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## Process Notes

**I. Call to Order & Orders of the Day**

**II. Consent Calendar**

A. Approve Charter Review Commission Minutes of June 14th, 2021

B. Acknowledge any letters from public

**C. Vote on Consent Calendar**

1. Public Speaker (Tessa Woodmansee): There should be notification (email) of future meetings of those who previously attended.
2. Public Speaker (phone) - Anyone on the policing subcommittee has any potential conflict of interests (incl. Family members)? If police use technology (like AI), the subcommittee would be knowledgeable about the subject.
3. Public Speaker (Juan E.) - Consent calendar is unclear.
4. Commissioner Louis Barocio - Include bullet points of accountability and inclusion committee
5. Commissioner Elly Matsumura - Would love to about outreach work that has led up tonight

**D. Public input**

*III. Reports & Information- N/A*

**IV. Public Hearing - Study Session Topics**

A. Review procedure for public hearing

1. 2 minutes for speakers

2. Commissioners can call someone back to ask questions at the end of the hearing, but don't like to do that because of digressions. Chair would need to moderate strictly.
3. Review Commission's process after public hearing

B. Frame question for public

1. Louis Barocio: please mention at the June 28th Public Hearing that the Accountability subcommittee will be reviewing the composition of the Planning Commission

C. Call public hearing to order

1. **Kevin Ma (South Bay Progressive Alliance)**

- a) I urge the commission to look at electoral reform involving how to make the elections much more fair and transparent, in particular the sizing and representation of districts..
- b) Switch to rank choice voting — many cities have implemented this and it's more equitable.
- c) Place the Ethics Commission into the City Charter itself (rather than as an ordinance) because it should be an independent body, protected from being repealed.

**2. Ellina Yim**

- a) Bill of Rights (such as Detroit's example) - look into civic education and the right to civic education in multiple languages. It should be provided at libraries and community centers. The goal is to encourage civic participation.
- b) Police accountability - explore a IP auditor that is an elected position with subpoena powers, or an elected police chief
- c) Community engagement - give that process the reverence it deserves in City charter.

**3. Helen Kassa (African American Community Service Agency)**

- a) Independent police auditor and police chief. Elected positions. More transparent processes, including committee work.
- b) More public and transparent processes with all facets of commissioned work including subcommittee work.
- c) Make conditions in the future and other board seats more accessible. Ciy to provide more necessary training for our prospective boarding commission members and residents who are interested in applying.
- d) Enough staff resources to city Clerk's office to ensure that all city meetings and materials are always available in English, Spanish, and in other languages widely spoken
- e) Would like CEQA-like process for equity.

**4. Blair Beekman**

- a) Democratic process. How can the community have a more accessible part...Worried, the strong mayor proposal is cold and isolated.

**5. Matt King (Sacred Heart Community Service)**

- a) Echo support for Kevin, Elina, and Helen.
- b) Add more city council districts
- c) Second the idea for CEQA for equity
- d) Making IPA and police chief an elected position
- e) establishing Recurring timeline for regular review of the charter.

**6. Jeffrey Buchannan (Working Partnerships USA)**

- a) Placing movement of mayoral election onto presidential election ballot.
- b) How to move the future of democracy to better reflect values of equity. Privilege voices of underrepresented: youth, latino, black, lower income and working class populations, etc.

**7. Tessa Woodmansee**

- a) Focus on the climate crisis (more important than equity). Need to WFH and keep virtualization of our democratic meetings.

**8. Phone**

- a) Any conflict of interest of those involved in the policing subcommittee?

**9. Danny Garza (Neighborhood Association - Mayfair...)**

- a) Focus on code enforcement accountability.

**10. Gabriela Garzon Gupta (Asian Law Alliance)**

- a) Need materials in languages widely spoken: English, Spanish, Chinese, Korean, etc.
- b) Second Ellina Yin on the importance of community engagement and ensuring that we have a process that makes sure all our community members can get involved, regardless of their ethnicity or race, language barrier, class status, etc.
- c) We need robust outreach to various ethnic groups and CBOs, specifically the API groups.
- d) Explore rank choice voting.
- e) Push for inclusion and diversity to be made at every level of the commission, including election reform and community outreach.

