~~Policy 7.4.2 Council Equipment, Materials, and Supplies~~

~~POLICY PURPOSE:~~

~~It is the purpose of this policy to establish guidelines and standards regarding the provision of supplies and materials for Councilmembers.~~

~~POLICY STATEMENT:~~

~~I. Certain supplies and materials are required by Councilmembers to discharge their functions. The City Manager shall make available to Councilmembers the following materials and supplies when requested, which shall be used predominantly for City business and only incidentally for personal use:~~

~~A. The means to access City Hall, both the Office of the City Manager administrative suite as well as the Council conference room.~~

~~B. One file cabinet (upon request) per four-year term to be returned to, or purchased from, the City at market rate when a Councilmember leaves office.~~

~~C. Customary office supplies and business cards for official City use. Individual Councilmembers shall have the choice of business cards from a set of standard City options. Councilmembers shall not use business cards that do not reflect their official position or title (i.e., Mayor, Vice Mayor, or Councilmember) at the time of use.~~

~~D. A technology allowance in the amount of $1,720 per Councilmember per four-year term for the purchase of equipment including, but not limited to, a personal computer; printer; laptop; fax; or mobile electronic device, such as a cell phone, tablet, or notepad. Equipment purchased with this allowance shall be consistent with standard City issue, or approved by the Director of Information Technology, and shall be returned to or purchased from the City at market rate when a Councilmember leaves office. An amount not to exceed $79 per month (non-taxable) shall be reimbursed for monthly service charges for equipment purchased under this policy.~~

~~1. Commencing on January 1, 2022, and annually on January 1 thereafter, the technology allowance and monthly service charge reimbursement shall increase by a percentage equal to the percentage increase in the preceding October's twelve-month rolling average of the Consumer Price Index-Urban (CPI-U), or successor index, for San Francisco-Oakland-San Jose, as determined by the United States Department of Labor, Bureau of Consumers. The CPI-U base index year shall be calendar year 2021.~~

~~CPI-U Adjusted Amounts~~

~~Year~~	~~Technology Allowance~~	~~Service Charge Reimbursement~~
~~2021~~	~~$1,720~~	~~$79~~

~~2. Public Records Act and Brown Act issues are associated with the use of these types of equipment. To the extent the equipment is used for the performance of official City business, much of the data contained in the equipment is public property and considered a public record, therefore subject to all Public Records Act and Brown Act policies.~~

~~E. Newly-elected and incumbent Councilmembers shall receive one City logo branded piece of clothing per Council term year, style to be chosen by individual Councilmembers from standard choices available. Newly-elected Councilmembers will receive their first piece of clothing in the first quarter following the certification of election results. In the first quarter of the calendar year, a request for style preference will be sent to newly-elected and incumbent Councilmembers from the Executive Assistant to the City Council in preparation of ordering shirts for the next calendar year.~~

~~F. Newly-elected Councilmembers, or Councilmembers who have changed titles after a Council election, shall receive a City name badge reflecting their new title.~~

~~G. Technical Support. Technical support to maintain and facilitate the use of equipment is limited to official duties. Support will only be provided for equipment purchased in accordance with section I.D. of this policy, and only at the same level as is provided to City employees. Councilmembers must bring equipment to City facilities for repair or on-site maintenance. The Executive Assistant to Council coordinates the transport and return of equipment to be serviced by IT staff.~~

~~(Adopted: Council Policy Update, RTC #14-0061 (November 25, 2014); Amended RTC #15-0317 (April 7, 2015); RTC #21-0099 (January 12, 2021))~~

~~Lead Department: Office of the City Manager~~

~~For reference, see also:~~

- ~~Council Policy Manual 7.4.1, Section II, *Implementation*~~
- ~~Council Policy Manual 7.4.11, *Council Files*~~
- ~~City Charter, Section 807, *Prohibition Against Councilmanic Interference*~~
- ~~Code of Ethics and Conduct for Elected Officials~~

~~Policy 7.4.3 Meetings: Scheduling and Use of City Facilities~~

~~POLICY PURPOSE:~~

~~It is the purpose of this policy to establish guidelines and standards regarding the support to Council for the scheduling of meetings.~~

~~POLICY STATEMENT:~~

~~I. Meetings: Scheduling and Use of City Facilities.~~
~~The Executive Assistant shall provide assistance to Councilmembers in making arrangements for meetings held in City facilities. Normal scheduling methods shall be used. This provision does not apply to regular or special City Council meetings (which are coordinated through the City Clerk's Office). Neither Councilmembers or City staff shall use any City resources for political campaigns.~~

