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Process Notes

I. Call to Order & Orders of the Day

II. Consent Calendar

- A. Approve Charter Review Commission Minutes of April 5, 2021
- B. Acknowledge an letters from public
- C. **Vote on Consent Calendar**
 - 1. Motion approved (Commissioner Lezotte); Seconded (Commissioner Marshman)
 - 2. Motion passes

III. Reports & Information

- A. Report from the Chair
 - 1. Check Commission email on weekly basis
 - a) Agenda email - Monday before meeting with Agenda and voting items
 - b) Prep email - Friday noon before meeting with materials to read
 - c) Follow up email - Wednesday after meeting with posted items and follow-up
- B. Report from the Clerk
 - 1. Rules committee update
 - a) Commissioners have two emails: their personal email & their official commission email. The Clerk is to send official notices through city email for CA Public Records Act (PRA) purposes. Commissioners are asked to check and use their official commission email for correspondence related to the Commission.
 - 2. Zoom - Otter.ai captioning
 - a) The Clerk has enabled automatic captioning via Youtube and through zoom. Full transcript is available in Zoom.
 - 3. Budget Item Update
 - a) Your item is an agenda item on the next Council meeting on April 27th.
- C. Report from Consultant: Tonight's discussion explores the timing of the district and mayoral elections and the connection to the presidential election years. Professor Christensen will speak some more to Council's role relative to a Mayor with more consolidated power.

IV. Public Hearing - N/A

V. **New Business**

A. Study Session on The impact of election timing in district elections and Council's role relative to a Mayor with more consolidated power

1. Guest Speaker presents:

a) **Professor Terry Christensen**

(1) **Key questions & concerns for the Commissioners to consider:**

- What problems are you trying to solve (equity, transparency, police accountability, campaign finance, community engagement, etc.)?
- Think about what needs to be in a Charter and what is not necessary to be in a Charter. Once something is in a Charter it becomes more rigid and difficult to change.
- You're not writing a model charter, you're writing one for this specific city. You need to think about what changes need to be made to *this* charter to make San Jose a better city.

(2) **Role of Council in relationship to the Mayor:**

- There's been a gradual shift in that relationship, a shift in power from Council towards the Mayor.
- **1916-1967:** No elected mayor at all and not one with the title "Mayor" until 1948. During that time it was a Council of equals with a rotating Mayor selected by other council members who were elected citywide or at-large, until 1967 the year of the first major charter reform which led to the first directly elected Mayor.
- **Chuck Davidson** (member of the 1967 Charter Review Commission) : The Mayor needs to assert leadership over a city through political skill, not by power vested in the Charter.
- This is the question the Commission faces now: *How much power should be vested in the Mayor through the Charter?*
- **Measure J 1986:** Gave the Mayor the role of proposing the budget, overseeing the Office of Public Information, nominating the City Manager subject to council. These present gradual increases in power for the Mayor.

- The assumption of power is also a power. If people believe you have power, there is power in that.
- **San Jose's form of government:** Contrary to what the Professor from North Carolina shared - I believe San Jose is a hybrid form of government, not a pure Council Manager form. That's because the role of the Mayor has evolved and expanded. Most Council Manager systems don't even elect their Council by district.
- As cities grow larger and become more diverse, the politics of those cities becomes more complex, divisions emerge, and conflict becomes more common. When there is that type of conflict, political leadership becomes that much more important, to unite factions and carry public policy forward.
- **The question before this commission:** Is San Jose at that point now that it needs that type of leadership - or are we still at a point where the current system functions reasonably well for the community?
- What a shift towards either form would mean:
 - (i) A shift to a Mayor-Council form shifts power towards the Mayor and away from Council.
 - (ii) If you shift towards Council-Manager form there are ways to mitigate the powers given to the Mayor:
 - (a) Ex: Mayor of Oakland doesn't have veto power.
 - (iii) If you move towards a Mayor-Council form of government I would advise adding a budget analyst for the Council (ex: San Diego)
- **More on veto power:**
 - (i) Maximum veto power is line-item veto power.
 - (ii) Veto generally takes a two thirds majority to override.
- **Legal advice:**
 - (i) There is the option to have an elected City Attorney like San Diego & Oakland

- (ii) Think about legal advice that's available to the Council and or the Mayor that's not biased towards one or the other.

