

# San José Charter Review Commission

## Subcommittee Meeting Agenda & Notes

*Drafted May 11th, 2021; Revised May 25th, 2021*

### Meeting Details

<b>Date/Time</b>	July 28, 2021
<b>Topics Covered</b>	Checks on Mayoral Authority
<b>Notices or Questions for Commission</b>	<i>[To be completed after meeting as high level summary]</i>

### Meeting Agenda (90 mins)

- 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

### Meeting Notes

- I. Reflection of 7/26 Commission meeting
  - a. Shared our thoughts on:
    - i. Process of presenting proposals
    - ii. Commissioner thoughts on the substance of each of the four proposals
      1. Moving timing of mayoral election
      2. Ranked choice voting
      3. Expanding council seats
    4. Expanding scope and authority of the Board of Fair Campaign and Political Practices

II. Commissioner Frank Maitzki presented his research on various systems of governance in 20 other cities:

- a. Relationship between Council, Mayor, City Manager
  - i. Most big cities have a strong mayor, but mayor only has control over city manager, not department heads
- b. Veto power of mayor
  - i. Other cities allow the mayor a veto power.
    - 1. But what is the threshold to overcome a veto? Doesn't have to be 2/3<sup>rd</sup> council vote
    - 2. Council retains power over land use or quasi-judicial matters. Mayor doesn't have veto over every issue.
    - 3. Sometimes the mayor is on the council, sometimes s/he is not. What is best for San Jose?
- c. Other Powers
  - i. Role of mayor
    - 1. Mayor is elected citywide, but what is the desired scope of his/her authority relative to elected councilmembers?
  - ii. Important that the council retains power to investigate
  - iii. Who gets to appoint people to commissions?
    - 1. Some mayors are ex-officio members of all committees and commissions, non-voting status.

III. Informal poll of what commissioners think of the question of changing mayor's authority

- a. A majority of commissioners who shared are leaning towards keeping the council/city manager form of government but increasing some limited powers of the mayor (e.g. emergency powers), not moving to a strong mayor system.
  - i. For consideration: If we continue as is, relying on a professional bureaucracy to run the city and the council to provide input and policy leadership, what is the role we want councilmembers to play (that professional staff is not already doing), and do we need a fulltime council to achieve that? (Most cities in California a council/manager governments with part-time councils).

IV. Commissioner Maria Fuentes gives an update on her investigation into the mayor's budgetary power.

- a. Looking at concepts of participatory budgeting, how the budget gets formed, and working within the constraints of our current budget reality.
- b. She will have more info next week.

V. Commissioner Frank Matski presents on issue of reconvening future city charter review commissions

- a. Commissioner Matski asked the city attorney's office about adding a set timetable to reconvene future charter review commissions.
  - i. Response was anything is possible if it was included in the charter.
  - ii. Commissioner Matski not yet read to make any recommendation on whether to have a charter provision to reconvene city charter review

commission. Would  
like to poll other commissioners on their thought.

**In attendance:**

- Louis Barocio, Lan Diep, Maria Fuentes, Christina Johnson, Linda Lezotte, Frank Maitski, Elly Matsumura

**Commissioner updates:**

- Clarity around public hearings

**Public comments received:**

- N/A

**Topic list review and revision:**

- Review the upcoming weekly topics

**Topic discussion / review of draft Recommendation Memos:**

- Frank's presentation on Mayoral authority and checks and balances
  - [Frank's Memo](#) link

**Next Steps:**

Maria's presentation on mayoral budget authority