~~(Adopted: Council Policy Update, RTC #14-0061 (November 25, 2014); Amended RTC #15-0317 (April 7, 2015); Amended RTC #22-0704 (July 26, 2022))~~

~~Lead Department: Office of the City Manager~~

~~For reference, see also:~~

- ~~Tentative Council Meeting Agenda Calendar (TCMAC)~~
- ~~Council Policy Manual 7.4.1, Section II, *Implementation*~~
- ~~City Charter, Section 807, *Prohibition Against Councilmanic Interference*~~
- ~~Code of Ethics and Conduct for Elected Officials~~

~~Policy 7.4.5 Ceremonial Events~~

~~POLICY PURPOSE:~~

~~It is the purpose of this policy to establish guidelines and standards regarding ceremonial events.~~

~~POLICY STATEMENT:~~

~~I. Requests for a City representative at ceremonial events will be handled by City staff.~~

~~A. The Mayor will serve as the designated City representative. If the Mayor is unavailable, then City staff will determine whether event organizers would like another representative from the Council. If yes, then the Mayor will recommend which Councilmember should be asked to serve as a substitute.~~

~~B. Invitations received at City Hall are presumed to be for official City representation. Invitations addressed to Councilmembers at their homes are presumed to be for unofficial, personal consideration.~~

~~(Adopted: Council Policy Update, RTC #14-0061 (November 25, 2014))~~

~~Lead Department: Office of the City Manager~~

~~For reference, see also:~~

- ~~7.4.3, *Council Activity Calendar*~~
- ~~7.4.6, *Council Announcements and Speeches*~~
- ~~City Charter, Section 807~~
- ~~Code of Ethics and Conduct for Elected Officials~~

~~Policy 7.4.6 Council Announcements and Speeches~~

~~POLICY PURPOSE:~~

~~It is the purpose of this policy to establish guidelines and standards regarding the preparation of Council announcements and speeches.~~

~~POLICY STATEMENT:~~

~~Council Announcements. The Executive Assistant to the City Council coordinates the preparation and scheduling of Council Announcements. Advanced copies shall be provided to the Mayor, Assistant City Manager, the reading Councilmember, and the Clerk.~~

~~Speeches~~

~~A. Council-Initiated Speeches. Councilmembers are entitled to staff assistance for speech preparation for apolitical, City-related events and programs or to support Council-approved actions or advocacy positions. Such assistance shall be requested of the City Manager for purposes of assigning appropriate staff assistance. Requests should be made at least two weeks in advance of the presentation. An outline of issues to be covered as well as available supporting material is to be provided by the requesting Councilmember. A draft of the speech will be provided to the Councilmember for final review at least three days prior to the presentation.~~

~~B. Department-Initiated Speeches. Departments initiating the preparation of speeches for Councilmembers shall first obtain direction and approval from the City Manager. Departments shall either prepare such speeches themselves, or submit a request to the Communications Office at least two weeks prior to the scheduled presentation.~~

~~(Adopted: Council Policy Update, RTC #14-0061 (November 25, 2014))~~

~~Lead Department: Office of the City Manager~~

~~For reference, see also:~~

- ~~7.4.14, *Legislative Advocacy Positions*~~
- ~~7.4.15, *Council Advocacy*~~
- ~~City Charter, Section 807~~
- ~~Code of Ethics and Conduct for Elected Officials~~

~~Policy 7.4.7 Council Correspondence~~

~~POLICY PURPOSE:~~

~~It is the purpose of this policy to establish guidelines and standards regarding the preparation, signature authorization, and limitations pertaining to Council correspondence.~~

~~POLICY STATEMENT:~~

~~I. Preparation of correspondence relating to official City business will be provided upon request within the resource restraints of the adopted budget.~~

~~II. Correspondence Preparation~~

~~A. The Mayor or his/her designee shall sign all correspondence on behalf of the entire Council. All correspondence in which the City takes a position on a piece of legislation or issue shall be signed by the Mayor with a copy placed in the Mayor's Correspondence File (accessible to all public and Councilmembers for review). Before routing to the Mayor for signature, all correspondence in which the City takes a position on a piece of legislation or issue must be approved by the department Director. City Manager approval is required in cases when it is unclear if an official City policy supports performing advocacy. The originating department Director, City Manager and OCM IGR Liaison shall be copied on all IGR-related correspondence.~~

