



## Agenda Report

21-1492

Agenda Date: 10/19/2021

### REPORT TO COUNCIL

#### SUBJECT

Action on Written Petition (Council Petition 030) Submitted by Councilmember Becker Requesting to Place an Agenda Item at a Future Council Meeting for Discussion to Propose an Ordinance to make it a Crime to Promote or Encourage Sideshows on Social Media

#### 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 received a Written Petition for Council consideration from Councilmember Becker dated October 11, 2021 to propose an ordinance to make it a crime to promote or encourage sideshows on social media. Violators can be charged with a misdemeanor and face fines of up to \$1,000, six months in jail or some combinations of two, if individuals promote, instigate, or encourage any such events online.

#### 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) <<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 seeks 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 October 11, 2021 from Councilmember Becker