

City of Santa Clara

**Charter Review Committee
Charter Project 2026**

May 27, 2026 Meeting

City Council Chambers



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

City of Santa Clara

**Charter Review Committee
May 27, 2026 Meeting**

Item No. 1

**Report Outs from Ad Hoc Subcommittees,
Primarily Groups One, Three and Four, with
Possible Action on Recommended Language
from All Groups**



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Report Outs from Subcommittees

- **Group One**
Powers and Structure of City Government: Rules/Process for Action
- **Group Two**
City Council: Elections, Powers and Conduct of Meetings
- **Group Three**
Senior Officials: Duties and Qualifications
- **Group Four**
Boards and Commissions: Composition, Powers and Duties
- **Group Five**
Civil Service: General Rules for Classified and Unclassified Employees;
Commission Composition and Duties
- **Group Six**
Fiscal Administration and Procurement



Subcommittee Recommendations

- Language developed over multiple meetings, including stakeholder input
- Report outs to the full CRC on a monthly basis designed to keep the CRC and the public aware of issues being discussed
- Presentation tonight for Groups **One**, **Three**, **Four** and **Five** is a culmination of those efforts (with some caveats on certain issues) to solicit full CRC and public input
- Direction sought from full CRC tonight to bring back “finalized” version at a future CRC meeting (currently being calendared for early June – targeting June 3rd) as part of the CRC’s action on its recommendation to the City Council (initial presentation (currently being calendared for June 9th))
- Language/grammar/typos/consistency/formatting still under internal review by CAO and subcommittee members



Group One

Powers and Structure of City Government: Rules/Process for Action

- **Meetings**
 - November 12, 2025
 - December 15, 2025
 - January 14, 2016
 - April 9, 2026
 - May 12, 2026
 - May 25, 2026 (remote), attended by members Nikolai and Naveed
- **Stakeholders providing input included elected City Clerk, Assistant City Clerk and CAO**



Group One

Summary of Recommended Changes

Addition of a Preamble

[Preamble]

- “We, the people of the City of Santa Clara, pursuant to our authority under the laws of the State of California, hereby adopt this Charter to be the rules for the governance and operations of our City in an open, fair and effective manner.”

Foundational Terms (Article One)

[Old Articles I through V, New Article One, Sections 100 through 105]

- Replacement of formal language with familiar language throughout (e.g., Section 100).
- Deletion of Old Article III, Succession, Sections 300 through 305, replaced with a single sentence in new Section 104.
- More definitive statement of City’s “Charter Authority” with respect to “municipal affairs” (Section 102.1), and the relationship of its enumerated Charter authority to other laws (Section 102.2)



Group One

Summary of Recommended Changes (cont'd)

Foundational Terms (cont'd)

- Aggregate voter approved limitations on City authority into one Section (102.3), including “Disposal of Public Utilities” (Section 102.3(a)), with clarifying modifications to allow internal transfers and disposition of property no longer needed for utility purposes
- Expanded language to explain “Council-Manager” form of government (Section 103)
- New language to make clear the “effective date” of the Charter update, and the need for voter approval of any Charter amendment (Section 104)
- Use and Definitions of Capitalized Terms Section added with cross-reference to the list of Definitions to be added in Article Nine (still under construction (Section 105)



Group One

Summary of Recommended Changes (cont'd)

Elected Officials (Article Two)

[Old Article VI, Section 600, New Article Two]

- Added new Section 200 to clearly state in one place which positions in the City are elected, with a definitional distinction for “District Council Members” and a cross-reference to Article Three regarding the process for elections and interim appointments.
- Clarifying language regarding ability to hold one office and run for another (e.g., Mayor for Council, and Council for Mayor), except that District Councilmembers can’t simultaneously run for another District Council seat (Section 203.3)

City Elections (Article Three)

[Old Section 600.01, New Section 301]

- Maintains concept of a “regular election” but uses modern language to refer to as “General City Election” held in even numbered years to be consolidated with the corresponding State election. Everything else is a “Special Election.” No primary.