~~All correspondence conveying thanks or appreciation on behalf of the entire City Council shall be signed by the Mayor. This does not preclude individual Councilmembers from creating their own personal correspondence. However, a Councilmember may not request nor use City resources in the preparation of personal correspondence or correspondence in support or pursuit of political office, either for themselves or for someone else.~~

~~B. Staff will not prepare correspondence representing a Councilmember's personal point of view or a dissenting point of view from an official City policy or Council position. If Councilmembers use their title, position, or City letterhead to express a personal opinion, the official City position must be stated clearly so the audience understands the difference between the official City position and the viewpoint of the Councilmember. (See Code of Conduct for Elected Officials for more information). A copy of any and all correspondence developed by or for a Councilmember on City letterhead shall be provided to the Office of the City Manager for filing.~~

~~C. The City Manager is responsible for assigning appropriate staff to assist the City Council in the preparation of correspondence. Assigned staff prepares correspondence for signature and submits it to the Executive Assistant to the Mayor and Council for coordination of the Mayor/Councilmember's signature. Unless the Mayor/Councilmember determines that revision(s) to the document are required, signed correspondence is returned by the Executive Assistant to the preparer for mailing, distribution, and filing with their department. Copies of all correspondence signed by the~~

~~Mayor or Council are maintained in the Council Files by the Executive Assistant and are open to public inspection during normal business hours.~~

~~(Adopted: Council Policy Update, RTC #14-0061 (November 25, 2014))~~

~~Lead Department: Office of the City Manager~~

~~For reference, see also:~~

- ~~7.4.9, Receiving and Responding to Community Member Inquiries and Concerns~~
- ~~City Charter, Section 807~~
- ~~Code of Ethics and Conduct for Elected Officials~~

~~Policy 7.4.8 Mayor and Council Mail, AnswerPoint Email, and Meeting Packets~~

~~POLICY PURPOSE:~~

~~It is the purpose of this policy to establish guidelines and standards regarding the handling and processing of Mayor and Council mail, AnswerPoint emails, and packet deliveries.~~

~~POLICY STATEMENT:~~

~~I. Mayor and Council Mail and AnswerPoint Email~~

~~A. Mayor and Council Mail. Mail for Council, unless marked confidential or personal, is opened, date stamped, and placed in Council mailboxes each business day. The Mayor shall have the option of opening his/her own mail. If he/she chooses to have staff open his/her mail, all mail not marked confidential or personal shall be opened each business day,date-stamped,, reviewed by theSenior Management Analyst or the Assistant City Manager, and delivered to the Mayor's office. Depending on the topic/issue, some mail may, at the discretion of the Senior Management Analyst or the Assistant City Manager, be copied to additional key City staff. Either originals or copies of original letters to the Mayor are retained in Council Files .~~

~~B. AnswerPoint Email. Emails from both Council and Mayor AnswerPoints are reviewed by the Executive Assistant to the City Council and forwarded to Councilmembers, copying key City staff. These emails are also copied to Council Files. (See Administrative Policy, Chapter 1, Article 17, for more information on how to respond to "Customer Inquiries and Concerns.")~~

~~II. Council Mail and Meeting Packets~~

~~A. Council Mail Packets are delivered to Councilmembers' homes on Friday mornings preceding Tuesday Council meetings. Councilmembers also receive a packet on the dais at each Tuesday night Council meeting. If there is no Council meeting on Tuesday, the Tuesday packet is held over until the Fridaydelivery, unless urgent mail items necessitate an additional delivery, as defined by the City Manager. Councilmembers may also opt to pick up their mail from City Hall rather than have it delivered.~~

~~B. Council Meeting packets/binders are also delivered to Councilmembers' homes each Friday morning preceding a Tuesday Council Meeting. If a holiday falls on aFriday, packets/binders are delivered the day before the holidayoccurs. Councilmembers may also opt to receive their meeting packets electronically.~~

~~C. With the exception of the two deliveries noted above, and/or emergencies as defined by the City Manager, Councilmembers are to deliver and retrieve their own mail and materials to and from City Hall.~~

~~D. Packet/binder deliveries occurring on holidays. If a packet delivery date occurs on a holiday, special arrangements will be made to deliver those packets/binders prior to the holiday.~~

