

San José Charter Review Commission

Accountability & Inclusion Subcommittee Meeting

Agenda & Notes

Drafted June 8, 2021

Meeting Details

Date/Time	June 8, 2021 5:30pm-7pm
Topics Covered	Subcommittee Structure & Roles, Questions about Subcommittee Structure, Topics of Focus & Scope of Work, Work Plan
Notices or Questions for Commission	<ul style="list-style-type: none"> - <i>Request for clarity on whether 6/28 public hearing is happening and what it will look like.</i> - <i>Questions about whether this committee can proceed as charged, and which Commissioners are willing to continue as part of this subcommittee.</i> - <i>There is a proposal among the subcommittee attendees to merge the Policing & Municipal Law subcommittees with the Accountability & Inclusion subcommittee.</i> <ul style="list-style-type: none"> - <i>Commissioner Matsumura worries that merged subcommittees could result in an unmanageable scope.</i> - <i>Subcommittee members would also like the opportunity to ensure Commissioners across the Commission feel they are assigned to a subcommittee that appropriately addresses their interest & skillset.</i> - <i>There are a number of items Commissioner Callender would add to the Policing & Municipal Law Subcommittee and request research on:</i> <ul style="list-style-type: none"> - <i>Directly Elected police auditor (how many throughout the nation?)</i>

- *Increasing the subpoena power of the directly elected police auditor (how many throughout the nation)*
- *Appointment of a citizen review commission that will report directly to an independently a police auditor (How do they work in different communities and what are the best practices?)*

Kick-off Meeting Agenda (90 mins)

- I. Roll call
- II. Roles:
 - A. Select note taker
 - B. Select lead
- III. Decide how documents will be shared (Google Docs, Microsoft Teams, etc)
- IV. [Confirm list of topics](#) and assign leads to start researching and working on a recommendation memo
- V. Complete [work plan with that info](#)
 - A. Reminder: Committee will need to send workplan and any meeting docs to Megan by June 11 to publish for next committee meeting
- VI. Review a normal subcommittee meeting agenda
 - I. Roll call
 - II. Brief update from each Commissioner on work since last Subcommittee meeting (*5 mins*)
 - III. Review of public comment received via City Clerk's office (*10 mins*)
 - IV. Review of new potential topics (from Commission assignment or public comment) and revision of topic list (*10 mins*)
 - V. Discussion of topics (*45 mins*)
 - VI. Review of draft Recommendation Memos (if any) (*15 mins*)
 - VII. Next steps (*5 mins*)
 - A. Assignment of additional research
 - B. Drafting of Recommendation Memos
- VII. Open discussion

Meeting Notes

- I. Roll call
 - A. Commissioner Matsumura
 - B. Commissioner Zhao
 - C. Commissioner Callender
 - D. Commissioner Barocio (absent)
- II. Roles:
 - A. Select note taker: left open at this time
 - B. Select lead: (tentative lead) Commissioner Matsumura
- III. Decide how documents will be shared (Google Docs, Microsoft Teams, etc)
 - A. Google Docs
- IV. [Confirm list of topics](#) and assign leads to start researching and working on a recommendation memo
 - A. **Purview:** Consider additional measures and potential charter amendments, as needed, that will improve accountability, representation, and inclusion at San José City Hall.
 - B. **Subcommittee Scope Description:** Review, evaluate, and provide recommendations to the full Commission on ideas relating to improving accountability and inclusion at City Hall, including the composition and appointment of Commissioners, a Charter Bill of Rights, and possible auditing and accountability models.
 - C. **Topic List:**
 1. Review Recommendations put forth by Mayor Liccardo in a July 27, 2020 memo
 - a) Halt political contributions and gifts to Council candidates from lobbyists, and halting gift-giving from for-profit City contractors;
 - b) Limit membership of City commissions from persons employed by for-profit entities with City contracts and lobbyists; and
 - c) Require councilmembers to recuse themselves from voting if they have accepted campaign contributions from individuals and organizations directly benefiting from Council votes within a specified duration;

2. Consider drafting and incorporating a Charter Bill of Rights (re: Detroit's example)
 3. Look into the equitable/inclusive appointment of Commissioners
 4. Citizen Technology Review Commission (suggested by Blair Beekman)
 5. *Other additions?*
- D. *Questions about whether this committee can proceed as charged, and which Commissioners are willing to continue as part of this subcommittee.*
- E. *Notes on Topic Discussion:*
1. *Commissioner Matsumura requests clarity on how the funding allocated to CivicMakers for research purposes can be used and whether it can be used to fund research by policy experts to consult with subcommittees.*
 2. *Commissioner Callender feels policy-level research is necessary to inform recommendations to the City Charter. Does not feel qualified to do policy-level research and feels the nature of volunteer Commissioner positions most of whom work full-time does not allow for the in-depth policy research necessary to make responsible charter recommendations. Requests policy researchers to help source model policy and help research existing and potential impact.*
 3. *Commissioner Zhao and Matsumura agree.*
 4. *Commissioner Callender says he believes his expertise is better spend elsewhere, for example on the Policing & Municipal Law subcommittee.*
 5. *There is a proposal among the subcommittee attendees to merge the Policing & Municipal Law subcommittees with the Accountability & Inclusion subcommittee.*
 - a) *Commissioner Matsumura worries that merged subcommittees could result in an unmanageable scope.*
 6. *Subcommittee members would also like the opportunity to ensure Commissioners across the Commission feel they are assigned to a subcommittee that appropriately addresses their interest & skillset.*
 7. *There are a number of items Commissioner Callender would add to the Policing & Municipal Law Subcommittee and request research on:*
 - a) *Directly Elected police auditor (how many throughout the nation?)*
 - b) *Increasing the subpoena power of the directly elected police auditor (how many throughout the nation)*
 - c) *Appointment of a citizen review commission that will report directly to an independently a police auditor (How do they work in different communities and what are the best practices?)*

8. *Commissioner Matsumura has many suggestions for the Accountability & Inclusion subcommittee topics but will hold these until she receives further clarity on subcommittee structure and resource allocation.*
 9. *Commissioner Zhao would like to add Housing & Homelessness to the scope of this subcommittee - curious about the Charter's ability to audit and oversee City budget allocation to this issue area and determine whether it is effective. (ex: cost versus impact)*
 10. *Commissioner Callendar also has additions related to Affordable Housing but needs to understand who is doing what & where. (ex: Greenlining)*
- V. Complete [work plan with that info](#)
- A. Reminder: Committee will need to send workplan and any meeting docs to Megan by June 11 to publish for next committee meeting
- VI. Review a normal subcommittee meeting agenda
- I. Roll call
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 - VII. Next steps (*5 mins*)
 - A. Assignment of additional research
 - B. Drafting of Recommendation Memos
- VII. Next Steps:
- Getting clarity on the public hearing on the 28th
 - Getting clarity of CivicMakers Research scope & the possibility of bringing in policy-level researchers to support subcommittees
 - Getting clarity on how the subcommittees were structured after Chair Ferrer's vote last meeting —> more an issue on where Commissioners want to be and making sure that we have viable committees
 - Questions around potentially merging subcommittees:
 - Pending input from the public hearing and from Commissioners (waiting on the committee structure to give input on the topics) — potentially a different committee structure would be needed.

- Noting the consultant and Chair Ferrer mentioned the structure might change after the subcommittees.