



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Jennifer A. Maguire  
Nora Frimann  
Toni J. Taber

**SUBJECT: SEE BELOW**

**DATE:** April 1, 2022

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**SUBJECT: RECOMMENDATIONS FROM THE 2021 SAN JOSE CHARTER  
REVIEW COMMISSION**

## RECOMMENDATION

- (a) Discuss and consider the following recommendations from the San José Charter Review Commission:

### Governance Structure

- (1) Maintain a “Council-Manager” government structure and allow councilmembers to make nominations for City Manager candidates.
- (2) Establish future Charter Review Commissions.
- (3) Expand the City Council to 14 Council Districts.

### Voting

- (4) Implement ranked-choice voting.
- (5) Elevate the Board of Fair Campaigns and Political Practices to the City Charter.

### Inclusion and Accountability

- (6) Reform Boards and Commissions.
- (7) Add a Native Land Acknowledgement to the City Charter.
- (8) Use gender-inclusive language in the City Charter and City documents.
- (9) Establish Equity Values, Equity Standards, and Equity Assessments.
- (10) Address equity and inclusion in City programming and budgeting.
- (11) Establish regular department-level audits.

### Other Recommendations (not recommended as amendments to the City Charter)

- (12) Create a Climate Action Commission.
- (13) Explore a Community Opportunity to Purchase Act.
- (14) Promote home-ownership opportunities for low-income residents of San José.

- (15) Strengthen community input to the Smart City Advisory and Innovation and Technology Advisory Boards.
- (b) Discuss and consider whether any of the recommendations requiring amendments to the City Charter should be placed before the voters in November 2022.
- (c) Refer recommendations requiring further fiscal and/or staffing analysis to the 2022-2023 Budget process and next Citywide Roadmap prioritization process.
- (d) Consistent with Rules and Open Government Committee approval, refer the recommendations of the Charter Review Commission related to public safety and police oversight to a future meeting of the City Council.

## **OUTCOME**

The City Council will provide direction to the City Manager, City Attorney, City Auditor, and City Clerk about next steps with respect to 15 recommendations from the Charter Review Commission. For any recommendations requiring a charter amendment that Council wishes to move forward on, staff will return before the statutory deadline of August 11, 2022 under the Elections Code with a recommended charter amendment measure (or measures) for placement on the November 8, 2022 ballot. For any recommendations requiring further fiscal and/or staffing analysis, if directed, the City Manager will return through the 2022-2023 Budget process and/or Citywide Roadmap process with suggested prioritization or needed resources.

## **BACKGROUND**

The [San José City Charter](#) provides a framework for governing the City. It serves as the City's Constitution. San José voters first adopted a City Charter in 1916. Changes to the City Charter, both minor and significant, must be approved by the voters.

In 1965, a Charter Review Commission recommended, and voters approved, the Charter that is in effect today. Since then, the 1972 Charter Review Commission made recommendations around governance and voting that were not implemented. The 1978 Charter Review Commission recommended expanding the size of the City Council from seven members elected by a citywide vote to 11 members with the 10 councilmembers elected by district and Mayor elected citywide. The 1985 Charter Review Commission recommended that the City Council confirm the City Manager's appointment of department directors and an expansion of the duties and powers of the Mayor, in addition to other changes. In years since, the City Council has placed charter amendments before the voters without convening a Charter Review Commission.

In 2021, the City of San José convened its first Charter Review Commission in 35 years. The 2021 San José Charter Review Commission issued its [final report](#) to the City Council on December 3, 2021<sup>1</sup>.

On January 11, 2022, the City Council accepted the 2021 Charter Review Commission's Final Report. At that meeting, the City Council directed the City Manager and City Attorney to:

1. Return with a potential ballot measure for the June 2022 election, which would move mayoral elections to be held concurrently with presidential elections, beginning in 2024. *Council approved placing the measure on the ballot on February 15, 2022.*
2. Schedule one Special Meeting to review and discuss the Charter Review Commission's recommendations, including analysis of implementation costs, policy considerations, and other issues to facilitate Council prioritization of the recommendations. *The meeting scheduled for April 11, 2022 will address the Commission's recommendations that are not related to public safety or police oversight. Those recommendations will be heard at a future meeting.*
3. Schedule a second Study Session to examine extending municipal voting eligibility to all City residents. *This session is scheduled for April 29, 2022.*

As directed by the City Council, this report presents an analysis of the policy considerations and cost implications of the recommendations from the 2021 Charter Review Commission—a process led by the Charter Review Commission and supported by the City Clerk—related to Governance, Inclusion, and the “other policy recommendations” that do not require a charter amendment. The City Clerk will issue a separate report regarding Recommendation 4 (ranked-choice voting), while the City Auditor will issue a report on Recommendation 11 (regular department-level audits). Additional background information is available on the Charter Review Commission [webpage](#). Attachment A provides a summary matrix of the analysis.

Amending the City Charter requires approval of the voters of San José. Charter amendments can be combined into one measure or can be placed on the ballot as separate measures. There is no guarantee of passage. The City Manager's Office has not conducted any polling on charter amendments this year.

The cost for placing a charter amendment on the ballot ranges from \$620,000 (when placed on the same ballot as a citywide election) and \$1.6 million (if there is no other citywide election). Additional costs for implementing the Commission's recommendations, where known, are detailed below.

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<sup>1</sup> 2021 Charter Review Commission Final Report:

<https://sanjose.legistar.com/View.ashx?M=F&ID=10354189&GUID=F27DF619-F273-4C05-9292-E375FFA42E45>.

As discussed previously in a memorandum<sup>2</sup> to the Rules and Open Government Committee, those recommendations related to policing and reimagining public safety will be brought forward at a future meeting.

## **ANALYSIS**

### ***GOVERNANCE STRUCTURE RECOMMENDATIONS***

***Recommendation 1: Maintain a “Council-Manager” Government Structure and Allow Councilmembers to Make Nominations for City Manager Candidates***

### **Charter Review Commission Recommendation**

Recommendation 1 states, “The Commission finds that keeping the current ‘Manager-Council’ form of governance model maintains accountability, representation and inclusion at San José City Hall. Furthermore, by giving members of the Council the ability to nominate prospective City Managers along with the Mayor, increases equitable representation in the applicant pool for the City Manager appointment process, which will benefit all residents in San José.”

### **Policy Considerations**

Under the City Charter, San José operates under a hybrid Council-Manager form of government, in which the City Council determines matters of policy and the City Manager serves as Chief Administrative Officer of the City. In addition, the Charter designates four offices to be nominated by and report directly to the City Council: The City Attorney, City Clerk, City Auditor, and Independent Police Auditor. (Additionally, the Charter gives the Retirement Boards authority to appoint the Chief Executive Officer and Chief Investment Officer of the City’s retirement plans.)