~~(Adopted: Council Policy Update, RTC #14-0061 (November 25, 2014))~~

~~Lead Department: Office of the City Manager~~

~~For reference, see also:~~

- ~~7.4.9, *Receiving and Responding to Community Member Inquiries and Concerns*~~
- ~~Administrative Policy, Chapter 1, Article 17, *Inquiries and Concerns*~~
- ~~City Charter, Section 807~~
- ~~Code of Ethics and Conduct for Elected Officials~~

~~Policy 7.4.9 Receiving and Responding to Community Member Inquiries and Concerns~~

~~POLICY PURPOSE:~~

~~It is the purpose of this policy to establish guidelines and standards regarding City resources and support for Councilmembers. This policy is supplementary to and in no way intended to conflict with the City Charter. For further information on this subject, see:~~

- ~~City Charter, Section 807~~
- ~~Code of Ethics and Conduct for Elected Officials (available on the City's internal Web site or in the Office of the City Clerk)~~

~~POLICY STATEMENT:~~

~~I. Inquires Relating to Administrative or Operational Issues.~~

~~All non-emergency community member inquiries and concerns *dealing with the administrative or operational affairs of the City* which are received by Council (whether at home or at the City) shall be routed to the City Manager and appropriate Department Head(s) for information and follow up. Staff shall respond to the inquiry or complaint, most often in the same form it was received (i.e., letter, email, phone). Any community concern initially directed to Council shall be tracked by staff with resolution copied to the City Manager and copied to Council Files by the Executive Assistant to Council, thereby ensuring that the same information is made available for review by all members of Council.~~

~~II. Inquiries Relating to Council Policy.~~

~~All community member concerns or inquiries *dealing with Council policy* should be routed to the Mayor and Council for consideration and follow up, with a copy to the City Manager, City Attorney, and affected Department Heads. Copies of communications related to items on Council's upcoming agenda shall be included whenever possible in the agenda packets prepared for Council prior to the public hearing.~~

~~Inquiries concerning any City incident or operation shall not be answered until it is safe and practical to do so, and at such time as it will not jeopardize staff response to the incident or operation.~~

~~Staff shall make every effort to acknowledge (simply confirm receipt of) customer contacts the same day they are received. Acknowledgement of concerns received by letter shall be mailed within 3 business days.~~

~~If staff cannot respond (provide an answer) to a customer within five working days of initial contact, an interim reply shall be provided which:~~

- ~~Acknowledges receipt;~~
- ~~Briefly explains the reason a complete response cannot be provided at this time; and~~

- ~~Identifies a reasonable time frame when a response will be sent.~~

~~A complete follow-up response should not exceed ten working days from the date of initial contact.~~

~~If responding to a customer will exceed ten working days, staff shall continue to communicate with the customer, and shall continue to identify reasonable time frames when follow-up responses will be provided.~~

~~(For more detail, see Administrative Policy Manual, Chapter 1, Article 17: "Customer Inquiries and Concerns.")~~

~~III. Implementation.~~

~~The City Manager shall monitor those provisions of this policy within the City Manager's Charter responsibilities. Disagreement in interpretation shall be resolved by the City Council. The City Manager shall institute administrative policy to implement this policy. At the time a new Councilmember is seated, the Mayor and City Manager should review this policy with him/her.~~

~~Annually, the City Manager shall review the resource requirements necessary to support the level of service specified in this policy, and recommend as a part of the proposed budget necessary changes of budget resources.~~

~~(Adopted: Council Policy Update, RTC #14-0061 (November 25, 2014))~~

~~Lead Department: Office of the City Manager~~

~~For reference, see also:~~

~~Policy 7.4.10 – Council Inquiries and Requests for Information and Records~~

~~POLICY PURPOSE:~~

~~It is the purpose of this policy to establish guidelines and standards regarding City resources and support for Councilmembers. This policy is supplementary to and in no way intended to conflict with the City Charter. For further information on this subject, see:~~

- ~~City Charter, Section 807~~
- ~~Code of Ethics and Conduct for Elected Officials (available on the City's internal Web site or in the Office of the City Clerk)~~

~~POLICY STATEMENT:~~

~~I. It is recognized that Council's work cannot be fully conducted at Council meetings. It is also recognized that the City Charter places the responsibility on the City Manager to conduct the day-to-day affairs of the City consistent with established Council policy and does not permit Councilmembers to direct the activities of City staff. The following policies regarding staff assistance are established to comply with the City Charter and meet the needs of Councilmembers (see Code of Conduct and Code of Ethics for additional guidance):~~