■ **Election Timing:**

- (i) There's no question that scheduling an Mayoral election during presidential election years will result in more voter participation. How much is still a question but it will be more. Those voters will be younger voters, more voters who are renters, more people of color, more lower income voters, more voters with less education. It's a much more diverse selection and much more representative of the total electorate.
- (ii) Campaigning politicians would then be forced to engage these historically under-engaged voter demographics and put more thought into policies around issues that are important to them like rent control and climate change.

b) Professor Currin-Percival:

- (1) Will speak to citywide elections during presidential election years.
- (2) To assess the potential impact of shifting a Mayoral election to a presidential year on voter turnout we looked at the difference in votes on citywide Measures that appear on the presidential ballot with votes on (ex: Measure G: expansion of the independent police auditor oversight authority)
 - On average there was an increase between 2006-2020 increase of about 28% of votes on citywide measures during presidential elections years versus voter turnout during Mayoral election years.
 - If you were to change the timing of the Mayoral elections to presidential years, we can expect the voter turnout to increase by 148K-169k votes that's 28-33%.
 - It's not just numbers, it's also the diversity of voters. We'd expect the Mayor elected, and the policy they bring to the city to be more representative.

- **Two common concerns that are brought up regarding a shift to presidential years:**
 - (i) Increased ballot roll-off
 - (ii) Potential phenomenon of Mayoral election being drowned out by presidential elections
 - (a) There is research that shows they do not get drowned out.
- **Ballot Roll-off:** when you have folks who vote for offices at the top of the ticket and then don't cast a vote for something lower down the ticket. (ex: Measure G) -- it's absolutely a phenomenon. However, we compared ballot roll-off between 2020 (presidential election) and 2018 (mayoral election) and there was not a substantial difference.
- Undervote and ballot roll-off are often referred to as the same thing.

2. Round of questions for speakers:

a) Commissioners raise hands and ask question

(1) **Commissioner Lezotte:** Asks a question about comparing the city-wide measure to a city-wide Mayoral race. Sees city-wide measures as being one-issue that people are concerned about versus a mayor's race where there are a lot of issues involved. Do you think that affects the outcome of these results?

- **Professor Christensen:** in general the ballot drop off is greater from candidates to ballot measures. I don't necessarily think that ballot drop-off is a bad thing.
- **Professor Currin-Percival:** Ballot measures and city-wide measures tend to have lower turnout, because it is only one thing and people have to be pretty knowledgeable about it. Mayors races and presidential races and City Council races tend to have higher turnout because they deal with many more issues and people are more engaged.

(2) **Commissioner Lezotte:** Why is there such a high ballot dropoff in Council races?

- **Professor Christensen:** Council races are covered the least by the media thus have a much

lower profile. Council candidates have to find other ways of getting through.

- b) **Commissioner Barocio:** Asks Professor Christensen about the phenomenon of how department heads are hired as cities grow.

(1) **Professor Christensen:** Police accountability is a great example. It's been an issue in San Jose since at least 1971 - when a black IBM worker was killed by a cop. Constituents and the community wanted something done and the Council could essentially do nothing. The public are left frustrated and so are Mayors. Mayors in big cities can make things happen and fire police chiefs.

- c) **Commissioner Marshman:** Asks for Professor's Christensen's opinion on whether San Jose is at a point where it should start to move the needle towards giving the Mayor more power.

(1) **Professor Christensen:** I've favored a Strong-Mayor form of government for most of my career. I've been biased in that direction for a long time. Right now I'm not so sure. I also don't want to see the powers of the Council diminished. I agree with Norberto that some tweaks are in order but be careful with the tweaks. Our district Council is really the main point of access to what local government does for communities, neighborhoods, and citizens. They are the folks we have the most access to and over which we have the most influence.

- d) **Commissioner Diep:** Asks Professor Christensen to elaborate on the role of the Council and role of the Mayor and the powers between. Please speak to the limitations by the Brown Act which ensures discussion happens in the public view.

(1) **Professor Christensen:** Council needs to look more at it's own organizations. There should not be 12-hour meetings - in that case the Council should meet more than one day a week. Committee structure can be strengthened, as well as the staffing for Council Members. Council Members can write more memos. It's up to the Council to figure out ways they can be more effective at asserting their views.

- e) **Commissioner Diep:** There's no disputing turnout is higher in presidential elections years -- but as a qualitative matter - what is the quality of the votes? People who care what they're voting for versus people who have boxes in front of them.

