



# City of Sunnyvale

## Agenda Item-No Attachments (PDF)

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### **REPORT TO COUNCIL**

#### **SUBJECT**

Review the Council Policy 7.3.19 (Council Meetings) Process for City Council Colleague Memorandums to Propose new Agenda Items and Consider Amendments to the Process and/or an Extension of the Process Beyond January 1, 2023

#### **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 memoranda on topics coming before the Council or on any matter within Council's subject matter jurisdiction.

On September 14, 2021, the City Council provided feedback on this Study Issue during a Study Session. During the Study Session, councilmembers discussed whether a colleagues memorandum policy should address items already on a Council agenda or be used to add items to a future agenda. Additional discussion included concerns about Councilmembers commenting on agenda items prior to the public hearing on the item. There was general consensus for a follow up study session outlining a process for memorandums to add items to future agendas.

On October 26, 2021, the Council reviewed draft Colleagues Memorandum language for potential inclusion in Council Policy 7.3.19 (Council Meetings) during a study session. There was general consensus for adding the proposed language to Council Policy 7.3.19. Additional discussion involved treating the proposed language as a pilot amendment to the Council Policy either through scheduling a review of the language 1-year after the language is added or by including automatic removal of the language after 1-year.

On January 4, 2022, 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 this report to review of the Council Policy 11-months from its approval.

#### **EXISTING POLICY**

Council Policy 7.3.19 (Council Meetings) (Attachment 1)

#### **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**

Since the City Council Colleague Memorandums to propose new agenda items was added to Council Policy 7.3.19 on January 4, 2022, Vice Mayor Cisneros along with Councilmembers Din and Spitaleri intended to use the process on July 6, 2022 to add an agenda item to consider a potential ballot measure for gun safety measures in Sunnyvale. The request was submitted to the Mayor instead of the City Manager as outlined in Council Policy 7.3.19.

The City Council Colleague Memorandums process was not used any other times during the previous eleven months.

## **FISCAL IMPACT**

The review and potential 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 agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Public Library, Senior Center, Community Center and in the Department of Public Safety Lobby. In addition, the agenda and report are available at the Sunnyvale Public Library, Office of the City Clerk, and on the City's website.

## **ALTERNATIVES**

1. Amend Council Policy 7.3.19 (Council Meetings) to make the process for City Council Colleague Memorandums to propose new agenda items permanent.
2. Amend Council Policy 7.3.19 (Council Meetings) to remove the process for City Council Colleague Memorandums to propose new agenda items.
3. Other direction as provided by Council.

## **STAFF RECOMMENDATION**

Staff makes no recommendation. This report is being presented to City Council to facilitate discussion at the public hearing and for Council to consider various options that relate to the pilot Council Colleague Memorandums process.

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

## **ATTACHMENTS**

1. Council Policy 7.3.19 (Council Meetings)