~~A. General. Council communications with City staff should be limited to normal City business hours unless the circumstances warrant otherwise. Responses to Council questions posed outside of normal business hours should be expected no earlier than the next business day. A request for information, records, written work or analysis by City staff with support work of up to one (1) hour will be provided. Requests over one hour must be approved by the Council. The City Manager can authorize a deviation from this policy if he/she determines that the request needs to be filled before the Council next meets.~~

~~B. Routine Requests for Information and Inquiries.~~

~~1. Councilmembers may contact staff directly for information made readily available to the general public on a regular basis by City staff (e.g., "What are the library's hours of operation?") or "How does one reserve a tee time at the golf course?".~~

~~2. Under these circumstances staff shall treat the Councilmember no differently than they would the general public, and the Councilmember shall not use their elected status to secure preferential treatment. The City Manager does not need to be advised of such contacts.~~

~~3. Assistance in securing single copies of official records will be provided.~~

~~C. Non-Routine Requests for Readily Available Information. Council may also contact staff directly for easily retrievable information *not routinely requested by the general public* so long as it does not require staff to discuss the issue or express an opinion (e.g., "How many traffic lights are there in the City?" or "Under what circumstances does the City lower its flags to half mast?"). Staff shall inform the City Manager of all such Council contacts, and the City Manager shall determine whether to copy all other Councilmembers the requested information.~~

~~D. Non-routine Requests Requiring Special Effort. Any Councilmember request or inquiry that requires staff to compile information that is not readily available or easily retrievable and/or that requests staff express an opinion (legal or otherwise) must be directed to the City Manager, or to the City Attorney, as appropriate (e.g., "How many Study Issues completed over the past five years have required 500 or more hours of staff time?" or "What is the logic behind the City's sign ordinances affecting businesses along El Camino Real?"). The City Manager (or City Attorney as appropriate) shall be responsible for distributing such requests to his/her staff for follow-up. Responses to such requests shall be copied to all Councilmembers, the City Manager, the City Attorney as appropriate, and affected Department Heads. See more in Section II below.~~

~~E. Questions Regarding Reports to Council. Councilmembers should forward any questions regarding staff "Reports to Council" at least 24 hours in advance of the Council meeting for which that item is agendized. During Council meetings, any questions from Council having to do with non-agenda items shall be directed to the City Manager for follow-up.~~

~~F. Meeting Requests. Any Councilmember request for a meeting with staff must be directed to the City Manager or City Attorney, as appropriate. When in doubt about the appropriateness of a communication with staff, Councilmembers shall ask the City Manager for advice.~~

~~G. Restricted Information. Under certain circumstances, requests for information regarding operations or personnel may be legally restricted. Applicable statutes include: The Peace Officers' Procedural Bill of Rights (California Government Code Section 3300, et seq.), Confidentiality of Peace Officer Records (California Penal Code Section 832.5-7), and a number of exceptions to the California Public Records Act, defined in Government Code Section 6254. Providing information in response to such requests could violate the law, and might also violate due process rights that have been defined for employees in the State of California. Accordingly, it shall be the policy of the City of Sunnyvale to strictly comply with all applicable legal authorities governing the release of personnel information and records. See more in Section II below.~~

~~II. Section I above addresses councilmembers' request for information and records of a routine and non-routine nature and primarily addresses records which are available to the general public. Additionally, this Policy will establish Guidelines and Standards~~

~~regarding requests by the Council and individual councilmembers for City records and information which may not be available to the general public. This Policy obligates the City Manager and City Attorney to determine the appropriate labeling of the records or information and is intended for benefit of the City, staff and the community.~~

~~A. Guiding Principles.~~

~~1. The Sunnyvale City Charter provides that the Sunnyvale Municipal Government shall be conducted as a "Council-Manager" form of government and requires the Council to deal directly with the officers and employees of the City through the City Manager or City Attorney. The Charter also provides that the City Attorney shall control all legal business and proceedings and, subject to contracting requirements and budget constraints, may employ other attorneys, appraisers and other technical expert services to assist with or take charge of any litigation or matter.~~