The Charter also assigns the Mayor duties beyond those given to other members of the City Council. The Charter specifies that the Mayor is the political leader of the City, directly elected by the voters. Additionally, the Mayor is able to make recommendations to the Council on matters of policy program and inform residents about such matters. The Mayor is required to provide an annual State of the City address and deliver an annual Budget Message. The Mayor, however, is one of 11 votes on the City Council and does not have veto powers (as in many Strong Mayor cities).

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<sup>2</sup> Memorandum to the February 23, 2022 Rules and Open Government Committee:

<https://sanjose.legistar.com/View.ashx?M=F&ID=10537120&GUID=77170558-A8C3-4EB4-9BC6-C94153A2DB72>

The 2021 Charter Review Commission considered whether San José should move to a “Strong Mayor” form of government, in which the elected mayor serves as the Chief Executive Officer. The 2021 Charter Review Commission rejected moving to a “Strong Mayor” form of government but recommended changing the appointment process for the City Manager.

In San José, while the Mayor is one vote of 11 in appointing the Council appointees, the Charter states that, “The Mayor shall nominate one or more candidates for Council consideration for appointment to the position of City Manager.” For the other Council appointees, the Charter does not specify how they shall be nominated, only that the Council shall appoint them.

The Commission proposed the following amendment language (changes noted in *bold italic*):

*ARTICLE VII CITY MANAGER*  
*SECTION 700 Appointment, Term and Compensation*

*There shall be a City Manager. The Mayor **and members of the Council** shall have the ability to nominate one or more candidates for Council consideration for appointment to the position of City Manager. The City Manager shall be appointed by the Council for an indefinite term. The Council shall fix the compensation of the City Manager.*

Following is analysis of the Commission’s recommendation that members of the City Council be given the ability to nominate prospective City Manager candidates along with the Mayor with a goal of providing “more equitable representation” in the applicant pool.

Among the questions to be considered are how and when councilmembers would nominate prospective candidates to the position of City Manager. Would these nominations happen early in a recruiting process? Or at the end? And how would they accomplish the goals laid out by the Charter Review Commission?

Best practices in human resources are to have a hiring and recruitment process that is clear, fair, and equitable. Staff looked at the history of City Manager recruitments in San José for the past two decades and found that, whether a recruitment was internally focused or open to outside candidates, the Mayor’s office did have a process to vet candidates. For larger searches, a recruitment firm was used. In executive recruitments, standard practice is to solicit nominations at the beginning of the process.

The language recommended by the Charter Review Commission doesn’t give direction about the hiring process, which leads to questions about how the nomination language might be interpreted in the future. In a worst-case scenario, there could be multiple or dueling recruitment efforts, which would not lend itself to organizational stability, clarity, or fairness, and could result in an appointment process that is more political rather than equitable.

One option, if the current Charter language were not amended, would be for the City Council to adopt a Council Policy, consistent with the current Charter language, that outlines what the

process would be for appointing the City Manager, and potentially other Council appointees, with recommendations to the Mayor for nominating potential candidates for City Manager. Or a Council Policy could define the role of both the Mayor and Council in the nomination process if the Charter language were amended.

If the Council wishes to amend Section 700 of the City Charter regarding the Mayor's role in nominating the City Manager, one option would be to change the language to match that of other Council appointees, stating that the "City Council shall appoint." Another option would be to include language that refers to adopting and following a Council Policy or adopting and following a resolution or ordinance.

Amending the Charter language will require approval of the voters of San José. The intended goal of this recommendation may also be accomplished without a Charter change, if desired by the City Council, so long as the policy is consistent with the Charter. Drafting a Council Policy, resolution, or ordinance regarding the Council Appointee hiring process is not currently on the City Roadmap; however, the Office of Administration, Policy, and Intergovernmental Relations together with the Department of Human Resources and the Office of Employee Relations can complete this work in the fall, if Council so directs.

### **Cost Implications**

No additional costs beyond a potential charter amendment ballot measure or staff time to draft a potential Council Policy, resolution, or ordinance.

### ***Recommendation 2: Establish Future Charter Review Commissions***

### **Charter Review Commission Recommendation**

The 2021 Charter Review Commission recommended amending the San José City Charter to, beginning in 2028, require the City Council to appoint a new Charter Review Commission and to do so every ten years afterwards. The Commission would be tasked with reviewing and recommending amendments to the City Charter.

This recommendation would retain the Council's ability to appoint a Charter Review Commission at any other time should the need arise.

### **Policy Considerations**

The City Charter serves as the City's Constitution. The first City Charter was adopted in 1916. In 1965, a Charter Review Commission produced the Charter that is in effect today. A Charter Review Commission in 1972 made recommendations regarding moving to a Strong Mayor form of government, as well as implement district elections, but those proposals did not move forward. In 1978, the voters approved amendments to the City Charter to expand the City Council to 11 seats, elect the 10 councilmembers by district and the Mayor by citywide vote. In

1986, the Charter Review Commission recommended, and voters approved, Charter changes, including Council confirmation of appointment of department heads; amendments to the duties of the City Manager and City Auditor; and expansion of the duties and powers of the Mayor, such as holding an annual address regarding the state of affairs in the City, presenting an annual budget message, and having authority over a public information office.

Generally, the City Council may place Charter amendments before the voters at any regularly scheduled citywide election. Some significant Charter amendments, such as creation of the Office of the Independent Police Auditor in 1996, have been placed on the ballot by Council without convening a Charter Review Commission.

The 2021 Charter Review Commission was the first such commission convened since 1985. The Commission report expressed concern that San José had changed significantly in that time, and the Charter had not been reviewed comprehensively in that period. For this reason, the Commission recommended a Charter amendment that would convene a Charter Review Commission every decade. However, it is important to note, that the City Charter gives Council the authority to convene a Charter Review Commission at any time it deems it necessary without such an amendment. Additionally, if this requirement were in the Charter, the Council would be required to convene the Commission every 10 years, even if there was not a pressing need to revisit the Charter.

### **Cost Implications**

According to the final report of the 2021 Charter Review Commission, the 23-member commission held 29 meetings, totaling more than 100 hours of meeting time, as well as numerous ad hoc subcommittees and five public hearings. This is a significant dedication of time for commissioners, staff, and the community.

In addition to outside consultant staffing, the City Clerk's Office and City Attorney's Office provided staff to the Commission. The Commission also engaged in extensive public outreach, including working through trusted grassroots nonprofits to reach communities that have traditionally faced barriers to engagement in civic affairs.

Costs for the 2021 Charter Review Commission totaled approximately \$375,000, including staff time, outreach, interpretation, and consultant costs. These costs would need to be budgeted for in future years when a Charter Review Commission would be convened.