Group One

Summary of Recommended Changes (cont'd)

City Council Meetings/Actions (Article Four)

[Old Section 808, Ordinances, New Section 403, Special Rules for Ordinances]

- Added language to explain what an ordinance is and to use modern language to explain the two step process for “introducing” and “adopting” ordinances (Section 403.1)
- Retains general rule for ordinance adoption at a “regular meeting” but adds a provision for adoption at a special meeting if the City Council finds an urgent necessity with five affirmative votes (last sentence of 403.1)
- Simplifies and updates language regarding repeal/amendment (403.2), effective date (403.3), emergency (403.4), codification (403.6), and adoption of uniform codes (403.7), with City Clerk only required to maintain one (was three) physical copies of the code, with added requirement for posting on the City’s website.
- Posting/publication of ordinances requirement changed from **advance** posting/publication in a newspaper (an outdated general law practice) to **post** adoption posting/publication in newspaper, plus website (403.5)



Group One

Summary of Recommended Changes (cont'd)

Employee Performance Bonds

[Old Section 911, Official Bonds, New Section 503, Employee Performance Bonds]

- Added language to describe what bonds are for, to outline the contents of any City policy to identify covered officials and terms of bonds, with City to pay premiums (503.1), with State law to apply in the absence of City policy (503.4)

Miscellaneous and Legal Provisions (Article Nine)

[Old Article XVIII, New Article Nine]

- Overall updates/clarifications to existing language in Sections 900 (Mandatory and Permissive), 901 (Legal Actions Against the City, 903 (Severability) and old Section 912 (Oaths of Office, to be moved and renumbered)
- Violations and Enforcement updates allow for prosecution of Charter violations as misdemeanors **or** infractions, in prosecutor's discretion based on severity of offense, with reference to state law for applicable range of punishments, and a clear statement that Elected Officials forfeit their position for a misdemeanor conviction (902.1)



Group One

Summary of Recommended Changes (cont'd)

Miscellaneous and Legal Provisions (cont'd)

- The District Attorney to be the prosecuting authority; if DA declines, City Attorney to hire someone from outside the CAO to prosecute (902.2)
- Ordinance required as a legal basis for any Local Law criminal prosecution (902.3)
- Publication of legal notice updates maintains newspaper publication requirement with updated language to align with State Law (904.1), requires additional “electronic” notice by City policy based on latest technologies to maximize reach to those expressing interest or likely to be impacted (904.2)
- Where Charter requires a City Council ordinance or policy, currently applicable local or state laws to remain in effect pending adoption (905)
- Add City Clerk authority to make minor corrections if approved as to form by City Attorney and ratified by Council (906)
- Definitions, still under construction (907)



Next Steps for **Group One**

- Supplemental Comments from Group One Members
- Additional Questions from full CRC
- Public Input
- Direction to staff to make any proposed modifications, finalize language and bring back to the full CRC for final action/recommendation



Group Three

Senior Officials: Duties and Qualifications

- **Previous Meetings**

- January 12, 2026

- March 11, 2026

- April 8, 2026

- May 13, 2026

- May 25, 2026 (remote, attended by members Sosinski, Nikolai and Kelly)

Stakeholder input included City Manager, Chief of Police, POA President, Finance Director, Public Works Director, City Attorney, Fire Chief, City Clerk and Assistant City Clerk



Group Three

Summary of Recommended Changes

Chief of Police Powers and Duties

[Old Section 906, New Section 202.3]

- Language added to make clear that the Chief of Police is the “head” of the Police Department (as currently provided by ordinance)
- Added obligation to update and advise the City Council and the City Manager on matters relating to public safety and law enforcement (202.3(d))
- Not able to develop language mutually agreeable to City Manager and Chief to clarify their relationship regarding appointment and discipline

Recognize that while these changes make sense, this could be such a sensitive area that even this proposal, either by itself or without further changes, could make any changes in this area challenging for the City Council to advance.



Group Three

Summary of Recommended Changes (cont'd)

City Clerk Powers and Duties

[Old Section 903, New Section 202.4]

- Reflects in the Charter the current allocation of duties between the City Clerk (elected) and the Assistant City Clerk (ACC) (appointed by the CM)
- City Clerk primary duty to serve as the City's "Elections Official" to administer elections and related duties under State and local laws (202.4(a)(1))
- Adds duty to consult with Assistant City Clerk, and with ACC concurrence, authorize the ACC to assist with their duties.
- ACC to perform typical City Clerk "day to day" duties to support CC meetings and maintain City records (202.4(b))
- Adds provision for ACC to act in the absence of the City Clerk to assure continuity of City operations and compliance with laws (202.4(b)(7)).



