



# City of Santa Clara

## Meeting Agenda

### Charter Review Committee

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Wednesday, March 18, 2026

6:00 PM

City Hall - Council Chambers  
1500 Warburton Avenue  
Santa Clara, CA 95050

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**Committee Member Mohammad Naveed will be participating remotely from the following location:  
2082 Cabrillo Ave, Santa Clara, CA 95050**

The City of Santa Clara is conducting Charter Review Committee meetings in-person and continues to have methods for the public to participate remotely or in-person.

Zoom Link: <https://santaclaraca.zoom.us/j/86127408402>

Webinar ID: 861 2740 8402

Phone: 1-669-444-9171

To submit written public comment before meeting:

Send email to [cityattorney@santaclaraca.gov](mailto:cityattorney@santaclaraca.gov) by 10 a.m. one day before the date of the meeting. Emails will be forwarded to Committee members and will be uploaded as post agenda supplemental meeting material.

Note: Emails received as public comment will not be read aloud during the meeting.

#### **CALL TO ORDER AND ROLL CALL**

#### **GENERAL BUSINESS**

- 1. 26-285** [Action to Approve the February 18, 2026, Charter Review Committee Meeting Minutes and Excuse Absent Members.](#)

**Recommendation:** Approve the minutes of the February 18, 2026, Charter Review Committee Meeting in the form presented with such modifications/corrections as may be required or requested by the Committee and Excuse absent members.

2.     **26-286**     [Report Outs from Ad Hoc Subcommittees:](#)  
[Group One: Power and Structure of City Government: Rules/Process for Action](#)  
[Group Two: City Council: Elections, Powers and Conduct of Meetings](#)  
[Group Three: Senior Officials: Duties and Qualifications](#)  
[Group Four: Boards and Commissions: Composition, Powers and Duties](#)  
[Group Five: Civil Service: General Rules for Classified and Unclassified Employees; Commission Composition and Duties](#)  
[Group Six: Fiscal Administration and Procurement](#)

**Recommendation:** Receive and provide feedback on reports of those Subcommittees reporting.

3.     **26-287**     [Staff Presentation and Solicitation of Committee Input or Direction Regarding: \(1\) Pending Report to City Council on Reorganization Plan; \(2\) Legal Notice Requirements and \(3\) Project Work Plan and Scheduling update.](#)

**Recommendation:** Hear the report and provide input or direction as appropriate.

### **PUBLIC PRESENTATIONS**

*[This item is reserved for persons to address the body on any matter not on the agenda that is within the subject matter jurisdiction of the body. The law does not permit action on, or extended discussion of, any item not on the agenda except under special circumstances. The governing body, or staff, may briefly respond to statements made or questions posed, and appropriate body may request staff to report back at a subsequent meeting.]*

### **STAFF/COMMITTEE MEMBER COMMENTS**

### **ADJOURNMENT**

## MEETING DISCLOSURES

The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision. Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred. If a person wishes to challenge the nature of the above section in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of Santa Clara, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

If a member of the public submits a speaker card for any agenda items, their name will appear in the Minutes. If no speaker card is submitted, the Minutes will reflect "Public Speaker."

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the City of Santa Clara will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities, and will ensure that all existing facilities will be made accessible to the maximum extent feasible. The City of Santa Clara will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities including those with speech, hearing, or vision impairments so they can participate equally in the City's programs, services, and activities. The City of Santa Clara will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities.

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Individuals who require an auxiliary aid or service for effective communication, or any other disability-related modification of policies or procedures, or other accommodation, in order to participate in a program, service, or activity of the City of Santa Clara, should contact the City's ADA Coordinator at 408-615-3000 as soon as possible but no later than 48 hours before the scheduled event.



## Agenda Report

26-285

Agenda Date: 3/18/2026

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### REPORT TO CHARTER REVIEW COMMITTEE

#### **SUBJECT**

Action to Approve the February 18, 2026, Charter Review Committee Meeting Minutes and Excuse Absent Members.