***Recommendation 3: Expand the City Council to 14 Council Districts***

### **Charter Review Commission Recommendation**

The Charter Review Commission recommended that the City Charter be amended to expand the number of council districts from 10 to 14 to bring the ratio of residents to representatives more in line with what they were in 1978, when the 10 districts were originally established.

## **Policy Considerations**

In November 1978, the voters of San José approved a Charter amendment to increase the size of the City Council to 10 councilmembers, plus the Mayor, and to elect councilmembers by district.<sup>1</sup> The 1978 Charter Review Commission considered four different alternatives for Council size: six members, eight members, 10 members, or 14 members, as well as studying various forms of election.

In 1980, the City's population was approximately 630,000 residents, or approximately 63,000 residents per Council district. The 1978 report budgeted \$50,000 for each new Council district (approximately \$217,000 in 2022 dollars) and discussed paying the Council and Mayor a full-time salary for the first time.

In 1996, San José voters approved building a new City Hall in downtown. City Hall opened in 2005 with offices for the Mayor and 10 councilmembers on the 18<sup>th</sup> floor, with some of the Mayor's staff housed on the 17<sup>th</sup> floor, along with the City Manager's Office.

Increasing the size of the San José City Council entails several practical and budgetary considerations, from mapping new Council districts to reconfiguring office space to reconfiguring Council Chambers. Required steps and preliminary costs to do so are discussed in the Cost Implications section below.

Staff researched the largest 20 cities in the United States to learn:

- What the size and composition of the city's governing body is;
- What the average number of residents per district is; and
- If any cities were considering changes to the size of the governing body due to population changes.

According to the 2020 Census, San José is the tenth largest city in the United States with 1,013,240 residents. The 20 largest cities range in size from 8.8 million residents in New York to 689,545 residents in Washington, D.C.

City councils or other governing bodies range in size from eight members in Phoenix to 51 in New York. The average size of a city council or other governing body is 16.55 members.

The number of constituents per district range from a low of approximately 35,000 in Charlotte to a high of approximately 260,000 per district in Los Angeles. The average number of constituents per district is 106,366. San José's average constituents per district is 101,324.

Two cities, Fort Worth and Columbus, plan to increase their City Council size with local elections in 2023 elections:

- Fort Worth, the 13<sup>th</sup> largest city in the U.S., grew by 24% between 2010 and 2020. Their City Council will increase from eight seats to 10 with an average of 91,892 residents per



district. The City Council finalized the district maps for the 2023 election on March 24, 2022, with a final vote to be held on March 29, 2022.

- Columbus, the 14<sup>th</sup> largest city, grew by 15%. Their City Council will grow from seven to nine members with the 2023 election, with an average of 100,639 residents per district. (Note: Councilmembers must live in the district they represent, however they are elected by voters citywide.) Columbus voters approved the expansion in 2018, so the expansion was incorporated into the existing redistricting following the 2020 Census. The entire Council will be up for election in 2023. After the election, the City Clerk will draw straws to determine which seats are two-year and which are four-year terms.

Staff also found some cities that have experienced population decreases are considering reducing the size of their governing body. For example, in Cleveland, their City Council will shrink from 17 seats to 15, per requirements in that city's Charter.

The complete results of this research can be found in Attachment B.

### **Cost Implications**

Following are steps that would be required to increase the size of the San José City Council, timeframes in which this recommendation could be implemented, and preliminary cost considerations:

1. Changing the size of the City Council requires a Charter amendment. The soonest such an amendment could be placed before the voters would be November 2022. In the example from Columbus (above), the vote was held in 2018 to combine the expansion with the regular redistricting process following the 2020 Census.
2. If the voters approve the Charter amendment, new Council districts would need to be created and new maps developed.
  - a. Under the current Charter requirements, the City Council appoints an Advisory Commission for redistricting, with one member from each Council District and a chair appointed at-large. The Advisory Commission must hold at least three public hearings. The most recent redistricting effort, following the 2020 Census, involved 25 meetings and extensive community outreach. The process took more than 11 months, which is partly attributable to delays in receiving the results of the 2020 Census caused by the COVID-19 pandemic. Based on this experience, staff estimates that the earliest new districts could be implemented fully would be the 2026 election cycle.
  - b. There would be significant questions to resolve around election timing and implementation if new districts are created. For example, would all 14 seats be up for election in 2026, with half of the councilmembers serving two-year terms as occurred in 1980? The 2020 Redistricting Commission budget totaled more than \$250,000,

- including consultants, staff time (City Clerk’s Office and City Attorney’s Office), translation, outreach, and other costs.
3. Extensive public outreach would be required to educate residents about their new council districts. The current budget for outreach for redistricting changes is \$150,000. This does not include outreach expenditures from City Council offices.
  4. City Hall would require significant remodeling, including creating four new offices for the new councilmembers, reconfiguring space for Council staff, redesigning the dais in Council Chambers to fit four additional members, and ensuring adequate capacity in the green room for Closed Session meetings. This would be a significant undertaking, from planning and architecture through construction. Based on prior remodeling projects, Public Works provided a preliminary starting budget of \$2.5 million, although this would have to be explored in more detail. Completing this work between potential voter approval in November 2022 and the move in of new councilmembers in January 2025 is possible, but would cause disruption to existing office operations while construction is underway.
  5. The current budgeted cost for one City Council district is approximately \$1 million. Adding four new districts would increase the City’s ongoing operating budget by \$4 million (in 2022 dollars, likely higher in 2025).

The estimated total costs for implementation, in today’s dollars, is at least \$2.9 million in one – time funding and \$4 million in ongoing annual costs. One policy alternative is to revisit this issue in advance of the 2030 redistricting, providing adequate time for community engagement and advance planning.

***VOTING-RELATED RECOMMENDATIONS***

***Recommendation 4: Implement Ranked-Choice Voting***

Recommendation 4 is discussed in a separate memorandum from the City Clerk.

***Recommendation 5: Elevate the Board of Fair Campaigns and Political Practices to the City Charter***

**Charter Review Commission Recommendation**

The Charter Review Commission recommended that the City elevate the San José Board of Fair Campaign and Political Practices from the Municipal Code to the City Charter.

### **Policy Considerations**

Three of the City's 23 boards and commissions are in the City Charter: The Planning Commission, the Civil Service Commission, and the Salary Setting Commission. The remainder, including the Board of Fair Campaign and Political Practices, were created by ordinance.

Adding a Board or Commission to the City Charter requires a Charter amendment and approval of the voters of San José. Amending the core requirements or duties for that Board or Commission in the future also require an amendment and vote of the people. (Note: It is possible to include a reference in the charter language to an enacting ordinance, which adds flexibility. However, changing or updating the underlying requirements would require a Charter amendment.)

