



Charter Review Commission

City of San José

MINUTES

<https://sanjoseca.zoom.us/j/91220304185>

6:00 PM

Monday, May 17, 2021

Present: Chair- Frederick Ferrer; Members- Barbara Marshman, Christina Johnson, Elizabeth Monley, Elly Matsumura (6:03 p.m.), Enrico Callender, Frank Maitiski, Garrick Percival, George Sanchez, Huy Tran, Jeremy Barousse, Jose Posadas, Lan Diep (6:10 p.m.), Linda LeZotte, Louis Barocio (6:07 p.m.), Magnolia Segol (6:08 p.m.), Maria Fuentes, Sammy Robledo, Yong Zhao

Absent: Sherry Segura, Thi Tran, Veronica Amador

Staff: Lawrence Grodeska, Consultant; Megan Roche, Legislative Secretary; Toni J. Taber, City Clerk; Mark Vanni, Senior Deputy City Attorney

I. Call to Order & Orders of the Day

The meeting was called to order at 6:02 p.m.

II. Consent Calendar

a) Approve Charter Review Commission Minutes.

Public Comment: Blair Beekman expressed appreciation for the ability to speak on the Consent Calendar item and asked that public comment be taken immediately after presentations from guest speakers. Roland expressed a preference for the Chair to conduct the meetings rather than the moderator, and also called for members of the public to limit their comments if they become repetitive.

Action: Upon motion by Commissioner LeZotte and seconded by Commissioner Monley, the Commission moved to adopt the Charter Review Commission minutes from the meeting dated 5/3/2021. (15-0-6; Absent: Diep, Barocio, Segol, Segura, T. Tran, Amador)

III. Reports & Information- N/A

IV. Public Hearing- N/A

V. New Business

a) Study Session on the Charter Review Process in San Diego, California.

Guest speaker Aimee Faucett, Former Chief of Staff for City of San Diego

Councilmembers and Mayor, discussed her experience and involvement in the Charter Review process for the City of San Diego, California. One of the topics she addressed was San Diego's switch from the Council-Manager to Mayor-Council form of governance.

Public Comment: Call-In-User_1 commented on the effectiveness of governance in San Diego, juxtaposed with the way in which he feels San José is governed. Blair Beekman identified that the power of a mayor must be checked once the mayor recognizes and starts to use his power over large corporations, real estate, and developers. Roland viewed the power of veto as a form of dictatorship which should not be included in San José's City Charter.

VI. Old Business

1. Discussion and possible action on Charter Review Commission Work Plan.

a) Report from Chair

The Chair proposed to revise to the regular Charter Review Commission meeting start time, from 6:00 p.m. to 5:30 p.m. No Commissioners commented.

b) Report from Clerk- None.

c) Report from Consultant- None.

Consultant Lawrence Grodeska highlighted the qualifications of CivicMakers in terms of their capacity to facilitate community engagement. Consultant Grodeska also reviewed the most recent revisions made to the Commission's Work Plan.

Public Comment: Ellina Yin believed that San José C.B.O.s should lead the Charter Review Commission's community engagement plan. Blair Beekman urged the Commission to consider instating a community technology oversight board and also warned of a potential large earthquake happening in the near future. Matt King of Sacred Heart Community Service echoed the comments of Ellina Yin and proposed that the Commission revise their meeting schedule in order to accomplish their tasks with more flexibility.

2. Update on Subcommittee Process.

Consultant Lawrence Grodeska reviewed drafts of the subcommittee topic assignments, meeting agendas, and Work Plan. Commissioners provided feedback. The revised Equity Lens Recommendation Plan Draft Template submitted by Commissioners Amador and Barocio was reviewed and discussed.

Action: It was moved by Commissioner Callender and seconded by Commissioner H. Tran that the Commission adopt all recommendations stated in the memorandum from

Vice Chair Johnson and Commissioners H. Tran and Matsumura. After a discussion amongst Commissioners ensued, Commissioner Callender amended his motion. The seconder, Commissioner H. Tran, agreed with the amendment to adopt the recommendations stated in the memorandum from Vice Chair Johnson and Commissioners H. Tran and Matsumura, with the exception of item 3.b. The vote resulted in a tie, which necessitated that the Chair vote. Chair Ferrer pledged to consider and incorporate the wishes of the Commission into future proposals with the help of the Consultant. Commissioner Callender's motion did not pass. (9-10-3; Noes: Marshman, Monley, Maitski, Percival, Posadas, Diep, LeZotte, Robledo, Zhao, Ferrer; Absent: Segura, T. Tran, Amador)

Public Comment: Roland emphasized that public comment must be taken prior voting on a motion and also questioned City Attorney guidance regarding the application of the Brown Act to subcommittee procedures. Blair Beekman invited the Commission to explore how the City of Berkeley invites public participation in their subcommittee process. Call-In-User_1 called for more openness in public processes and for an increase in the time allotted for public comment.

VII. Public Comment/Open Forum

1. Call-In-User_1 compared the cities of San Diego and San José, highlighting the civic excellence that San Diego has achieved.
2. Roland discussed the potential changes that could be made to election cycles, suggesting that Mayor Liccardo could be granted the opportunity to run for another two years.
3. Ellina Yin urged the Commission to hold open public meetings and voiced support for the subcommittee on commission effectiveness.
4. Matt King encouraged the Commission to set its own standards and practices, emphasizing the flexibility they are allowed under the law.
5. Blair Beekman stressed the importance of considering sound public oversight and also warned that an earthquake may possibly occur in the year 2023.

VIII. Meeting Schedule and Agenda Items

The next meeting is scheduled for June 14, 2021.

Commissioner Fuentes requested that the Commission include discussion on the potential creation of bylaws in the next meeting's agenda.

IX. Adjournment

The Commission adjourned at 9:55 p.m.