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### **REPORT TO COUNCIL**

#### **SUBJECT**

Approve Amendments to Council Policy 7.3.19 (Council Meetings) Adding a Pilot Process for City Council Colleague Memorandums to Propose new Agenda Items

#### **BACKGROUND**

On January 12, 2021, former Councilmember Fong sponsored Study Issue OCM 21-03 (Consider the Creation of a Formal Process for City Council Colleague Memorandums). Mayor Klein along with Councilmembers Melton, Cisneros and Din cosponsored the Study Issue. The Study Issue described the purpose of a Colleagues Memorandum as an opportunity that allows Councilmembers to prepare memorandums on topics coming before the Council or on any matter within Council's subject matter jurisdiction.

On January 4, 2022, following study sessions on September 14 and October 26, 2021, the City Council added a pilot process for City Council Colleague Memorandums to propose new agenda items (RTC No. 22-0019). The pilot included a January 1, 2023 sunset and direction for a report to review the policy modification 11-months from its approval.

On December 6, 2022, the City Council took action and removed the process for City Council Colleague Memorandums from the Council Policy (RTC No. 22-0035).

On April 4, 2023, (RTC No. 23-0493) the City Council directed staff to reinstate a pilot process for City Council Colleague Memorandums with the following changes:

1. Include language prominently stating where Colleague Memorandums are to be submitted;
2. Include that Colleague Memorandums are not to be shared with Councilmembers outside of the group of Councilmembers who authored a specific Memorandum;
3. A January 31, 2024 sunset;
4. No definitive timeline to when Colleague Memorandums will appear on a Council meeting agenda; and
5. Requirement for the City Manager to review and approve the Colleague Memorandums consistent with this policy and the Ralph M. Brown Act (open meetings law) or provide feedback to the authors.

#### **EXISTING POLICY**

Council Policy 7.3.19 (Council Meetings) (Attachment 3)

## **ENVIRONMENTAL REVIEW**

The action being considered does not constitute a “project” with 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.

## **DISCUSSION**

Staff prepared a proposed pilot incorporating Council direction (Attachment 1 to the report). The proposal:

1. Requires Colleague Memorandums to be submitted to the City Manager;
2. States that Colleague Memorandums are not to be shared with Councilmembers outside of the group of Councilmembers who authored a specific Memorandum;
3. Has a January 31, 2024 sunset;
4. Has no definitive timeline for when Colleague Memorandums will appear on a Council meeting agenda; and
5. Requires the City Manager to review and approve the Colleague Memorandums.

## **FISCAL IMPACT**

The amendments to Council Policy (7.3.19 Council Meetings) do not have a fiscal impact.

## **PUBLIC CONTACT**

Public contact was made by posting the Council meeting agenda on the City's official-notice bulletin board at City Hall, at the Sunnyvale Public Library and in the Department of Public Safety Lobby. In addition, the agenda and this report are available at the NOVA Workforce Services reception desk located on the first floor of City Hall at 456 W. Olive Avenue (during normal business hours), and on the City's website.

## **STAFF RECOMMENDATION**

Approve amendments to Council Policy 7.3.19 (Council Meetings) adding a pilot process for City Council Colleague Memorandums to propose new agenda items, with a January 31, 2024 sunset.

Prepared by: David Carnahan, City Clerk  
Reviewed by: Jaqui Guzmán Deputy City Manager  
Reviewed by: Teri Silva, Assistant City Manager  
Approved by: Kent Steffens, City Manager

## **ATTACHMENTS**

1. Proposed Amendments to Council Policy 7.3.19 Council Meetings shown in redline
2. Proposed Amendments to Council Policy 7.3.19 Council Meetings-clean
3. Council Policy 7.3.19 Council Meetings