



# **Charter Review Commission**

## **City of San José**

### **Special Meeting MINUTES**

<https://sanjoseca.zoom.us/j/94141759036>

**5:30 PM**

**Thursday, November 18, 2021**

Present: Chair- Frederick Ferrer; Members- Barbara Marshman, Christina Johnson, Elizabeth Monley, Elly Matsumura, Enrico Callender, Frank Maitiski, Garrick Percival, George Sanchez, Huy Tran, Jeremy Barousse, Jose Posadas, Lan Diep, Linda LeZotte, Louis Barocio, Magnolia Segol, Maria Fuentes, Sammy Robledo, Sherry Segura, Thi Tran (5:34 p.m.), Tobin Gilman, Veronica Amador (5:36 p.m.), Yong Zhao

Absent: None

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 5:30 p.m.

#### **II. New Business**

##### **a) Final Voting on Policing, Municipal Law, Accountability, and Inclusion Subcommittee Recommendations.**

Members from the PMLAI subcommittee presented their eleven recommendations individually and highlighted the revisions made since the recommendations were last brought forth to the Commission. Commissioners asked questions and discussion ensued.

##### **Draft Recommendation #1: Article X - Boards and Commission Reform**

Commissioner Amador presented the Policing, Municipal Law, Accountability, and Inclusion Subcommittee's Draft Recommendation #1 regarding Article X - boards and commission reform.

Public Comment: The following members of the public provided comments: Paul Soto, Tessa Woodmansee, and Blair Beekman.

Action: Upon motion by Commissioner Amador and seconded by Commissioner Segura, the Commission voted to approve the first draft recommendation from the PMLAI subcommittee regarding boards and commission reform. (22-0-0)

##### **Draft Recommendation #3: Native Land Acknowledgement**

Commissioner Segura presented the Policing, Municipal Law, Accountability, and Inclusion Subcommittee's Draft Recommendation #3 regarding a native land acknowledgement. Discussion amongst commissioners ensued.

Public Comment: The following members of the public provided comments: Blair Beekman, Tessa Woodmansee, and Call-In User\_1.

Action: Upon motion by Commissioner Segura and seconded by Commissioner Amador, the Commission voted to approve the third draft recommendation from the PMLAI subcommittee regarding a native land acknowledgement and the "Short Version" of the Native Land Acknowledgement document. The working definition and historical explanation of the term secularization, as provided from the Muwekma Ohlone tribe, was directed to be included in the record. (22-0-0)

### **Draft Recommendation #2: Use of Gender-Inclusive Language on All of the City of San José Documents**

Commissioner Amador presented the Policing, Municipal Law, Accountability, and Inclusion Subcommittee's Draft Recommendation #2 regarding the use of gender-inclusive language on all of the City of San José documents.

Public Comment: The following members of the public provided comments: Call-In User\_1, Tessa Woodmansee, and Blair Beekman.

Action: Upon motion by Commissioner Amador and seconded by Commissioner Callender, the Commission voted to approve the second draft recommendation from the PMLAI subcommittee regarding the use of gender-inclusive language on all of the City of San José documents. (22-0-0)

### **Draft Recommendation #4: 1. Creating and adding a Police Commission to the City Charter; 2. Converting the Independent Police Auditor Office to the Independent Investigations Department, with powers of subpoena, and full and unredacted access to all documents in the possession of the San José Police Department; 3. Creating an Office of the Inspector General to assist the Police Oversight Commission in conducting reviews of patterns, practice, trends, systems, and policies at the Police Department**

Commissioner Segol presented the Policing, Municipal Law, Accountability, and Inclusion Subcommittee's Draft Recommendation #4 regarding (1) creating and adding a Police Commission to the City Charter; (2) converting the Independent Police Auditor Office to the Independent Investigations Department, with powers of subpoena, and full and unredacted access to all documents in the possession of the San José Police Department; and (3) creating an Office of the Inspector General to assist the Police Oversight Commission in conducting reviews of patterns, practice, trends, systems, and policies at the Police Department.

Public Comment: The following members of the public provided comments: Tessa Woodmansee, Blair Beekman, Sandra Asher, and Call-In User\_1.

Action: Upon motion by Commissioner Segol and seconded by Commissioner Callender, the Commission voted to approve the fourth draft recommendation from the PMLAI subcommittee regarding (1) creating and adding a Police Commission to the City Charter; (2) converting the Independent Police Auditor Office to the Independent Investigations Department, with powers of subpoena, and full and unredacted access to all documents in the possession of the San José Police Department; and (3) creating an Office of the Inspector General to assist the Police Oversight Commission in conducting reviews of patterns, practice, trends, systems, and policies at the Police Department. (20-1-1; Noes: Maitski; Absent: Gilman)

#### **Draft Recommendation #5: Equity Values, Equity Standards, Equity Assessment**

Commissioner Callender presented the Policing, Municipal Law, Accountability, and Inclusion Subcommittee's Draft Recommendation #5 regarding equity values, equity standards, and equity assessment.

Public Comment: The following members of the public provided comments: Blair Beekman, Tessa Woodmansee, and Call-In User\_1.

