

RESOLUTION NO. 79722

**A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN JOSE ESTABLISHING THE SIZE, COMPOSITION,
AND RESPONSIBILITIES OF THE CHARTER REVIEW
COMMISSION AS DIRECTED BY THE CITY COUNCIL ON
JULY 28, 2020**

WHEREAS, on July 28, 2020, the City Council of the City of San José (“City”) provided direction to establish a Charter Review Commission to consider potential changes to the San José City Charter related to the City’s governance structure and mayoral election cycle, and additional changes to improve accountability, representation, and inclusion at San José City Hall; and

WHEREAS, the City Council desires to establish the Charter Review Commission, to be comprised of twenty-three (23) members, as an advisory committee to the City Council, as set forth in this Resolution; and

WHEREAS, it is anticipated that the nomination process for the Charter Review Commission will commence in October 2020 with the appointment of Commission members to occur in December 2020;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
SAN JOSE THAT:**

SECTION 1. ESTABLISHMENT OF COMMISSION.

The Charter Review Commission, as directed by the City Council on July 28, 2020, is hereby established.

SECTION 2. SIZE, COMPOSITION AND MEMBERSHIP.

The Charter Review Commission is to be comprised of twenty-three (23) members, with each member nominated pursuant to San José Municipal Code Section 2.08.180, as

may be amended. Each Councilmember shall nominate two (2) Commission members who are residents of the district of the nominating Council Office. The Mayor shall nominate three (3) members as at-large representatives. Each of the nominations shall be considered by the full Council for formal appointment. Commissioners must be residents of San José. The Mayor will nominate one (1) of the at-large members to serve as the Chair to preside over meetings and who may vote only to break a tie. The Vice Chair will be elected by the Commission once comprised. The composition of the Commission is to represent a cross-section of backgrounds and professions, including, but not limited to: labor/union, business and development, academia, legal, and government.

SECTION 3. COMMISSION RESPONSIBILITIES.

- A. The Charter Review Commission shall serve as an advisory committee to the City Council and, once comprised, the Commission will determine the number of meetings, number of public hearings, and schedule of meetings in order to provide recommendations to the City Council.

- B. The responsibilities of the Charter Review Commission shall include the following:
 - 1. Examine the current governance structure as well as a governance structure consistent with the “Mayor-Council” government structure found in other cities in the United States in which the Mayor has executive authority and the Council has legislative authority;

 - 2. Research and solicit community input on strong mayor and other potential charter reforms to improve and update the City’s governance structure, including the direction to “Align mayoral executive authority with residents’ and local business’ reasonable expectations for responsive and accountable democratic governance in a major U.S. city”;

3. Evaluate whether the Mayor elected in 2022 should serve a two (2)-year or six (6)-year term to transition the mayoral election to the presidential election in 2024 or 2028, respectively;
4. Evaluate transition of the election cycle for odd-numbered districts to align with the presidential election cycle and the even-numbered districts with the gubernatorial election cycle; and
5. Consider additional measures and potential charter amendments, as needed, that will improve accountability, representation, and inclusion at San José City Hall.

ADOPTED this 22nd day of September, 2020, by the following vote:

AYES: ARENAS, CARRASCO, DAVIS, DIEP, ESPARZA,
FOLEY, JONES, JIMENEZ, KHAMIS, PERALEZ,
LICCARDO.

NOES: NONE.

ABSENT: NONE.

DISQUALIFIED: NONE.



SAM LICCARDO
Mayor

ATTEST:



TONI J. TABER, CMC
City Clerk