#### **DISCUSSION**

The attached "action" minutes are presented to the Charter Review Committee Board for review and approval.

#### **ENVIRONMENTAL REVIEW**

This is an information report only and no action is being taken by the City Council and no environmental review under the California Environmental Quality Act ("CEQA") is required.

#### **FISCAL IMPACT**

There is no fiscal impact to the City other than staff time.

#### **PUBLIC CONTACT**

Public contact was made by posting the Charter Review Committee agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) or at the public information desk at any City of Santa Clara public library.

#### **RECOMMENDATION**

Approve the minutes of the February 18, 2026, Charter Review Committee Meeting in the form presented with such modifications/corrections as may be required or requested by the Committee and Excuse absent members.

Reviewed by: Courtney Mohammadi, Legal Executive Assistant, City Attorney's Office

Approved by: Glen Googins, City Attorney

#### **ATTACHMENTS**

1. February 18, 2026, Charter Review Committee Meeting Minutes - Draft



# City of Santa Clara

## Meeting Minutes

### Charter Review Committee

02/18/2026

6:00 PM

City Hall - Council Chambers  
1500 Warburton Avenue  
Santa Clara, CA 95050

Committee Member Lauren Diamond participated remotely from the following location:  
1130 Welch Lane, Mabank, TX 75156

Committee Member Joseph Sosinski participated remotely under the just cause exception under SB 707.

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#### **CALL TO ORDER AND ROLL CALL**

Chair Nikolai called the meeting to order at 6:07 p.m.

**Present** 10 - Member Pat Nikolai, Member Holly Rhea Roberts, Member Bernard Tansey, Member Joseph W. Sosinski, Member Eric Crutchlow, Member Lauren Diamond, Member Eric Jensen, Member Mark Boeckman, Member Susan Peters, and Member John Brooks

**Absent** 3 - Member Mohammad Naveed, Member Burt Field, and Member Steve Kelly

#### **GENERAL BUSINESS**

[26-152](#)

Approval of the January 21, 2026, Charter Review Committee Meeting Minutes

**Recommendation:** Approve the minutes of the January 21, 2026, Charter Review Committee Meeting in the form presented with such modifications/corrections as may be required or requested by the Committee.

**A motion was made by Committee Member Boeckman, seconded by Committee Member Crutchlow, to approve the minutes of the January 21, 2026, Charter Review Committee Meeting.**

**Aye:** 10 - Member Nikolai, Member Roberts, Member Tansey, Member Sosinski, Member Crutchlow, Member Diamond, Member Jensen, Member Boeckman, Member Peters, and Member Brooks

**Excused:** 3 - Member Naveed, Member Field , and Member Kelly

[26-197](#)

Report Outs from Ad Hoc Subcommittees:

Group One: Power and Structure of City Government: Rules/Process for Action

Group Two: City Council: Elections, Powers and Conduct of Meetings

Group Three: Senior Officials: Duties and Qualifications

Group Four: Boards and Commissions: Composition, Powers and Duties

Group Five: Civil Service: General Rules for Classified and Unclassified Employees; Commission Composition and Duties

Group Six: Fiscal Administration and Procurement

**Recommendation:** Receive and provide feedback on reports of those Subcommittees reporting.

**City Attorney Googins** provided a PowerPoint presentation on Report Outs from Ad Hoc Subcommittees.

Committee questions and discussion followed.

**City Attorney Googins** addressed Committee questions.

Committee discussions followed.

Public Comment: Gabriel Dela Cruz "Darren" and Wanda Buck.

[26-198](#)

Staff Presentation and Solicitation of Committee Input or Direction Regarding: (1) Proposed Substantial Charter Reorganization; Legal Requirements and Communications Plan; (2) Updated standards for grouping proposed Charter modifications within “levels,” and (3) Project benchmarking and work plan update

**Recommendation:** Hear the report and provide input or direction as appropriate.

**City Attorney Googins** provided a presentation on the Proposed Substantial Charter Reorganization; Legal Requirements and Communications Plan.

