

COUNCIL AGENDA: 6/30/20

ITEM: 3.10



Memorandum

TO: CITY COUNCIL

FROM: Councilmember Sylvia Arenas

SUBJECT: SEE BELOW

DATE: June 26, 2020

Approved

Date

Sylvia Arenas

6/26/20

SUBJECT: POTENTIAL BALLOT MEASURE TO AMEND THE CITY CHARTER

RECOMMENDATION

1. Accept Item 3 in the Memo from Councilmembers Carrasco and Esparza and accept item 2 with the following change:

Instead of a two-year extension to the terms, create a special two-year term from 2022 to 2024 that would not count as a "term" for purposes of term limits.

2. Refer the proposed campaign finance reforms contained in the memos from Vice Mayor Jones and Councilmembers Jimenez, Esparza, and Carrasco to the San José Board of Fair Campaign and Political Practices for their consideration and recommendations. Bring those recommendations back to the Council for consideration and future action.

BACKGROUND

What is the problem we're trying to solve, and do our proposed actions solve that problem in a fair and equitable way? And what kind of public process should be involved?

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These are the questions that every member of the Council and every member of the public should be asking now.

Some have argued that “infighting, regionalism and special interests are tearing the city apart and preventing the approval of policies that could move us forward together” and that this is the basis for a radical change to San Jose’s governing structure. (<https://sanjosespotlight.com/kline-san-jose-grew-up-but-its-form-of-government-remains-small/>). It is also what is reflected in the proposals submitted so far from Mayor and councilmembers.

I see a at least 3 issues with this statement:

1. San Jose’s “infighting” is a backhanded reference to the active conversations about racial justice and equity in San Jose, discussions that occur at the City Council. If the goal is unifying power in the Mayor’s office so the mayor can shut down these conversations about equity and justice is the rational that would be a major concern.

2. “Regionalism” can only be a reference to one of two things: It is either a reference to councilmembers advocating for their communities, or it is AGAIN a reference to the drive for equity that the Council and City Manager are engaged in.

3 “Preventing the approval of policies” appears to be an attack on the council’s policy approval role -- something the mayoral measure supposedly doesn’t touch... Is there a trojan horse that has not been acknowledged elsewhere that would shut down the council’s process?

The words of this measure’s supporters make abundantly clear that the goal is to shut down the very real and vital conversations that our community has been having over the last months and years.

As a council we simply cannot let that happen. We have the opportunity to act in a way that does not shut down diverse voices at City Hall, and we have the opportunity to improve the process of this conversation to bring our community together that have this conversation.

This memo suggests a path forward for the conversation that is based on asking questions of ourselves and our community. By utilizing our boards and commissions we can bring our community into the process of shaping our future political process. By moving our election we would increase our community participation in elections. By allowing the 2-year term to not be part of the term limits process we allow every member of our community -- including our current mayor and council incumbents -- to seek the seat. But the question of who would get these years would be made by the voters. Not behind closed doors.

The writers of the strong mayor memos say they’re looking to improve San Jose’s government. They imply the changes are “good government” model change improvements. But they use a cigar-smoke-filled-room process that excludes our community from the conversation and from the benefits. It is not a process that any “good government” advocate could support.

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Advocates say that our peer cities all have or are moving to Strong Mayor systems, but no major city in California has moved to Strong Mayor since Jerry Brown moved Oakland to that system in 1998 (and even that one removed the mayor from being a member of the Council). The only recent peer city to consider Strong Mayor has been Sacramento, which it considered a number of times, culminating in its defeat by the voters by more than 10%.

Let's avoid the same path by engaging our community in a robust conversation that respects all voices, expands our democratic participation, and avoids exacerbating San Jose's history of political disenfranchisement.