



# **Charter Review Commission**

## **City of San José**

### **MINUTES**

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

**6:00 PM**

**Monday, March 22, 2021**

**Present:** Chair- Frederick Ferrer; Members- Barbara Marshman, Christina Johnson, Elizabeth Monley, Elly Matsumura, Enrico Callender, Frank Maitski, Garrick Percival, George Sanchez, Huy Tran, Jeremy Barousse, Jose Posadas, Lan Diep, Linda Lezotte, Louis Barocio, Magnolia Segol, Sammy Robledo, Sherry Segura, Thi Tran, Veronica Amador, Yong Zhao

**Absent:** Dan Bozzuto, Maria Fuentes

**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 Days**

The meeting was called to order at 6:03 p.m.

**Item III.b "Letter to the City Council regarding Budget" to be combined with item VI.a, Discussion and possible action on Charter Review Commission Work Plan.**

**Action:** The Commission adopted the Orders of the Day. Item III.b was moved off the Consent Calendar to be heard concurrently with item VI.a, and New Business was moved to be heard before Old Business in order to respect the time of the guest speaker. (20-0-2; Absent: Bozzuto, Fuentes)

#### **II. Public Record**

##### **a) Receive and File Letters from the Public.**

This item was taken out of order and discussed after item VIII.

**Public Comment:** Blair Beekman wished the Commissioners good luck as they consider how their actions will affect voting rights, voting practices, and democratic processes for the next ten years.

**Action:** Upon motion by Commissioner Maitski, seconded by Commissioner Marshman, and carried unanimously, the Commission moved to receive and file the letter from the public. (19-0-3; Absent: Bozzuto, Fuentes, Segura)

#### **III. Consent Calendar**

**a) Approve Charter Review Commission Minutes.**

Action: Upon motion by Commissioner Lezotte, seconded by Commissioner Maitski, and carried unanimously, the Commission moved to adopt the Charter Review Commission minutes from the meeting dated 3/8/2021 with the following corrections. The spelling of Commissioner Zhao's name is to be corrected to "Yong," and the wording of Commissioner Callender's motion is to be corrected from "with the request for a budget proposal to be added to the next meeting's agenda" to "with the request for a budget proposal to be sent to Council." (20-0-2; Absent: Bozzuto, Fuentes)

**b) Letter to the City Council regarding Budget.**

This item was discussed concurrently with item VI.a. The City Clerk outlined her supplemental memo detailing potential costs, and discussion amongst the Commission ensued.

Action: Upon motion by Commissioner Callender and seconded by Commissioner Barousse, the Commission moved to adopt the draft letter, dated March 23, 2021. The Chair noted he and staff will begin the research in order to save time should this request move to Council. (18-2-2; Noes: Diep, Robledo; Absent: Bozzuto, Fuentes)

Public Comment: Paul Soto expressed disapproval of former Mayor Ron Gonzales being considered to be a guest speaker for the Charter Review Commission. Robert Brownstein detailed the benefit and necessity of using outside counsel to review the Charter and noted that there is room in the City's budget for such an expenditure. Blair Beekman asked if it is a possibility to provide language interpretative services at a lower cost and suggested potential interpreters that may charge less. A caller with the phone number ending in 5140 warned the Commission of expected budget shortfalls and called for the City to claim more autonomy and independence from the state and county. Shiloh Ballard supported the motion with optimism that the Charter review will increase inclusion, and also identified that more staff and resources are needed to complete the Commission's task.

**IV. Reports & Information**

**a) Report from the Chair- None**

**b) Report from the Clerk- None**

**c) Report from Consultant- None**

**V. Public Hearing- None**

**VI. Old Business**

**a) Discussion and possible action on Charter Review Commission Work Plan.**

This item was discussed concurrently with item III.b. The Commission reviewed revisions to the Work Plan.

**VII. New Business**

**a) Study Session on Various Systems of Governance.**

Professor Kimberly Nelson from The University of North Carolina at Chapel Hill School of Government presented on the differences between Council-Manager and Mayor-Council forms of governance. Commissioners asked questions and Professor Nelson provided comment.

Public Comment: Paul Soto highlighted that the establishment of San José's Charter in 1850 was at the expense of Native Americans, and that a lesson on that history would serve to inform the Commission. A caller with the phone number ending in 5140 expressed his lack of confidence in City Manager-led forms of governance. Elizabeth Kamya, Chair of Labor for the South Bay NAACP, detailed that the NAACP disagreed with strong mayor systems of governance this past summer and believes that it is in the best interest of the people to employ a Council-Manager system. Blair Beekman appreciated the guest speakers' presentations and wished the Commission good luck moving forward. Helen Kassa, Policy and Advocacy Coordinator for the African American Community Services Agency (AACSA), drew attention to the purpose of the Charter Review Commission to improve accountability, representation, and inclusion, asking for future discussion to include climate strategy, environmental justice, and the digital divide. Yeme Girma called for a broad, all-encompassing review of the Charter and echoed the NAACP's suggestion for the Independent Police Auditor to become an elected position and to be given the power of subpoena; she also emphasized the need to address and act on urban sprawl, and the need to reassess the position of Police Chief. Ellina asked the Commission to identify the ways that the current Charter can be modified to promote increased equity and inclusion, while also prioritizing the process of civic engagement. Norman Kline emphasized the importance of examining similarly sized large cities as examples, rather than smaller cities whose governance is less replicable in San José. Matt King, representing Sacred Heart Community Service, encouraged the Commission to strive towards achieving equity in their work, as the fifth direction from Council permits them to do. Alex Shoor, Executive Director of Catalyze SV, agreed that community engagement is paramount to the Charter Review Commission's process. Shiloh Ballard echoed the importance of centering the Commission's scope of work around equity in governance. Walter Hudson identified three major categories of importance for the future of San José as: a strong and resilient budget structure, refurbished police accountability, and a forward-thinking municipal housing policy. Gabriela Garzon Gupta urged that a continued focus on accountability and outreach to all San José residents is essential to ensure that city politics are accessible to everyone. Jeffrey Buchanan, Policy Director of Working Partnerships USA, voiced his support for moving the mayoral election date, and emphasized the importance of leaving

time to interrogate additional parts of the Charter in order to improve accountability in terms of racial and economic justice.

#### **VIII. Public Comment**

1. Paul Soto, who spoke on behalf of dignified farm workers, emphasized the importance of centering the Charter Review Commission's conversations around racial equity.
2. Blair Beekman requested a guest speaker that can elaborate on the Mayor-Council form of government and echoed the importance of equity.
3. A caller with the phone number ending in 5140 expressed his lack of support for the installation of speed cameras that would cause the issuance of \$125 tickets and supported the reopening of businesses.
4. Ellina referenced section ten of the City Charter and asked the Commission to consider building in equitable budgets and resources during their revision process in order to support the future Boards and Commissions.

#### **IX. Meeting Schedule and Agenda Items**

The next meeting is scheduled for April 5, 2021.

#### **X. Adjournment**

The Commission adjourned at 9:18 p.m.