



City of Santa Clara

Meeting Agenda

Charter Review Committee

Thursday, August 10, 2023

7:00 PM

Hybrid Meeting
City Hall - Council Chambers
1500 Warburton Avenue
Santa Clara, CA 95050

The City of Santa Clara is conducting Charter Review Committee meetings in-person and continues to have methods for the public to participate remotely or in-person.

- Via Zoom: <https://santaclaraca.zoom.us/j/89799831040>
- Webinar ID: 897 9983 1040
- By phone: 1(669) 444-9171

To submit written public comment before meeting:

Send email to clerk@santaclaraca.gov by 12 p.m. the day of the meeting. Those emails will be forwarded to Committee members and will be uploaded as supplemental meeting material.

Note: Emails received as public comment will not be read aloud during the meeting.

CALL TO ORDER AND ROLL CALL

PUBLIC PRESENTATIONS

GENERAL BUSINESS

1. **23-963** [Presentation on the Roles and Responsibilities of the 2023 Charter Review Committee](#)

Recommendation: It is recommended that the Committee note and file the presentation.

2. **23-964** [Action to elect a Chair and Vice-Chair for the 2023 Charter Review Committee](#)

Recommendation:

1. Staff recommends that the Charter Review Committee conduct an election for the roles of Chair and Vice-Chair.

3. 23-967 [Presentation on Prior Ballot Measures and Other Historical Information Related to the Positions of Police Chief and City Clerk](#)

Recommendation: The Committee note and file the report.

Attachments: [Measure B - Chief of Police Appointment Ballot Language, Argument, and Rebuttal](#)
[Measure I - Charter Amendment, Chief of Police Requirements Ballot Language, Argument, and Reb](#)

4. 23-979 [Discussion and Action on Proposed Community Engagement Strategies and Other Resources for the 2023 Charter Review Committee](#)

Recommendation: The Committee:

1. Approve the community engagement strategies as proposed;
2. Provide direction on any additional needs that the Committee may have with respect to best practices, outstanding questions or other resource information to be provided to the Committee in a timely manner in alignment with the goal of a November 7, 2023 City Council presentation.

Attachments: [DRAFT Charter Review Committee Webpage](#)

5. 23-968 [Action on the Meeting Schedule for the 2023 Charter Review Committee](#)

Recommendation: 1. The Committee adjust the meeting schedule as needed and approve a final schedule.

CITY STAFF REPORT

ADJOURNMENT

MEETING DISCLOSURES

The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision. Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred. If a person wishes to challenge the nature of the above section in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of Santa Clara, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

If a member of the public submits a speaker card for any agenda items, their name will appear in the Minutes. If no speaker card is submitted, the Minutes will reflect "Public Speaker."

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the City of Santa Clara will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities, and will ensure that all existing facilities will be made accessible to the maximum extent feasible. The City of Santa Clara will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities including those with speech, hearing, or vision impairments so they can participate equally in the City's programs, services, and activities. The City of Santa Clara will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities.

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Agenda Report

23-963

Agenda Date: 8/10/2023

REPORT TO CHARTER REVIEW COMMITTEE

SUBJECT

Presentation on the Roles and Responsibilities of the 2023 Charter Review Committee

COUNCIL PILLAR

Enhance Community Engagement and Transparency

BACKGROUND

On July 18, 2023, the City Council approved the creation of a Charter Review Committee ("Committee") in order to make a recommendation to the City Council on what, if any, changes should be made to the Charter provisions providing for an elected Chief of Police and/or an elected City Clerk.

In order to properly and efficiently conduct its work, it is essential that the Committee understand the legal framework in which it must operate as well as the role and responsibilities that the City Council has assigned the Committee.

The purpose of this item will be to hear a presentation from staff on these issues.

DISCUSSION

Legal Framework

As an official advisory body created by the City Council, the Committee is subject to the Brown Act which is intended to ensure that public commissions, boards, councils, and other local public agencies conduct their deliberations and take action in open meetings. As a result of the Brown Act, there are specific requirements on how and when agendas for CRC meetings must be posted; how the CRC may deliberate on issues as well as how members of the CRC can communicate during public meetings and amongst themselves outside of public meetings.

The Committee will also be subject to the Public Records Act (PRA). The Public Records Act is a law that requires government agencies to disclose public records upon request unless exempted by law. The law is intended to provide the public with access to information on governmental affairs and applies to both written and electronic information.

At the Committee's kick-off meeting on August 10, a representative of the City Attorney's office will provide a more in-depth training on the legal framework and responsibilities of the Charter Review Committee.

Scope of Work

On July 18, 2023, the City Council appointed a 7-member Charter Review Committee for the purpose of evaluating whether the currently elected positions of Police Chief and City Clerk should remain elected or whether a charter amendment to change the positions from elected to appointed should be placed on a future ballot for voter consideration.

In taking this action, the Council also provided direction that the Charter Review Committee should solicit public input on these issues and review best practice information to develop a set of recommendations for presentation to the City Council in November 2023. These recommendations should include, but are not be limited to, answers to the following questions:

1. Should the Police Chief be elected by the voters or be an appointed position? If the position is to remain an elected position, should the qualifications and/or requirements set forth in the Charter for the position be modified? If the position were to be changed to an appointed position, should the position be appointed by the City Council or the City Manager?
2. Should the City Clerk be elected by the voters or be an appointed position? If the position is to remain an elected position, should the qualifications and/or requirements for the position be modified? If the position were to be changed to an appointed position, should the position be appointed by the City Council or the City Manager?

The recommendations of the Committee are scheduled to be presented to the City Council no later than November 7, 2023. This timeline is needed in order to ensure that the City Council can take action on November 14, 2023 to call for a March 2024 election should the Committee decide to recommend changes to the City Charter.

During the presentation of this item, staff will provide an overview of the direction from the City Council as well as historical background information related to prior ballot measures on the topics of Santa Clara Police Chief and City Clerk.

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 15478(b)(4) in that it is a fiscal activity that does not involve any commitment to any specific project which may result in a potential significant impact on the environment.

FISCAL IMPACT

There is no fiscal impact other than staff time.

COORDINATION

This report has been coordinated with the City Manager's office, the City Clerk's office, and the City Attorney.

PUBLIC CONTACT

Public contact was made by posting the Charter Review 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.

RECOMMENDATION

It is recommended that the Committee note and file the presentation.

