters pertaining to cultural enrichment and beautification of the City, sister city relationships and international exchanges.**
- Encourage the beautification of the City and programs for the cultural enrichment of the City
- Foster cultural events, activities and displays that celebrate the City's native and historic cultures and present diversity
- **Assist in the planning and supervision of international exchange activities with our sister communities, sharing friendship, skills and concerns**
- Develop individual contacts designed to enhance international communication and understanding
- **Encourage educational, cultural, sports, technical and governmental exchanges to help acquaint citizens of Santa Clara with cultural and political diversity abroad.**
- Perform other such duties and exercise such powers as the City Council may impose or require.

These changes will need to be communicated to the Cultural Commission.

#### Staff Capacity Considerations

The City currently has 10 Boards and Commissions, including the recently formed Task Force on Diversity, Equity, and Inclusion. This number does not include the outside regional agencies, boards, or committees that the City participates in to advocate regionally for its interests. Therefore, reinstatement of the IEC will naturally have an impact on current staff capacity, which has also been recently reduced by the elimination of 450 as-needed employees and a COVID-19 induced hiring freeze.

This Commission would be a city commission and require an application and appointment process. It would also be added to the rotation of joint dinners with City Council.

Once established, the IEC will need a staff liaison and assignment of dedicated staff resources. The Commission would likely be supported by the Mayor and Council Offices as well as the City Manager's Office, and the staff person/s assigned would likely be the Staff Analyst and the Assistant to the City Manager currently responsible for the coordination of the Santa Clara Sister Cities program, the new Taskforce on Diversity, Equity and Inclusion as well as support for other Council Committees. This new assignment will reduce staff's capacity to address administrative support needs for the Mayor and Council Office and will require sustaining current support needs for the Governance and Ethics Committee, Economic Development, Communications and Marketing Committee, and the Task Force on Diversity, Equity, and Inclusion. It will also have an impact on updating the City Council Policy Manual.

The potential addition of this new assignment will add to the items the Assistant to the City Manager oversees and will reduce the amount of time spent on the City's economic response to COVID-19 and implementing certain City Council priorities including the Worker Cooperative initiative and tracking and managing the Related Santa Clara staffing costs and third party consultant costs.

As capacity is finite, it is important for the Council to consider how to use its valuable resources in the context of COVID-19 priorities, reduced resources, and other operational needs. In light of COVID-19 restrictions at a national, state, and local level, it may be reasonable to postpone implementation of implementing the IEC until travel and cultural exchange events are restored.

#### Financial Considerations:

The City Manager's Office currently budgets for the following items related to the Sister Cities program:

1. Annual National Sister Cities Association membership (\$1,030.00);
2. Annual Santa Clara Sister Cities Association grant (\$5,659.00).

The Mayor and Council Offices Division currently budgets for the following items related to the Sister Cities program:

1. Official travel to one Sister City for two representatives (\$4,200.00)

These three costs could be assigned to the IEC or remain in the City Manager's Office and Mayor

and Council Offices budgets. The costs associated with hosting international delegations, staff liaison costs and potential travel costs for City staff are not currently budgeted.

For reference, the City recently hosted a delegation from Icheon, South Korea for the signing of a Friendship City Memorandum of Understanding. The cost associated with this delegation visit, which was not an official sister city visit, was approximately \$2,000, not including staff overtime. Had this been an official Sister City visit, the cost would likely be higher due to additional hosted events and gifts. The City, on average, hosts two to three delegations per year.

The Staff Analyst position is an hourly position. This means the City will incur overtime costs for this employee to staff the IEC meetings, as they will likely occur outside normal business hours. The estimated overtime cost is \$225 per meeting, or \$2,700 annually assuming one meeting per month.

On occasion the City will send representatives to our Sister Cities for official visits. A recent trip to Izumo, Japan by one representative had a total cost of \$4,126.69.