Having a Board or Commission in the Municipal Code requires Council to enact an ordinance.

In recent years, the City Council has updated and amended the scope of work, as well as the name of the Board, for the Board of Fair Campaign and Political Practices in response to changing needs and recommendations from the Board itself. If this recommendation had been in place, certain changes (such as the name change) would have required approval by the voters, while others could have still happened by resolution. How this might play out in the future would depend on how narrowly or broadly the Charter defined the Board and its scope of work.

### **Cost Implications**

Beyond the cost of including Recommendation 5 in an initial Charter amendment, future cost implications would depend on whether there was a need to amend the Board's scope and duties in the future, as that might require another Charter amendment.

## ***INCLUSION AND ACCOUNTABILITY RECOMMENDATIONS***

### ***Recommendation 6: Reform Boards and Commissions (Article X)***

#### **Charter Review Commission Recommendation**

The Charter Review Commission made several recommendations related to San José boards and commissions in Recommendation 6. They are:

- A. Remove citizenship requirement for all applicable boards and commissions as permitted by Senate Bill 225, which revised membership requirements to all California government boards and commissions;
- B. Ensure all boards and commissions:
  - a. Receive training in ethics, civics, and diversity, equity, and inclusion;

- b. Elect their chairs and vice-chairs democratically;
- c. Incorporate racial and social equity analysis to promote the use of an “equity lens” for decision-making; and

C. Provide a stipend to all members of boards and commissions.

### **Policy Considerations**

#### *Recommendation 6A: Citizenship Requirements*

Article X of the City Charter delineates the responsibilities of three City commissions: The Planning Commission (Section 1000), the Civil Service Commission (Section 1001), and the Salary Setting Commission (Section 1001.1). Section 1002 of the City Charter grants the Council authority to create other boards and commissions, including advisory committees and task forces. Requirements to serve in an appointed City office or position (such as on a board or commission) are generally a “municipal affair” within the authority of charter cities to regulate under the California Constitution.

The City Charter requires that members of the Planning, Civil Service, and Salary Setting commissions be electors (registered voters) in the City of San José. Beyond that, Section 1000 states that a member of the Planning Commission must be a U.S. citizen and a resident of San José for one year prior to serving on the Commission.

Changing the requirements to allow non-citizens to serve on these three commissions would require the voters of San José to approve an amendment to the Charter.

In addition to the three Charter commissions, San José has at least 19 other boards and commissions. Section 1002 is silent on whether members of these commissions are required to be citizens, residents, or San José electors. Qualifications for these commissions are established in the Municipal Code or Council Policy, which can be amended by City Council action. Other than the Board of Fair Campaign and Political Practices, the Municipal Code and Council Policy are silent on whether members of these other boards and commissions must be citizens or qualified electors. Absent a provision to the contrary, with no further action, the Council may currently appoint non-citizens to serve on 18 of the existing boards or commissions.

Encouraging non-citizens to serve on boards and commissions would require outreach and development of materials that inform non-citizens about their ability to serve, as well as how participation may or may not affect their ability to naturalize or their immigration status. This outreach could be implemented for the existing boards or commissions that presently do not exclude non-citizens from participating regardless of whether the Charter is amended for the three Charter commissions.

*Recommendation 6B: Board and Commission Training, Processes, and Decision-Making*

The recommendations outlined under Recommendation 6B are largely procedural or operational changes and do not require an amendment to the City Charter to move forward, however, they do require additional staff and/or consultant resources to implement fully. A phased approach to implementing 6B(a) and 6B(c) may be one alternative as the City has 22 boards and commissions, with 239 commissioners.

While the Office of Racial Equity (ORE) and other departments have existing contracts to train City staff around diversity, equity, and inclusion, the City does not have consultants under contract to provide civics and ethics trainings beyond any trainings currently provided to City staff, including those required by state law. The first step would be to determine what training resources are available and procure those resources. Second, staff would need to ensure that City staff assigned to staff each board and commission is trained to provide guidance to the commissioners in incorporating racial and social equity analysis and using an equity lens in their decision-making. Third, staff would need to prioritize delivering these services and develop an implementation schedule, as not all board and commission members could be trained at once.

Council could choose to review this recommendation through the upcoming Citywide Roadmap and annual budget process to assess costs and staffing needs in the City Clerk's Office or ORE to coordinate this new work. Currently, ORE is in process to provide foundational racial equity training to the organization's workforce. While ORE can work to transfer those training materials to commissioners for foundational learning purposes, there will be costs for implementation. Going further, to incorporate an "equity lens" will require continual engagement, training, and practice to develop the skills necessary to conduct critical analysis. This will require additional resources, dedicated time, and commitment to ensure equity considerations in decision making.

Implementing Recommendation 6B(b) would require reviewing the Municipal Code and determining how the chair and vice-chair is appointed for each of the 22 boards and commissions and whether those positions are democratically elected. For example, the chair of the Charter Review Commission was a citywide appointment and designated by the Mayor. In such cases, Council could amend the Municipal Code if it so chose. This work is not currently on the Citywide Roadmap.

*Recommendation 6C: Stipends for Boards and Commissioners*

Currently, the City pays the following stipends to board and commission members:

- Appeals Hearing Board, \$100 per meeting.
- Planning Commission, \$250 per month.
- Civil Service Commission, \$250 per month (\$450 for presiding officer).
- Federated City Employees' Retirement System, \$250 per month.
- Police and Fire Retirement Plan Board, \$250 per month.

The decision to pay members of boards and commissions does not require an amendment to the City Charter. Stipends could be budgeted through the annual budget process. However, adding a stipend requirement to the Charter would add permanency to the action. Adding stipends could make it possible for more residents to serve on boards and commissions, particularly if doing so requires them to pay for childcare while they attend the meetings or miss other paying work.

### **Cost Implications**

Recommendation 6A: No cost implications beyond the initial ballot measure.

Recommendation 6B: Providing foundational training in diversity, equity, and inclusion to all City employees is costing approximately \$125,000 for a set number of webinar-based trainings, materials and office hours with the consultants. If a similar model were implemented for the 22 boards and commissions, this cost could be used as a basis. More detailed costs for the program proposed in Recommendation 6B would need to be developed through the annual budget process.

Recommendation 6C: Paying 239 commissioners an average stipend of \$250 per month for 10 months per year would total approximately \$597,500. More detailed cost analysis or a more nuanced proposal would need to be brought forward through the annual budget process.