Reviewed by: Cynthia Bojorquez, Assistant City Manager

Approved by: Jōvan Grogan, City Manager



Agenda Report

23-964

Agenda Date: 8/10/2023

REPORT TO CHARTER REVIEW COMMITTEE

SUBJECT

Action to elect a Chair and Vice-Chair for the 2023 Charter Review Committee

COUNCIL PILLAR

Enhance Community Engagement and Transparency

BACKGROUND

On July 18, 2023, the City Council appointed a 7-member Charter Review Committee for the purpose of evaluating whether the currently elected positions of Police Chief and City Clerk should remain elected or whether a charter amendment to change the positions from elected to appointed should be placed on a future ballot for voter consideration.

The purpose of this item is to select individuals to serve as Chair and Vice-Chair of 2023 Charter Review Committee. The Chair and Vice-Chair will be expected to work with staff to ensure the timely completion of the Committee's workplan and to help guide the Charter Review Committee through its evaluation and deliberative process in a timely, respectful and inclusive manner with robust community engagement.

DISCUSSION

Every member of the 2023 Charter Review Committee is eligible to serve as either Chair or Vice-Chair. In accordance with past practice, members shall first nominate individuals to serve as Chair. Nominated individuals shall be asked to accept or decline the nomination. A roll call vote will then be held of those individuals who have accepted their nomination. The individual with the highest number of votes shall be named Chair. In the event of a tie, additional ballots shall be conducted until such time as a single individual with a majority vote is selected. This process will be repeated to fill the position of Vice-Chair. The Vice-Chair will assume the responsibilities of the Chair in the event of his/her absence.

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 15478(b)(4) in that it is a fiscal activity that does not involve any commitment to any specific project which may result in a potential significant impact on the environment.

FISCAL IMPACT

There is no fiscal impact other than staff time.

COORDINATION

This report has been coordinated with the City Clerk's office and the City Attorney.

PUBLIC CONTACT

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RECOMMENDATION

1. Staff recommends that the Charter Review Committee conduct an election for the roles of Chair and Vice-Chair.

Reviewed by: Cynthia Bojorquez, Assistant City Manager

Approved by: Jōvan Grogan, City Manager



Agenda Report

23-967

Agenda Date: 8/10/2023

REPORT TO CHARTER REVIEW COMMITTEE

SUBJECT

Presentation on Prior Ballot Measures and Other Historical Information Related to the Positions of Police Chief and City Clerk

COUNCIL PILLAR

Enhance Community Engagement and Transparency

BACKGROUND

The purpose of this item is to provide the Charter Review Committee (“Committee”) with an overview of how the positions of Police Chief and City Clerk are chosen and function within the City of Santa Clara. Information provided includes summaries of key applicable City Charter and Municipal Code provisions, prior ballot initiatives, as well as historical information related to the separation of duties between the elected City Clerk and appointed Assistant City Clerk that occurred in 2018 is also provided.

DISCUSSION

Elected Positions

Pursuant to Section 600 of the City Charter, since 1952 the positions of Police Chief and City Clerk have been elected positions within the City of Santa Clara.

Qualifications

Both Positions

Similar to requirements imposed on Mayor and Councilmember, to qualify for election and to hold office, both the Police Chief and the City Clerk must be “residents” and “qualified registered elector[s] of the City.” [See Charter Section 600]

Additional Requirements for the Police Chief

In March 2000, Santa Clara voters passed Measure I to amend the City Charter to require that candidates for the elected office of Chief of Police meet the minimum eligibility and qualification requirements imposed by State law upon candidates for the Office of Sheriff. Those requirements are as follows:

Gov Code §24004.3.

- (a) No person is eligible to become a candidate for the Office of Sheriff in any county unless, at the time of the final filing date for election, he or she meets one of the following

criteria:

- (1) An active or inactive advanced certificate issued by the Commission on Peace Officer Standards and Training.
 - (2) One year of full-time, salaried law enforcement experience within the provisions of Section 830.1 or 830.2 of the Penal Code at least a portion of which shall have been accomplished within five years prior to the date of filing, and possesses a master's degree from an accredited college or university.
 - (3) Two years of full-time, salaried law enforcement experience within the provisions of Section 830.1 or 830.2 of the Penal Code at least a portion of which shall have been accomplished within five years prior to the date of filing, and possesses a bachelor's degree from an accredited college or university.
 - (4) Three years of full-time, salaried law enforcement experience within the provisions of Section 830.1 or 830.2 of the Penal Code at least a portion of which shall have been accomplished within five years prior to the date of filing, and possesses an associate in arts or associate in science degree, or the equivalent, from an accredited college.
 - (5) Four years of full-time, salaried law enforcement experience within the provisions of Section 830.1 or 830.2 of the Penal Code at least a portion of which shall have been accomplished within five years prior to the date of filing, and possesses a high school diploma or the equivalent .
- (b) All persons holding the Office of Sheriff on January 1, 1989 shall be deemed to have met all qualifications required for candidates seeking election or appointment to the Office of Sheriff

Role and Functions

Police Chief

The role of the Police Chief is defined in Section Sec. 906 of the City Charter as follows:

The Chief of Police shall have power and be required to:

- (a) Preserve the public peace;
- (b) Execute and return all process issued to him/her by legal authority; and
- (c) Exercise all the powers that are now or may hereafter be conferred upon sheriffs and other police officers by the laws of the State.

Chapter 2.80 of the City Code further defines the role of the Police Chief as follows:

2.80.010 Organization generally - Chief of Police.

The Police Department shall be under the direct supervision of the Chief of Police who shall be elected by the voters for a term of four years. The Police Department shall be organized into the divisions as provided in this chapter. (Ord. 947; Ord. 1150 § 2, 10-11-66. Formerly § 2-55).

Charter reference - Duties and powers of Chief of Police, Charter § 906.

City Clerk

The role of the City Clerk is defined in Section 903 of the City Charter as follows:

The City Clerk shall have the power and be required to:

- (a) Attend all meetings of the City Council and be responsible for the recording and maintaining of a full and true record of all the proceedings of the City Council in books that shall bear appropriate titles and be devoted to such purposes;
- (b) Maintain separate books, in which shall be recorded respectively all ordinances and resolutions, with the certificate of the clerk annexed to each thereof stating the same to be the original or a correct copy, and as to an ordinance requiring publication, stating that the same has been published or posted in accordance with this Charter;
- (c) Maintain separate books, in which a record shall be made of all written contracts and official bonds;
- (d) Keep all aforementioned books properly indexed and open to public inspection when not in actual use;
- (e) Be the custodian of the seal of the City;
- (f) Administer oaths or affirmations, take affidavits and depositions pertaining to the affairs and business of the City and certify copies of official records; and
- (g) Have charge of all City elections.

