



Agenda Report

21-586

Agenda Date: 5/4/2021

REPORT TO COUNCIL

SUBJECT

Action on a Written Petition (Council Policy 030) Submitted by Councilmember Hardy Requesting a Discussion on Council Policy 047 (Admonition and Censure)

COUNCIL PILLAR

Enhance Community Engagement and Transparency

BACKGROUND

Council Policy 030 - Adding an Item on the Agenda (Attachment 1) sets forth the procedure for written petitions. Members of the City Council shall use the Council Item Request Form to submit a written request for inclusion of an item on a future City Council agenda. Per the policy, the written request will be submitted on the agenda, in the form substantially provided by the requestor without any staff analysis, including fiscal review, legal review and policy review. If a simple majority of the City Council supports further study of the request, then a full staff analysis shall be prepared within thirty (30) days, unless otherwise directed by the City Council.

DISCUSSION

The City Clerk's Office has received a Written Petition for Council consideration from Councilmember Hardy dated April 8, 2021 (Attachment 2) for censure of Councilmember Kathy Watanabe.

Council Policy 047 (Attachment 3) provides the process for seeking admonition or censure the Mayor and City Council. The Council may request a formal censure action be placed on a Council agenda. The City Clerk shall provide notice of the possible censure to the Councilmember who is the subject of the action. The notice shall contain the specific charges on which the proposed censure is based and the date and time that the matter will be heard. Upon hearing the testimony, the Council may take action by resolution setting forth its findings and stating the terms of the censure.

The requested action is only to place the item on a future agenda for discussion by the full Council, at which time the requirements for Council Policy 047 can be addressed by Councilmember Hardy.

FISCAL IMPACT

There is no fiscal impact other than administrative staff time.

PUBLIC CONTACT

Public contact was made by posting the Council 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>>.

ALTERNATIVES

1. Direct staff to agendize.
2. Note and file this report and take no further action.
3. Any other alternative as approved by Council.

RECOMMENDATION

Staff has no recommendation and is seeking Council direction.

Reviewed by: Nora Pimentel, Assistant City Clerk

Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Council Policy 030 - Adding an Item on the Agenda
2. Written Petition dated April 8, 2021 from Councilmember Hardy
3. Council Policy 047 - Admonition and Censure Policy