- (1) **Professor Currin-Percival:** We don't have knowledge tests to determine if a voter knows enough to vote - 1965 Civil Rights Act we stopped doing that. We want folks to be knowledgeable about city politics and governments, but there's all sorts of ways rational voters make really good decisions. There are endorsements from newspapers and interest groups that serve as information shortcuts that substitute for larger sources of information. We want the media to increase the amount of civic information voters have. There's evidence that voters make choices matching their political interests without having an encyclopedic knowledge of politics. We will have turnout that is higher and the presidential elections get people excited about elections which transfers over to the Mayoral elections. We'll have a lot of groups that will get involved to stimulate peoples' interest in local elections.
- f) **Commissioner Fuentes:** In other cities that have a strong mayor system do they have district elections? And how does it work?
- (1) **Professor Christensen:** Yes all of those cities have district elections. Some of them have much larger city councils like New York (90), Chicago (50), and LA (15). While a larger city council provides more direct representation for more people, those councils are organized more like a legislative body with a stronger committee and different leadership structure. They are all elected by district - San Francisco included. Thinking about the role of the Mayor - democracy is about accountability. How do you hold someone accountable for something they don't have the authority to do? The Mayor often can't do anything but provide a leadership role on City Council to move them as a whole in a certain direction. Firing a police chief is very tough to do for a legislative body - they have to persuade the City Manager to do it, but it's possible.
- g) **Commissioner Matsumura:** What are the indicators of the type of dysfunction that would require more political leadership versus other options (powers of the Mayor versus powers of the Council)?
- (1) **Professor Christensen:** The main indicators or something like political deadlock. Where agreement just can't be reached and issues fester. That's what tends to

evolve as big cities grow and become more diverse, and the diversity gets expressed as factions in politics and the factions get into conflict. executive authority can cut through that skillful Council organizing can cut through that.

- h) **Commissioner Sanchez:** Regarding San Diego moving towards a Strong Mayor type of governance- do you see or do you know of any advantages that have come about or situations where that's helped the City of San Diego?

(1) **Professor Christensen:** I haven't followed it closely enough to say.

(2) **Consultant:** We are going to have a Chief of Staff to a San Diego Council Member come in to speak to us about that transition.

- i) **Commissioner Tran:** Curious about turnout for citywide propositions on the years with mayoral elections because I'm curious to find out if voter turnout was just lower overall, or if there was a higher rate of under voting or drop off. Do you have that data available?

(1) **Professor Currin-Percival:** Don't commissioner but I could get it and send it to you. We're specifically comparing city-wide races and ballot roll off in those citywide races.

- j) **Commissioner Segol:** Which specific additional powers do you think would be useful for the Mayor of San Jose to have?

(1) **Professor Christensen:** A stronger role in hiring and firing department heads, maybe more direct authority over the city manager. Expand the budget authority of the Mayor. Right now the Mayor provides board guidelines, Council has to support that, and it goes to the City Manager to expand on the details. The Mayor's budget office could be expanded to go into more detail on how the budget is put into effect.

- k) **Commissioner Maitski:** This commission is currently set up to ask if the Mayor's powers should be expanded, not so much to look at should they be reduced and push it back more towards the council. Should we be looking at pushing power back towards the City Manager? What happens then?

(1) **Professor Christensen:** I think it would be harder to get consensus on the Council, I think it's an interesting way to assess which changes may or may not be needed.

