

COUNCIL POLICY MANUAL

Policy 7.3.31 Council Action on Matters Outside Its Subject Matter Jurisdiction

POLICY PURPOSE:

This policy establishes guidelines for the City Council's consideration of requests for resolutions and other expressions of Council position on matters outside the City's jurisdiction or primary municipal responsibilities. The purpose of this policy is to promote consistency and transparency in Council action and to preserve public time, resources, and deliberation for matters on which the City Council's decisions have direct and concrete consequence for the City.

POLICY STATEMENT:

The City Council supports every resident's right to communicate with all levels of government. This policy focuses Council's formal actions on issues that most directly affect Sunnyvale.

This policy clarifies and formalizes existing Council practices regarding the consideration of resolutions and expressions of Council position. It aligns with the City Council's established practice of conducting meetings as limited public forums and provides greater transparency and consistency regarding when formal Council action is appropriate.

Because more direct avenues exist for residents to communicate with other pertinent governmental agencies and representatives, the Council adopts this policy to promote efficient and responsible use of Council time and City staff resources.

By directing the Council's attention to the most locally germane issues, it is the Council's intention to improve its responsiveness to the residents of Sunnyvale in terms of swiftness, accountability, sensitivity, and focus on local issues Council has the ability to effectively address.

The basic criteria for resolutions are:

1. The primary purpose of the resolution must be to give special recognition to local issues, actions, and/or programs of value to the residents of Sunnyvale.
2. The resolution must address an item which has either civic, cultural, social, economic, philosophical, philanthropic, or educational value.
3. The resolution must be in keeping with the U.S. Constitution, the California State Constitution, the Sunnyvale City Charter, the Sunnyvale Municipal Code, the Sunnyvale Statement of Values and the various laws passed pursuant to those instruments.

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It is further the policy of the City Council not to adopt resolutions on the following matters except when those matters significantly and directly affect the governance of the City of Sunnyvale or the health, safety, or welfare of members of the Sunnyvale community, including Sunnyvale residents, visitors, and businesses. When the City Council does take a position on any such matters, the resolution should focus on local impacts, problems, and concerns.

1. The foreign policy or foreign relations of the federal government.
2. The actions or policies of foreign states or powers.
3. Acts and omissions of the Legislative, Executive, and Judicial branches of the federal government, the state of California, and other nations, cities, states, and political subdivisions.

Resolutions meeting the criteria established in this policy may be agendized consistent with Council Policy 7.3.19. The City Manager in consultation with the City Attorney, shall advise whether proposed resolutions meet the policy criteria.

Declaratory Letters Issued by Members of the City Council

On matters that do not meet the criteria for the consideration by the Council of a resolution outlined above, or on matters beyond the City's subject matter jurisdiction, members of the City Council, including the Mayor, may individually or collectively issue a declaratory letter representing their position on the matter. This includes matters where Councilmembers or the Mayor may wish to express their personal views consistent with their First Amendment rights. Nothing in this section modifies the Mayor's role as official spokesperson for the City on matters where an official City position exists, as set forth in Council Policy 7.3.4, Council Policy 7.4.15, and Code of Ethics and Conduct for Elected and Appointed Officials.

Consistent with the Brown Act, a group of no more than three Councilmembers may:

1. Communicate with each other about issuing a declaratory letter representing their position on a matter, or
2. Issue a declaratory letter representing their position on the matter.

Declaratory letters shall not be prepared using City staff resources or on City letterhead. The declaratory letter must include express language stating that the position contained in the letter does not represent an official position of the City of Sunnyvale and only represents the position of the undersigned. The declaratory letter may, but is not required to, further clarify that the City, as a matter of policy, does not take official positions on such matters.

(Adopted: RTC 26-0259 (3/10/2026))

Lead Department: Office of the City Manager