

RESOLUTION NO. 23-9287

A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA, CALLING AND GIVING NOTICE OF A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 5, 2024, FOR A VOTE ON TWO BALLOT MEASURES THAT, IF PASSED, WOULD AMEND THE CITY CHARTER TO PROVIDE THAT THE POSITIONS OF CITY CLERK AND CHIEF OF POLICE BE APPOINTED BY THE CITY MANAGER; REQUESTING THE CONSOLIDATION OF THE SPECIAL MUNICIPAL ELECTION WITH THE PRESIDENTIAL PRIMARY ELECTION TO BE HELD IN SANTA CLARA COUNTY ON MARCH 5, 2024; DIRECTING THE CITY CLERK TO TRANSMIT THE MEASURES TO THE CITY ATTORNEY TO PREPARE THE IMPARTIAL ANALYSES; AND DESIGNATING THE PARTIES RESPONSIBLE FOR PREPARATION OF BALLOT ARGUMENTS

WHEREAS, on November 7, 2023, the City of Santa Clara Charter Review Committee presented a recommendation to the City Council to place two measures on a ballot that, if passed, would amend the City Charter to change the elected positions of City Clerk and Chief of Police to appointments by the City Manager;

WHEREAS, the City Council has considered the recommendation and desires to submit to the electors of the City of Santa Clara at a Special Municipal Election two ballot measure proposals that, if passed, would amend the City Charter to change the elected positions of City Clerk and Chief of Police to appointments by the City Manager;

WHEREAS, pursuant to California Elections Code section 1201, the next Presidential Primary election will be held on March 5, 2024; and

WHEREAS, in the course of conducting a Special Municipal Election on March 5, 2024, it is desired that that the Board of Supervisors of the County of Santa Clara consolidate a special municipal election to be held on March 5, 2024, with the Presidential Primary election to be held on the same date for the purpose of submitting two ballot measures to the voters to consider a charter amendment. It is also necessary for the City to request services of the County as set forth in this Resolution.

//

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. Pursuant to the requirements of section 10403 of the California Elections Code, the Board of Supervisors of the County of Santa Clara is hereby requested to consent and agree to the consolidation of a Special Municipal Election with the Presidential Primary Election on Tuesday, March 5, 2024, for the purpose of placing two measures on the ballot that, if passed, would amend the City Charter to change the elected positions of City Clerk and Chief of Police, respectively, to positions that are appointed by the City Manager. The two measures are more particularly described in Section 7 of this Resolution, below.

2. The consolidated election shall be held and conducted, the election officers appointed, the voting precincts designated, the ballots printed, the polls opened and closed, the ballots counted and returned, the returns canvassed, and all other applicable proceedings to be performed in connection with the above consolidated election, be regulated and performed by the Registrar of Voters of the County of Santa Clara in accordance with the provisions of applicable laws regulating consolidated elections. This City Council consents to such consolidation.

3. The Registrar of Voters is authorized to canvass the returns of the Special Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

4. The Board of Supervisors is requested to issue instructions to the Registrar of Voters to take any and all steps necessary for the holding of the consolidated election.

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

6. The City Clerk is directed to file a certified copy of this Resolution without delay with the Board of Supervisors and the County Registrar of Voters.

//

//

7. Pursuant to the requirements of the laws of the State of California relating to Charter Cities, and pursuant to the California Constitution, Article XI and the Government Code, Title 4, Division 2, Chapter 2 (commencing at Section 34450) and the Election Code Division 9, Chapter 3, Article 3 (commencing at Section 9255), the City Council hereby calls and orders to be held in the City of Santa Clara, California, on Tuesday, March 5, 2024, a Special Municipal Election for the purpose of submitting to the voters the following ballot measures:

A. **MEASURE 1**: The City Council hereby proposes to amend Santa Clara City Charter Article VI section 600, Article VII section 703, Article VIII section 802, and Article IX sections 900 and 903 as set forth in Exhibit A, attached hereto and incorporated herein by reference (with additions to and deletions from the current text indicated thereon). If the measure is approved by a majority of voters, City Charter Article VI section 600, Article VII section 703, Article VIII section 802, and Article IX sections 900 and 903 shall be amended as set forth in the measure, and the amendment shall be effective on the date that the City Council declares the results of the special municipal election. In accordance with Elections Code sections 13247 and 9051, and in order to submit the proposed measure described herein to the voters, the City Council hereby approves and orders the following ballot question to be submitted to the qualified electors of the City of Santa Clara at the special municipal election on March 5, 2024:

Measure 1

Shall an amendment to the City Charter providing that the City Clerk position be appointed by the City Manager be adopted?	Yes	
	No	

//

//

B. **MEASURE 2:** The City Council hereby proposes to amend Santa Clara City Charter Article VI section 600, Article VII sections 701.1 and 703, Article VIII section 802, and Article IX section 900, as set forth in Exhibit B, attached hereto and incorporated herein by reference (with additions to and deletions from the current text indicated thereon). If the measure is approved by a majority of voters, City Charter Article VI section 600, Article VII sections 701.1 and 703, Article VIII section 802, and Article IX section 900 shall be amended as set forth in the measure, and the amendment shall be effective on the date that the City Council declares the results of the special municipal election. In accordance with Elections Code sections 13247 and 9051, and in order to submit the proposed measure described herein to the voters, the City Council hereby approves and orders the following ballot question to be submitted to the qualified electors of the City of Santa Clara at the special municipal election on March 5, 2024:

Measure 2

Shall an amendment to the City Charter providing that the Chief of Police position be appointed by the City Manager be adopted?	Yes	
	No	

8. The Council hereby selects the following course of action regarding arguments in favor of proposed ballot Measures 1 and 2:

//
 //
 //
 //
 //
 //

A. **Measure 1**

i. City Councilmembers Raj Chahal, Karen Hardy, and Sudhanshu Jain, who support adoption of the proposed Charter Amendment, shall be authorized to and shall jointly file an official ballot Argument in favor of the proposed Charter Amendment Measure 1. At the discretion of Councilmembers Raj Chahal, Karen Hardy, and Sudhanshu Jain, the Argument may also be signed by two additional signatories in accordance with Elections Code section 9287. The City Councilmembers are authorized to file such ballot Argument and shall also jointly file a Rebuttal Argument to any Argument against the proposed Charter Amendment that may be filed on behalf of the City Council. At the discretion of Councilmembers Raj Chahal, Karen Hardy, and Sudhanshu Jain, the Rebuttal Argument may also be signed by two additional signatories in accordance with Elections Code section 9287. Neither the City Council, nor any of its Members, shall file a ballot Argument in opposition to the proposed Charter Amendment measure in their official capacity.

B. **Measure 2**

i. City Councilmembers Raj Chahal, Karen Hardy, and Sudhanshu Jain, who support adoption of the proposed Charter Amendment, shall be authorized to and shall jointly file an official ballot Argument in favor of the proposed Charter Amendment Measure 2. At the discretion of Councilmembers Raj Chahal, Karen Hardy, and Sudhanshu Jain, the Argument may also be signed by two additional signatories in accordance with Elections Code section 9287. The City Councilmembers are authorized to file such ballot Argument and shall also jointly file a Rebuttal Argument to any Argument against the proposed Charter Amendment that may be filed on behalf of the City Council. At the discretion of Councilmembers Raj Chahal, Karen Hardy, and Sudhanshu Jain, the Rebuttal Argument may also be signed by two additional signatories in accordance with Elections Code section 9287. Neither the City Council, nor any of its Members, shall file a ballot Argument in opposition to the proposed Charter Amendment measure in their official capacity.

9. Primary and rebuttal arguments for the measure may be filed consistent with Elections Code section 9282, et seq. In accordance with the Elections Code sections 9285 and 9286 the ballot arguments must be submitted no later than December 11, 2023, and rebuttal arguments must be submitted no later than December 18, 2023 to the City Clerk.

10. Pursuant to Elections Code section 9280, the City Attorney shall cause the preparation of an impartial analysis of each measure, which shall be due by December 18, 2023 to the City Clerk.

11. The City Council finds, pursuant to Title 14 of the California Code of Regulations, sections 15378(b)(4) and 15378(b)(5) that this Resolution is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it involves fiscal and administrative activities that will not result in a potentially significant impact on the environment.

