



ARTS COMMISSION: 04-11-07

ITEM: VI

Memorandum

TO: ARTS COMMISSION

FROM: Paul Krutko

**SUBJECT: COUNCIL RESOLUTION
POLICY NO. 0-11**

DATE: April 4, 2007

INFORMATION

On March 7, 2007, the Rules and Open Government Committee directed staff to send the attached Council Resolution Policy No. 0-11 to City Boards and Commissions.

The Policy provides guidelines for the City Council regarding requests for action which are not directly a municipal matter. The Policy sets out basic criteria for resolutions. Additionally, the Policy provides examples of matters and actions which the Council generally will not act or take a position on.

The Policy provides that it is not intended to limit the prerogative of the City Council to place questions before the Council which the Council deems appropriate for consideration, nor is it intended to limit debate on issues which meet the criteria in the Policy.

PAUL KRUTKO
Chief Development Officer
Office of Economic Development

Attachment

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4. The group or individual receiving the resolution must not have a philosophy that:
 - a. Dehumanizes, degrades, or ridicules any segment of humanity.
 - b. Advocates the violent overthrow of any of the levels of U.S. government.
5. The resolution must be in keeping with the U.S. Constitution, the California State Constitution, the San Jose Municipal Code, and the various laws passed pursuant to those instruments.

It is further the policy of the Council of the City of San Jose that it shall not act or take a position on:

1. Matters concerning the foreign policy of the United States of America nor its relationship to other countries of the world except at the expressed request of an elected official of the federal government or an authorized representative of a department or agency of the federal government, except those matters directly affecting the City and citizenry of San Jose.
2. Acts of the Legislative or Executive branches of the federal government or government of the State of California when such do not affect the existing or potential resources, material or human, of the City of San Jose which may be directly applied to the solution of municipal problems relating to the health, safety and welfare of the citizens of this city.
3. Actions or lack of action on the part of any State of the Union other than the State of California or of any political subdivision of such other State when no impact is felt upon the government of the City of San Jose.
4. Actions or lack of actions on the part of the Judicial Branch of any government or any of its members except through its attorney acting in accordance with appropriate procedures, except those matters directly affecting the City and citizenry of San Jose.

This policy is not intended to limit the prerogative of members of the City Council to place before the City Council any question which they deem to be appropriate for consideration, nor is it intended to limit debate on issues which meet the above criteria.