

COUNCIL POLICY MANUAL

(d) Operational Issues

Board and commissions may serve as advisory bodies to staff regarding operational issues upon request by staff.

(II) Specific Duties

(a) Arts Commission

- i Review those portions of master plans of park or facility development or expansion which relate to the arts, for adequacy, appearance and other appropriate criteria, in an attempt to ensure good design and then make recommendations to City Council.
- ii Review and make recommendations on the Arts Sub-Element of the General Plan.
- iii Review and make recommendations regarding agreements with arts-related outside groups and recommend funding allocations.
- iv Make policy recommendations regarding the purchase of art for public buildings and for art in private development in accordance with Council Policy 6.4.3. *Art in Private Development.*
- v Study the regional and state Arts Master Plans and make recommendations to the City Council.

(b) Bicycle and Pedestrian Advisory Commission

- i Recommend priorities for bicycle and pedestrian projects for the annual TDA Article 3 funding application cycle.
- ii Participate in periodic review and revision of the Bicycle Plan and Map.
- iii Review and make recommendations on changes to the Sunnyvale Municipal Code related to bicycles and pedestrians.
- iv Review and make recommendations on Federal, State and regional policy proposals related to bicycles and pedestrians.
- v Develop recommendations on promotion of bicycling and walking as viable, sustainable means of transport.
- vi Review and make recommendations on the applicable sections of the General Plan.

(c) Board of Building Code Appeals

- i Consider and make determinations on appeals of building code decisions made by the Chief Building Official or Fire Marshal. *(Source: Sunnyvale Municipal Code Chapter 16.16.020)*
- ii Consider and make determinations on appeals of green building requirements made by the director of community development. *(Source: Sunnyvale Municipal Code Chapter 19.39)*

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- (d) Board of Library Trustees
 - i Review and make recommendations on the Library Sub-Element of the General Plan.
 - ii Assess community conditions which affect Library goals and policies.
 - iii Review and make recommendations regarding agreements with outside groups and recommend funding allocations.

- (e) Heritage Preservation Commission
 - i Act in an advisory capacity to the City Council in all matters pertaining to heritage resources, landmark sites and landmark districts. *(Source: City Charter Section 1016)*
 - ii Exercise such functions with respect to any heritage resource, landmark site or landmark district as may be prescribed by ordinance. *(Source: City Charter Section 1016)*
 - iii Decision-making authority on resource alteration permits and landmark alteration permits as well as actions to remove a heritage resource from the list of heritage resources. These decisions are final unless appealed to the City Council.
 - iv Final decision-making authority on appeals of staff decisions of minor landmark and resources alteration permits.
 - v Recommendations to City Council on new heritage resource and landmark sites and districts (including buildings, landscapes, and other artifacts that are considered significant in Sunnyvale's history).
 - vi Recommendation to the City Council on Heritage Housing and other heritage zoning districts.
 - vii Participation in the development and promotion of museums and City archives.

- (f) Housing and Human Services Commission
 - i Review and make recommendations on the Housing and Community Revitalization Sub-Element and Socioeconomic Element of the General Plan.
 - ii Review proposed funding policies and grant applications by eligible housing and human service* agencies for Community Development Block Grant (CDBG) HOME and/or other available funds for public services and/or housing projects, and make funding recommendations to Council in response to the proposals received.
 - iii Hold public hearings on draft HUD Consolidated Plans and Annual Action Plans to receive public input and provide recommendations to Council regarding the content of those plans.
 - iv In the interest of efficiency and certainty of the land use planning and development process, the Housing and Human

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Services Commission shall not be involved formally in matters within the responsibility of the Sunnyvale Planning Commission, as defined by State law and the Charter and ordinances of the City of Sunnyvale, in any manner that would delay or interfere with consideration of land use permit applications or legislative decisions affecting particular properties. The commission shall not be formally involved in issues pertaining directly to current or future human services programs which are directly provided by, co-sponsored by, or relate directly (in the case of outside funding) to the programs provided by City departments for which the Council has established an advisory board or commission, unless dual responsibility therefore is explicitly authorized by a City Council-approved Agenda Calendar or work plan.

- v Study, evaluate and recommend policies relating to human rights and human relations issues related to housing and human services* in Sunnyvale.

*human services as defined by Council Policy 5.1.3

- (g) Parks and Recreation Commission
 - i Study, evaluate and recommend to the City Council policies relating to parks and recreation activities, such as:
 - Community center use policy
 - Park building use policy
 - Picnic facility use policy
 - License agreements
 - ii Review master plan of park development or expansion for adequacy, appearance and other appropriate criteria in an attempt to assure good design and make recommendations to the Council.
 - iii Review and make recommendations regarding agreements with parks and recreation related outside groups and recommend funding allocations.
 - iv Study, evaluate and recommend to the City policies relating to human rights and human relations issues that may arise when addressing issues such as inclusion in the use of City parks and recreation facilities, program accessibility and cultural diversity.
- (h) Personnel Board
 - i Hear appeals of any officer or employee in the Classified Service who is reclassified, suspended, demoted or removed, and report its finding to the City Council and City Manager; the findings and conclusions of the Personnel Board shall be

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final and no appeal may be taken therefrom. *(Source: City Charter Section 1008)*