**11. Reginald Swilley**

- a) Worried about voter suppression. Make sure democratic process is as wide as can be.

**12. Brett Bymaster (Healing Grove Health Center)**

- a) Slow speed of city hall affects low-income residents, specifically permitting. Construction workers don't get paid when construction is delayed. Strong mayor could come in and fix that, but that could also reduce representation in low income, particularly in a document and communities. Maybe the city manager model is better?
- b) Takeaway: We want to see options from the charter Review Commission on getting the best of both worlds: making sure that local people have representation that actually has power, and making sure that the city can become more responsive to the needs of people and the needs of business, particularly around creating jobs for people living in poverty.

**13. Walter Wilson (Community Activist)**

- a) Support Swilley and Beekman
- b) Need more representation of BIPOC and other disadvantaged folks in government.

**V. Old Business**

**A. Discussion and possible action on work plan**

- 1. Report from the Chair
  - a) Comments on public hearing
- 2. *Report from the Clerk*
- 3. Update from Consultant
  - a) Outreach materials
  - b) CBO update (including list of folks that applied)

**(1) Commissioner Posadas**

- (a) I thought we were working with 9 CBOs?
  - (i) **Consultant:** We're in active conversation with 9, but a few have been slow to respond.

**(2) Commission Matsumura**

- (a) What were the outreach goals and numerical targets for today's public hearing?
  - (i) **Consultant:** We're working on getting agreements back from CBOs. We've asked each of those to share what they think is possible, given their communities and their capacity. We don't have monthly targets yet, but we will have them by next meeting.

- (b) What were the other outreach efforts that we undertook?

- (i) **Consultant:** We have a list of CBOs that we've been emailing that include a lot of our contacts and others that we've worked with in San Jose. We don't know who the city clerk reached out to. We're building a list of folks who are interested via sign up forms.
- (ii) **City Clerk:** Yes, I did send this out to all of the Council offices, including the Mayor's Office. I sent it directly to the Mayor's outreach person. I also posted on social media, but Facebook blocked boost because it was categorized as political content.

**(3) Commissioner Segol**

- (a) How can my subcommittee conduct outreach to get feedback from the public on subcommittee-specific questions? And Is it possible to set up questions on the website?
  - (i) **City Clerk:** Ad Hoc subcommittee are designed to not put extra work for staff, and this is getting into territory where staff are being directed to do extra work when there's no budget to do so. Maybe it would be better to discuss the process part? I would like to bring this topic to the rules and open government committee.
  - (ii) **Chair Ferrer:** Suggests working with consultants on a simple process that doesn't put undue process on staff.
  - (iii) **Consultant:** We can pass some of your questions along to CBO to see if they think that is the best way to talk to their community.

**(4) Commissioner Callender**

- (a) Support Commissioner Segol. Does not want committees to work in a vacuum.
- (b) Make sure more AAPI groups are included. Disappointed that Asian Law Alliance wasn't included.

**(5) Commissioner Zhao**

- (a) How many CBO has the capacity to reach out to the asian community?  $\frac{1}{3}$  of the city's population. Many are first generation who may not understand the significance of city charter. Make sure outreach is available in asian languages: Chinese, Japanese, and Viet, etc.

**(6) Commissioner Barousse**

- (a) Found the outreach toolkit to be helpful.
- (b) Some left feedback that they couldn't see the list of dates or Zoom link on the outreach materials. The bitly link led to some confusion. Looking for a zoom link.

**(7) Commissioner Amador**

- (a) Some said that the zoom link is outdated. They clicked "watch through zoom link" but redirected them to the wrong meeting.