~~2. The Council has the clear authority under the Charter to conduct an inquiry into the affairs of the City or the conduct of any department or office which the City Council authorizes with at least four (4) votes. An individual councilmember may request a vote of the Council to initiate such an inquiry.~~

~~3. While the vast majority, perhaps 95% of public records are available to the general public, some information and records are by law restricted and may not be released to the public. Some public records are maintained on a strictly "need-to-know" basis and may not be released by staff, even to the City Council. Laws governing these records often impose a legal obligation on part of City staff (e.g. personnel records, medical and health records; some tax information; police records) and also may create privileges to that privacy or non-disclosure.~~

~~4. This Policy acknowledges that some non-public records may become public records in the future. Some records such as personnel records or medical information may never lose their cloak of privacy, absent the consent by the party who possesses the privilege or protection.~~

~~5. The City Charter and principles of governance provide that the City Council can establish rules for the conduct of its business and proceedings and may sanction a person for disorderly or improper conduct at any meeting or for the disclosure or abrogation of any of the rights of the City, staff or its residents as it may be related to the right to privacy and non- disclosure of information and records.~~

~~B. Closed Session Information and Records.~~

1. ~~No person shall disclose confidential information that has been acquired by being present in a closed session to a person not entitled to receive it unless the legislative body by affirmative vote authorizes disclosure of that confidential information.~~

2. ~~This Policy hereby creates a presumption that any information, records or written materials received as part of a closed session are confidential in nature and may not be disclosed without permission of the City Attorney, the City Manager after consultation with the City Attorney, or disclosure is authorized by a majority vote of the City Council. The Council is free to request clarification of this issue while in closed session or independently with the City Attorney.~~

3. ~~All materials provided as part of a closed session including materials distributed before the closed session and those distributed in the closed session are to be returned to City staff prior to the conclusion of the closed session unless the City Attorney, the City Manager, in consultation with the City Attorney, or a majority vote of the Council authorizes retention of the materials. The authorization to retain materials does not affect the privilege of confidentiality affecting those materials, the information and/or the obligation to not disclose any of said information or materials.~~

~~C. Personnel, Medical Information and Public Safety Records.~~

1. ~~As a general rule City Council has no authority to review individual employee personnel records and/or medical information, with the exception of the personnel files and nonmedical information relating to the City Attorney or City Manager.~~

2. ~~Council has a limited privilege to review information which may be necessary in the personnel context as part of labor negotiations. If that that information is received in closed session, Section II.B of this Policy applies.~~

3. ~~Council may have access to information and records maintained by the public safety department which are accessible public records and non-confidential in nature as determined by the Chief of Public Safety in consultation with the City Attorney.~~

~~D. Attorney-Client and Work-Product Privileged Information and Records.~~

1. ~~Consistent with City Charter Section 908, while the City Attorney controls all legal business and proceedings of the City subject to contracting and budget constraints, the City Council can review with the City Attorney the handling of any matter, including litigation and shall have the right to~~

~~view contracts authorized by the City Attorney and the negotiation and payment of legal invoices.~~

~~2. Council shall exercise this right through either the supervision of individual cases as those matters come before the Council or as part of the City Attorney evaluation process.~~

~~E. Procedure for Access to Information.~~

~~1. Litigation/Legal Any individual councilmember seeking to examine individual contracts, invoices, payments or records involving confidential information or records handled by the City Attorney may request that Council conduct an inquiry as is authorized under Section 807 of the City Charter. If the inquiry arises as part of the evaluation of the City Attorney, the Mayor shall advise the City Attorney in advance of the evaluation proceeding that the Council has voted by at least four affirmative votes to inquire into one or more matters specified in this Policy. The City Attorney shall respond with sufficient information and detail as may be required by the Council.~~

~~2. If the request or inquiry is made as part of a public meeting the requesting councilmember shall state the request in the form of a motion. If the motion receives a second, the matter shall be voted on and four votes shall authorize access by the Council. The City Manager and City Attorney are directed to determine in what context the access can occur to maintain any privilege or comply with any obligation imposed on the City by law.~~

~~3. If legally permissible, a councilmember may review confidential information directly with the City Manager or City Attorney in a manner which preserves and protects the attorney-client and attorney work- product privileges of the City and is consistent with the time limitations of Section I above.~~

~~4. Attempts to access information or records in violation of this policy shall be ruled as "out of order" by the Mayor if the attempt occurs at a public meeting and reported to the Mayor if the violation occurs outside of a public meeting.~~

