


**2023 Charter Review Committee**

**Item 3, RTC 23-967**  
**Presentation on Prior Ballot Measures and Other Historical Information Related to the Positions of Police Chief and City Clerk**

**August 10, 2023**

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**City of Santa Clara**  
The Center of What's Possible

## **Background**

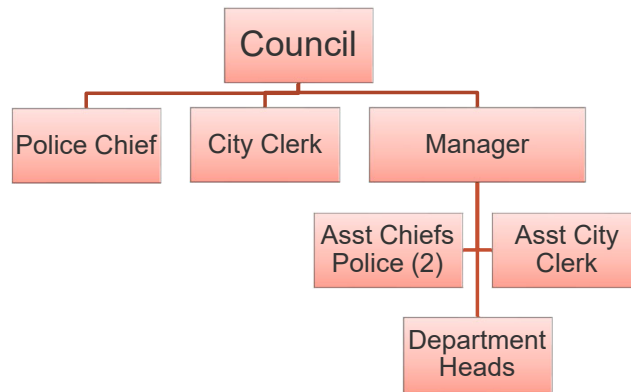
- Cities are either general law cities or charter cities:
  - In California, a general-law city has only those powers expressly granted or necessarily incident to those expressly granted by the State
  - Santa Clara is a Charter City which means that it governs municipal affairs under locally adopted charters that control powers & structures.
    - Essentially the City's constitution. A Charter Review Committee is an advisory body to the City Council on whether amendments to the Charter should be put to the voters in a future election.

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## Background (cont)

- Santa Clara Charter establishes a council-manager form of government as illustrated her:



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## Background

- Since 1952, Police Chief and City Clerk positions have been elected by Santa Clara voters pursuant to Section 600 of the City Charter
- Santa Clara is the only city in the state to elect its Police Chief
- State law requires every city to have a City Clerk - can be either elected or appointed

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# Qualifications

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## Qualifications – Both Positions

- To qualify for an elected position, must be “residents” and “qualified registered elector[s] of the City” at the time of filing. [See Charter Section 600]
  - Live in Santa Clara
  - Eligible to vote in Santa Clara

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## **Police Chief – Measure I, 2000**

- Candidates for the office of Chief of Police shall meet the minimum eligibility and qualification requirements imposed by state law upon candidates for the office of Sheriff (Gov Code §24004.3)
  - At the time of the final filing date for election, he or she meets one of the following criteria:
    - (1) An active or inactive advanced certificate issued by the Commission on Peace Officer Standards and Training.
    - (2) One year of full-time, salaried law enforcement experience within the provisions of Section 830.1 or 830.2 of the Penal Code at least a portion of which shall have been accomplished within five years prior to the date of filing and possesses a master's degree from an accredited college or university. <sup>37</sup>

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## **Police Chief (cont)**

- (3) Two years of full-time, salaried law enforcement experience within the provisions of Section 830.1 or 830.2 of the Penal Code at least a portion of which shall have been accomplished within five years prior to the date of filing and possesses a bachelor's degree from an accredited college or university.
- (4) Three years of full-time, salaried law enforcement experience within the provisions of Section 830.1 or 830.2 of the Penal Code at least a portion of which shall have been accomplished within five years prior to the date of filing and possesses an associate in arts or associate in science degree, or the equivalent, from an accredited college.

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## Police Chief (cont)

- (5) Four years of full-time, salaried law enforcement experience within the provisions of Section 830.1 or 830.2 of the Penal Code at least a portion of which shall have been accomplished within five years prior to the date of filing and possesses a high school diploma or the equivalent.
- (b) All persons holding the Office of Sheriff on January 1, 1989 shall be deemed to have met all qualifications required for candidates seeking election or appointment to the Office of Sheriff



## Prior Related Ballot Measures

Ballot	Measure	Vote	Text
Nov. 1952 (general election)	C- Elect Police Chief & City Clerk	Yes – 3,538 No – 2,420 <b>Measure Passed</b>	Amended Charter to provide for elected Police Chief & City Clerk as well as establish election schedule for the positions
Nov. 1972 (general election)	Measure C: City Clerk; Powers, Duties	Yes - 14,057 No - 14,368 <b>Measure Failed</b>	Amend Charter to provide for an appointed City Clerk
June 1994 (special election)	Measure B: Chief Police Appointment	Yes - 4,370 No - 10,079 <b>Measure Failed</b>	Amend Charter such that Police Chief would be appointed by the City Manager rather than elected.
March 2000 (special election)	Measure I: Charter Amendment, Chief of Police Requirements	Yes – 16,558 No – 2,244 <b>Measure Passed</b>	Amend Charter to require candidates for Police Chief meet the minimum requirements imposed by State law for the Office of Sheriff



# Questions?