12. Pursuant to California Elections Code section 10002, the City Council hereby requests that the Board of Supervisors authorize and direct the County Elections Department to provide such services as may be necessary to properly and lawfully hold and conduct a Consolidated Special Municipal Election in the City on March 5, 2024, including, but not restricted to, furnishing indexes and election equipment, appointing precinct workers and officials, instructing workers and officials, addressing sample ballots for said City election, issuing absentee ballots, establishing and providing early voting, conducting central counting and official canvass, and performing such other acts as may be required, or directed by the City Clerk.

13. The City Clerk is hereby authorized and directed to reimburse the County for services performed in accordance with this Resolution, when the work is completed and upon presentation to the City of a properly approved bill subject to the approval by the City Clerk.

//

//

//

//

14. The City Clerk is hereby authorized and directed to coordinate with the County Registrar of Voters to procure and furnish the procurement of any and all official ballots, notices, printed matter, and all supplies, equipment, paraphernalia that may be necessary in order to properly and lawfully conduct the Consolidated Special Municipal Election. The ballots to be used at the election shall be in form and content as required by law.

15. If it is determined that the City Clerk has a conflict of interest, the responsibilities of the City Clerk, as described in this Resolution, shall be performed by the Assistant City Clerk.

16. In all particulars not recited in this Resolution, the Special Municipal Election shall be held and conducted as provided by law for holding municipal elections.

17. This Resolution provides notice of the time and place of holding the Special Municipal Election, and the City Clerk is authorized, instructed and directed to give further or additional notice of the Special Municipal Election in time, form, and manner as required by law.

18. The proposed measures shall not take effect unless and until approved by a vote of at least 50% plus one of the voters voting on the questions at the election.

//

//

//

//

//

//

//

//

//

//

//

//

19. The City Clerk is hereby authorized and directed to certify due to the adoption of this Resolution.

20. Effective date. This Resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 5TH DAY OF DECEMBER, 2023, BY THE FOLLOWING VOTE:

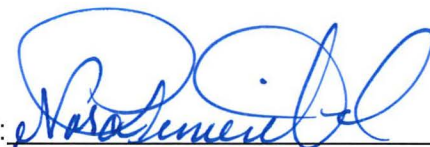
AYES: COUNCILORS: Becker, Chahal, Hardy, Jain, and Park

NOES: COUNCILORS: Watanabe and Mayor Gillmor

ABSENT: COUNCILORS: None

ABSTAINED: COUNCILORS: None

ATTEST:



NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:

1. Exhibit A
2. Exhibit B

Exhibit A
Charter Amendment Measure
Proposed Additions Shown as Underline
Proposed Deletions Shown as ~~Strikethrough~~

That the citizens of the City of Santa Clara do hereby enact the following amendments to the City Charter.

Section 1. Section 600 of the Charter of the City of Santa Clara, entitled "City elected officers", is amended to be read as follows:

Sec. 600 City elected officers.

No person shall be eligible to hold the elective office of Mayor or Chief of Police Department ~~or City Clerk~~, unless he or she is a resident and a qualified registered elector of the City. No person shall be eligible to hold the elective office of City Council Member, excepting the Mayor, unless he or she is a qualified registered elector of the City and a resident in the district represented by the Council Member office.

In order to hold the elective office of Mayor or Chief of the Police Department ~~or City Clerk~~ a person must have been a resident of the City of Santa Clara for at least thirty (30) days immediately preceding the last day specified by law for the filing of nomination papers with the City Clerk for such office or, if appointed, preceding the date of the person's appointment to fill a vacancy.

In order to hold the elective office of Council Member, excepting the Mayor, a person must have been a resident of the City of Santa Clara and of the District represented by the person as a Council Member for at least thirty (30) days immediately preceding the last day specified by law for the filing of nomination papers with the City Clerk for such office or, if appointed, preceding the date of the person's appointment to fill a vacancy.

The elective officers of the City shall consist of a City Council composed of seven members; and the Chief of the Police Department ~~and the City Clerk~~. The Mayor and the Chief of the Police Department ~~and the City Clerk~~ shall be elected from the City at large at the times and in the manner provided in this Charter. Except as otherwise herein provided, a person elected to an office for other than an unexpired term, shall serve a term of four years, and shall serve until a successor is elected and qualified. The term shall commence on the date the City Council certifies the canvass of the election returns submitted to it by the County Registrar of Voters.

The person receiving the most votes cast for a particular City office shall be declared duly elected. Ties shall be broken as provided from time to time by ordinance.