~~F. Limitations and Exclusions.~~

~~1. The Policy is supplementary to and in no way is intended to conflict with the City Charter or to compromise or abrogate the privileges possessed by the City including, but not limited to, the attorney-client privilege, the attorney work-product privilege, the obligations and privileges with respect to personnel records, medical information and records under HIPPA and other laws and regulations. This policy also does not impact~~

~~the City's rights and obligations under the California Public Records Act, Government Code 6254, et seq.~~

~~2. Confidential public records shall only be disclosed to staff on a need-to-know basis only as may be determined by the custodian of those records in consultation with the City Attorney.~~

~~3. If a confidential record no longer needs to be held as confidential, it shall be considered an accessible public record.~~

~~III. Implementation.~~

~~The City Manager shall monitor those provisions of this policy within the City Manager's Charter responsibilities. Disagreement in interpretation shall be resolved by the City Council. The City Manager shall institute administrative policy to implement this policy. At the time a new Councilmember is seated, the Mayor and City Manager should review this policy with him/her.~~

~~Annually, the City Manager shall review the resource requirements necessary to support the level of service specified in this policy, and recommend as a part of the proposed budget necessary changes of budget resources.~~

~~(Adopted: Council Policy Update, RTC #14-0061 (November 25, 2014))~~

~~Lead Department: Office of the City Manager~~

~~For reference, see also: 7.4.6 Council Announcements and Speeches.~~

~~Policy 7.4.11 Council Files~~

~~POLICY PURPOSE:~~

~~It is the purpose of this policy to establish guidelines and standards regarding City resources and support for Councilmembers. This policy is supplementary to and in no way intended to conflict with the City Charter. For further information on this subject, see:~~

- ~~City Charter, Section 807~~
- ~~Code of Ethics and Conduct for Elected Officials (available on the City's internal Web site or in the Office of the City Clerk)~~

~~POLICY STATEMENT:~~

~~I. The purpose of the Council Files is to provide a reference for Councilmembers and the public of written information that has been submitted to Council either by regular or electronic mail.~~

~~A. Council Files. The Council Files contain information of a general interest to the Council. The Files are maintained by the Council Executive Assistant, and all items three years or older are automatically purged from the Files. The Council Files are available for inspection to any interested person during regular business hours.~~

~~B. Mayor's Correspondence File. The purpose of the Mayor's Correspondence File is to provide a reference for Councilmembers and the public of written correspondence signed by the Mayor.~~

~~II. Implementation.~~

~~The City Manager shall monitor those provisions of this policy within the City Manager's Charter responsibilities. Disagreement in interpretation shall be resolved by the City Council. The City Manager shall institute administrative policy to implement this policy. At the time a new Councilmember is seated, the Mayor and City Manager should review this policy with him/her.~~

~~Annually, the City Manager shall review the resource requirements necessary to support the level of service specified in this policy, and recommend as a part of the proposed budget necessary changes of budget resources.~~

~~(Adopted: Council Policy Update, RTC #14-0061 (November 25, 2014))~~

~~Lead Department: Office of the City Manager~~

~~For reference, see also: 7.4.8 Council and Mayor's Mail and AnswerPoint Email; 7.4.9 Receiving and Responding to Community Member Inquiries and Concerns~~

~~Policy 7.4.13 Council Subcommittees and Council or Mayor-Created Advisory Task Forces~~

~~POLICY PURPOSE:~~

~~It is the purpose of this policy to establish guidelines and standards regarding City resources and support for Councilmembers. This policy is supplementary to and in no way intended to conflict with the City Charter. For further information on this subject, see:~~

- ~~City Charter, Section 807~~
- ~~Code of Ethics and Conduct for Elected Officials (available on the City's internal Web site or in the Office of the City Clerk)~~

~~POLICY STATEMENT:~~

~~The City Council and/or Mayor may establish Council subcommittees as stated below. Subcommittees usually comprise less than a quorum of the Council and are generally used to provide more detailed review and analysis of complex issues. Subcommittees make recommendations to the Council but cannot take formal action on behalf of the Council.~~

~~For purposes of the State's open meeting law (the "Brown Act") there are two types of council subcommittees: standing committees and ad hoc advisory committees. Under the Brown Act, "standing committees of a legislative body, irrespective of their composition, which have a continuing subject matter jurisdiction, or a meeting schedule fixed by charter, ordinance, resolution, or formal action of a legislative body" are subject to all open meeting requirements.~~