*Recommendation 7: Add a Native Land Acknowledgement to the City Charter*

### **Charter Review Commission Recommendation**

The 2021 Charter Review Commission recommended that the City Charter be amended to formally include a Native Land Acknowledgement of the Muwekma Ohlone Tribe in San José's Charter. The recommendation includes a draft Native Land Acknowledgment.

### **Policy Considerations**

Adopting a Native Land Acknowledgment, whether within the City Charter or in other elements of the City's work, would build upon the steps the City has taken to acknowledge and honor the history and experiences of Native Americans in San José, beginning with the recognition of Indigenous Peoples' Day as a City holiday.

Staff appreciates the Charter Review Commission's engagement with the community and the Muwekma Ohlone Tribe to develop the draft Native Land Acknowledgment. However, concerns arose near the end of Commission's meeting process, with testimony from other tribal stakeholders who had not been included in the development of the land acknowledgment.

Best practices for the development of such acknowledgments require significant community engagement, particularly with various native and tribal groups, preferably facilitated by a third-party to ensure genuine efforts around meaningful dialogue, healing, reconciliation, and trust-

building between those who have been impacted and the governmental entity. Any draft and final land acknowledgment would then need to go through in-depth review from tribal groups to ensure agreement.

Staff reviewed actions that the 10 largest cities in California have taken around Native Land Acknowledgment and found a variety of approaches. Although none have taken action to date to include an acknowledgement in their Charters, Los Angeles, San Francisco, Sacramento, and Long Beach have adopted resolutions of apology, reconciliation, and/or healing around native communities and lands. Sacramento reads a Native Land Acknowledgment before the Pledge of Allegiance at each City Council meeting. Taking such action does not require going to the voters to amend the City Charter.

### **Cost Implications**

Engaging in a reconciliation and formal apology process, including development of a Native Land Acknowledgment, would require funding for a consultant to facilitate and guide the community engagement strategy, as well as dedicated staff to coordinate the effort. Estimates for consultant costs begin at approximately \$25,000 but could be higher.

*Recommendation 8: Use Gender-Inclusive Language in the Charter and City Documents*

### **Charter Review Commission Recommendation**

The 2021 Charter Review Commission recommended that the City update gendered language in the Charter and official City documents (such as ordinances, resolutions, and City policies) to be gender-inclusive or gender-neutral.

### **Policy Considerations**

Staff is working to use gender-inclusive and gender-neutral language in reports to the City Council, committees, boards, and commissions, as well as in ordinances and resolutions. The City Manager's Office has on its work plan for 2021-2022 and 2022-202 continued trainings on memoranda and policy writing, which will include information on using gender-inclusive and gender-neutral language in all documents.

Editing the City Charter language to be gender-neutral could be done in tandem with other Charter amendments, if the Council elects to place any amendments on the ballot in November 2022. Otherwise, Council could direct the City Attorney to include those edits the next time amendments to the City Charter are placed before the voters.

Amending other documents, such as the Municipal Code or Council Policy Manual, retroactively would be a significant body of work, which is not on the Citywide Roadmap or currently staffed.

### **Cost Implications**

There are no major cost implications beyond the cost of the Charter Amendment so long as this work is done prospectively, not retroactively.

***Recommendation 9: Establish Equity Values, Equity Standards, and Equity Assessments***

***Recommendation 10: Address Equity and Inclusion in City Programming and Budgeting***

### **Charter Review Commission Recommendation**

The Commission made two detailed recommendations related to equity and inclusion.

Recommendation 9 states:

- A. Add a statement of values to the Charter that defines social equity, inclusion, and racial and social justice as guiding principles for the decisions, policies, budgets, programs, and practices of the City;
- B. Outline objectives intended to advance the aforementioned values through the areas of safety, environmental health, water and sanitation, parks and recreation, mobility and transportation, economic development, housing standards, workforce protection and housing amenities; and
- C. Conduct an equity assessment for the annual operating and capital budgets as contained in the Recommended Budgets generated by the City Manager each fiscal year and for major policies and programs to be decided upon by the City Council.

Recommendation 10 states:

“The purpose of this recommendation is to guarantee San José residents are equitably included in the benefits of City services and have the benefit of equal access to City services. The Mayor, City Council and the City Manager need to promote equity and inclusion among all residents especially in the budget for the City of San José. The absence of this requirement in the Charter has and may continue to cause inequities.

“It is recommended the City Charter be amended with recommended language for Article IV The Council, Article V The Mayor, and Article VII City Manager. This recommendation is [to require] specific adherences to the Commission recommendation on Equity Values, Equity Standards, Equity Assessments. Article IV the Council would require adherence to the Statement of Values; Article V The Mayor would require specific adherence to Equity Assessment; Article VII City Manager would require specific adherence to Equity Standards.”



## **Policy Considerations**

The City of San José has, in recent years, undertaken significant work to advance a racial equity framework throughout the organization. This has included, but not limited to, the following:

- Participating in the Government Alliance for Race and Equity;
- Creating, funding, and staffing the Office of Racial Equity in the City Manager's Office to guide the City organization;
- Designing a tool to include racial equity considerations into the budget process;
- Supporting the development of Racial Equity Action Plans and teams in each City department;
- Coordinating a foundational racial equity training for the City workforce;
- Piloting a project to incorporate racial equity principles into core services;
- Infusing pandemic response, relief, and recovery work with an equity lens to prioritize San José's most vulnerable residents, small businesses, and nonprofits; and
- On February 1, 2022, the City Council adopted a [definition](#) of racial equity<sup>1</sup> that will guide the City's work around racial equity.<sup>3</sup>

In Recommendation 9, the Charter Review Commission recommends incorporating into the City Charter values, definitions, principles, and objectives around racial equity, as well as requiring equity assessments. Making these changes would require approval of the voters.

It is important to note that the Charter is the least flexible policy action available to the City to articulate the City's values, definitions, principles, and objectives around racial equity; amending it to reflect changing circumstances would require approval of the voters every time. Yet objectives and strategies change in response to changing circumstances and are culturally and historically specific to a point in time.

One less restrictive and more flexible option would be for the City Council to instead build upon its existing definition of racial equity and consider a Council Policy, resolution, or ordinance that puts forward values of racial/social equity (and the corresponding definitions), together with guiding principles or strategies. These could include guidelines for implementing an equity lens or conducting an equity analysis/assessment in the City's programmatic and policy work. Objectives may evolve over time and vary depending on the nature of each department or program's work, but guiding principles could be constant across the organization.

Recommendation 10 expands on Recommendation 9 to require adherence by the City Council, Mayor, and City Manager to the proposed Charter amendments.

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<sup>3</sup> See report to Council: <https://sanjose.legistar.com/View.ashx?M=F&ID=10441837&GUID=57D40CC8-32E8-455D-9A41-B6B3C49E448F>.

