

City of Santa Clara

**Charter Review Ad Hoc Subcommittee
Group 4**

**Boards and Commissions:
Composition, Powers and Duties**

November 13, 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 4 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 authority over their “municipal affairs” which generally include
 - Municipal election matters (qualifications, terms, districts, who is elected/appointed)
 - Land use and zoning decisions (subject in recent years to state preemption on housing)
 - Structure of government/city work force
 - Fiscal policy (how we budget, spend and account for our revenues, with a lot of preemption on taxes and fees)
 - How the city awards and implements public works and municipal contracts (also a lot of pre-emption)
- 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.
- Can only be amended by a vote of the people

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
 - Amended process to fill vacancies in elective offices of the City
 - Required 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**

Charter Project Basics

- Santa Clara Charter Adopted in 1951; amended multiple times since, but has gotten out of line with state law, City's actual and "best practices"
- Charter project intended to develop 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 Four

Boards and Commissions: Composition, Powers and Duties

- Article X. Appointive Boards and Commissions
 - Section 1000, In General
 - Section 1001, Appropriations
 - Section 1002, Appointments; terms
 - Section 1003, Meetings; Chair
 - Section 1004, Compensation, vacancies
 - Section 1005, Oaths; affirmations
 - Section 1006, Planning Commission – Generally
 - Section 1007, Planning Commission – Duties and powers
 - Section 1008, Parks and Recreation Commission
 - Section 1009, Parks and Recreation Commission – Power and duties
 - Section 1012, Board of Library Trustees
 - Section 1013, Board of Library Trustees – Powers and duties



Preliminary staff thoughts

- General review of all Sections for improved organization, headings, consistency, wording/legal compliance
- Clarity on difference between a “Board,” “Commission,” and “Committee”?
- Beyond the four designated boards/commissions, add others?
- Should there be additional provisions clarifying appointment, reappointment, removal process, or should all this be in the City Code? [Section 1002]
- Provisions for “closing a meeting to the public” violate the Brown Act [Section 1003]
- Review/consider modifications to what causes a position to be “vacant” [Section 1004]

Preliminary staff thoughts (cont'd)

- Should authority of boards/commissions be allowed to “make their own rules,” “compel the attendance of witnesses” and/or administer oaths in an investigatory proceeding? [Section 1003; Section 1005]
- General qualifications: must all appointed members be “qualified electors” of the City? What about non-Charter boards and commissions?
- Review and update all named Board/Commission duties and powers; solicit and consider Board and Commission input
- Planning Commission: consider eliminating/clarifying City staff designees as “ex officio” members [Section 1006]
- Board of Library Trustees: review/modify BLT overarching authority to “have charge of the administration” of the library system [section 1013]

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 subcommittee meeting
- Responsibility for preparing and presenting report out to CRC at upcoming November 19th meeting
- CAO staff to continue to coordinate with Charter designated Boards and Commissions to solicit their input