- l) **Commissioner Callender:** You mentioned there were two elected city attorneys and that there could be concerns with having two elected city attorneys. Why is that problematic and what do you think would happen if we had other dept heads elected like the police chief or police auditor?
 - (1) **Professor Christensen:** An independently elected city attorney adds conflict - because it's a city-elected official just like the Mayor but not like the district-elected City Council. Thus the city attorney is much more powerful than the council members. Another concern is that elections don't always produce expertise - it's hard as voters to know if someone has the expertise and what their biases are.
- m) **Commissioner Amador:** Ask if there is data available that shows information about the districts, is there data that tells us whether certain districts with higher populations of color also had higher turnout during presidential election years?
 - (1) **Professor Currin-Percival:** I don't have that but I can contact the Registrar of Voters to look at that.
- n) **Commissioner Posadas:** I see our role as Commissioners as balancing the interests of both the mayor, the city council, as well as the city manager. Would strengthening the role of the mayor resulted in the weakening of the role of the city manager would create unintended consequences of city admin or individual department heads becoming more political to respond better to the stronger Mayor than they currently do to the City Manager? And would that be a good thing or a bad thing?
 - (1) **Professor Christensen:** It's certainly a possibility and you do see that phenomenon in other cities with a strong-mayor form of government where department heads are pretty political. We've seen that in San Jose under Council-Manager form of government in the past. It could happen and it could be a shortcoming or not necessarily a bad thing if they're responding to the constituents that the Mayor is trying to satisfy on services rendered by the departments in question.
- o) **Commissioner Zhao:** During the presidential election the voter research costs a lot higher, if we move the Mayoral election to the presidential election year, will the election cost be higher? How can we balance this for candidates that have less financial advantage and will find it harder to reach out? Do you have suggestions?

- (1) **Professor Currin-Percival:** The media should pay more attention to local races. Lesser known candidates always face a disadvantage so the Mayoral race would be more expensive if moved to presidential years but it certainly would receive more attention from the media. So that might actually help subsidize the cost of information for voters. You will have to reach out further for voters but you'll reach a more diverse electorate. Therefore when you serve, you can claim that you've been elected by more of San Jose.
- (2) **Professor Christensen:** In gubernatorial elections there's actually more campaign money spent in California than in presidential election years. It actually might suck more attention away from local elections than in presidential years.
 - You might want to think about the size of the Council at some point. If you do more towards a strong-mayor system - in almost all of those models the Mayor no longer sits and votes as a part of the Council. So you would have to add at least one seat to the City Council to make it 11 and an odd number. You could add a few more seats and consider increasing the number of Council districts. The Redistricting Commission will not be considering that their specific charter mandate is to redistrict 10 districts only

B. Public Comment

1. **Robert Brownstein:** I'd like to disagree with Dr. Christensen. I agree that as cities get bigger and more diverse it's more difficult to craft a representative solution to public policy problems. But I absolutely disagree that those conflicts disappear when you have a Strong Mayor who can ignore the challenge of trying to craft a representative solution. What you often get is things like you see in SF in Oakland which is ballot box budgeting -- the people who can't get listened to by the Mayor go to the ballot box and have the voters do the budgeting for the city. Check that out if you want to see incredible messes. Anyone can find an attractive measure to put on the ballot to pull public funds towards. I think the reality is, Mayors with leadership skills can put these representative solutions together. Perhaps the solution is to make sure that we elect people who have these capacities and we may be better able to do that, if we change the date to the election.

2. **Caller 5140:** I used to believe that there shouldn't be a city manager, because the city manager was a bureaucrat. But given what I've seen with Sam Liccardo I almost want to get rid of the Mayor's office altogether. I don't want to see him have any more power, he has enough power already. He orchestrated the stand down of having the police officers arrest anybody during the counter protest during the Trump rally in 2016. I would never, ever want to have a strong mayor, especially in this town, because it's bad enough already, as much as I hate the city manager government.
3. **Blair Beekman:** It sounds like you're starting to ask a bit more questions about what exactly a strong Mayor can be. It's important to have good opinions on both sides of the issue. I think a strong mayor is going to help decide the future of a city manager's role - it's a more refined effort that I hope we'll be working towards in San Jose. I think the concept of a Council-Manager system is incredibly important and would like to call that process a City Council-Community Process. It's the community and the Council that is the focus. The idea of democratic practices - asking for majority votes for the firing of people. It's not a future where the Mayor can have power with development agencies.
4. **Omar Torres:** I'm Deputy Chief of Staff for Councilmember Magdalena Carrasco, who authored the proposal to move our mayoral election to the presidential cycle. Easy and accessible voting has always been one of many social justice issues of our lifetime. Across the country we are seeing direct assault on voting and participation at all levels, at all levels of government. We have seen that COVID-19 has disgustingly exposed inequities in our most vulnerable communities including at the ballot box. Councilmember Carrasco hopes that this Commission takes the lead in making sure that, making sure we have greater participation from our beautiful and diverse San Jose community, San Jose must set the example. We celebrate greater participation. We need equity at the absentee ballot box for our San Jose residents.
5. **Peter Allen (Neymar Strategies):** This is Peter Allen, former planning commissioner. I would absolutely not argue with the fact that voter turnout on the whole in presidential years is not significantly higher than it is in gubernatorial years. I would, however, take issue with the notion of apples to apples comparisons in their analysis when you're looking at their chart which compares a 2018 fairly uncontested Mayoral election in the June primary to a ballot measure on the November 2020 ballot where we had almost record levels of turnout. I just want to point out that numbers can be crafted and moved around to make a point. I would like to go back to something Dr Christiansen