The office of Mayor shall be separately voted upon and is a separate office. The person elected at any election to the office designated "Mayor" shall be deemed elected, both as a Mayor and as a member of the Council. Although the Mayor is a Council member, his or her election does not change the number of Council members from seven.

No person shall be a candidate for both Mayor and a City Council office at the same election. However, an incumbent member of the City Council may run for the elective

office of Mayor, and the Mayor may run for the separate office of Mayor or other City Council office. However, at no time shall a member of the Council, including the Mayor, hold more than one City elective office. Except as otherwise provided elsewhere in this Charter, no incumbent member of the City Council while serving in such office with an unexpired term of more than six months shall be a candidate for any Council office other than the one which he or she holds. (Added by electors at election held November 7, 1972, approved by Senate Concurrent Resolution (1973 Stats., Res. Ch. 10); Amended by electors at an election held March 7, 2000, Charter Chapter 11 of the State *Statutes of 2000*; Amended by electors at an election held June 7, 2022, Charter Chapter 17 of the State *Statutes of 2023*)

Section 2. Section 703 of the Charter of the City of Santa Clara, entitled "Vacancies", is amended to be read as follows:

Sec. 703 Vacancies.

A vacancy in any elective office of the City, including Mayor, City Council, and Chief of Police Department, ~~and City Clerk~~, from whatever cause arising, shall be filled by appointment by the City Council by a four-fifths (4/5) vote of the remaining members.

In the event the City Council shall fail to fill a vacancy by appointment within thirty (30) days after such office shall have been declared vacant, it shall forthwith cause an election to be held to fill such vacancy. A person appointed or elected to fill a vacancy holds office for the unexpired term of the former incumbent, provided that if the vacancy occurs in the first half of a term of office and at least 130 days prior to the next general municipal election, the person appointed to fill the vacancy shall hold office until the next general municipal election that is scheduled 130 or more days after the date the City Council is notified of the vacancy, and thereafter until the person who is elected at that election to fill the vacancy has been qualified. The person elected to fill the vacancy shall hold office for the unexpired balance of the term of office. (As approved at election held November 5, 1968, approved by Joint Resolution of Legislature filed with the Secretary of State January 15, 1969; Amended by electors at an election held November 8, 2016, Charter Chapter 19 of the State *Statutes of 2017*)

Section 3. Section 802 of the Charter of the City of Santa Clara, entitled "Powers and duties", is amended to be read as follows:

Sec. 802 Powers and duties.

The City Manager shall be chief executive officer and the head of the administrative branch of the City government. He/she shall be responsible to the City Council for the proper administration of all affairs of the City and to that end, subject to the personnel provisions of this Charter, he/she shall have power and shall be required to:

(a) Appoint and remove, subject to the Civil Service provisions of this Charter, all officers and employees of the City, including the City Clerk, except as otherwise provided by this Charter, and except as he/she may authorize the head of a department or office to appoint and remove subordinates in such department or office. No person related to the City Manager by blood or by marriage shall be eligible for office or employment in the City.

- (b) Prepare the budget annually and submit it to the City Council and be responsible for its administration after adoption.
- (c) Manage the City-owned water and power departments in a business-like manner, charging equitable rates for the services furnished and building up the properties so as to conserve their value and increase their capacity as needed by the City.
- (d) Prepare and submit to the City Council as of the end of the fiscal year a complete report on the finances and administrative activities of the City for the preceding year.
- (e) Keep the City Council advised of the financial condition and future needs of the City and make such recommendations as may seem to him/her desirable.
- (f) Make investigations into the affairs of this City, or any department or division thereof, or any contract, or the proper performance of any obligation to the City.
- (g) Submit to the City Council at each meeting for its approval, the list of all claims and bills approved for payment by him/her.
- (h) Perform such other duties as may be prescribed by this Charter or required by him/her by the City Council, not inconsistent with this Charter. (Amended by electors at an election held March 7, 2000, Charter Chapter 11 of the State *Statutes of 2000*)

Section 4. Section 900 of the Charter of the City of Santa Clara, entitled "Officers to be appointed by the City Council and by the City Manager", is amended to be read as follows:

Sec. 900 Officers to be appointed by the City Council and by the City Manager.

