


City Council

Item 1B, RTC 23-748

Presentation on Timelines & Administrative Requirements for Placement of Measures on the March and/or November 2024 Ballot

June 6, 2023

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Background

- August 30, 2022 – Council voted to place an item on a future agenda to discuss potential ballot measures to transition the Police Chief and/or City Clerk from elected to appointed positions.
 - *This would require a Charter Amendment, approved by voters*
- Staff is bringing this item so that the City Council has sufficient time to decide and appoint a Charter Review Commission prior to 2024 election deadlines set by the Santa Clara Registrar of Voters

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Background

- Election Options for Items Already Discussed
 - **March 5**
 - Can include Police Chief and/or City Clerk Charter Amendment
 - **November 5**
 - Can include the Police Chief and/or City Clerk Charter Amendment as well as tax measures. Tax measures can only be considered at a regularly scheduled general election, unless an emergency is declared by unanimous vote of the governing body
- **Estimated Election Costs**
 - March 5 or November 5
 - 1st Item: Approx. \$256K
 - Each Additional Item: Approx. \$106K
 - General Admin & Other Costs: Approx. \$60K-\$70K
 - **Total: Approx. \$432K**

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March 2024

Milestone	Timeline
Approval of Ballot Language & Call for Election	Regularly scheduled Council meeting in November (11/7 or 11/14) or at a special meeting no later than 11/27/23
Measure Language Due to the ROV	11/23 – 12/8
Arguments For & Against Due to City Clerk	14 days following call for the election
Rebuttals & Impartial Analysis	10 days following date arguments are filed
Election	March 5, 2024

Note: If the City Council chooses to utilize a Charter Review Committee, the workplan and timelines will require significant adjustment.

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Charter Review

Action	Start	End
Direction on establishment, size, method of appointment & scope	June 6, 2023	June 6, 2023
Recruitment process initiated	June 7, 2023	June 29, 2023
Final Selection of CRC members	July 18, 2023	July 18, 2023
Initial Mtg. of CRC to review workplan & schedule public input process		Week of 8/7/23
Public input sessions	Aug. 2023	Sept. 2023
Draft CRC Findings	Sept. 2023	Sept. 2023
Prepare Staff Report	Oct. 2023	Oct. 2023
Present CRC Findings & Call of Election if appropriate	Nov. 2023	Dec. 2023

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Size & Appointment Process

- Recommend odd number of appointments with a size ranging between 7 & 11.
- Recommend standard eligibility & conflict of interest requirements apply.
- Names of nominees be provided to City Clerk no later than July 7, 2023 for verification of eligibility. Consideration of final appointments to be brought forward at the July 18, 2023 Council meeting.

Option #	Description
1	Application process similar to process used to appoint to Boards & Commissions
2	Mayor & Council each nominate one member, nominees appointed by full Council
3	Another process deemed appropriate by Council (hybrid): 1 nominee each by Mayor & Council with additional members selected through recruitment.

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Council Direction, Scope of Work

- **Question #1:** Does the City Council wish to consider proposed amendments to the City Charter that would change positions of Police Chief and/or City Clerk from elected to appointed positions?
 - If yes, for one or both positions?
 - If yes, does the City Council want to provide direction on who positions should be appointed by, if not elected?
 - If yes, should these items be placed on the March 5 or November 5 ballot?
- **Question #2:** Does the City Council wish to establish a Charter Review Committee?
 - If yes, does the Council prefer Option 1, 2 or 3 for selection of members?
- **Question #3:** Should the same eligibility & conflict of interest requirements used for Boards & Commission apply?

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Recommendation

- If the City Council chooses to proceed with a measure(s) to amend the City Charter:
 - Direct staff to proceed with public input process including establishment of CRC to consider a proposed amendment to the City Charter on the March 5, 2024 ballot that would change the positions of Police Chief and/or City Clerk from elected to appointed positions with the scope, size, and method of appointment for the CRC to be defined by the City Council.

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Marisa Welling

From: Jill Parks <mompeef@pacbell.net>
Sent: Friday, June 2, 2023 1:44 PM
To: Mayor and Council
Subject: June 6 hearing regarding Chief of Police

Follow Up Flag: Follow up
Flag Status: Completed

Regarding the issue on the table of taking away our right to vote for Chief of Police in Santa Clara in favor of one being appointed, I am stunned this is even being considered. When did we start taking voting rights away from citizens? This isn't Florida or Texas. Is this another ploy of Jed York to take control of our police dept? We already have his little minions sitting on the city council doing his bidding. Let's not hand him the police department too. It is our right to have a say in this important decision. This is not the time to restrict voter choice. Please do not let this happen.

Thank you.

Jill Parks

Sent from my iPad

Marisa Welling

From: Adelle Button-Bell <adellebb@yahoo.com>
Sent: Monday, June 5, 2023 11:30 AM
To: Mayor and Council
Cc: Lisa Gillmor; Anthony Becker
Subject: Keep Police Chief as Elected

Hello Mayor Lisa Gillmore, Council Member Anthony Becker from my District 6, and all other Council Members:

I have been notified by the Santa Clara City Police Officers Association that the city wide election of our police chief is being considered to be banned. The Chief would be appointed by the City Council. I am TOTALLY for the public election of our Police Chief.

When the new Mayor of Oakland, Sherrif Thao, fired the Police Chief, I thought to myself how LUCKY we are in Santa Clara. The police chief is elected by the residents of the city of Santa Clara; not appointed by the mayor or city council. Oakland is a very good example of how often they fire perfectly good police chiefs, hire new ones, and no time for the new police chief to work long enough to affect change and improvements in the Oakland Police Department.

I realize, Santa Clara does not have the crime challenges that Oakland does. Possibly, because our current system of acquiring a police chief is WORKING for our community. Do not screw it up.

Unfortunately, I am unable to attend the council meeting tomorrow, June 6, 2023 at 7 pm. I have family to care for.

Kind Regards,
Adelle Button-Bell
2472 Scanlan Place
Santa Clara, CA 95050-5539

Marisa Welling

From: Jerie Campi <jeriecampi@gmail.com>
Sent: Friday, June 2, 2023 9:25 PM
To: Mayor and Council
Subject: Police Chief

Hello Mayor and City Council,

I believe strongly that our Police Chief should remain an elected position. Please do not move forward to turn this into a politically appointed position.

thank you for your time,

Jerie Campi

517 Bancroft St

Santa Clara

Marisa Welling

From: Richard Bonito <rcbetc@comcast.net>
Sent: Monday, June 5, 2023 12:35 PM
To: Mayor and Council
Subject: Keep our Chief of Police Elected!

Dear Mayor and City Council Members,

Please keep our Chief of Police Elected! Let the residents choose who keeps us safe. We can see with our current political climate that it is possible to weaponize law enforcement. Let the Santa Clarans decide who our Chief of Police is, not outside influences like the 49ers.

Kind Regards,
Richard Bonito
Long time resident