said earlier, which is what is the problem you're trying to solve, and think about the power of the charter to solve that problem. If you were going to move the mayoral election I think that's fine if you're also considering empowering the mayor more because then the position does have a little more importance. Absent that, you're basically saying that districts 13579 matter less and that the infrequent voters matter somehow less in electing their district representative, when in fact, a district representative is just another vote and needs six votes to get anything done in the city. Moving this election to the presidential year, or any of the elections to the presidential year would not make it easier to vote, it would not increase access, you would still have the same access to the ballots. We really have to examine why people are not voting, why there is an undervote. If we can address that I think will solve a lot more than just simply moving the election.

6. **Jeffrey Buchanan (Work Partnerships USA):** Thank you for selecting two wonderful speakers. As someone who spent a fair deal 2020 talking to voters about moving the Mayoral election I can say that public polling suggested 80% of San Jose voters would support moving the Mayoral election to presidential years. That's important when we're talking about the election of a Mayor who is accountable to the entire City of San Jose and a more representative electorate. At a time when we're seeing so many attacks on efforts around disenfranchisement, shouldn't we be trying as a city of San Jose to be strengthening our democracy and having more representation. Bringing those estimated 148,000 additional voters into the process of selecting our next mayor seems very important.
7. **Roland:** Following up on a previous conversation about the firing of a former City Manager Ed Shikada. Commissioner Lezotte was correct about how this happened. Then-Mayor-elect Lickardo had a lined up, sufficient support on council to put forward a resolution that if passed, would have resulted in the firing of the city manager. The reason this never went to Council was because Ed Shikada, knowing he would get booted out, resigned. It's unclear to me why we would need a stronger Mayor than what we have since essentially he can line up sufficient Council members to get the job done. At the end of the day that's what democracy is all about. Regarding aligning the Mayoral elections with presidential elections, the question is what is going to happen in the two intervening years. Will you extend Mayor Lickardo's tenure for another two years or are you going to be electing somebody else for two years.
8. **Cynthia in Public:** My name is Cynthia in public, I am a local producer as well business owner comedian, and I'm currently

broadcasting live web only in San Jose, and on Twitch. I think that we're looking at a lot of these issues backwards. Rather than focusing on some of the logistical issues that come with these changes, I think it's important to center these decisions on the people that they impact. Based on the data that Professor Currin-Persival has presented, it's important to continue to compile that data and focus on achieving the outcome we desire: a greater representation of our very diverse population of San Jose and strengthening our democracy. Additionally, we need to place a stronger focus on addressing the potential systemic reasons why people don't vote between presidential elections. It could be lack of paid time off, not as many voting booths, access to support that's more present during presidential election years. Want to emphasize that we're all trying to represent the people of San Jose, so we should be working hard and trying to figure out how the solutions that we come up with can better increase representation during voting, as well as increased representation of our very diverse pool of constituents.

9. Jake Tonkel: I'm a resident of District Six and former candidate for San Jose City Council. I love the conversation around focusing on voter turnout and wanted to expand what we're looking at and particularly around Peter Allen's clarification of the difference between a primary and a general turnout. There are multi choice voting systems out there, rank choice voting star voting approval voting, that would allow us to circumvent a primary election. To me, this has a big equity improvement. Not only can voter turnout, between a primary and a general improve between 50 and 100%. The district 4 race doubled to 100% voter turnout, the district six races saw a 50% increase. But it also shortens the cycle for candidates, meaning they have to raise less money and take less time off of work away from their families, which can lead to a higher caliber candidacy. I'd like to suggest that we open discussion into some of these types of models. I think we'll see a lot of empowerment and realization that people have many different choices for candidates and not just the lesser of two evils, a common phrase, particularly among disenfranchised, non voters.