- ii After a public hearing thereon, recommend to the City Council the adoption, amendment or repeal of the civil service rules and regulations. *(Source: City Charter Section 1008)*
- iii Perform such other duties with reference to personnel administration, not inconsistent with this Charter, as the City Council may require by ordinance. *(Source: City Charter Section 1008)*

(i) Planning Commission

- i After a public hearing thereon, recommend to the City Council the adoption, amendment, or repeal of Master, General, or Precise Plans, or any part thereof, for the physical development of the City. *(Source: City Charter Section 1010)*
- ii Exercise such functions with respect to land subdivisions, planning, and zoning as may be prescribed by ordinance. *(Source: City Charter Section 1010)*
- iii Exercise such other functions as now or may be hereafter authorized by the provisions of Title 7 entitled "Planning" of the Government Code of California, or as hereafter amended or added to, insofar as they do not conflict with the provisions of the Charter. *(Source: City Charter Section 1010)*
- iv Decision-making authority on a variety of discretionary land use applications (e.g. use permits, special development permits, variances, specified design reviews, tentative maps and appeals of decisions of the Zoning/Administrative Hearing Officer). These decisions are final unless appealed to the City Council.
- v Final decision-making authority on appeals of staff decisions on minor land use applications (e.g. Tree Removal Permits, Miscellaneous Plan Permits).
- vi Provide recommendations to City Council on legislative actions such as zoning code amendments, rezoning of property, amendments to the General Plan, and new and revised specific plans as well as related applications considered at the same time as a legislative action.
- vii Review and make recommendations on the entire General Plan (all Elements and Sub-elements) as updates and amendments are considered.
- viii Review and act on environmental documents in compliance with the California Environmental Quality Act (CEQA), when related to any of the above actions.

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- (j) Sustainability Commission
 - i. Advise Council on policy issues addressing sustainability goals.
 - ii. Advise Council on how to strategically accelerate Sunnyvale's progress towards sustainability and recommend priorities, in order to promote continued regional leadership in sustainability.
 - iii. Periodically review policies governing specific practices, such as greenhouse gas (GHG) emissions reduction, water conservation, renewable energy, energy efficiency, waste reduction, and urban forestry. Illustrative examples include creation of infrastructure for low emission vehicles, habitat restoration and conservation, biodiversity preservation, and reduction of toxics in the waste stream.
 - iv. Advise Council on ways to drive community awareness, education, and participation in best practices.
 - v. Review and make recommendations to Council on Federal, State and regional policies related to sustainability which impact Council's goals and policies.

(III) **Additional Duties**

Additional duties may be conferred upon specific boards and/or commissions by the City Council. These shall be memorialized via the City Charter or by revision to this policy.

J. Interaction with City Council, Public, Staff, and other Board and Commission Members

The city manager shall appoint a staff liaison to support each board and commission.

In addition to their role as advisors to the Council, boards and commissions serve as liaisons between the City and the general public regarding issues under their purview at City sponsored meetings or events. Each board and commission functions as a communication link between the community and the City, explaining City programs and recommendations, advocating established City policy and services, as well as providing a channel for citizen expression.

Outside of official board or commission meetings, individual board and commission members are not authorized to represent the City or their board or commission unless specifically designated by the Council or the board or commission to do so for a particular purpose. In private settings, board and commission members may communicate at any time and on any subject with individual members of the City Council, and may express to them individual viewpoints and opinions. In public, however, all members shall represent the

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official policies or positions of their board or commission, with the following exception: during a Council public hearing on any item addressed by the board or commission, any member may speak under standard time limits, but shall indicate whether their testimony represents an official position (majority opinion) or a minority opinion of the board/commission to which they belong. The chair shall represent the majority view of the board or commission, but may report on any minority views as well, including his or her own. When an official board or commission position differs from staff's recommendation on a particular policy issue, then at the Mayor's discretion additional time may be provided to the chair of the board or commission (or his/her designee) to explain the position of the board/commission or to rebut statements made by staff or the public. If new information is brought to light during a public hearing which was not shared previously with the board or commission, the Mayor may allow the board or commission chair to respond. If the Council deems the new information sufficient to warrant additional study, then by majority vote Council may remand the issue back to the board or commission for further study prior to taking other action itself. *(Source: Code of Ethics and Conduct for Elected and Appointed Officials)*

Individual opinions and positions may be expressed by board and commission members regarding items that have not come before the particular board/commission to which they belong. When presenting their individual opinions and positions, members shall explicitly state they do not represent their body or the City of Sunnyvale, nor will they allow the inference that they do. *(Source: Code of Ethics and Conduct for Elected and Appointed Officials)*

Although a board or commission may disagree with the final decision the Council makes, the board or commission shall not act in any manner contrary to the established policy adopted by the Council. *(Source: Code of Ethics and Conduct for Elected and Appointed Officials)*

Board and commission members shall adhere to the City's Code of Ethics and Conduct for Elected and Appointed Officials. Council conduct with boards and commissions is also covered in the City's Code of Ethics and Conduct for Elected and Appointed Officials.

Council shall be kept informed of the activities of boards and commissions by virtue of the board and commission minutes.

Council shall consider joint study sessions with boards and commissions as warranted.

Council shall encourage members of the public to submit issues and/or concerns to the appropriate board or commission prior to Council considering the matter. *(Source: Community Engagement Sub-Element 7.2C.5(a))*