Group Three

Summary of Recommended Changes (cont'd)

Structure of Government

[Old Articles VIII and IX, New Article Five]

- **General sections** added/updated to describe City organization by departments, as determined by City Council (500.1), with an “Administrative Code” implementing details, to be updated from time to time (500.2), with the City Manager as the head of operations, and with the City Manager, City Attorney and City Auditor to be appointed by City Council (501)
- **City Manager** Sections consolidated and updated to better reflect duties and to align with other department head duties (501.1), with added provisions for exercising “professional judgement” to make recommendations and take actions to assure high quality performance of services, compliance with contracts and with the City Code (501.1(f,g))
- Outdated language regarding City Management appointment, and process for removal “for cause” deleted, as this is all now handled by contract (Old Section 806)



Group Three

Summary of Recommended Changes (cont'd)

Structure of Government (cont'd)

- **City Attorney** provisions updated to give authority to initiate legal proceedings subject to City Council approval and in consultation with the City Manager (501.2(c)), act as the appointing authority, in consultation with the City Manager, for professional legal staff (501.2(d)), where conflict exists, refer matters to outside attorneys/agencies (501.2(j)); required years of experience increased from 4 to 7, with such other qualifications City Council may impose commensurate with demands of position (end of 501.2)
- **City Auditor** provisions updated to reflect duties for both financial and performance audits (501.3) per an annual work plan the Auditor develops in their professional discretion with required approval from the City Audit Committee (501.3(b)), to be implemented or overseen by the City Auditor (501.3(c)), with a requirement that they conduct themselves in accordance with all applicable professional and ethical standards (501.3(d)). **Note:** language recently updated with further input from City Auditor.



Group Three

Summary of Recommended Changes (cont'd)

Structure of Government (cont'd)

- **Positions Appointed by the City Manager**, updated with input from current department heads, to better reflect their duties, including as follows:
 - Director of Finance, update outdated terms, expand duties to City “enterprises,” align with other changes to City’s financial reporting and budget process, designate as the City’s “Treasurer” for all purposes, including financings, add oversight of City’s purchasing system, and applicable professional standards (502.1)
 - Public Works Director, update to reflect current duties, including oversight of City public works procurement, with ability to serve as or appoint the City Engineer (502.2)
 - Fire Chief, update to expand duties to reflect modern “all risk” fire service, to include emergency medical response, and other functions approved/funded by the City Council like hazmat regulation/response, mutual aid and rescue ops (502.3)



Next Steps for **Group Three**

- Supplemental Comments from Group Three Members
- Additional Questions from full CRC
- Public Input
- Direction to staff to make any proposed modifications, finalize language and bring back to the full CRC for final action/recommendation



Group Four

Boards and Commissions: Composition, Powers and Duties

- **Meetings**
 - November 13, 2025
 - December 15, 2025
 - February 12, 2026
 - March 12, 2026
 - April 16, 2026
- **Stakeholder input from Planning Commission, Parks and Recreation Commission, Board of Library Trustees, their respective department liaisons, and City Clerk's office**



Group Four

Summary of Recommended Changes

General Provisions for Chartered and City Council Created Boards and Commissions

[Old Section 1000, New Sections 600.1 and 600.2, 600.4, 600.5 and 600.6]

- List “Chartered” and provided for “City Council Created” with Council flexibility on City Council Created (600.1 and 600.2)
- Add the Salary Setting Commission (600.1 and 604.5)
- Clarify that conflict of interest/gift rules apply per state/local law (600.6)

Qualifications (Qualified Elector/Resident Status)

[Old Section 1000, New Section 600.3]

- Chartered Board members to be both residents and qualified electors
- City Council created Board members need only be residents

Appointment/Removal

[Old Section 1002, New Section 602.1]

- Retain full City Council discretion to appoint/remove but require City Council to adopt policies for this to occur in “an orderly and transparent manner.” (602.1)



Group Four

Summary of Recommended Changes (cont'd)

Term Limits

[Old Section 1002, New Section 602.2]

- Codify existing practice allowing two 4-year terms (“Lifetime”) on any one board/commission, with Council flexibility to change for Council created (602.2)

Vacancies

[Old Section 1004, New Section 602.3 and 602.4]

- Applies same “Vacancy” rules as for Elected Officials, with exception of existing (different) rule for non-excused absences.

Conduct of Meetings

[Old Section 1003, New Section 603]

- Clarify Brown Act/City Council rules apply (603.1)
- Eliminate ability to go into closed session in conflict with Brown Act
- Clarify action requires majority vote of authorized number of members (603.3)



Group Four

Summary of Recommended Changes (cont'd)

Planning Commission

[Old Sections 1006 and 1007, New Section 604.1]

- Updated Powers and Duties based on staff and Commission input (**see list**)
- PC proposal for City Council deference/supermajority vote required to overturn PC determinations that are appealed (604.1.c)

Parks and Recreation Commission

[Old Sections 1008 and 1009, New Section 604.2]

- Updated Powers and Duties based on staff and Commission input (**see list**)

Board of Library Trustees (BOLT)

[Old Sections 1012 and 1013, New Section 604.4]