10. Sandy Perry (Affordable Housing Network, Santa Clara County): We work on housing and homeless issues in the city of San Jose, and we're strongly in favor of moving the mayoral election. We're in the middle of a huge battle all over the country around the future of democracy, or whether we'll even have a democracy. I strongly favor the election of the mayor during presidential years. Certainly the issues that the affordable housing network works on: homelessness, rent control - impact people of color, low income earners, youth - these are all influenced by the role the Mayor plays.

11. Ellina Yin: Firstly I really like to thank Commissioner Matsumura for bringing up on how we speak about voters. I think if there's anything to be said about who is less informed and more informed, we need to think about the amount of information coverage during the presidential elections. We need to understand the language barriers and barriers to access to civic processes. Demographically certain communities especially non English speakers have less resources to participate in these between elections. It's about bringing more of the San Jose representation.

VI. Old Business

A. Discussion and possible action on work plan

1. Update from Staff

a) Toni -

(1) Your letter was heard at two public meetings. First it went to public record, which is the normal process for Boards and Commissions letters. Then that was moved to the actual Rules agenda for discussion last week. Then with no discussion it was just moved to a Counsel meeting for next week. All of the discussion will occur next week.

(2) Mark - Noting to report.

(3) Subcommittee rules: Two types of subcommittees there are standing subcommittees and ad hoc subcommittees.

- **Ad Hoc Subcommittees:** you can create a subcommittee that doesn't need staff. You can convene three people to look at a particular issue. They can meet without an agenda, without the clerk, without taking minutes and come back and report the commission. Needs to be limited in term to less than 6 months. Need to avoid reaching a quorum.

- **Standing Subcommittee:** If you need a subcommittee to run longer than 6 months it requires staff, an agenda, and minutes. We tend to ask Commissions to avoid standing subcommittees.

(4) Process for holding public hearings: For public hearings members of the

(5) There are different **types of public hearings.**

- In one type (ex: Salary-Setting Commission) we set up a meeting that is just to hear from the public. We distribute the materials and ask for

input on a certain topic. There isn't a Commission Member discussion.

- Another type is what you see at the Council meetings. It's part of an agenda like tonight. Commissioners would attend and gather public input.
- Third type occurs once you have a recommendation and you're getting input on a specific proposal. You invite the public to come in and have something in front of them to comment on.
- **Timing:** I usually need 10 days notice as the standard public hearing notice time. You can also do 30 days but you have to know ahead that you'll have something for the public to look at.
- **Location:** There's no requirement to host public meetings across the city but it is a best practice. We're working with a task force on what a hybrid virtual & in person public meeting might look like. From now through the end of June we will likely be 100% on Zoom. We are able to target geographical areas.

(6) Questions:

- **Commissioner Matsumura:** Regarding the funding request going to the Council on 4/27; I would imagine they'd want some analysis on how the budget would be allocated. What if any is the plan for providing information to the City Council.
 - (i) **City Clerk:** The Budget Office and Clerk's office are working on a memo.
 - (ii) **Chair Ferrer:** The Budget Office is looking at where these funds would come from.

2. Review revised schedule (Consultant)

- a) Update on governance summary document - practicalities coming next
 - (1) Updated cheat sheet on governance forms, roles and responsibilities.
 - (2) Revisions will be in the follow up email.
- b) Work plan updates - guest speakers
 - (1) Ask for questions for ORE speakers.

- c) Presentation on process and criteria for bringing forward recommendations.
 - (1) Added a section on subcommittees and the recommendations process.
3. Commissioner discussion
 - a) Which area/subcommittee are you interested in, and are there any policy recommendations you would want to be involved in discussing?
 - (1) **Chair Ferrer:** There may be multiple subcommittees in each of these issue areas. I'd like to ask for a round robin so that all commissioners have time to talk about where they see themselves.
 - (2) Initial Subcommittee Options:
 - Governance Structure
 - Timing of Elections
 - ADDITIONAL / Accountability, Representation, and Inclusion
 - b) Questions about Process:
 - (1) **Commissioner Segol:** Is there a date where we should be discussing other topics this commission should potentially address and at which point should we be making motions to address those points? I'm worried we won't get to what we're charged with. Many of the commissioners and members of the public wanted us to look at policing in the city. When will this be addressed?
 - **CivicMakers Consultant:** Policing might fall into the accountability bucket. We only have so much time to bring speakers but after we finish the topics that we cover in study sessions, then it's time to talk about what the recommendations are.
 - (2) **Commissioner Segol:** Can I ask that when the speaker from San Diego comes, can she talk about their sweeping changes to policing?
 - **CivicMakers Consultant:** Yes.

