

City of Santa Clara

**Charter Review Ad Hoc Subcommittee
Group 1**

**Powers & Structure of City
Government: Rules/Process for
Action**

November 12, 2025, 6:00 p.m.,
Sparacino Conference Room



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

Proposed Meeting Agenda

- Meeting Logistics
- City Charter Basics
- Charter Project Basics
- Group 1 Charter Sections
- Preliminary Staff Identified Areas for Review/Improvement
- Preliminary Committee Member Ideas and Discussion
- Next Steps



Meeting Logistics

- **Consider Appointing a Chair, Vice Chair and Secretary**
 - Chair oversees meetings and acts as liaison with City staff
 - Vice Chair acts in absence of Chair
 - Secretary takes meeting notes and reports out to CRC
- **Meeting Procedures Informal, Facilitated by Chair and Staff**
 - Actions taken by consensus; majority vote if necessary
- **Always End with Next Steps**
 - Including Setting of Next Meeting if Possible
- **Remember to avoid communications regarding Group issues outside the Group to avoid Brown Act “serial meeting” violations**

City Charter Basics

- A city charter is the legal document that serves as the city’s “constitution” establishing its government structure, powers and responsibilities.
- Charter cities have supreme authority over “municipal affairs”.
- “Municipal Affairs” generally include:
 - Municipal election matters
 - Land use and zoning decisions (with some exceptions)
 - How a city spends its tax dollars, and
 - Municipal contracts
- Charter provisions typically provide a general framework for government structure and operations; ordinances adopted by City Councils then implement these general rules with more detailed regulations

Charter Project Basics

- Santa Clara Charter Adopted in 1951; amended since multiple times since, but has gotten out of line with state law, City's actual and "best practices"
- Charter project intended to develop of comprehensive Charter amendment to (1) make corrections, (2) eliminate ambiguities, (3) align Charter with state law/current City/best practices, (4) easier to understand and apply.
- Process driven by practical/legal considerations; NOT to implement major restructuring of City operations or change City's election process.
- CAO staff will draft proposed modifications based upon input from City staff, impacted "stakeholders" (B&Cs, unions, the public) and, of course, CRC members.
- Consideration given to "Levels" of changes
- Comprehensive amendment to be presented to the Council and ultimately the voters in November 2026



Group One

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

- Article I. Name of City
- Article II. Boundary of the City
- Article III. Succession
- Article IV. Powers
- Article V. Form of Government
- Article VI. The Elective Officers.
- Article VIII. [Sections 808-815 Regarding Ordinances/Meetings]
- Article IX. [Sections 910-912 Regarding Admin. Code, Official Bonds, Oaths of Office]
- Article XVIII. Miscellaneous.



Recent Charter Amendments

- **November 2016: Amendments to Article VII (The Council)**
 - Created salary setting commission for review of Mayor and Council salaries
 - Amended Mayor and Council Term limits
 - Amend process to fill vacancies in elective offices of the City
 - Require 2/3 vote by Council for disposal of land use for park or recreational purposes
- **June 2022: Established by-district election for six City Council districts, with Mayor elected at large.**
- **November 2022: Affirmed transfer of 5% of SVP's gross receipts to the City's general fund**

Preliminary Staff Comments

- General review of all Sections for improved organization, headings, wording/legal compliance
- Article III, Succession: Review to determine what is still needed
- Update section 1803 Effective Date to provide the actual effective date of the charter.
- Clarify timing and application of 30-day residency requirement [Section 600]
- Additional language needed in 600.01/.02 regarding timing of special/consolidated elections/interplay with state law?

Preliminary Staff Comments (cont'd)

- Why was timing for taking office/eligibility repealed? Worth clarifying. [Section 600.1 and 601]
- CAO to review and provide recommendations on Ordinance adoption and publication requirements [Sections 808 through 815] and Sections 910 through 912 which seem “dated”
- The Definitions Section needs to be reviewed/revised and likely expanded [Section 1800]
- What is current best practice on violations/enforcement of Charter violations? [Section 1801]
- Consider adding a “Liberal Construction” provision in Article XVIII

Preliminary Subcommittee Comments

- Reactions to preliminary staff comments
- Committee members ideas/thoughts on assigned Articles/Sections
- Committee members ideas/thoughts on process

Next Steps

- Calendar next Committee meeting
- Set agenda for next agenda meeting
- Responsibility for preparing and presenting report out to CRC at upcoming November 19th meeting