### **Cost Implications**

The City has been progressively increasing the explicit consideration of equity into its service delivery and budgeting approach, as most recently evidenced by allocations from the Coronavirus Relief Fund and the American Rescue Plan Fund that overwhelmingly targeted resources to support the community's most vulnerable and disproportionately impacted by the pandemic. The 2022-2023 Budget Balancing Strategy Guidelines adopted by the City Council with its approval of the Mayor's March Budget Message requires the Administration to "pose explicit considerations of equity – including who benefits and who is burdened – when considering changes to City services to achieve a balanced budget." To help operationalize this approach, ORE and the City Manager's Budget Office have developed a budgeting for equity worksheet as a tool for departments to apply an equity lens on their community-serving Core Services. While this tool is an important start, additional work and capacity-building is necessary to fully scale.

If the Council were to pursue creation of a Council Policy, resolution, or ordinance that delineates values of racial/social equity, guiding principles, and implementation strategies, this work would require staff time and resources to engage the Administration, departments, elected officials, and most importantly our community. Implementation of the equity lens, analysis, and assessment at a deeper and more expanded level as envisioned by the Charter Review Commission builds on existing work. The pace of implementation desired by the Charter Review Commission could exceed current organizational capacity, which will need to be evaluated as part of future budget processes.

#### ***Recommendation 11: Establish Regular Department Audits***

Recommendation 11 is discussed in a separate memorandum from the City Auditor.

#### ***OTHER POLICY RECOMMENDATIONS (NOT REQUIRING CHARTER AMENDMENT)***

#### ***Recommendation 12: Create a Climate Action Commission***

### **Charter Review Commission Recommendation**

The 2021 Charter Review Commission recommended that the City Council create a "Climate Action Commission" in the municipal code, composed of a combination of 17 community members and special eligibility seats to study, create reports, and recommend policy and programs that help to identify, mitigate, and prepare for the impacts of climate change and global heating as it may manifest in San José, and to support and give feedback on the Climate Smart San José program.

### **Policy Considerations**

The Citywide Roadmap includes one project that intersects with this recommendation: The Climate Smart American Cities Climate Challenge item, which is part of the Smart, Sustainable, + Reliable City: 21st Century Infrastructure enterprise priority.

This recommendation aligns with Council-adopted Climate Smart policies and goals and could help move policies forward with better community engagement and input.

To improve efficiency and effectiveness, consider integrating the San José Clean Energy Advisory Commission into the City's Climate Action Commission. This Advisory Commission has seven members with technical, business, and other areas of expertise who advise and make recommendations to the City Council about San José Clean Energy. They help identify both proven and innovative methods for reducing carbon emissions, increasing energy efficiency, and developing new, local energy programs and facilities.

### **Cost Implications**

Implementing a Climate Action Commission would be all-new work for the Environmental Services Department and, if Commission consolidation is implemented, would result in a significant expansion of the work of San José Clean Energy. At 17 members, the proposed Commission would be one of the largest Commissions in the City. (The Neighborhoods Commission has 20 members, two from each Council District.)

If approved, the Environmental Services Department estimates needing additional administrative staff to manage the Commission process and Brown Act requirements, as well as policy and outreach staff to coordinate Committee policy work, reports, and community outreach. This would need to be costed during the annual budget process.

Additionally, the Charter Review Commission has recommended paying stipends to commissioners. If this recommendation moves forward, these costs will also need to be budgeted.

If Council wishes to further explore Recommendation 13, this could be done through the budget process. This work would include determining how to best leverage and consolidate the San José Clean Energy Advisory Commission into the Climate Action Commission and the costs for implementation. The Administration could report back to the City Council through a Manager's Budget Addendum.

*Recommendation 13: Explore a Community Opportunity to Purchase Act*

**Charter Review Commission Recommendation**

The 2021 Charter Review Commission made two recommendations related to housing affordability. The first is to explore policies that will prioritize establishing and continuing to support a Community Opportunity to Purchase Act (COPA) and creating new sources of funding for affordable housing community ownership models and anti-displacement and the continuation of tenant protections.

**Policy Considerations**

This work intersects with two of the enterprise priorities on the Citywide Roadmap: Ending Homelessness and COVID-19 Pandemic: Community + Economic Recovery (particularly the Housing Stabilization project work).

As part of its existing workplan, the Housing Department is already working on a COPA program. As reported to the Neighborhood Services and Education Committee on March 10, 2022,<sup>4</sup> the Housing Department has completed robust community outreach for input. The COPA work is currently being paused while staff completes the federal Assessment of Fair Housing and state-required Housing Element, which have initial deadlines in July and August of 2022. The Department aims to resume COPA work in late summer and bring a draft COPA plan to Council Committee in the fall of 2022.

No action is required for Recommendation 13 as the City Council already endorsed this work with its approval of the Housing Crisis Workplan and the 2020 Citywide Residential Anti-Displacement Strategy. However, if the Council wished to formally endorse the Commission's recommendation, it could do so.

**Cost Implications**

This is already in the Housing Department's work plan and budget. Funding sources and potential budget needs for implementation of a COPA would be brought forward with the draft COPA plan.

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<sup>4</sup> See report to the Neighborhood Services and Education Committee, March 10, 2022:  
<https://sanjose.legistar.com/LegislationDetail.aspx?ID=5449138&GUID=A70E82BC-2E08-44EB-BD9B-8BAFC4FF4C3C&Options=&Search=>.

***Recommendation 14: Promote Home-ownership Opportunities for Low-Income Residents of San José***

**Charter Review Commission Recommendation**

The Commission's second policy recommendation related to housing affordability was to explore new policies to support the purchase of affordable housing by low-income San José residents while not impacting existing policies or resources available to support affordable rental housing for its residents.

**Policy Considerations**

This work intersects with two of the enterprise priorities on the Citywide Roadmap: Ending Homelessness and COVID-19 Pandemic: Community + Economic Recovery (particularly the Housing Stabilization project work).

Staff notes that, in a community like San José with high housing costs, the gap for low-income homeownership is considerable. Generally, funding invested in affordable rental housing has gone farther and housed more residents than funds invested in ownership housing. That said, the Housing Department currently supports limited efforts by Habitat for Humanity, the only entity active in our market currently producing low-income homeownership opportunities. The Housing Department is also currently managing a Request for Proposals (RFP) for several city-owned sites. At least two of these sites may be ideal for a for-sale affordable development. Staff will consider responses to this RFP process in spring 2022.