Subcommittee Round Robin:

<p>Commissioner Marshman</p>	<ul style="list-style-type: none"> ● Governance Structure ● ADDITIONAL / Accountability, Representation, and Inclusion <p>They're so closely related I'm not sure how you separate them.</p>
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	Suggestion: I wonder if there are any of us who feel that we should NOT move the Mayoral election to a presidential year. If we can get an early determination on that we can set that aside.
	CivicMakers Consultant: We are not ready for that yet, thank you for the suggestion.
Vice Chair Johnson	<ul style="list-style-type: none"> • Timing of Elections • ADDITIONAL / Accountability, Representation, and Inclusion
Commissioner Monley	<p>Very interested in pursuing issues of unintended consequences of any actions we recommend in order to protect the charter and political offices.</p> <p>Not sure where that falls but an important topic.</p>
Commissioner Matsumura	<p>Interested in all of the areas; not sure we have the right committee structure yet. The memo we passed in January said we would conclude our study phase by deciding on the scope of what we mean by additional measures.</p> <p>I continue to think that we need to have study about what we mean by additional measures; what we mean by public input beyond what we've heard at this point. We need to define these as a commission.</p>
Commissioner Callender	<ul style="list-style-type: none"> • ADDITIONAL / Accountability, Representation, and Inclusion (I do want to represent the often not heard voices -- portion 5.) <p>I agree with Commissioner Matsumura about not being sure about the right subcommittee structure. I wish I had suggestions. Also agree with Commissioner Segol.</p>
Commissioner Maitski	<ul style="list-style-type: none"> • Governance Structure • ADDITIONAL / Accountability, Representation, and Inclusion <p>I also think as part of a subset of the first one, we really have to get into what are the leadership needs or concerns in the community that require the mayor to have a certain amount of power. I think we need to start looking at what are the issues regarding citywide leadership.</p>
Commissioner Percival	<ul style="list-style-type: none"> • Timing of Elections <p>There's so much overlap between the buckets. Want to find a way that people who are serving on different committees are able to communicate across subcommittee structure.</p>
Commissioner Tran	<ul style="list-style-type: none"> • Governance Structure

	Also interested in rank-choice voting and policing under the "Other Category."
Commissioner Barousse	<ul style="list-style-type: none"> • Governance Structure • ADDITIONAL / Accountability, Representation, and Inclusion <p>Echoing Matusumura and Callender around subcommittee structure.</p>
Commissioner Posadas	<ul style="list-style-type: none"> • ADDITIONAL / Accountability, Representation, and Inclusion
Commissioner Diep	<ul style="list-style-type: none"> • Governance Structure <p>The question of moving the mayoral election</p>
	Chair Ferrer: There's also the intention that all of you will have the change to submit ideas to each committee.
Commissioner Lezotte	<ul style="list-style-type: none"> • Governance Structure <p>I already have some ideas to put into a memo regarding increasing powers of the Mayor. The five criteria you listed really require a charter change. The question of "does it really require a charter change?" is going to be very important for each of these committees.</p>
Commissioner Barocio	<ul style="list-style-type: none"> • Governance Structure • Timing of Elections • ADDITIONAL / Accountability, Representation, and Inclusion <p>Will the subcommittees be happening at the same time? I'm interested in all three.</p> <p>To follow up on the 6 filters/questions to ask ourselves (#6 Must it be in a commission review?) Are there examples that can be given for us so that we can run them by those filters?</p> <p>For me I didn't know there was a procedural manual (former city council members know this) -- Christensen talked about staff and structure -- Mayor Ron Gonzales also talked about considering leadership ability. There are a lot of structural considerations to consider.</p>
	Chair Ferrer: Have to make sure we don't have a quorum because of the Brown Act.
	<p>CivicMakers Consultant:</p> <p>This is the first pass at those 6 filters. It's a question of philosophy about whether Commissioners want to enshrine</p>

