

City of Santa Clara

**Charter Review Ad Hoc Subcommittee
Group 3**

**Senior Officials: Duties and
Qualifications**

April 8 2026, 6:00 p.m., Sparacino
Conference Room



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

Proposed Meeting Agenda

- Recap/Debrief of March 11, 2026 meeting
- Presentations/discussion re Director of Finance, City Attorney and City Auditor Provisions
- Time permitting, review/identification of other/new issues
- Next Steps

Recap of March 11th Meeting

- Staff presentation on: (1) recap of January 12th meeting, which included initial briefing on Committee focus/logistics, (2) presentation by current elected City Clerk, Bob O’Keefe, regarding the evolution of the position, the current duties of the City Clerk versus the Assistant City Clerk, followed by discussions regarding need to update the Charter to reflect current practices, as outlined in the City Code, with some modifications and clarifications; and (3) action to appoint Member Tansey as Chair, Diamond as Vice Chair, and Nikolai as Secretary, with report out duties at next CRC meeting assigned to Diamond/Googins.
- Staff preliminary presentation on Charter Section 906, powers and duties of the Elected Chief which included: (1) preserve the peace, (2) execute and return all “process,” and (3) exercise all powers conferred on sheriffs and police officers under state law.
- Presentations by existing Chief Morgan, City Manager Grogan and POA president Schmidt regarding appropriate updates to this, with language from Chief Morgan.

Chief of Police [Section 906]

Sec. 906 Chief of the Police Department.

The Chief of Police shall have power and be required to:

- (a) Preserve the public peace;
- (b) Execute and return all process issued to him/her by legal authority; and
- (c) Exercise all the powers that are now or may hereafter be conferred upon sheriffs and other police officers by the laws of the State.



Status of Internal Discussions

- Agreement that additional language should be added to expand on/clarify Chief of Police powers and duties.
- At a minimum, designation of the Chief of Police is the “Director” of the Police Department with some examples of what that entails (e.g., development/implementation of administrative/operational policies, supervise and direct deployment/allocation of resources, development/recommendations of department budget, supervision of staff, compliance with legal obligations/requirements).
- Further discussions/analysis needed to resolve a perceived “overlap” of authority regarding appointment, promotion, termination and discipline of police officers, with possible different outcomes/consideration for ranking officers versus patrol officers.

Group Debrief on Duties of Chief

- Agreement that additional language should be added to expand on/clarify Chief of Police powers and duties.
- At a minimum, designation of the Chief of Police is the “Director” of Department with some examples of what that entails (e.g., development/implementation of administrative/operational policies, supervise and direct deployment/allocation of resources, development/recommendations of department budget, supervision of staff, compliance with legal obligations/requirements). **Chief’s language under review**
- Further discussions/analysis needed to resolve CM/Chief disagreement over ultimate authority for appointment/discipline/removal.
- On discipline, current process has the Chief as the “Skelly Officer” but the CM as the final authority. Chief thinks the Chief should be the final authority.
- Ultimately, ideally, one or the other should be designated, with the obligation to “consult” with the other. What “consult” means to be left to the Council/CM/Chief.
- If agreement not reached, or even if it is, this might be a “Level Three” item

Review of issues/language for

- Director of Finance
- City Manager
- City Auditor
- City Attorney



Next Steps

- Calendar next Committee meeting
- Discuss next meeting agenda and any required actions for committee members/staff to prepare. Proposed agenda, at a minimum to include:
 - Proposed final language on all positions
- Responsibility for preparing and presenting report out to CRC at upcoming April 15th meeting