- Proposed increase from 5 to 7 members supported
- Proposal to eliminate qualified elector requirement not recommended
- Elimination of authority to “administer” the Library, but retained authority to approve the City Librarian and certain policies, with some restrictions, supported (**see list**)



Next Steps for **Group Four**

- Supplemental Comments from Group Four Members
- Additional Questions from full CRC
- Public Input
- Direction to staff to make any proposed modifications, finalize language and bring back to the full CRC for final action/recommendation



Group Five

Civil Service: General Rules for Classified and Unclassified Employees; Commission Composition and Duties

- **Meetings**
 - November 17, 2025
 - December 10, 2026
 - January 5, 2026
 - January 14, 2026



Report out from staff for **Group Five**

- City undertook a robust meet and confer process with bargaining units – 10 lengthy meetings with various units over the past two months. City proposed many changes to the draft language to address concerns raised by the bargaining unit representatives. These changes will be reviewed with the CRC. The bargaining units have stated that they continue to have concerns about some of the language, and that they require additional time to review and evaluate the language. None of the bargaining units have stated their assent to any portion of the proposed language. Moving forward with the proposed language without concurrence from the bargaining units could create difficult issues that might negatively affect the success Charter Project as a whole. If concurrence is not achieved by June 3rd the likely recommendation would be to not include the proposed language, except for the non-substantive organizational changes.



Updates to language in Sections Overseen by Groups **Two** and **Six** Since Last Presented

- Section 201.2, Special Qualification Requirements for the Chief of Police.
- Section 202.2.b, Individual Council Members “powers and duties,” proposed revisions to (1) add the Mayor, and (2) make certain obligations “expectations” to avoid appearance that City Council members could be subject to prosecution and removal from office based upon subjective standards for behavior.
- Section 303.1, for District Council Members, added the “nominated” by voters in the District language to make sure this was covered after deleting it in Section 303.2, per recommendation of the City Clerk.



City of Santa Clara

**Charter Review Committee
May 27, 2026 Meeting**

Item No. 2

Staff Presentation and Solicitation of Committee Input and/or Direction Regarding (1) Process for Creating and Contents of the Committee's Final Report and Recommendation to the City Council for the Charter Project, including the possible formation of an Ad Hoc Subcommittee to facilitate completion of the report and assist with City Council presentations; and (2) Possible Need for and Action on Scheduling One or More Additional Committee Meetings to Complete the Charter Project Work Plan



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Preparation of the Report to City Council

- Proposed Outline of Report
 - Origins of the Project
 - Project Purpose
 - Process for Creation of Proposed Update
 - Ad Hoc Subcommittees
 - Stakeholder Input
 - Benchmarking
 - Report outs to and direction from full CRC
 - Summary of Proposed Changes
 - Overall Reorganization
 - Charter Wide Conventions/Tools
 - Section by Section Summary of Changes
 - Level 2 and 3 Changes Highlighted
 - Level 4 ideas for future consideration
 - Considerations in Placing on the Ballot
 - One comprehensive measure vs. one or more separate “Level 3” measures
 - Cost/Benefits of Proposed Changes
 - What voters will see
 - Options for additional information and outreach
 - If measure passes, required next steps for implementation
 - CRC Recommendation



How to Present the Charter Itself

- Three Charter documents presented
 - Original
 - Underline/Strikeout
 - "Clean" as Revised
- Clean Version to be used as primary "presentation" document with annotations to include
 - At Article level, an overview of contents/cross-references
 - For each Section, Summary of Changes with Levels
 - For key changes, summary of thought process and objectives



Proposed Next Steps

- Form Ad Hoc Subcommittee to Assist with Report Preparation and Presentation
- CAO to prepare Draft Report and Distribute for Committee Input
- Ad Hoc Subcommittee Members Available on June 9th for initial “workshop” presentation to the City Council



Scheduling Requirements

- **City Council consideration and action:**
 - Initial presentation to City Council on June 9th 2026 in a “workshop” setting (i.e., presentation with Council questions and preliminary feed back, no action)
 - Next presentation with the CRC’s formal recommendation and report, would be presented at a City Council “special meeting” now scheduled for June 15, 2026
 - An additional presentation may be necessary in early July, but final consideration and approval likely to occur on July 14, 2026



Scheduling Requirements

- **Charter Review Committee**

- Proposed June 3rd Meeting for Presentation of Finalized (or substantially finalized) Charter

- One more opportunity for receipt of public/stakeholder input before presentation to the City Council

- Update on Status of Preparation of Council Report

- Final Action and Direction



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ENDING SLIDE



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