Additionally, in approving the Housing Crisis Workplan, the City Council gave direction to support community land trust development and alternative ownership models. That work is ongoing. The Council also has given direction to develop a moderate-income housing strategy, which could incorporate some of the Charter Review Commission's direction. That strategy should be updated and completed in FY 2022-2023. Also, on June 8, 2021, the City Council directed staff to include in its forthcoming Assessment of Fair Housing "*a specific strategy that increases African American and Latino homeownership opportunities,*" and *investigates best practices, funding, and land use relevant to creating homeownership opportunities for members of protected classes who have been historically marginalized from ownership opportunities in San José.*

No action is required for Recommendation 14, as the City Council already endorsed this work with its approval of the Housing Crisis Workplan. However, if the Council wished to formally endorse the Commission's recommendation, it could do so.

**Cost Implications**

Currently, the Housing Department is recruiting for a time-limited staff position to focus on homeownership and moderate-income housing efforts. Strategies for homeownership could

include those for moderate- and low-income buyers if deemed feasible and responsive to the RFP. The position recruitment is expected to close in March.

The bigger challenge will be implementing the direction to create new sources of funding to support community ownership models. Existing City funding sources (such as Inclusionary Housing in-lieu fees or Measure E funds) are one potential resource for seed funding for these efforts. However, the Charter Review Commission also recommended that efforts around homeownership not impact “existing policies or resources available to support affordable rental housing for its residents,” and these funds are currently allocated for affordable rental housing and homelessness prevention efforts.

The Housing Department is continuously searching for additional resources, such as state, federal, and philanthropic grant funds. However, most sources tend to favor rental programs due to the greater number of households that can be affordably housed with similar expenditures, and the long-term affordability that always results from subsidizing rental housing as opposed to homeownership programs.

***Recommendation 15: Strengthen Community Input to the Smart City Advisory and Innovation and Technology Advisory Boards***

### **Charter Review Commission Recommendation**

The Charter Review Commission recommended the following changes to the Smart City Advisory Committee and the Innovation and Technology Advisory Boards: Alter appointments to San José’s Smart City Advisory Board and the Innovation and Technology Advisory Board with the goal of strengthening community input on the effects and consequences of technological change.

### **Policy Considerations**

This recommendation intersects with two items on the Citywide Roadmap in two different enterprise priorities: The Secure City Cybersecurity project in the Strategic Fiscal Positioning + Resource Deployment enterprise priority and the Drive to Digital project in the Powered by People enterprise priority.

The Information Technology (IT) Department has, in recent years, convened the following Boards to inform and advise its work:

- The former Innovation and Technology Advisory Board was convened to support the initiation of the City’s 2017-2020 IT Strategic Plan, including operations, tactical planning, and strategies. This Board’s work concluded after one year and that plan was successfully implemented.

- The Smart City Advisory Board was designed to tap the expertise of our local companies to help the City achieve the San José Smart City Vision, which aims to make San José the most innovative city in North America.
- The Cybersecurity Advisory Board was convened around emerging issues in cybersecurity.
- The Digital Privacy Advisory Taskforce meets approximately three times per year around emerging issues in digital privacy and does include non-profits and academics, as well as businesses.

Historically, membership in these bodies have included representatives from nonprofits, civic organizations, peer government agencies, and the private sector. Membership has been kept to approximately eight members for efficiency, however meetings are open to the public.

If the Council so directed, the Administration could consider and work for inclusion of nonprofits/civic organizations, peer governments, as well as private sector members on the Smart City Advisory Board, Digital Privacy Advisory Task Force, and similar advisory Boards in the future.

Given the large number of neighborhoods and neighborhood associations in San José, one alternative would be to ask the Neighborhoods Commission to designate a member to serve as liaison to these bodies. Another alternative would be for the IT Department to engage with the Neighborhoods Commission via an annual verbal report or when there is a matter pending that needs broader neighborhood input.

### **Cost Implications**

Currently, the position staffing the Smart City Advisory Board is vacant. Should the size of the Board increase, or the technical expertise of its membership change, it could impact the staffing needs.

### **CONCLUSION**

The City Manager, City Attorney, and City Clerk collectively thank the 2021 Charter Review Commission for their commitment to the City of San José and the forward-looking recommendations addressed in this report. The final report reflects an extensive amount of research, many long hours, and a tremendous commitment to outreach and engage residents who traditionally have not held a seat at the table in such work. In addition to recommendations around governance structure and voting, the Commission also brought forward wide-ranging recommendations that call attention to the diverse needs of our community, including improving equity and inclusion, addressing climate change, and ensuring access to affordable housing. Many of the recommendations do not require a charter amendment to meet the goals and outcomes that the Commission set forth, should the Council wish to take an alternate path

forward. Some do require going to the voters, and it is important to note, passage of such a measure is not guaranteed.

### **EVALUATION AND FOLLOW-UP**

If the City Council wishes to move forward any of the proposed City Charter amendments, staff will return to Council with a ballot measure or measures prior to the August 11, 2022 deadline for placing items on the November 8, 2022 ballot.

For items where Council wishes additional fiscal or staffing analysis, the Administration will return through the FY 2022-2023 Budget process and/or the Citywide Roadmap process.

For recommendations not requiring a City Charter amendment or where staff is already working on the issue raised, the Administration will bring forward updates through the appropriate Council Committee.

### **CLIMATE SMART SAN JOSE**

Some of the recommendations from the 2021 Charter Review Commission align with one or more Climate Smart San José energy, water, or mobility goals.

### **PUBLIC OUTREACH**

The 2021 Charter Review Commission engaged in extensive community outreach, as outlined in its report to the City Council. In addition, this memorandum will be posted on the City's Council Agenda website for the April 11, 2022 Special Meeting of the City Council.

### **COORDINATION**

This memorandum was coordinated with the City Manager's Office of Administration, Policy, and Intergovernmental Relations, City Manager's Budget Office, City Manager's Office of Civic Innovation, City Manager's Office of Employee Relations, City Manager's Office of Racial Equity, Environmental Services Department, Housing Department, Human Resources Department, and Public Works Department.



## **COMMISSION RECOMMENDATION/INPUT**

This report responds to recommendations from the 2021 San José Charter Review Commission, which released its final report on December 3, 2021.

### **CEQA**

Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment.

/s/  
JENNIFER A. MAGUIRE  
City Manager

/s/  
NORA FRIMANN  
City Attorney

/s/  
TONI J. TABER, CMC  
City Clerk

The principal author of this memorandum is Michelle McGurk, Assistant to the City Manager, City Manager's Office of Administration, Policy, and Intergovernmental Relations.

For questions, please contact:

- Sarah Zárate, Director, City Manager's Office of Administration, Policy, and Intergovernmental Relations, at (408) 535-8100 or [sarah.zarate@sanjoseca.gov](mailto:sarah.zarate@sanjoseca.gov).
- Mark Vanni, Senior Deputy City Attorney, Office of the City Attorney, at (408) 535-1997 or [mark.vanni@sanjoseca.gov](mailto:mark.vanni@sanjoseca.gov).
- Toni Taber, City Clerk, Office of the City Clerk, at (408) 535-1270 or [toni.taber@sanjoseca.gov](mailto:toni.taber@sanjoseca.gov).