Importantly, Section 903 of the City Charter also authorizes the City Council to provide that some or all of the City Clerk's duties be fulfilled by an employee that they themselves appoint.

In February 2018, the elected position of City Clerk became vacant the City Council considered various options to fill the vacancies. The staff report position can be found [here](http://media.legistar.com/SantaClara/63911.html) [<http://media.legistar.com/SantaClara/63911.html>](http://media.legistar.com/SantaClara/63911.html) (Agenda Item 8a on the February 13, 2018 Council Agenda). Ultimately, the City Council voted to fill the position temporarily by assigning responsibilities to an appointed City Clerk and calling for an election to fill the position in November 2018. The report assigning duties to an appointed City Clerk can be found [here](https://santaclara.legistar.com/LegislationDetail.aspx?ID=3484615&GUID=C01AFE2C-6A42-4AC0-953F-140FC361F1CE). [<https://santaclara.legistar.com/LegislationDetail.aspx?ID=3484615&GUID=C01AFE2C-6A42-4AC0-953F-140FC361F1CE>](https://santaclara.legistar.com/LegislationDetail.aspx?ID=3484615&GUID=C01AFE2C-6A42-4AC0-953F-140FC361F1CE) A second report Calling for the Election of the City Clerk for the Partial Term Ending November 2020 can be found [here](https://santaclara.legistar.com/LegislationDetail.aspx?ID=3538139&GUID=00557EE4-02A3-4AC6-9E7A-1657C6E0259B). [<https://santaclara.legistar.com/LegislationDetail.aspx?ID=3538139&GUID=00557EE4-02A3-4AC6-9E7A-1657C6E0259B>](https://santaclara.legistar.com/LegislationDetail.aspx?ID=3538139&GUID=00557EE4-02A3-4AC6-9E7A-1657C6E0259B)

The Municipal Code provisions regarding the City Clerk position implement the reserved powers provision of City Council such that that the elected City Clerk retains authority over the City seal and City elections, while an appointed Assistant City Clerk is in charge of all other City Clerk functions. As a result of the actions taken in 2018, the elected City Clerk's duties and responsibilities are to:

- (a) Be the custodian of the seal of the City;
- (b) Have charge of all City elections.

The appointed Assistant City Clerk was assigned the following duties and responsibilities:

- (a) The Assistant City Clerk shall assist the City Clerk in the performance of the Clerk's duties and shall act for the City Clerk in his/her absence.

- (b) The recording and maintaining of a full and true record of all the proceedings of the City Council.
- (c) Publishing and attesting the publication of all official notices.
- (d) Administering oaths or affirmations and taking affidavits and depositions pertaining to the affairs of the City.
- (e) The issuance of certified copies of official records as required and requested.
- (f) Officially recording the rights, titles and interests in all real properties acquired by the City.
- (g) The handling of all Council correspondence unless otherwise specifically designated.
- (h) Preparing of the agenda and supplemental material for Council meetings in cooperation with the City Manager.
- (i) Routing Council assignments to the respective officers having primary responsibility for their execution.
- (j) Duplicating and distributing the minutes, ordinances, resolutions, policies and orders of the City Council to the various boards, commissions and administrative officers.

Prior Related Ballot Measures

The following table summarizes prior ballot measures that have been considered by Santa Clara voters:

Ballot	Measure	Vote	Text
Nov. 1952 (general election)	C- Elect Police Chief & City Clerk	Yes - 3,538 No - 2,420 Measure Passes	"Shall the Charter of the City be amended by adding a new section thereto to provide that the Chief of the Police Department and the City Clerk shall be elected officials instead of appointed officers? Said amendment also provides an election shall be held in 1953 to fill said office, and also in April 1955 and every four years thereafter."

Nov. 1972 (general election)	Measure C: City Clerk; Powers, Duties	Yes - 14,057 No - 14,368 Measure Failed	"Shall the Charter of the City of Santa Clara be changed as follows: by deleting the provision from Section 903 of the Charter that 'The City Council may, in its discretion, appoint any other officer or employee of the City as City Clerk and grant such person additional compensation for the performance of such duties.'; by changing the title of Section 1101 from 'Classified Service' to 'Classified and Unclassified Ser-vice', by changing the numbering and sequence of the offices and positions listed as comprising the unclassified service and by deleting the specific reference to City Clerk and Chief of the Police Department from such listing."
June 1994 (special election)	Measure B: Chief Police Appointment	Yes - 4,370 No - 10,079 Measure Failed	Amends the Charter of the City of Santa Clara to provide for the appointment of the Chief of Police by the City Manager rather than selection of the Chief of Police by the current election process
March 2000 (special election)	Measure I: Charter Amendment, Chief of Police Requirements	Yes - 16,558 No - 2,244 Measure Passes	Amends the Charter to require that candidates for the elected office of Chief of Police meet the minimum Eligibility and qualification requirements imposed by State law upon candidates for the Office of Sheriff.

Arguments in favor and rebuttal information for the 1994 Measure B and 2000 Measure I are enclosed as Attachments 1 and 2 respectively.

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 15478(b)(4) in that it is a fiscal activity that does not involve any commitment to any specific project which may result in a potential significant impact on the environment.

FISCAL IMPACT

There is no fiscal impact other than staff time.

COORDINATION

This report has been coordinated with the City Clerk's office and the City Attorney.

PUBLIC CONTACT

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RECOMMENDATION

The Committee note and file the report.

Reviewed by: Cynthia Bojorquez, Assistant City Manager

Approved by: Jōvan Grogan, City Manager

ATTACHMENTS

1. Measure B - Chief Police Appointment Ballot Language, Argument, and Rebuttal.pdf
2. Measure I - Charter Amendment, Chief of Police Requirements Ballot Language, Argument, and Rebuttal.pdf

SECTION 4: The County Registrar of Voters of the County of Santa Clara is authorized to canvass the returns of said election, and said elections shall be held in all respects as if there were only one election, and only one form of ballot shall be used, and the precincts, polling places and officers of election shall be the same as those established and designated for said primary election by the Registrar of Voters.

