



Charter Review Commission

City of San José

MINUTES

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

6:00 PM

Monday, April 19, 2021

Present: Chair- Frederick Ferrer; Members- Barbara Marshman, Christina Johnson, Elizabeth Monley (6:02 p.m.), Elly Matsumura, Enrico Callender, Frank Maitski, Garrick Percival, George Sanchez, Huy Tran (6:09), Jeremy Barousse (6:35 p.m.), Jose Posadas, Lan Diep, Linda LeZotte, Louis Barocio, Magnolia Segol, Maria Fuentes (6:03 p.m.), Sammy Robledo, Sherry Segura (6:05 p.m.), Thi Tran, Veronica Amador, Yong Zhao

Absent: Dan Bozzuto

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.

Action: Upon motion by Commissioner LeZotte and seconded by Commissioner Marshman, the Commission moved to adopt the Charter Review Commission minutes from the meeting dated 4/5/2021 and to receive and file the letter from the public. (18-0-5; Absent: Bozzuto, Monley, Tran, Barousse)

III. Reports & Information

a) Report from the Chair

The Chair outlined the Commission's schedule of expected email communication. On the Monday one week in advance of each meeting, the Commissioners will receive a copy of the published agenda. The Friday three days before a meeting, Commissioners will receive any supplemental documents to review prior to Monday. The Wednesday following a meeting, staff will distribute any remaining documents that were not posted to the meeting's agenda. The Chair noted that letters from the public will be distributed on the Friday before a meeting and as they are received thereafter.

b) Report from the Clerk

Toni Taber, the City Clerk, highlighted the importance of Commissioners' usage of City-issued email accounts in order to maintain compliance with the Freedom of Information Act (Public Records Act). Ms. Taber detailed the new closed captioning and live transcript features now available during the Commission's Zoom meetings. Ms. Taber also announced that the Rules and Open Government Committee referred the Commission's budget request to City Council for review on April 27, 2021.

c) Report from Consultant- None

IV. Public Hearing- None

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.

Guest speakers Professor Terry Christensen and Professor Mary Currin-Percival discussed the impact of election timing in district elections and the City Council's role relative to a Mayor with more consolidated power. They presented and discussed their research with the Commission and also answered questions.

Public Comment: Robert Brownstein voiced the concern of having a strong mayor who is unwilling to craft representative solutions to public policy problems, which would result in ballot box budgeting. A caller with the phone number ending in 5140 acknowledged faults in City Manager-led government and expressed firm disinterest in empowering a strong mayor. Blair Beekman appreciated City Manager Council governance as a City Council community process which goes hand in hand with good democratic practices. Omar Torres, Deputy Chief of Staff for Councilmember Magdalena Carrasco, emphasized the importance of ensuring both easy and equitable voting and also greater participation by moving the mayoral election to the presidential cycle. Peter Allen, former Planning Commissioner, expressed his opinion that moving the mayoral election to gubernatorial years would indicate that Districts 1, 3, 5, and 7 matter less than even-numbered districts, and also specified that moving the date of the election would not increase accessibility or ease of voting. Jeffrey Buchanan, representing Working Partnerships USA, appreciated the comments of Omar Torres and attested to the popularity of moving the election to presidential years, citing public polling results which predict the support of 80 percent of San José's voters. Roland questioned both the need for increasing the power of the mayoral role and also logistics of how the interim years would be reconciled, should the Commission and Council agree to switch the timing of the mayoral election. Cynthia-In-The-Public emphasized the goal of creating greater representation in San José and suggested potential systemic reasons for underrepresentation in voting. Jake Tonkel urged the Commission to consider multichoice voting systems as a way to improve equity and voter turnout due to the ability to circumvent a primary election. Sandy Perry, representing the Affordable Housing Network of Santa Clara County and CHAM Deliverance Ministry, expressed his strong support of moving the mayoral election to presidential years. Ellina drew attention

to the difference in available resources during election cycles, noting that presidential elections have more material, translation, access, and therefore representation for non-English speakers especially.

VI. Old Business

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

The City Clerk, Toni Taber, described the process of how to create subcommittees and the specific rules that apply to them. Ms. Taber also addressed the Commission's public hearing process and the hybrid meeting format that may be implemented. Consultant Grodeska reviewed the updates made to the San José Governance Structure Summary and the Work Plan. Consultant Grodeska also outlined the Commission's process for submitting recommendations and the commissioners provided input on the potential subcommittees they would be interested in joining.

Public Comment: Ellina called for prioritization of equity and inclusion, and proposed the two additional subcommittee categories of Section X, which handles commissions as a whole, and community engagement to enable civic participation. Blair Beekman asked for public comment to be taken on the minutes process and emphasized the importance of clarifying the mayor's role in the Charter by identifying the ways the City Council and City Manager affect that role. Roland expressed concern over electing a mayor for the next six years, stating that the resolution of mayoral issues would merely be delayed for those six years.

VII. Public Comment/Open Forum

1. Blair Beekman stated how important it is for the Commission to incorporate more language interpretation and to prepare for natural disasters of the future. Cynthia-In-The-Public encouraged the Commission to address homelessness and take care of the most vulnerable in San José by examining income inequity, wages, displacement, and mental health resources.

VIII. Meeting Schedule and Agenda Items

The next meeting is scheduled for May 3, 2021.

IX. Adjournment

The Commission adjourned at 9:00 p.m.