~~Ad hoc advisory committees are composed of less than a quorum of the Council and are created for a limited time for a particular purpose. Under the Brown Act, ad hoc committees are not required to comply with open meeting requirements.~~

~~I. Standing Committees.~~

~~A. All Council standing committees shall be established by the Council and the membership will be appointed by the Council.~~

~~B. Standing committees exist, with the set membership, unless and until modified by the Council.~~

~~C. Standing committees shall select their own chair. If the committee is unable to select a chair, or if the timing requires immediate action, the Council will appoint the chair.~~

~~D. Standing committees are subject to open meeting requirements. Any action to create or modify the committee must be placed as an item on the Council agenda.~~

~~II. Ad Hoc Advisory Committees.~~

~~A. The Mayor may create ad hoc committees of the Council to assist in particular matters as they arise. Members of the committee shall be appointed by the Mayor. Council may request the creation of an ad hoc committee through the Mayor.~~

~~B. Ad hoc committees have a fixed, limited assignment.~~

~~C. No more than three Councilmembers may serve on an ad hoc committee. Ad hoc committee meetings are not subject to open meeting requirements, unless the Mayor directs otherwise when they are formed. The findings and recommendations of the ad hoc committee must be presented to the entire Council at a noticed meeting.~~

~~D. Any action to create or modify the committee must be placed as an item on the Council agenda.~~

~~III. Community Member Advisory Task Forces.~~

~~There are two types of community member advisory task forces – those that are created by action of the Mayor, and those that are created by the Council.~~

~~A. Mayor Created Task Forces~~

~~From time to time the Mayor may wish to establish advisory task forces of members of the public, or so-called "blue ribbon panels," to address specific issues of the day. The task force may be composed solely of community members, but may also include Councilmembers. The Mayor may create an advisory task force at his or her discretion. So long as there are only two Councilmembers included on the task force, they are not considered "legislative bodies" within the meaning of the Brown Act and do not need to comply with open meeting requirements. (This of course does not preclude the task force from holding open and publicly noticed meetings, it simply does not require it.)~~

~~Basic principles governing these task forces are:~~

~~1. Members are appointed by the Mayor, and may include both Councilmembers (no more than two) and non-Councilmembers.~~

~~2. The advisory task force presents its findings and recommendations to the Mayor; at his or her discretion the Mayor may or may not direct that the findings and recommendations be brought forward to the Council. Any action resulting from advisory task force recommendations must be directed and approved by the Council at a noticed meeting.~~

3. ~~An advisory task force exists until its work is concluded or it is terminated by the Mayor; in all cases the term is limited to the term of the appointing Mayor.~~

4. ~~A task force chair shall be selected by the task force unless the Mayor directly appoints a person to serve as chair.~~

B. ~~Council Created Task Forces~~

~~The City Council may take action to create a temporary, community member task force to consider and advise on defined issues or topics. These commissions, created by formal action of the Council, are considered "legislative bodies" for purposes of the Brown Act, and must comply with open meeting requirements.~~

~~The following applies to these task forces:~~

1. ~~Members of the task force are appointed by the Council, or Council's designee, and may include council members (no more than three). Any action creating such a task force must be taken at a noticed meeting. The Council may choose and utilize relevant criteria for making such appointments.~~
2. ~~The findings and recommendations of the task force shall be brought forward to the Council at a noticed meeting; likewise, any action resulting from the task force recommendations must be directed and approved by Council at a noticed meeting.~~
3. ~~The task force exists until it accomplishes its mission or is otherwise terminated by the Council.~~
4. ~~The task force chair shall be selected by the task force unless the Council directly appoints a person to serve as chair.~~

IV. ~~Implementation.~~

~~The City Manager shall monitor those provisions of this policy within the City Manager's Charter responsibilities. Disagreement in interpretation shall be resolved by the City Council. The City Manager shall institute administrative policy to implement this policy. At the time a new Councilmember is seated, the Mayor and City Manager should review this policy with him/her.~~

~~Annually, the City Manager shall review the resource requirements necessary to support the level of service specified in this policy, and recommend as a part of the proposed budget necessary changes of budget resources.~~

~~(Adopted: Council Policy Update, RTC #14-0061 (November 25, 2014))~~

~~Lead Department: Office of the City Manager~~

~~For reference, see also:~~