SECTION 5: The City of Santa Clara recognizes that additional costs will be incurred by the County of Santa Clara by reason of this consolidation and agrees to reimburse the County of Santa Clara for all costs.

SECTION 6: The City Council does hereby further resolve that it requests the Board of Supervisors of Santa Clara County for the consolidation of said special election with the said statewide election and hereinafter sets forth the exact form of the following measure to be voted upon at such consolidated election, as same is to appear on the ballot, to wit:

CITY OF SANTA CLARA MEASURE

A	CHARTER AMENDMENT--CHIEF OF POLICE. Amends the Charter of the City of Santa Clara to provide for the appointment of the Chief of Police by the City Manager rather than selection of the Chief of Police by the current election process.	YES _____ NO _____
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**MEASURE B
CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE B**

Overview

A "yes" vote would amend the City Charter and make the Chief of Police a City Manager appointed position.

A "no" vote would leave the City Charter provisions providing for an elected Chief of Police unchanged.

The City Charter

Since 1953, the City Charter has provided that the Chief of Police is an elected position. The City Charter designates the City Manager as the chief executive officer of the City and the head of the administrative branch of the City government. Among the City Manager's current administrative responsibilities is the authority to appoint and remove, subject to the provisions of the City Charter, all employees of the City who are not elected or appointed by the City Council. This authority to appoint and remove city employees includes all members of the Police Department other than the Chief of Police. The Chief of Police is elected and not subject to the City Manager's personnel authority to appoint and remove.

This City Charter amendment would make the Chief of Police position an appointive office. The City Manager would be authorized to make the appointment, and the City Manager would also have the authority to remove the appointed Chief of Police from the position.

MICHAEL R. DOWNEY
City Attorney

The above statement is an impartial analysis of Measure B. The full text of Measure B is as follows:

MEASURE B

A Measure on motion of the City Council to amend the Charter of said City to provide for the appointment of the Chief of Police by the City Manager rather than selection of the Chief of Police by the current election process. If this measure passes, the City Charter would be amended as follows:

- a) The second paragraph of Section 600 of the City Charter will read as follows:
 "The City Clerk shall be elected from the city at large, at the time and in the manner provided in this Charter for election of the members of the City Council to Seat Numbers 3, 4, 6, and 7, and the City Clerk shall serve for a term of four years, except as otherwise provided in this charter."
- b) The first paragraph of Section 701 of the City Charter would be deleted. The first paragraph of Section 701 currently reads as follows:
 "No person shall be eligible to hold any elective office in the City including Mayor, City Council, Chief of Police Department and City Clerk, unless he shall be a qualified elector, and shall have been a resident of the City for at least three years next preceding the date of his election or appointment to such office."
- c) The first paragraph of Section 703 of the City Charter will read as follows:
 "A vacancy in any elective office of the City, from whatever cause, shall be filled by appointment by the City Council by a majority vote of the remaining members."

**BALOTA OFICIAL
CONDADO DE SANTA CLARA
OFICINAS NO PARTIDARIOS**

7 de Junio de, 1994

CONDADO

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DISTRITO

DISTRITO DE AGUAS DEL VALLE DE SANTA CLARA

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NVR-005 (066)

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ARGUMENT IN FAVOR OF MEASURE B

Santa Clara is one of the last two cities in California electing their Police Chief. The only requirements for this critical and demanding position are that the candidate be:

- 1) a resident of the city, and
- 2) a registered voter.

It seems inconceivable that the city has such stringent requirements for entry level police officers, including education, mental and physical health, background checks, and psychological testing, yet no similar requirements for an elected police chief.

Some seem to believe a qualified Santa Clara officer will always run for the position. There are several valid arguments against this assumption. First, more than half of the officers live outside the city and are therefore ineligible to run; second, only a few officers have the administrative or command experience coupled with the advanced education in the administration of criminal justice so necessary for the complexity of the position; third, private citizens with no law enforcement background could run and win.

The election process has disturbing negative effects on the police candidate and the police department. Candidates who are police officers find fundraising particularly degrading and unprofessional. Many officers become politically involved on and off duty causing dissention among the personnel and a reduction in departmental effectiveness.

It is time for Santa Clarans to take the politics out of the police department and the Police Chief's office by allowing the City Manager to appoint the highest qualified professional available in the law enforcement field to lead the Santa Clara Police Department through the challenging years ahead.

A YES vote on Measure B will allow the City Manager to set high qualification requirements for the position of Police Chief and open the position to any and all qualified Santa Clara Police Officers.

DONALD "MANNY" FERGUSON KERI L. PROCUNIER
Santa Clara Police Chief - Retired Santa Clara City Councilperson

TIM JEFFRIES
Santa Clara City Councilperson

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE B

Entry-level police officer requirements exceed the minimums for an elected police chief...for city council members...county, state, and federal representatives...even the President of the United States. So what!

Measure B's proponents believe that greater wisdom resides in the city manager than in all Santa Clara's voters combined. That's what's inconceivable! Not one qualified candidate for police chief? That's what's inconceivable, particularly since voters can seek out qualified candidates, can write in candidates, and more.

Yes, the elective process can hurt morale, but so can the appointive process — particularly when appointees come from other police departments. Lengthy selection processes hurt morale, too. Witness the recent out-of-area appointments for San Jose's troubled Fire Department. It took 14 months to appoint a new chief, at tremendous cost to morale.

Anyone who thinks appointments remove politics from the police department is living in Fantasyland. Politics are a part of every personnel selection — appointed or elected.

OF MEASURE B

in electing their Police Chief. The only position are that the candidate be:

1. Minimum requirements for entry level physical health, background checks, and requirements for an elected police chief.

2. The officer will always run for the position. Assumption. First, more than half of the are ineligible to run; second, only a few experience coupled with the advanced also so necessary for the complexity of enforcement background could run and

3. Effects on the police candidate and the police officers find fundraising particularly become politically involved on and off channel and a reduction in departmental

4. Steps out of the police department and the Manager to appoint the highest qualified best field to lead the Santa Clara Police ahead.

5. City Manager to set high qualification and open the position to any and all

6. **BERNARD L. PROCUNIER**
Santa Clara City Councilperson

IN FAVOR OF MEASURE B

7. Exceed the minimums for an elected police chief, state, and federal representatives, even the

8. After wisdom resides in the city manager than is what's inconceivable! Not one qualified inconceivable, particularly since voters can candidates and more.