- (b) Would like more frequent updates on CBO engagement, via email or public announcement. Don't want to wait until hearings.
- (c) Wish commissioners were more involved in the process of engaging with CBOs. Feels very it's not very transparent.
- (8) **Commissioner Barocio** [review again]
  - (a) On template, remove "draft" and replace with "Update title here" so folks know that it's not a work in progress but that it is the official doc.
  - (b) At the top in the red box, be very specific about deadlines in terms of when recommendations need to be in by.
  - (c) Can surveys be posited on Facebook? (seems to be allowed.
  - (d) Can the public attend subcommittee meetings?
- (9) **Commissioner Johnson**
  - (a) Reached out to AAPI organizations involved but unsure why not they didn't receive the form.
  - (b) Is it possible to invite CBO to present at a subcommittee meeting?
- c) Public Comment
  - (1) **Tessa Woodmansee**
    - (a) Be careful with use of acronyms as they might not be clear to everyone.
    - (b) Chart or presentation on the screen should show item we're talking about on screen
    - (c) We need to know participants so we know other activists in our community (list names and email addresses)
    - (d) Keep virtualization going.
  - (2) **Phone 9018**
    - (a) Impressed committee open to listening to many viewpoints. Worried "How does this affect you" presented as either or scenarios. Would like the committee to work through solutions.
  - (3) **Matt King**
    - (a) Disappointed in CivicMakers.
  - (4) **Ellina Yin**
    - (a) Disappointed in CivicMakers for not having goals around turnout for this public hearing.

- (b) Write more protections for the city clerk's office in the charter. Make city charter updated more regularly every two or four years.

**(5) Roland**

- (a) Sent an email.

**(6) Danny**

- (a) Agree w/ Roland. Need to go to neighborhood association Get nothing from the city, especially district 5. Agree w/ Elina.

**(7) Juan E.**

- (a) Agree to suggest not limiting the number of organizations.
- (b) Agree in adding more neighborhood associations

**(8) Bao Trieu (Vietnamese \_\_ Coalition)**

- (a) Would like to see more CBO from the AAPI community.

**d) Chair Ferrer - Summary**

- (1) Develop process for subcommittees to get outreach to CBO for specific input.
- (2) Continue doing outreach to CBOs
- (3) Specific Feedback on outreach materials
  - (a) Clarify dates, zoom links, subcommittee deadlines and remove draft language
- (4) Email neighborhood associations directly
- (5) Double check email list being used for outreach to see if comprehensive
- (6) List any organizations that talked to us that were not included in what we chose for the funding side but still wanted to work with us.

**e) Commissioner Matsumura**

- (1) Reiterated a desire to chart a baseline understanding of what's happening and not happening so far, so we make improvements to CBO outreach.

**f) Commissioner Segol**

- (1) Is the mayor willing to send a master list of CBOs so commissioners can do outreach themselves?

**g) Commissioner Amador**

- (1) Want to move public comment before voting.
  - (a) Chair Ferrer - happy to move public comment before but then there'll be no public comment after.
    - (i) Everyone agrees!

4. Commissioner discussion on revising topics and finalizing subcommittee assignments
  - a) Consultant will present summary of new topics that came up in public hearing
  - b) Ask if any Commissioners want to work on these topics and ask if it fits in their existing subcommittee
    - (1) Decide if topic is assigned to existing subcommittee or to a repurposed
  - c) Finalize subcommittee assignments
    - (1) Ask if any subcommittees want to move
    - (2) Lawrence make real time adjustments to [subcommittee list](#)
  - d) *Governance Structure*
    - (1) **Commissioner Johnson** - Okay with taking topics listed.
    - (2) **Commissioner Amador** - Will the Ethics Commission be part of the Governance Structure committee?
      - (a) **Consultant:** Was put under the Accountability and Inclusion committee.
    - (3) **Commissioner Callender** - Who's looking at green lining and impact on affordable housing? Suggestion: put under governance?
  - e) *Policing & Municipal Law*
    - (1) **Commissioner Segol**
      - (a) Already discussing these topics listed. Will add Bill of Rights and Artificial Intelligence
    - (2) **Commissioner Amador**
      - (a) Under Policing & Municipal Law, ensure community safety charter. A democratically elected board and commission chairs to be democratically elected - Would like added here.
    - (3) **Commissioner Segol**
      - (a) Add artificial intelligence to the discussion.
      - (b) Is anyone picking up Ethics Commissions?
        - (i) **Consultant:** it's under Accountability & Inclusion
    - (4) **Commissioner Posadas**
      - (a) Keep citizens review commission
        - (i) **Consultant:** This list is not comprehensive. ONLY includes topics brought up tonight.
    - (5) **Commissioner Callender**



