



City Council Presentation

Item #2 – RTC # 25-806

Proposed Formation of a Charter Review Committee to Conduct Comprehensive Review of the City Charter to Update, Make Corrections and Better Align the Charter with State Law and Current Best Practices and to Draft a Comprehensive Charter Amendment for Presentation to the City Council and Possibly the Voters at the November 2026 Election

July 15, 2025

1



City Charter in General

- The Santa Clara City Charter operates like the City of Santa Clara's **constitution**.
- By adopting a Charter, the City asserts direct authority over its **“municipal affairs.”**
- **Key elements** include:
 - “Council/Manager” form of government
 - Qualifications and processes for electing and appointing certain City officials
 - Allocation of authority/duties among elected/appointed/certain hired officials
 - Process for the adoption of resolutions and ordinances
 - Creation of certain Boards and Commissions
 - Rules for the City’s fiscal management, public works and procurement practices

2



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Charter History

- First adopted in 1951
- Multiple amendments have been proposed and adopted since
- Most amendments have been limited, targeting one maybe two areas
- Most common type of proposed changes: terms/qualifications for elected officials
- Last “comprehensive” amendment was adopted in 2000, but the changes were relatively minor
- **Attachment 2** summarizes all amendments proposed since 1952

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3



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Reasons to Consider a Comprehensive Charter Update Process

- Since 1952 (and even 2000), a lot has changed, both in the laws that apply to cities and in what are considered “best practices” for city operations.
- The City itself has also grown and changed in population and complexity.
- In order to make the City Charter consistent with current laws and best practices, improve City efficiency and eliminate ambiguities, City staff is proposing that the City consider engaging in a comprehensive Charter update process for presentation to the City's voters in **2026**.

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Examples of Provisions for Possible Modification

1. For elected officials, clarify the timing and application of the 30-day residency requirements. [Section 600]
2. Update required special notice requirements for City proposed sales of real property to increase the threshold substantially above \$500. [Section 714]
3. Clarification regarding what constitutes a "disposition" or "change of use" of City park property requiring a vote of the people. [Section 714.1]
4. Clarify roles and responsibilities of the elected City Clerk. [Section 903]
5. Update/clarify the roles and responsibilities of the Board of Library Trustees. [Section 1013]

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Examples of Provisions for Possible Modification (cont'd)

6. Update budget provisions to include express provision for a two-year budget cycle and to clarify what constitutes a "budget amendment" requiring 5 votes. [Sections 1301 and 1305]
7. Consider increasing threshold for public works or use of City forces requiring City Council approval from \$1,000 to a more reasonable amount (or implement by ordinance). [Section 1310]
8. Clarify how/when State laws apply if no City Charter provision or ordinance.
9. Miscellaneous changes to section headings, wording and organization throughout the City Charter to improve clarity, and user friendliness.

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Charter Update Process

- If the City Council desires to proceed, it would authorize staff to take necessary steps to create a Charter Review Committee (“CRC”) to implement the project per the formation process selected by Council.
- Formation alternatives include: (1) Councilmember recommendations by district plus Mayor’s “at large” recommendation; or (2) a “lottery” process similar to that used to appoint the Measure I Bond COC (preferred by majority of Governance).
- Concurrently, staff would develop a comprehensive Charter update “Work Plan.”
- The CRC candidates and the Work Plan would be brought back for final Council action and direction.
- **Key element of process: input from affected City departments.**
- **Timing: To meet 2026 ballot measure submittal requirements, any Charter update process should commence no later than September 2025.**

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Recommendation

- Review, discuss and provide direction on the proposed process for a Comprehensive City Charter Update for possible presentation to the voters at the November 2026 election, including, if the Council desires to proceed, the process for the formation of a Charter Review Committee

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