



Agenda Report

20-149

Agenda Date: 2/11/2020

REPORT TO COUNCIL

SUBJECT

Action on Amended Council Policy 030 Entitled “Adding an Item on the Agenda” [Council Pillar: Enhance Community Engagement and Transparency]

BACKGROUND

At the October 24, 2019 Governance and Ethics Committee (Committee) meeting, the Committee reviewed Council Policy 030 (Policy) (Attachment 1) entitled “Adding an Item on the Agenda” and discussed potentially updating the Policy. During the discussion, the Committee asked for clarification on whether the City Council (Council) could refer an item to a future Council meeting by Council consensus or by a majority vote of the Council. The Committee directed the City Attorney report back on the definition of “Council consensus” and what action the Council can take by “Council consensus” versus by a majority vote of the Council. The Committee meeting minutes are included with this report as Attachment 2.

At the November 21, 2019 Committee meeting, staff brought forward the attached report (Attachment 3) on how the Council may take action to place matters on a future agenda. This report was continued to the December 3, 2019 Council meeting.

At the December 3, 2019 Council meeting, the Council directed staff to update the Policy to reflect that, the Council will take action by a majority vote of the Council versus by Council consensus, for an item to be referred to the City Manager for inclusion on an agenda.

DISCUSSION

Following Council’s direction at the December 3, 2019 Council meeting, staff has updated the Policy and is bringing forward a resolution to adopt the amended version of the Policy. The redline and clean versions of the Policy are included with this report as Attachments 4 and 5.

The purpose of the amended Policy is to clearly state the Council must take action by a majority vote for an item to be referred to a future Council meeting, as well as to outline the procedure for requests from the Council, referrals from Council Committees, and written petitions. Therefore, staff recommends the Council adopt a resolution (Attachment 6) amending Council Policy 030.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a “project” within the meaning of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

FISCAL IMPACT

There is no fiscal impact to the City other than administrative staff time.

COORDINATION

This report was coordinated with the City Attorney's Office.

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>> or at the public information desk at any City of Santa Clara public library.

RECOMMENDATION

Adopt a Resolution amending Council Policy 030 Adding an Item on the Agenda.

Reviewed by: Genevieve Yip, Staff Analyst I

Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Council Policy 030
2. October 24, 2019 Governance and Ethics Committee Meeting Minutes
3. RTC 19-1321
4. Amended Council Policy 030 Adding an Item on the Agenda (Redline)
5. Amended Council Policy 030 Adding an Item on the Agenda (Clean)
6. Resolution to Amend Council Policy 030 Adding an Item on the Agenda