Action: Upon motion by Commissioner Callender and seconded by Commissioner Segol, the Commission voted to approve the fifth draft recommendation from the PMLAI subcommittee regarding equity values, equity standards, and equity assessment. (21-0-1; Absent: T. Tran)

#### **Draft Recommendation #9: Equity and Inclusion in City Programming and Budgeting**

Commissioner Fuentes presented the Policing, Municipal Law, Accountability, and Inclusion Subcommittee's Draft Recommendation #9 regarding equity and inclusion in City programming and budgeting.

Public Comment: The following members of the public provided comments: Blair Beekman, Call-In User\_1, and Tessa Woodmansee.

Action: Upon motion by Commissioner Fuentes and seconded by Commissioner Segura, the Commission voted to approve the ninth draft recommendation from the PMLAI subcommittee regarding equity and inclusion in City programming and budgeting. (20-1-1; Noes: Gilman; Absent: T. Tran)

#### **Draft Recommendation #6: Department Audits**

Commissioner Zhao presented the Policing, Municipal Law, Accountability, and

Inclusion Subcommittee's Draft Recommendation #6 regarding department audits.

Public Comment: The following members of the public provided comments: Blair Beekman, Tessa Woodmansee, and Call-In User\_1.

Action: Upon motion by Commissioner Zhao and seconded by Commissioner Robledo, the Commission voted to approve the sixth draft recommendation from the PMLAI subcommittee regarding department audits. (18-3-1; Noes: Barousse, Johnson, Matsumura; Absent: T. Tran)

### **Draft Recommendation #8: Create a Climate Action Commission**

Commissioner Segol presented the Policing, Municipal Law, Accountability, and Inclusion Subcommittee's Draft Recommendation #8 regarding the creation of a Climate Action Commission. Discussion amongst commissioners ensued.

Public Comment: The following members of the public provided comments: Tessa Woodmansee and Blair Beekman.

Action: Upon motion by Commissioner Segol and seconded by Commissioner Amador, the Commission voted to approve the eighth draft recommendation from the PMLAI subcommittee regarding the creation of a Climate Action Commission, with the removal of the sentence "Additions to the scope can be done by the Municipal Code" in Section 2, below Item 7. (16-5-1; Noes: Gilman, LeZotte, Monley, Robledo, Zhao; Absent: T. Tran)

### **Draft Recommendation #10: Article XX The Promotion of Home Ownership Opportunities for Low Income Residents of San José**

Commissioner Fuentes presented the Policing, Municipal Law, Accountability, and Inclusion Subcommittee's Draft Recommendation #10 regarding Article XX, the promotion of home ownership opportunities for low-income residents of San José. Discussion amongst commissioners ensued.

Public Comment: The following members of the public provided comments: Tessa Woodmansee, Blair Beekman, and Call-In User\_1.

Action: Upon motion by Commissioner Fuentes and seconded by Commissioner Barousse, the Commission voted to approve the tenth draft recommendation from the PMLAI subcommittee regarding Article XX, the promotion of home ownership opportunities for low-income residents of San José forward as a policy recommendation for the City Council's consideration. (12-9-1; Noes: Diep, Gilman, LeZotte, Maitiski, Marshman, Monley, Percival, Robledo, Zhao; Absent: T. Tran)

### **Draft Recommendation #11: The Community to Purchase Act (COPA)**

Commissioner Amador presented the Policing, Municipal Law, Accountability, and

Inclusion Subcommittee's Draft Recommendation #10 regarding the Community to Purchase Act (COPA).

Public Comment: The following members of the public provided comments: Sandy Perry, Blair Beekman, Tessa Woodmansee, and Call-In User\_1.

Action: Upon motion by Commissioner Amador and seconded by Commissioner Barousse, the Commission voted to approve the eleventh draft recommendation from the PMLAI subcommittee regarding the Community to Purchase Act (COPA). (16-5-1; Noes: Diep, Gilman, Marshman, Monley, Zhao; Absent: T. Tran)

**Draft Recommendation #7: Alter appointments to San Jose's Smart City Advisory Board and the Innovation and Technology Advisory Board with the goal of strengthening community input on the effects and consequences of technological change**

Commissioner Percival presented the Policing, Municipal Law, Accountability, and Inclusion Subcommittee's Draft Recommendation #7 regarding altering appointments to San Jose's Smart City Advisory Board and the Innovation and Technology Advisory Board with the goal of strengthening community input on the effects and consequences of technological change.

Public Comment: The following members of the public provided comments: Tessa Woodmansee, Blair Beekman, and Call-In User\_1.

Action: Upon motion by Commissioner Percival and seconded by Commissioner Segol, the Commission voted to approve the seventh draft recommendation from the PMLAI subcommittee regarding altering appointments to San Jose's Smart City Advisory Board and the Innovation and Technology Advisory Board with the goal of strengthening community input on the effects and consequences of technological change. (21-0-1; Absent: T. Tran)

### **III. Adjournment**

The Commission adjourned at 7:03 p.m.

*Megan Roche*

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Prepared by:  
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Frederick Ferrer  
Chair, Charter Review Commission