### **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(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

### **FISCAL IMPACT**

The total projected budget need for the IEC is \$19,589. This cost assumes the \$6,689 currently carried in the CMO budget and the \$4,200 carried in the Mayor and Council Offices is reallocated to the IEC. The breakdown is below:

- Sister Cities International Annual Membership: \$1,030
- Annual Santa Clara Sister Cities Association grant: \$5,659
- Annual Staff Costs for IEC monthly meetings: \$2,700
- Hosting Incoming Delegations (3 per year): \$6,000
- Official travel to one Sister City for two representatives: \$4,200

A total of \$10,889.00 is currently budgeted so implementation of this initiative would require the allocation of approximately \$8,700.00 from the general fund.

### **COORDINATION**

This report was coordinated with the City Attorney’s Office.

### **PUBLIC CONTACT**

Public contact was made by posting the Governance and Ethics Committee 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 at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special 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) Approve that the ordinance to repeal Ordinance No. 1908
- (2) Reinstate the International Exchange Commission be forwarded to the full City Council for consideration, with the postponement of IEC meetings until COVID-19 travel and event restrictions are lifted and can safely be planned.

Reviewed by: Nadine Nader, Assistant City Manager

Approved by: Deanna J. Santana, City Manager

**ATTACHMENTS**

1. Ordinance to Repeal Ordinance No. 1908, Reinstate International Exchange Commission, and Amend Cultural Commission Powers, Functions, and Duties
2. Santa Clara City Code - Section 2.120.140 ("Cultural Commission")

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF SANTA CLARA, CALIFORNIA, AMENDING SECTION 2.120.010 ("NAMES, MEMBERSHIP, QUALIFICATIONS, AND TERMS OF OFFICE"), AMENDING SECTION 2.120.140 ("CULTURAL COMMISSION"), AND ADDING A NEW SECTION SCCC 2.120.150 ("INTERNATIONAL EXCHANGE COMMISSION") TO CHAPTER 2.120 ("BOARDS AND COMMISSIONS") OF TITLE 2 ("ADMINISTRATION AND PERSONNEL") OF "THE CODE OF THE CITY OF SANTA CLARA, CALIFORNIA"**

**BE IT ORDAINED BY THE CITY OF SANTA CLARA AS FOLLOWS:**

**WHEREAS**, at the 2020 City Council Priority Setting Session, the Santa Clara City Council directed staff to evaluate the resources needed in reinstate the International Exchange Commission to the City of Santa Clara's (City) boards and commissions;

**WHEREAS**, at the September 14, 2020 Governance and Ethics Committee (Committee) meeting, the Committee directed staff to move forward with the reinstatement of the International Exchange Commission;

**WHEREAS**, some of the functions of the International Exchange Commission were previously assigned to the Cultural Commission and, currently, there is no provision in the City Code for the International Exchange Commission; and

**WHEREAS**, in order to reinstate the International Exchange Commission and clearly delineate its responsibilities as separate from those of the Cultural Commission, Chapter 2.120 ("Boards and Commissions") of "The Code of the City of Santa Clara, California" should be amended to reinstate the International Exchange Commission and amend the roles and responsibilities of the Cultural Commission.

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

**SECTION 1:** That Section 2.120.010 (entitled "Names, membership, qualifications and terms of office") of Chapter 2.120 (entitled "Boards and Commissions") of Title 2 (entitled "Administration and Personnel") of "The Code of the City of Santa Clara, California" ("SCCC") is amended to read as follows:

**“2.120.010 Names, membership, qualifications and terms of office.**

There shall be and there is established within the City the following boards and commissions:

- (a) Planning Commission. (SCCC 2.120.050)
- (b) Parks and Recreation Commission. (SCCC 2.120.060)
- (c) Civil Service Commission. (SCCC 2.120.070)
- (d) Board of Library Trustees. (SCCC 2.120.080)
- (e) Historical and Landmarks Commission. (SCCC 2.120.100)
- (f) Senior Advisory Commission. (SCCC 2.120.110)
- (g) Youth Commission. (SCCC 2.120.130)
- (h) Cultural Commission. (SCCC 2.120.140)
- (i) International Exchange Commission (SCCC 2.120.150)”

