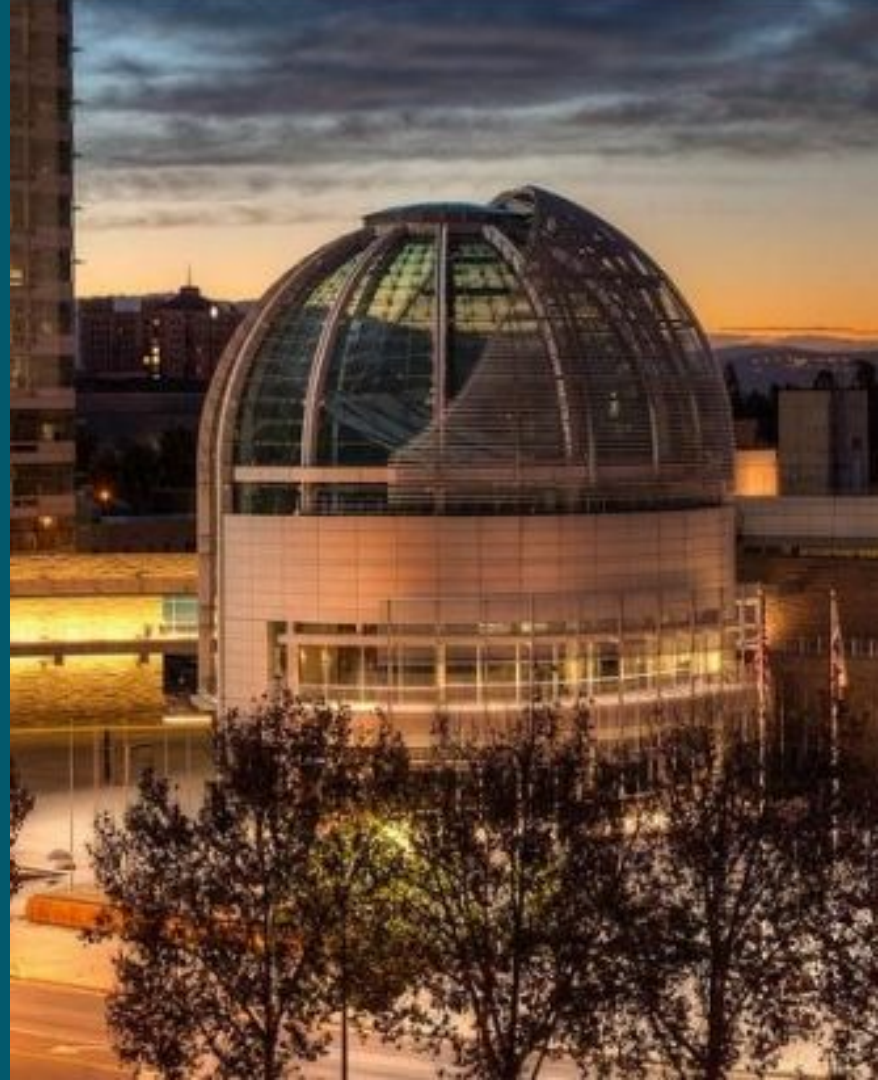




Charter Review Commission Presentation

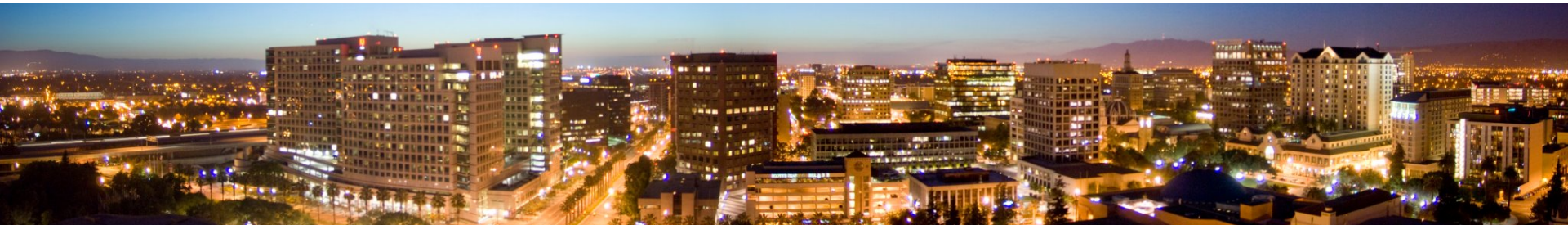


What is a City Charter?