9. Also, but so can the appointive process — other police departments. Lengthy selection out-of-area appointments for San Jose's to appoint a new chief, at tremendous cost

10. Politics from the police department is living personnel election — appointed or elected.

H SC 672-689

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE B — CONTINUED

If appointed, the chief will owe direct allegiance to the city manager. But an elected chief owes allegiance directly to the citizens. Every four years, the chief must stand before the citizens and be evaluated for the department's performance. Under the elective system, the chief must know Santa Clara and respond to what Santa Clarans want. The city manager doesn't need more control over how or what things get done—the citizens do. Let's not give away our power over so important a function as law enforcement. VOTE NO on Measure B.

DAN TEXERA
Former Santa Clara City Councilman

VERN DETO
Former Santa Clara City Councilman

MR. LEONARD GEORGE
Native Santa Claran

LILLIAN CIFELLI
37-year Santa Clara Resident

JOANNE SANFILIPPO
Santa Clara Civil Service Commissioner

ARGUMENT AGAINST MEASURE B

Santa Clarans have elected their police chief for at least five decades. (In the mid-1950s the city charter was amended and a police chief appointed, but that didn't last long. The citizens were so dissatisfied, they voted within two years to return to electing their police chief.)

Unlike many neighboring residents, Santa Clarans are satisfied with the quality of their police services. Unlike some of its neighbors, Santa Clara has never needed a citizen police review board. Why? Because the police chief reports directly to the people — not to the city manager and not to the city council. As a result, the police chief and department are extremely sensitive to the wishes of the people — much more so than in neighboring jurisdictions. In San Jose, for example, police no longer report to the scene of non-injury auto accidents. And the people had no say in that decision. Santa Clara Police, on the other hand, do provide that service.

Now, if the people are dissatisfied with their police department, they can simply vote the chief out of office and elect a new one. They can mount a recall campaign, if they wish. But if Measure B passes, the citizens will be removed from directly affecting the department's service quality and priorities.

In a time when government no longer listens to the people, Santa Clarans should reserve their right to control their destiny by continuing to elect their police chief. In the past the voters have elected qualified leaders who have directed a first class police department. Why now is there a move to take that decision from you the voter?

For generations, Santa Clara's Police Department has been among the best, most respected, in America. "If it ain't broke, don't fix it." Vote NO on Measure B.

LISA M. GILLMOR
Santa Clara City Councilwoman

DONALD CALLEJON
Santa Clara Unified School Board Member

DOH VOHRAESFELD
Former Santa Clara City Manager/
Councilman

FA 662 603

JIM ASH
Santa Clara City Councilman

LARRY FARGHER
Former Santa Clara Mayor

INSTRUCCIONES A LOS VOTANTES

1. Inserte la Tarjeta Balota en el Dispositivo para Votar.
2. *Perfore* la Tarjeta Balota con el punzón del Dispositivo para Votar. Nunca use pluma o lápiz para agujerear la tarjeta.
3. Para votar por un candidato cuyo nombre y posición aparezcan en la balota de muestra, busque el número del candidato en el Dispositivo "Poll Star" y perfore la marca a la derecha de la flecha inmediata a ese número.
4. Cuando vayan a elegirse dos o más candidatos para la misma posición siga el procedimiento indicado en 3. para cada candidato por quién usted quiera votar. No vote por más candidatos que la cantidad a elegirse.
5. Para votar por un candidato calificado para ser agregado, use la porción para ser agregado, arriba en la Balota. Escriba el nombre de la posición y el nombre de la persona en los espacios proporcionados para eso fin.
6. Para votar por algún proyecto de ley, busque el número que aparezca al lado de la palabra "SI" o al lado de la palabra "NO" en la balota de muestra. Halle el número en el Dispositivo "Poll Star" y perfore el agujero a la derecha de la flecha al lado de ese número.
7. Se prohíben todas las marcas y borraduras, que inutilizan la balota. Si por error perfore, rompe o desfigura su balota devuélvala al miembro del directivo del recinto y obtenga otra.
8. En las balotas para voto de ausentes, siga las instrucciones para Votantes Ausentes que le darán con su balota.

SIGUE EN LA PAGINA SIGUIENTE

H SC 672-630

FP 603.063

H SC 672-689

PARA VOTAR MAS RAPIDAMENTE . . .

ANTES DE IR DONDE TIENE QUE VOTAR:

1. Elija por quienes o qué quiere votar.
2. En la tabla más abajo marque rodeando los nombres de personas o leyes por que quiere votar.

EN EL LUGAR DONDE DEBA VOTAR:

1. En el dispositivo en que vá a votar, halle los números que coinciden con sus selecciones.
2. Perfore la tarjeta balota donde está el agujero a la derecha de esos números.

TABLA

1	27	53	79	105	131	157	183	209	235	261	287
2	28	54	80	106	132	158	184	210	236	262	288
3	29	55	81	107	133	159	185	211	237	263	289
4	30	56	82	108	134	160	186	212	238	264	290
5	31	57	83	109	135	161	187	213	239	265	291
6	32	58	84	110	136	162	188	214	240	266	292
7	33	59	85	111	137	163	189	215	241	267	293
8	34	60	86	112	138	164	190	216	242	268	294
9	35	61	87	113	139	165	191	217	243	269	295
10	36	62	88	114	140	166	192	218	244	270	296
11	37	63	89	115	141	167	193	219	245	271	297
12	38	64	90	116	142	168	194	220	246	272	298
13	39	65	91	117	143	169	195	221	247	273	299
14	40	66	92	118	144	170	196	222	248	274	300
15	41	67	93	119	145	171	197	223	249	275	301
16	42	68	94	120	146	172	198	224	250	276	302
17	43	69	95	121	147	173	199	225	251	277	303
18	44	70	96	122	148	174	200	226	252	278	304
19	45	71	97	123	149	175	201	227	253	279	305
20	46	72	98	124	150	176	202	228	254	280	306
21	47	73	99	125	151	177	203	229	255	281	307
22	48	74	100	126	152	178	204	230	256	282	308
23	49	75	101	127	153	179	205	231	257	283	309
24	50	76	102	128	154	180	206	232	258	284	310
25	51	77	103	129	155	181	207	233	259	285	311
26	52	78	104	130	156	182	208	234	260	286	312

REBUTTAL TO ARGUMENT AGAINST MEASURE B

Quality police services are the result of two things: money and management.