**SECTION 2:** That Section 2.120.140 (entitled "Cultural Commission") of Chapter 2.120 (entitled "Boards and Commissions") of Title 2 (entitled "Administration and Personnel") of "The Code of the City of Santa Clara, California" is hereby amended to read as follows:

**“2.120.140 Cultural Commission.**

The Cultural Commission shall consist of seven members, who shall not hold any paid office or employment in the City government and shall have the following powers, functions, and duties:

(a) Act in advisory capacity to the City Council in all matters pertaining to cultural enrichment and beautification of the City.

(b) Encourage the beautification of the City and programs for the cultural enrichment of the City.

(c) Foster cultural events, activities, and displays that celebrate the City's native and historic cultures and present diversity.

(d) Perform other such duties and exercise such powers as the City Council may impose or require.”

**SECTION 3:** That Section 2.120.150 (entitled "International Exchange Commission") is added to Chapter 2.120 (entitled "Boards and Commissions") of Title 2 (entitled "Administration and Personnel") of "The Code of the City of Santa Clara, California," to read as follows:

**“2.120.150 International Exchange Commission.**

The International Exchange Commission shall consist of seven members, who shall not hold any paid office or employment in the City government and shall have the following powers, functions, and duties:

(a) Act in advisory capacity to the City Council in all matters pertaining to sister city relationships and international exchanges.

(b) Assist in the planning and supervision of international exchange activities with our sister cities sharing friendship, skills, and concerns.

(c) Develop people-to-people contacts designed to enhance international communication and understanding.

(d) Encourage educational, cultural, sports, technical and governmental

exchanges to help acquaint citizens of Santa Clara with cultural and political diversity abroad.

(e) Perform other such duties and exercise such powers as the City Council may impose or require.”

**SECTION 4: Ordinances Repealed.** With exception of the provisions protected by the savings clause, all ordinances (or parts of ordinances) in conflict with or inconsistent with this ordinance are hereby repealed.

**SECTION 5: Savings clause.** The changes provided for in this ordinance shall not affect any offense or act committed or done or any penalty or forfeiture incurred or any right established or accruing before the effective date of this ordinance; nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to the effective date of this ordinance. All fee schedules shall remain in force until superseded by the fee schedules adopted by the City Council.

**SECTION 6: Effective date.** This ordinance shall take effect thirty (30) days after its final adoption; however, prior to its final adoption it shall be published in accordance with the requirements of Section 808 and 812 of “The Charter of the City of Santa Clara, California.”

PASSED FOR THE PURPOSE OF PUBLICATION this XX day of XXXXXX, 2020, by the following vote:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST:

\_\_\_\_\_  
NORA PIMENTEL, MMC



ASSISTANT CITY CLERK  
CITY OF SANTA CLARA

Attachments incorporated by reference: None

**2.120.140 Cultural Commission.**

The Cultural Commission shall consist of seven members, who shall not hold any paid office or employment in the City government and shall have the following powers, functions and duties:

- (a) Act in an advisory capacity to the City Council in all matters pertaining to cultural enrichment and beautification of the City, sister city relationships and international exchanges.
- (b) Encourage the beautification of the City and programs for the cultural enrichment of the City.
- (c) Foster cultural events, activities and displays that celebrate the City's native and historic cultures and present diversity.
- (d) Assist in the planning and supervision of international exchange activities with our sister communities, sharing friendship, skills and concerns.
- (e) Develop individual contacts designed to enhance international communication and understanding.
- (f) Encourage educational, cultural, sports, technical and governmental exchanges to help acquaint citizens of Santa Clara with cultural and political diversity abroad.
- (g) Perform other such duties and exercise such powers as the City Council may impose or require. (Ord. 1908 § 4, 7-16-13).