



# City of Sunnyvale

## Agenda Item-No Attachments (PDF)

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File #: 23-0493, Version: 1

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### REPORT TO COUNCIL

#### **SUBJECT**

Consider Reinstating the Pilot of the Process for City Council Colleague Memorandums to Propose new Agenda Items Previously Included in Council Policy 7.3.19 (Council Meetings)

#### **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 policy modification as a pilot amendment to the Council Policy either through scheduling a review of the policy 1-year after the revision was made or by including an automatic removal of the language that was included in the policy to allow for Colleague Memorandums 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 a report to review of the policy modification 11-months from its approval.

On July 6, 2022, Vice Mayor Cisneros along with Councilmembers Din and Spitaleri intended to use the process 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 the process. The process was not used any other times during the previous pilot.

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).

## **EXISTING POLICY**

Council Policy 7.3.19 (Council Meetings) (Attachment 2)

## **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**

The City Council Colleague Memorandums process to propose new agenda items previously included in Council Policy 7.3.19 (Council Meetings) may be of interest to the current City Council which includes Councilmembers Mehlinger, Srinivasan and Sell who joined Council on January 3, 2023 following the November 8, 2022 Election.

## **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 reinstate the pilot process for City Council Colleague Memorandums to propose new agenda items.
2. Amend Council Policy 7.3.19 (Council Meetings) to add a permanent 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 at the Mayor's request to facilitate discussion at the public hearing and for Council to consider various options that relate to the possible reinstatement of a 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) - 2022 Version
2. Council Policy 7.3.19 (Council Meetings) - Current Version