Our police department is among the best paid, most highly educated and trained, and well respected in the State of California. We're not the best because we have an elected police chief. We have earned this reputation because the city council, with recommendations from the City Manager, has provided the money necessary to make it the best. That's why we can still provide the personal service our citizens want and deserve.

Opponents of Measure B say the department won't be responsive to the citizens if we have an appointed chief. That is simply not true. All other department heads, including the fire chief, are appointed by the City Manager. They are the most qualified, experienced individuals, and provide first-class, responsive service to citizens.

Santa Clara has been fortunate to have several excellent chiefs. Two of our finest, retired chiefs Manny Ferguson and Frank Vasquez, support an appointed chief. Why? They know from first-hand experience that law enforcement has changed in the past 50 years, demanding the most qualified individual to head the department- whether that person be found inside or outside the city limits. And they have seen the divisive and destructive effect an election has on the police department. Politics don't belong in the police department.

You, the citizens, have an opportunity to make sure the best police department has the best chief that can be found. Vote YES on Measure B.

FRANK G. VASQUEZ
Santa Clara Police Chief Retired

PHILIP S. RAINERI
Planning Commissioner
City of Santa Clara

TILLIE R. GOLDSBERRY
Santa Clara PAL Board of Directors

BILL GISSLER
Former City Mayor of Santa Clara

BETTY HANGS
President, Santa Clara
Chamber of Commerce

ARGUMENT IN FAVOR OF MEASURE H

You have the opportunity at this election to reform the Santa Clara City Charter for the first time in more than 30 years. Please consider each of these ballot measures in the spirit of continuing to foster an effective City government.

These measures are the work of a blue-ribbon Charter Review Committee, with membership representing the broad and rich elements of the citizenry of Santa Clara. After months of research and discussion, the Committee recommended five revisions to the Charter, the first of which you will find here.

The general language cleanup recommendation will make a number of technical, but vital, changes to the City Charter:

Elimination of Gender Biases: The current Charter uses language such as "Councilman" and consistently refers to individuals as "he". This measure would revise the wording to be gender neutral, like changing to "Council Member" and reflecting "he or she". This terminology is important to reset the old, preconceived notions in our City Charter to reflect modern expectations.

Compliance with the Brown Act: The current Charter has language which is inconsistent with the Brown Act, the State law which protects the public by requiring open meetings, public discussion and proper disclosure. This measure protects the public by bringing the Charter into compliance with the Brown Act, and would allow the flexibility to have neighborhood City Council meetings.

Adoption of General Changes: This measure also updates some general City practices, such as adopting the State Elections Code, eliminating redundancies or sections that have been superseded by State law, codifying the City's current practices for the annual audit and elements of our fiscal administration. Generally, these changes are technical in nature and have the intent of bringing the Charter in line with modern policies and practices.

Other Charter recommendations are Measures I, J, K and L.

ROD DIRIDON, JR.
Santa Clara City Council Member

JUDY REINARTZ
Chairman, Charter Review Committee

JAMIE LEE MATTHEWS
Santa Clara City Council Member

MILES H. BARBER
Member, Charter Review Committee

JUDY NADLER
Mayor, City of Santa Clara

NO ARGUMENT AGAINST MEASURE H WAS SUBMITTED.

MEASURE I

CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE I

This measure relates to eligibility and qualification requirements for candidates for the elected office of Chief of Police.

Currently, the Santa Clara City Charter only requires that a candidate for Chief of Police be a City resident and a qualified registered voter. The City Charter does not contain any eligibility or qualification requirements for candidates for Chief of Police. This measure would require that candidates meet the minimum eligibility and qualification requirements imposed by State law upon candidates for the elected Office of Sheriff.

The requirements for the Office of Sheriff are set forth in California Government Code Section 24004.3. This section requires that a candidate have either (1) an active or inactive advanced certificate issued by the Commission on Peace Officer's Standards and Training or (2) meet a specified combination of peace officer experience and education. Less experience as a peace officer is required if a higher level of education has been completed by the candidate.

Therefore, if the candidate does not have the advanced certificate issued by the Commission on Peace Officer's Standards and Training, then the candidate must have at least:

1. One year of full-time, salaried law enforcement experience; plus a master's degree from an accredited college or university; or
2. Two years of full-time, salaried law enforcement experience, plus a bachelor's degree from an accredited college or university; or
3. Three years of full-time, salaried law enforcement experience, plus an associate in arts or associate in science degree, or the equivalent, from an accredited college; or
4. Four years of full-time, salaried law enforcement experience, plus a high school diploma or equivalent.

In all four instances for law enforcement experience, at least a portion of this experience must have been accomplished within five years prior to the date of filing for office.

MICHAEL R. DOWNEY
City Attorney

The above statement is an Impartial Analysis of Measure I. The full text of Measure I is as follows:

COMPLETE TEXT OF MEASURE I

1. City of Santa Clara City Charter Section 701:1 shall be added to the Charter to read as follows:

§ 701.1 Qualifications for Chief of the Police Department.
Candidates for the office of Chief of Police shall meet the minimum eligibility and qualification requirements imposed by state law upon candidates for the office of Sheriff.

ARGUMENT IN FAVOR OF MEASURE I

It may be hard to believe, but any registered voter who lives in the City of Santa Clara can be a candidate for Chief of Police. There are no requirements to have ever served as a police officer; in fact, there is no requirement to have any law enforcement experience at all.

Measure I would change our Charter to adopt the same requirements and minimum qualifications required by the State of California for elected County Sheriffs. The requirements are simply a minimum combination of level of education and law enforcement experience. For instance, if someone has a bachelor's degree from an accredited college or university then he/she must also have at least two years of salaried law enforcement experience (within certain provisions of the Penal Code) within five years prior to entering a race for Police Chief. A master's degree requires one year of experience, and an AA degree requires three years.

Our current and past Police Chiefs have exceeded these qualifications.

This Charter amendment would ensure that Santa Clarans continue to have a choice of qualified, experienced candidates and quality leadership for our Police Department.

DONALD C. FERGUSON
Retired Santa Clara Chief of Police

JAMIE LEE MATTHEWS
Santa Clara City Council Member

FRANK G. VASQUEZ
Retired Santa Clara Chief of Police

JUDY REINARTZ
Chairman, Charter Review Committee

KATHLEEN LOCKWOOD
Member, Charter Review Committee

NO ARGUMENT AGAINST MEASURE I WAS SUBMITTED

MEASURE J

CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE J

The current Santa Clara City Charter provides as compensation to each member of the City Council, other than the Mayor, the sum of \$200 per month. Measure J provides that, commencing on July 1, 2000, each member of the City Council, other than the Mayor, would receive as compensation the sum of \$600 per month.