- (a) Community's fractured relationship with police.  
Suggested combining policing with accountability and inclusion. Move some topics from accountability and inclusion into other committees.
  - (i) Thumbs up from **Commissioner Segol** - don't have that many topics in this subcommittee
  - (ii) Thumbs up from **Commissioner Johnson**
  - (iii) **Commissioner Segura** - support
  - (iv) **Commissioner Marshman** - support
- (b) Not sure what a charter bill of rights is? Are we looking at a police bill or rights or chart commission bill of rights?
  - (i) **Chair Ferrer** - Bill of Rights came from the City of Detroit.
  - (ii) **Consultant:** Bill of right that speaks broadly to universal bill of rights
  - (iii) **Commissioner Callender:** maybe should be accountability and inclusion
    - (a) **Commissioner Lezotte** - This is a hot button topic w/ police bill of rights. Be careful with how it's labeled because there'll be pushback.
    - (b) **Commissioner Segol** - Clarified caller was talking about the citizen bill of rights.
- (6) Anyone have a conflict of interest?
  - (a) **Commissioner Marshman** - ex-husband was a police officer
  - (b) **Commissioner Pasadas** - no conflict
  - (c) **Vanni, City Attorney** - no requirement to disclose or reclude yourself in regards to personal ties to police. The law mainly focuses on financial conflict of interests.
- f) *Voting & Election*
  - (1) **Commissioner Monley**
    - (a) Yes, already drifting into these topics listed
  - (2) **Commissioner Percival**
    - (a) Also have been discussing or looking into moving timing of odd and evening number districts.  
Question — adding more city council districts.

Seems like this work is tied to the work of the other committee working on redistricting.

(3) **City Attorney Vanni** -

(4) **Commissioner Matsumura** - wonder if each three committees can take the topic in parallel and deliberate together during the full commission meeting.

(a) **Commissioner Johnson** - sounds like a good idea.

(b) **Commissioner Diep** - sounds good.

(5) **Commissioner Marshman**

(a) Training on prospective war and commission members and residents.

g) *What about topics that aren't relevant to charter?*

(1) **Commissioner Lezotte** - some of these topics... There are none of these things that deal with the charter. Some of these are policy changes: We could even do a little chart saying, okay, here's the recommendations on charter. Here's our recommendations for Policy changes because there is a policy council even though

(2) **ACTION:** Update is this a policy in template

h) *Other*

(1) **Matsumura** - could go under governance and structure.

(2) **Lezotte** - policy topics. Not related.

(3) **Marshman** - not sure how you'd do CEQA-like process.. Sounds tedious. Many policy topics but not charter.

(4) **Callendar** - would fit under inclusion and accountability.

i) **Commissioner Johnson** - Consider a stipend for commissioners to incentivise increased participation

j) *Is public invited and allowed to participate in meeting?*

(1) Vanni - addressed in memorandum. Advised public participation does not occur. Individual commissioners solicit input from public can invite CBO to give a presentation but should not subject them to be conducted like a serial meeting....

5. Take motions

6. **Vote on any motions**

B. Public Comment (10 mins)

1. **Blair Beekman** - worried about not allowing public input

2. **Tessa Woodmansee** - reiterated need to be looking at things through climate crisis lens

3. **Ellina Yin**

- a) Board and commissions - look into standardize process that we adopt bylaws that require racial equity training
- b) Bill of rights - ensure ability to participate in legislative process regardless of socioeconomic status, language ability

**4. Matt King**

- a) Did not mean CEQA, just wanted a process for reviewing equity impacts

**VI. New Business**

**A. Discussion on Bylaws and an Overview of the Commission Process**

- 1. Toni's comments on Process
  - a) Research requests
- 2. Mark Vanni update on Bylaws
  - a) Bylaws

**B. Public Comment (10 mins)**

**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. Tessa Woodmansee - really need to increase digital outreach and social media presence. Regardless of strong mayor or strong manager, no one responds to public reaching out.
  - 2. Ellina Yin - putting community engagement in charter (need to protect in charter). Puts it into accountability. Democratically elected chair.

**VIII. Meeting Schedule and Agenda Items**

- A. The next scheduled meeting of the Charter Review Commission is June 28th, 2021 at 5:30 p.m. via virtual meeting, public hearing at 6pm.

**IX. Adjournment**