In addition to the City Manager, the City Council shall appoint and affix the compensation for the City Attorney and City Auditor who shall serve at the pleasure of the City Council and may be removed by motion of the City Council adopted by at least four affirmative votes.

All other officers and department heads of the City, including the City Clerk, shall be appointed by the City Manager and shall serve at the pleasure of the City Manager at compensation fixed by the City Council. (Amended by electors at an election held March 7, 2000, Charter Chapter 11 of the State *Statutes of 2000*)

Section 5. Section 903 of the Charter of the City of Santa Clara, entitled "City clerk; powers and duties", is amended to be read as follows:

Sec. 903 City clerk; powers and duties.

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.

~~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.~~

Section 6. Effective Date. The currently-seated City Clerk will serve out the remainder of their term through December 17, 2024, unless vacated earlier. If a vacancy of the elected City Clerk occurs prior to December 17, 2024, the position shall be appointed by the City Manager.

Section 7. City Clerk Authority to Make Minor Corrections. The City Clerk shall be authorized to make minor amendments to the Charter to correct typographical errors or to make other similar non-substantive corrections, subject to ratification by the City Council and approval as to form by the City Attorney.

Exhibit B
Charter Amendment Measure
Proposed Additions Shown as Underline
Proposed Deletions Shown as ~~Strikethrough~~

That the citizens of the City of Santa Clara do hereby enact the following amendments to the City Charter.

Section 1. Section 600 of the Charter of the City of Santa Clara, entitled "City elected officers", is amended to be read as follows:

Sec. 600 City elected officers.

No person shall be eligible to hold the elective office of Mayor, ~~Chief of Police Department~~ or City Clerk, unless he or she is a resident and a qualified registered elector of the City. No person shall be eligible to hold the elective office of City Council Member, excepting the Mayor, unless he or she is a qualified registered elector of the City and a resident in the district represented by the Council Member office.

In order to hold the elective office of Mayor, ~~Chief of the Police Department~~ or City Clerk a person must have been a resident of the City of Santa Clara for at least thirty (30) days immediately preceding the last day specified by law for the filing of nomination papers with the City Clerk for such office or, if appointed, preceding the date of the person's appointment to fill a vacancy.

In order to hold the elective office of Council Member, excepting the Mayor, a person must have been a resident of the City of Santa Clara and of the District represented by the person as a Council Member for at least thirty (30) days immediately preceding the last day specified by law for the filing of nomination papers with the City Clerk for such office or, if appointed, preceding the date of the person's appointment to fill a vacancy.

The elective officers of the City shall consist of a City Council composed of seven members, ~~the Chief of the Police Department~~ and the City Clerk. The Mayor ~~and the Chief of the Police Department~~ and the City Clerk shall be elected from the City at large at the times and in the manner provided in this Charter. Except as otherwise herein provided, a person elected to an office for other than an unexpired term, shall serve a term of four years, and shall serve until a successor is elected and qualified. The term shall commence on the date the City Council certifies the canvass of the election returns submitted to it by the County Registrar of Voters.

The person receiving the most votes cast for a particular City office shall be declared duly elected. Ties shall be broken as provided from time to time by ordinance.

The office of Mayor shall be separately voted upon and is a separate office. The person elected at any election to the office designated "Mayor" shall be deemed elected, both as a Mayor and as a member of the Council. Although the Mayor is a Council member, his or her election does not change the number of Council members from seven.

No person shall be a candidate for both Mayor and a City Council office at the same election. However, an incumbent member of the City Council may run for the elective

office of Mayor, and the Mayor may run for the separate office of Mayor or other City Council office. However, at no time shall a member of the Council, including the Mayor, hold more than one City elective office. Except as otherwise provided elsewhere in this Charter, no incumbent member of the City Council while serving in such office with an unexpired term of more than six months shall be a candidate for any Council office other than the one which he or she holds. (Added by electors at election held November 7, 1972, approved by Senate Concurrent Resolution (1973 Stats., Res. Ch. 10); Amended by electors at an election held March 7, 2000, Charter Chapter 11 of the State *Statutes of 2000*; Amended by electors at an election held June 7, 2022, Charter Chapter 17 of the State *Statutes of 2023*)

Section 2. Section 700.1 of the Charter of the City of Santa Clara, entitled “Qualifications for Chief of the Police Department”, shall be deleted in its entirety.