Under the current City Charter, the Mayor receives compensation of \$1,000 per month. This number would not change under Measure J.

Measure J would provide for a cost of living increase in compensation for both the Mayor and Council Members each year starting on July 1, 2001. The increase would be equal to the percentage increase in the preceding calendar year's consumer price index as determined by the U.S. Department of Labor, Bureau of Consumers, for the San Francisco, Oakland, and San Jose area. However, the cost of living increase paid to the Mayor and Council members could not, in any event, exceed five percent per year.

The cost of the compensation increase to the City for the first fiscal year of 2000-2001 would be \$28,800 over the current compensation cost. Thereafter, the annual cost would increase from that figure by the amount of the consumer price index, provided that no annual increase would exceed 5%.

MICHAEL R. DOWNEY
City Attorney

The above statement is an Impartial Analysis of Measure J. The full text of Measure J is as follows:

COMPLETE TEXT OF MEASURE J

1. City of Santa Clara City Charter Section 702 shall be amended to read as follows:
§ 702 Compensation.
Commencing on July 1, 2000, each member of the City Council, other than the Mayor, shall receive as compensation the sum of six hundred dollars (\$600) per month. The Mayor shall receive as compensation the sum of one thousand dollars (\$1,000) per month.

Commencing on July 1, 2001, and annually on July 1 thereafter, the compensation of the Council and Mayor shall increase by a percentage equal to the percentage increase in the preceding calendar year's annual average of the Consumer Price Index as determined by the United States Department of Labor, Bureau of Consumers (CPI-U), San Francisco, Oakland, San Jose subgroup - all items, or successor index. However, the compensation increase shall in no event exceed five percent (5%) per year. The CPI base index year for the adjustment shall be calendar year 1999.

If a member of the City Council, including the Mayor, does not attend all meetings of the City Council or study sessions called on order of the City Council and held during the month, the compensation to him/her for such month shall be reduced by the sum of twenty-five dollars (\$25.00) for each meeting or study session not attended unless he/she is absent with the consent of or on order of the City Council.

Absence from five consecutive regular meetings, unless excused by resolution of the City Council, shall operate to vacate the seat of any member of the City Council so absent.

PR-7673-1

N SC Ballot Type 070 - Page 029



Agenda Report

23-979

Agenda Date: 8/10/2023

REPORT TO THE CHARTER REVIEW COMMITTEE

SUBJECT

Discussion and Action on Proposed Community Engagement Strategies and Other Resources for the 2023 Charter Review Committee

COUNCIL PILLAR

Enhance Community Engagement and Transparency

BACKGROUND

The purpose of this item is to seek approval from the Charter Review Committee (“Committee”) on elements of a proposed community engagement strategy including additional data research that will be provided to the Committee to assist with their deliberations. Specific items for approval include the discussion of a proposed format for public hearings and communications channels to be used for public outreach.

DISCUSSION

In the current proposed schedule, staff has included two public hearings, with one to take place at the Santa Clara Central Park Library and the other at Santa Clara City Hall, Council Chambers.

All meetings of the Committee will be conducted in a hybrid environment so that residents who cannot attend the meeting in person, may do so online. In addition, recordings of the meetings will be posted on the City’s website for those individuals who cannot attend on the day of the scheduled meeting. In order to allow for adequate time to promote the remainder of the Committee meetings, staff is requesting that the Committee members take action to finalize the meeting calendar to accommodate any scheduling conflicts that may exist.

Proposed Outreach Strategies

In addition to establishing a set meeting calendar, staff is proposing the following outreach strategies:

1. Two public hearings
 - a. Staff is proposing the following format for the two public hearings: 1) Presentation on Best Practice Information and Expert Testimony regarding attributes that distinguish elected from appointed positions. This would allow for presentations both the Santa Clara Police Chief, the City Clerk and outside experts; 2) Questions from the Committee; 3) testimony from the public; 4) Closing remarks. It is recommended that testimony for each position be taken separately - first for the City Clerk and then for the Police Chief. An additional public hearing can be scheduled if needed. The proposed schedule allows for this flexibility if needed.
 - b. Consistent with Council practice, it is recommended that the Committee allocate two

minutes per speaker during the public hearing and that Committee members take public testimony and ask only clarifying questions of each speaker in order to maximize the amount of time available for the public to speak on the dates of the public hearing.

- c. The meeting to draft initial recommendations will be an opportunity to review public testimony and any additional best practice information that may have been requested.
2. A dedicated webpage has been created and is enclosed as Attachment 1. Upon approval of the Committee, the webpage will go live and be updated throughout the Charter Review Committee process. It will serve as a central repository of information of the Charter Review Committee.
3. Use of the City's communications channels including gov.delivery and social media. Staff will continue to push out updates before and after each Committee meeting to keep the public informed of Committee activities and to encourage participation at future meetings.

It is important to keep in mind that the Committee has a limited window within which to complete its work. The goal is to present the Committee's recommendations at the November 7, 2023 City Council meeting. Consequently, it is important that focused efforts be made to ensure community participation at the public hearings.

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 15478(b)(4) in that it is a fiscal activity that does not involve any commitment to any specific project which may result in a potential significant impact on the environment.

FISCAL IMPACT

There is no fiscal impact associated with this other with the exception of staff time.

COORDINATION

This report has been coordinated with the City Clerk's office and the City Attorney.

PUBLIC CONTACT

Public contact was made by posting the Charter Review 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.

RECOMMENDATION

The Committee:

1. Approve the community engagement strategies as proposed;
2. Provide direction on any additional needs that the Committee may have with respect to best practices, outstanding questions or other resource information to be provided to the Committee in a timely manner in alignment with the goal of a November 7, 2023 City Council presentation.

Reviewed by: Cynthia Bojorquez, Assistant City Manager

Approved by: Jōvan Grogan, City Manager

ATTACHMENTS

1. Draft of 2023 Charter Review Committee Webpage

2023 Charter Review Committee

Background

On July 18, 2023, a seven-member Charter Review Committee (“Committee”) was established for the purpose of making a recommendation to the City Council on what, if any, changes should be made to the Charter provisions providing for an elected Chief of Police and/or an elected City Clerk.