	<p>something in a Charter or find another way for that to be enshrined.</p> <p>There will be a lot of uncertainty and unknowns. Make sure the perfect is not the enemy of the good. Just start and you will be able to build on each other.</p> <p>Purpose of this template is for proposals to be easily laid out and shared with your colleagues.</p>
	<p>City Attorney Mark Vanni: Some of this is philosophy; if there are questions about what needs and doesn't need to be in the Charter you can reach out to me for help.</p>
Commissioner Sanchez	<ul style="list-style-type: none"> • Governance Structure • ADDITIONAL / Accountability, Representation, and Inclusion
Commissioner Segol	<ul style="list-style-type: none"> • Governance Structure • ADDITIONAL / Accountability, Representation, and Inclusion <p>Am willing to drop out of the latter if you end up having a quorum.</p>
Commissioner Fuentes	<ul style="list-style-type: none"> • Governance Structure: Within that the question of the Strong Mayor. <p>Also interested in the third category but I think those areas will be covered in everything so I'll stick to one.</p> <p>This is an excellent framework for us to do our work - we need more discussion about the community outreach and the public hearings. I hope we can agendize for our future meetings. I want to get something started in that area so we start hearing more from a broader community.</p>
	<p>Chair Ferrer: April 27th we should have a much better idea of what we can do in terms of community engagement.</p>
Commissioner Robledo	<ul style="list-style-type: none"> • Governance Structure • Timing of Elections
Commissioner Segura	<ul style="list-style-type: none"> • ADDITIONAL / Accountability, Representation, and Inclusion • Governance Structure (second choice)
Commissioner Tran	<ul style="list-style-type: none"> • Governance Structure • Timing of Elections <p>Interested in the Brown Act implications</p>

	There are different camps in terms of what directs the discussion -- I feel that once a framework is established, everything else sorts itself out.
Commissioner Amador	<ul style="list-style-type: none"> • ADDITIONAL / Accountability, Representation, and Inclusion: should all go hand in hand with the other buckets. There should be a question for the template about equity implications.
Commissioner Zhao	<ul style="list-style-type: none"> • Governance Structure • ADDITIONAL / Accountability, Representation, and Inclusion

c) **Chair Ferrer:** I will divide the subcommittees so that we don't violate the Brown Act. I will get very specific instructions from the City Attorney. We do have two very important study sessions coming up:

(1) Speaker on San Diego

(2) Speaker on Detroit

(3) Office of Racial Equity

- If you have specific questions please send them to the Consultant.

4. Take motions

5. **Vote on any motions**

B. Public Comment

1. **Ellina Yin:** Add section X: Commissions as a whole. How commissions function as a whole should be looked at. Community engagement & enabling civic participation - it's off putting to see the buckets and see "Other" as equity and inclusion - everyone spoke about equity and inclusion -- important that we don't "other" it and that we prioritize it.

2. **Blair Beekman:** It sounds like that the City Charter doesn't have many guidelines for what the Mayor's role is. It sounds like people are saying there are a few guidelines around how the mayor can manage legally -- instead of an arbitrary framework. Community and Council is how I want to talk about the Council-Manager process and how it all comes back to strong Mayor ideas. How can they vote on Mayor ideas? Is this the Commission that will decide if the Mayor gets an extra two years.

3. **Roland:** Addressing those who will address the timing of the election. If you go for a six-year term, you will be delaying dealing with an issue for another six years. These people you're trying to get engaged will not be at the table when you elect the next mayor for another six years.

VII. **Public Comment (Open Forum)**

- A. Members of the Public are invited to speak on any item that does not appear on today's Agenda and that is within the subject matter jurisdiction of the City Council.
 - 1. **Blair Beekman:** I hope you can work on language interpretation issues. We need that for these meetings and input to be accessible. Democratic principles have to be part of the Accountability bucket. It's quite possible we'll be having a large earthquake in the next five years. How will that be affecting your decisions?
 - 2. **Cynthia in Public:** We have one of the largest homeless encampments in the nation. If we let things go unaddressed they just get worse and worse. We saw rampant deaths in our unhoused populations. There have been past efforts to clean up the camps without giving them resources they need to keep themselves safe and live in the world with people with dignity. Rather than trying to attack the symptoms - find ways to tackle income inequality and homelessness. High housing costs, low wages, lack of mental health resources. This also ties into defunding the police potentially.
- VIII. **Meeting Schedule and Agenda Items**
 - A. The next scheduled meeting off the Charter Review Commission is April 5, 2021 at 6:00 p.m. via virtual meeting.
- IX. **Adjournment**