~~Sec. 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. (Added by electors at an election held March 7, 2000, Charter Chapter 11 of the State *Statutes of 2000*)~~

Section 3. Section 703 of the Charter of the City of Santa Clara, entitled “Vacancies”, is amended to be read as follows:

Sec. 703 Vacancies.

A vacancy in any elective office of the City, including Mayor, City Council, ~~Chief of Police Department~~, and City Clerk, from whatever cause arising, shall be filled by appointment by the City Council by a four-fifths (4/5) vote of the remaining members.

In the event the City Council shall fail to fill a vacancy by appointment within thirty (30) days after such office shall have been declared vacant, it shall forthwith cause an election to be held to fill such vacancy. A person appointed or elected to fill a vacancy holds office for the unexpired term of the former incumbent, provided that if the vacancy occurs in the first half of a term of office and at least 130 days prior to the next general municipal election, the person appointed to fill the vacancy shall hold office until the next general municipal election that is scheduled 130 or more days after the date the City Council is notified of the vacancy, and thereafter until the person who is elected at that election to fill the vacancy has been qualified. The person elected to fill the vacancy shall hold office for the unexpired balance of the term of office. (As approved at election held November 5, 1968, approved by Joint Resolution of Legislature filed with the Secretary of State January 15, 1969; Amended by electors at an election held November 8, 2016, Charter Chapter 19 of the State *Statutes of 2017*)

Section 4. Section 802 of the Charter of the City of Santa Clara, entitled “Powers and duties”, is amended to be read as follows:

Sec. 802 Powers and duties.

The City Manager shall be chief executive officer and the head of the administrative branch of the City government. He/she shall be responsible to the City Council for the proper administration of all affairs of the City and to that end, subject to the personnel provisions of this Charter, he/she shall have power and shall be required to:

- (a) Appoint and remove, subject to the Civil Service provisions of this Charter, all officers and employees of the City, including the Chief of Police, except as otherwise provided by this Charter, and except as he/she may authorize the head of a department or office to appoint and remove subordinates in such department or office. No person related to the City Manager by blood or by marriage shall be eligible for office or employment in the City.
- (b) Prepare the budget annually and submit it to the City Council and be responsible for its administration after adoption.
- (c) Manage the City-owned water and power departments in a business-like manner, charging equitable rates for the services furnished and building up the properties so as to conserve their value and increase their capacity as needed by the City.
- (d) Prepare and submit to the City Council as of the end of the fiscal year a complete report on the finances and administrative activities of the City for the preceding year.
- (e) Keep the City Council advised of the financial condition and future needs of the City and make such recommendations as may seem to him/her desirable.
- (f) Make investigations into the affairs of this City, or any department or division thereof, or any contract, or the proper performance of any obligation to the City.
- (g) Submit to the City Council at each meeting for its approval, the list of all claims and bills approved for payment by him/her.
- (h) Perform such other duties as may be prescribed by this Charter or required by him/her by the City Council, not inconsistent with this Charter. (Amended by electors at an election held March 7, 2000, Charter Chapter 11 of the State *Statutes of 2000*)

Section 5. Section 900 of the Charter of the City of Santa Clara, entitled "Officers to be appointed by the City Council and by the City Manager", is amended to be read as follows:

Sec. 900 Officers to be appointed by the City Council and by the City Manager.

In addition to the City Manager, the City Council shall appoint and affix the compensation for the City Attorney and City Auditor who shall serve at the pleasure of the City Council and may be removed by motion of the City Council adopted by at least four affirmative votes.

All other officers and department heads of the City, including the Chief of Police, shall be appointed by the City Manager and shall serve at the pleasure of the City Manager at compensation fixed by the City Council. (Amended by electors at an election held March 7, 2000, Charter Chapter 11 of the State *Statutes of 2000*)

Section 6: Effective Date. The currently-seated Chief of Police will serve out the remainder of their term through December 17, 2024, unless vacated earlier. If a vacancy of the elected Chief of Police occurs prior to December 17, 2024, the position shall be appointed by the City Manager.

Section 7: City Clerk Authority to Make Minor Corrections. The City Clerk shall be authorized to make minor amendments to the Charter to correct typographical errors or to make other similar non-substantive corrections, subject to ratification by the City Council and approval as to form by the City Attorney.