In the event the Committee recommends the positions remain elected, the Council has requested that the Committee review best practices in surrounding jurisdictions with respect to qualifications and eligibility requirements. Should the recommendation be that the positions should be appointed, the City Council has requested a recommendation on whether the position(s) should be appointed by the City Council or the City Manager.

The Committee will present its recommendations to the City Council on November 7, 2023.

2023 Charter Review Committee

The seven-member Committee consists of one representative from each Council District and a member at-large nominated by the Mayor.

The Committee members appointed by the City Council are:

District 1 – Satish Chandra
District 2 – Chiragkumar Patel
District 3 – Christine Koltermann
District 4 – Daniel Huynh
District 5 – Jeff Houston
District 6 – Clysta Seney
At-Large – Joyce Davis

The term of the Committee will expire upon presentation of its recommendations on November 7, 2023 to the Santa Clara City Council.

Meeting Schedule

All meetings of the Committee will be open to the public in a hybrid environment. As such, individuals may attend the meetings in person or via zoom. The meeting schedule for the Committee is as follows:

Charter Review Committee Kick-off Meeting #1

Location: Santa Clara City Hall, City Council Chambers – 1500 Warburton Ave., Santa Clara, CA

Time: August 10, 7 p.m.

- Agenda (A link to the meeting agenda will be added when agendas are published)
- Minutes (A link to the minutes will be made live following the meeting)

Charter Review Committee Meeting #2 - Public Hearing

Location: Santa Clara City Hall, City Council Chambers – 1500 Warburton Ave., Santa Clara, CA

Time: [DATE – Will be updated upon approval of the Committee's meeting schedule], 7 p.m.

- Agenda (A link to the meeting agenda will be added when agendas are published)
- Minutes (A link to the minutes will be made live following the meeting)

Charter Review Committee Meeting #3 - Public Hearing #2

Location: Central Park Library – 2635 Homestead Road, Santa Clara, CA

Time: [DATE - Will be updated upon approval of the Committee's meeting schedule], 7 p.m.

- Agenda (A link to the meeting agenda will be added when agendas are published)
- Minutes (A link to the minutes will be made live following the meeting)

Charter Review Committee Meeting #4 – Discussion & Draft Preliminary Committee Recommendations

Location: Central Park Library – 2635 Homestead Road, Santa Clara, CA

Time: [DATE - Will be updated upon approval of the Committee's meeting schedule], 7 p.m.

- Agenda (A link to the meeting agenda will be added when agendas are published)
- Minutes (A link to the minutes will be made live following the meeting)

Charter Review Committee Meeting #5 – Discussion & Finalize Committee Recommendations

Location: Central Park Library – 2635 Homestead Road, Santa Clara, CA

Time: [DATE - Will be updated upon approval of the Committee's meeting schedule], 7 p.m.

- Agenda (A link to the meeting agenda will be added when agendas are published)
- Minutes (A link to the minutes will be made live following the meeting)

Related Background Materials

For more information about related ballot measures and report, please visit:

Date	Link
November 1952	Measure C: Elect Police Chief and City Clerk
November 7, 1972	Measure C: City Clerk; Powers, Duties
June 7, 1994	Measure B: Chief Police Appointment
March 7, 2000	Measure I: Charter Amendment, Chief of Police Requirements
July 17, 2018	Ordinance No. 1983
July 17, 2018	Report to Council on Ordinance No. 1983
Ongoing	City Clerk History, 1852-Present

Contacts

Cynthia Bojorquez, Assistant City Manager
cbojorquez@santaclaraca.gov

Glen Googins, City Attorney
ggoogins@santaclaraca.gov

Fiona Kirby, Management Analyst
fkirby@santaclaraca.gov

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Agenda Report

23-968

Agenda Date: 8/10/2023

REPORT TO CHARTER REVIEW COMMITTEE

SUBJECT

Action on the Meeting Schedule for the 2023 Charter Review Committee

COUNCIL PILLAR

Enhance Community Engagement and Transparency

BACKGROUND

On July 18, the City Council established the 2023 Charter Review Committee (“Committee”). In doing so, the Council also approved a preliminary meeting schedule that would enable consideration of the Committee’s recommendation on November 7, 2023.

The purpose of this item is review and discuss the proposed meeting schedule and make any adjustments that may be necessary to complete the work of the Committee in a timely and efficient manner.

DISCUSSION

The preliminary meeting schedule as originally proposed is as follows:

Meeting & Location	Time
Committee Kick-Off Meeting, Santa Clara City Hall, City Council Chambers	Thursday, August 10, 2023 7 p.m.
Public Hearing #1 Santa Clara City Hall, City Council Chambers	Thursday, August 24, 2023 7 p.m.
Public Hearing #2 Santa Clara Central Park Library	Thursday, September 14, 2023 7 p.m.
Committee Meeting #2 to Draft Initial Committee Recommendations Santa Clara City Hall, Central Park Library	Thursday, September 21, 2023 7 p.m.
Committee Meeting #3 to Finalize Committee Recommendations Santa Clara City Hall, Central Park Library	Thursday, October 5, 2023 7 p.m.
Issuance of Staff Report to Transmit Committee Recommendations	Thursday, November 2, 2023 OR Friday, November 3, 2023 Time TBD
Presentation of Committee Recommendations to Council, Santa Clara City Hall, City Council Chambers	Tuesday, November 7, 2023 Time TBD

Through initial discussions with Committee members, staff has received a request to change the October 5 meeting to October 12. At the kick-off meeting of the Committee, the Committee will be asked to vote on this schedule change as well as make any additional modifications to the schedule that may be necessary. Please keep in mind that while there is some flexibility in scheduling, recommendations of the Committee must be finalized in time to meet the agenda requirements for the meeting of November 7, 2023 which would require work to be completed no later than the middle of October.

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 15478(b)(4) in that it is a fiscal activity that does not involve any commitment to any specific project which may result in a potential significant impact on the environment.

FISCAL IMPACT

There is no fiscal impact other than staff time.

COORDINATION

This report has been coordinated with the City Manager’s office, the City Clerk’s office, and the City Attorney.

PUBLIC CONTACT

Public contact was made by posting the Charter Review 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.

RECOMMENDATION

1. The Committee adjust the meeting schedule as needed and approve a final schedule.

Reviewed by: Cynthia Bojorquez, Assistant City Manager

Approved by: Jōvan Grogan, City Manager