For technical questions on the following recommendations, please contact:

- Recommendations 7 through 10, inclusion and equity-related questions: contact Zulma Maciel, Director, Office of Racial Equity, [zulma.maciel@sanjoseca.gov](mailto:zulma.maciel@sanjoseca.gov).
- Recommendation 12, Climate Action Commission: contact Kerrie Romanow, Director, Environmental Services Department, [kerrie.romanow@sanjoseca.gov](mailto:kerrie.romanow@sanjoseca.gov).
- Recommendations 13 and 14, housing-related recommendations: contact Rachel VanderVeen, Deputy Director, Housing Department, at [rachel.vanderveen@sanjoseca.gov](mailto:rachel.vanderveen@sanjoseca.gov) or Kristen Clements, Division Manager, Housing Department, at [kristen.clements@sanjoseca.gov](mailto:kristen.clements@sanjoseca.gov).
- Recommendation 15, Smart City Advisory Board: Dolan Beckel, Director, Office of Civic Innovation, [dolan.beckel@sanjoseca.gov](mailto:dolan.beckel@sanjoseca.gov).

Attachments:

Attachment A: Summary Matrix of Charter Review Commission Recommendations

Attachment B: America's 20 Largest Cities: Governing Body Size and Structure

**Attachment A**

**Summary Matrix of Charter Review Commission Recommendations**

Category	Number	Recommendation	Requires Charter Amendment	Policy/Programmatic Alternative	Needs Additional Community Engagement	Staff Impact	Funding Impact
Governance	1	Maintain a “Council-Manager” Government Structure and Allow Councilmembers to Make Nominations for City Manager Candidates	Yes to change charter language	Adopt a Council policy to provide guidance on appointee recruitments.	No	Low	Low
Governance	2	Establish Future Charter Review Commissions	Yes	Council has authority to appoint at any time.	No	High Intermittent	High Intermittent
Governance	3	Expand City Council to 14 Council Districts	Yes	Revisit in advance of 2030 redistricting. Note: cannot be fully implemented until 2026 elections.	Yes	High Ongoing	High Ongoing
Voting	4	Implement Ranked Choice Voting	Yes	Wait until County implements for Board of Supervisors and Countywide races.	Yes	Medium Intermittent	Medium Intermittent
Voting	5	Elevate the Board of Fair Campaigns and Political Practices to the City Charter	Yes	Keep in Municipal Code.	No	Low	Low

Category	Number	Recommendation	Requires Charter Amendment	Policy/Programmatic Alternative	Needs Additional Community Engagement	Staff Impact	Funding Impact
Inclusion & Accountability	6	Reform Boards and Commissions (Article X)	Yes to change 3 charter commissions	Most non-Charter commissions do not have citizenship requirements.	Yes to encourage participation	Low	High Ongoing
Inclusion & Accountability	7	Add a Native Land Acknowledgement to the City Charter	Yes if placed in the Charter	Council Policy or Resolution. Add to City website, agendas.	Yes	Medium Ongoing	Medium Ongoing
Inclusion & Accountability	8	Use Gender-Inclusive Language in the City Charter and City Documents	Yes	In Process for City documents going forward.	No	Low	Low
Inclusion & Accountability	9	Establish Equity Values, Equity Standards, and Equity Assessments	Yes if placed in the Charter	Council Policy or Resolution. Work is in process.	Yes	In process	In process
Inclusion & Accountability	10	Address Equity and Inclusion in City Programming and Budgeting	Yes if placed in the Charter	Council Policy or Resolution. Work is in process.	Yes	In process	In process
Inclusion & Accountability	11	Establish Regular Department-Level Audits	Yes if placed in the Charter	Council approves Auditor's work plan annually.	No	High Ongoing	High Ongoing

Category	Number	Recommendation	Requires Charter Amendment	Policy/Programmatic Alternative	Needs Additional Community Engagement	Staff Impact	Funding Impact
Other Policy	12	Climate Action Commission	No	Ordinance	Yes	High Ongoing	High Ongoing
Other Policy	13	Community Opportunity to Purchase Act	No	In Process	Yes	In process	In process
Other Policy	14	Home-ownership Opportunities for Low-Income Residents	No	In Process	Yes	In process	In process
Other Policy	15	Smart City Advisory Board and Innovation Technology Advisory Boards: Community Input	No	Can add participants; utilize Neighborhoods Commission.	Yes	Low	Low

## Attachment B

### America's 20 Largest Cities: Governing Body Size and Structure

Rank	City	2020 Census	Growth since 2010	Size	Composition	Average Constituent Population
1	New York	8,804,190	7.69%	51	Elected by district.	172,631
2	Los Angeles	3,898,747	2.80%	15	Elected by district.	259,916
3	Chicago	2,746,388	1.88%	50	Elected by ward.	54,928
4	Houston	2,304,580	9.77%	16	11 by district + 5 at large.	144,036
5	Phoenix	1,608,139	11.24%	8	Elected by district.	201,017
6	Philadelphia	1,603,797	5.10%	17	10 by district + 7 at large.	94,341
7	San Antonio	1,434,625	8.08%	10	Elected by district.	143,463
8	San Diego	1,386,932	6.08%	10	Elected by district.	138,693
9	Dallas	1,304,379	8.90%	14	Elected by district (previously 8 districts + 3 at large).	93,170
10	San Jose	1,013,240	7.11%	10	Elected by district.	101,324
11	Austin	961,855	21.69%	10	Elected by district.	96,186
12	Jacksonville	949,611	15.55%	19	14 from single districts, 5 at large from "super districts."	49,980
13	Fort Worth	918,915	23.98%	10	Increasing from 8 to 10 in 2023, elected by district.	91,892
14	Columbus	905,748	15.08%	9	Increasing from 7 to 9 in 2023. Each must live in their district, but elected at large.	100,639
15	Indianapolis	887,642	8.19%	11	7 by district + 4 at-large.	80,695
16	Charlotte	874,579	19.57%	25	Elected by district.	34,983
17	San Francisco	873,965	8.54%	11	Elected by district.	79,451
18	Seattle	737,015	21.09%	9	7 by district + 2 at large.	81,891
19	Denver	715,522	19.22%	13	11 by district + 2 at large. Recently defeated adding 2 districts.	55,040
20	Washington	689,545	14.60%	13	8 elected by ward + 5 at large (including Council chair).	53,042
	<b>Average</b>			<b>16.55</b>		<b>106,366</b>