



## Agenda Report

19-993

Agenda Date: 10/24/2019

### REPORT TO GOVERNANCE AND ETHICS COMMITTEE

#### SUBJECT

Review of Current Council Referral Policy (Council Policy 030)

#### BACKGROUND

At the September 12, 2016 Governance Committee meeting, the Committee unanimously approved a draft policy entitled, "Adding an Item on the Agenda," which, if approved, would supersede the former policy entitled, "Written Petitions to Address the City Council."

At the September 27, 2016 City Council meeting, the Council adopted the amended version of Council Policy 030 (Attachment 1) entitled "Adding an Item on the Agenda."

The purpose of amending the policy was to establish a clear and effective process for members of the City Council and the public to have items, within the jurisdiction of the City Council, placed on the Council agenda for consideration. Council Policy 030 (Policy) is inclusive of requests from members of the City Council, referrals from Council Committees, items referred during a Council meeting, written petitions, and public presentations.

At the September 5, 2019 Council Session on Governance, the City Council discussed the Policy and how it pertains to referrals from City Council. They referred review of the Policy to the Governance and Ethics Committee.

#### DISCUSSION

##### **Council Policy 030**

The current Policy includes the following direction regarding referrals:

- Referral from a Council Committee
  1. Council Committees may submit a written request to the City Manager's Office for inclusion of an item on a City Council agenda, provided the request is received two (2) days prior to the public release of the agenda packet.
  2. Council Committees may bring forward a recommendation to the full City Council by way of the Committee Minutes, which are typically prepared within three weeks following the Committee meeting.
- Items Referred During a Council Meeting:
  1. By Council consensus, an item may be referred to the City Manager for inclusion on a City Council agenda. If the request requires further study of the item from staff, a full analysis shall be prepared at the direction of the City Manager with at least thirty (30) calendar days prior to the meeting, unless otherwise directed by the City Council. If the request requires more than thirty (30) calendar days to prepare, status updates will be provided to the Council every sixty (60) days as an informational memo.

**Current Council Referral Process**

In December 2017, the City Manager's Office began tracking referrals from City Council meetings to better manage requests for action or information. The City Council and Stadium Authority Staff Referral Log (Log) is still active and now includes referrals from committees, special meetings, study sessions, City Council meetings, Stadium Authority meetings, etc. Starting at the April 9, 2019 City Council meeting, the City Manager's Office began including the Log as part of the agenda for regular City Council meetings (Attachment 2). In November 2019, staff is also going to begin including the Closed/Completed referrals as noted in Attachment 3.

After Referrals are placed on the log, staff works to close the referrals in various ways, including via:

- Returning to a Council Meeting as appropriate
- Closure through reporting back to a Council Committee
- Reporting out through the City Manager's Biweekly Report
- Community letter
- Council Priority Setting Session
- Information Report

**Additional Considerations**

If there is interest in updating the Policy, the Committee may want to consider the following options:

- Evaluation of staff time required to complete referrals before referring an item
- Introduction of a staff time threshold, e.g. if a referral requires more than five hours of staff time, a workload assessment will be developed for full Council approval
- Council consensus for items that require over a certain amount of time or for items to be added to the referral list
- Regular review of Log to add/remove items by Council consensus

**ENVIRONMENTAL REVIEW**

This is an information report only and no action is being taken by the City Council and no environmental review under the California Environmental Quality Act ("CEQA") is required.

**FISCAL IMPACT**

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

**PUBLIC CONTACT**

Public contact was made by posting the Governance and Ethics Committee 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.

Reviewed by: Nadine Nader, Assistant City Manager

Approved by: Deanna J. Santana, City Manager

**ATTACHMENTS**

1. Council Policy 030
2. City Council and Stadium Authority Staff Referral Log as of 10/1/2019

3. City Council and Stadium Authority Staff Referral Log - Completed Items as of 10/1/2019