A city charter is like a local “constitution” that defines how the City operates. The Charter sets the powers of the Mayor and the City Council, and guides the day-to-day work of City staff.

The California Constitution enables voters to adopt a City Charter that allows for authority over “municipal affairs” that trumps state law in certain areas, such as:

- a city police force
- conduct of city elections
- election, appointment, removal, & compensation of officers & employees



What is the Charter Review Commission?

In the Fall of 2020, the San José City Council created the first Charter Review Commission since 1985. The Commission is made up of 23 Commissioners, 2 appointed by each Council Member and three by the Mayor (including the Chair).

The Commission will deliver recommendations to Council by the end of 2021 about possible changes to the City Charter in three areas:

1. **Type of government** - What is the appropriate role of the Mayor to meet residents' and local business' reasonable expectations for responsive and accountable democratic governance?
2. **Timing of elections** - Should Mayoral election and district elections shift?
3. **Additional measures that will improve accountability, representation, and inclusion**

The Commission seeks input from San José residents during public hearings over the summer and Fall.



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Types of City Government

There are two primary types of City government in the United States:

Mayor-Council

Elected council creates policy. Mayor is the head of government, with significant authority over day-to-day operations of the government. Mayor may or may not have a City Manager.

Council-Manager

Elected council and Mayor create policy and set direction for City. Professional City Manager appointed by Council has full responsibility for day-to-day operations of the government. Partisan politics separate from administration.

Cities Can Change Their Government Type

Smaller cities – usually under 100,000 residents – often consider shifting their type of government as they grow. The good management necessary to address the complexity of running a growing city is sometimes seen as a professional skill not held by all politicians. From this perspective, a council-manager government can offer more efficiency and transparency.

However, many older and larger cities in the United States employ a mayor-council government which some believe offers more accountability to the public will via a stronger mayor.



San José's Type of Government

San José has **Council-Manager government** with a City Manager nominated by the Mayor and elected by Council who oversees the day-to-day operations of Government

Mayor & Council set policy

- 10 council members elected by district
- Mayor elected at large
- Four-year terms; Mayor and odd-numbered districts beginning in 1994; even-numbered districts in 1996
- Council directly appoints: City Attorney, City Auditor, City Clerk, Independent Police Auditor

City Manager oversees administration

- City Manager is the chief administrative officer of the City.
- Mayor proposes candidate for City Manager. Council votes to approve City Manager.
- City Manager may be removed at any time by a vote of Council or a recall election.
- City Manager hires and supervises all other City staff (aside from City Attorney, City Auditor, City Clerk, Independent Police Auditor)



How Does This Affect You?

A construction project is delayed because of slow City permitting, which negatively affects businesses and workers...

The housing crisis is affecting quality of life in the City...

Currently, the City Manager is solely responsible for oversight of staff and city services.

Should the Mayor be able to oversee staff or should this be left to a professional City Manager?



How Does This Affect You?

The community is unhappy with decisions by City staff about policing or legal issues.

Currently, only the City Manager can remove the Chief of Police, and Council needs a majority vote to remove the City Attorney.

Should the Mayor have more power to hire and fire City staff, or should it be left to the City Manager or a Council vote?



How Does This Affect You?

Residents want a stronger voice in and to see more transparency from City government.

Currently, the public has options such as voting, speaking at Council and Commission meetings, or running for office.

Should Charter revisions change the focus of certain departments or establish more citizen oversight?



What Changes Do You Think The Commission Should Consider?

When inviting community members to speak at the public hearings or when gathering their feedback during outreach, we invite input on:

- What is unclear or where they need more information
- What's working now in San José's government?
- What they would change in San José's government?

The Commission wants to hear from you!

Learn more about the San José Charter Review process and sign up for notifications:

<http://sanjoseca.gov/charter-review-commission>

Attend an upcoming Public Hearing to share your thoughts:

- **June 28 - Monday, 6 - 8pm** - General input
- **July 29 - Thursday, 6 - 8pm** - Voting & Elections and Governance Structure recommendations
- **August 25 - Wednesday, 6 to 8pm** - Governance Structure and Policing & Municipal Law recommendations
- **September 25 - Saturday, 11am - 1pm** - Policing & Municipal Law, Accountability & Inclusion, and other recommendations
- **November 6 - Saturday, 11am - 1pm** - Public comment on final recommendations