Committee questions and discussion followed.

**City Attorney Googins** addressed Committee questions.

Committee discussions followed.

**A motion was made by Committee Member Crutchlow, seconded by Committee Member Peters, to bring Charter Review Committee Supported Proposed Substantial Charter Reorganization to City Council for Council input and approval. Members Tansey and Roberts agreed to present in support of the reorganization to the City Council as needed, with support from Chair Nikolai.**

**Aye:** 10 - Member Nikolai, Member Roberts, Member Tansey, Member Sosinski, Member Crutchlow, Member Diamond, Member Jensen, Member Boeckman, Member Peters, and Member Brooks

**Excused:** 3 - Member Naveed, Member Field , and Member Kelly

### **PUBLIC PRESENTATIONS**

There were no public presentations.

### **COMMISSIONERS COMMENTS**

There were no commissioners comments.

### **ADJOURNMENT**

The meeting was adjourned at 8:06 p.m.

## MEETING DISCLOSURES

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## Agenda Report

26-286

Agenda Date: 3/18/2026

### REPORT TO CHARTER REVIEW COMMITTEE

#### **SUBJECT**

Report Outs from Ad Hoc Subcommittees:

Group One: Power and Structure of City Government: Rules/Process for Action

Group Two: City Council: Elections, Powers and Conduct of Meetings

Group Three: Senior Officials: Duties and Qualifications

Group Four: Boards and Commissions: Composition, Powers and Duties

Group Five: Civil Service: General Rules for Classified and Unclassified Employees; Commission Composition and Duties

Group Six: Fiscal Administration and Procurement

#### **DISCUSSION**

As the date of publication of the agenda for the March 18, 2026, Charter Review Committee Meeting, the following Ad Hoc Subcommittees were able to schedule and hold meetings:

- Group Two: City Council: Elections, Powers and Conduct of Meetings
  - March 9, 2026
- Group Three: Senior Officials: Duties and Qualifications
  - March 11, 2026
- Group Four: Boards and Commissions: Composition, Powers and Duties
  - March 12, 2026
- Group Six: Fiscal Administration and Procurement
  - March 17, 2026

City Attorney staff made presentations at each of these meetings. The PowerPoint used for staff's presentations are attached to this report. Minutes from these meetings are still being prepared as of the date of publication and will be uploaded when available. Assigned subcommittee members, with assistance from staff, will report out to the full Charter Review Committee on the substance of these meetings.

Subcommittees that did not meet may also wish to report out on the status and plans for making progress on their sections.

#### **RECOMMENDATION**

Receive and provide feedback on reports of those Subcommittees reporting.

Reviewed by: Courtney Mohammadi, Legal Executive Assistant, City Attorney's Office

Approved by: Glen Googins, City Attorney

**ATTACHMENTS**

1. Charter Review Subcommittee Presentation Group Two - 03.09.26
2. Charter Review Subcommittee Presentation Group Three - 03.11.26
3. G. Googins Notes of 3/7/2026 re: existing Charter Language re: Police Chief Powers and Duties (distributed to Group Three)
4. Charter Review Subcommittee Presentation Group Four - 03.12.26
5. Board of Library Trustees Chair Presentation Notes to Group 4

# City of Santa Clara

## Charter Review Ad Hoc Subcommittee Group 2

### City Council: Elections, Powers and Conduct of Meetings

March 9, 2026, 6:00 p.m.  
Sparacino Conference Room



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

# Proposed Meeting Agenda

- Recap/Report Out from February 9<sup>th</sup>, meeting
- Review of language prepared as a follow up to February 9<sup>th</sup> Meeting
- Identification of new issues
- Next Steps



## Group Two

### Report Out From February 9<sup>th</sup> Meeting

- **Members Kelly, Boeckman and Roberts in attendance**
- **Meeting convened at 6:10 p.m. and adjourned at 7:56 p.m.**
- **Staff presentation included: (1) distribution of minutes template, (2) recap of subcommittee activities, and (3) follow up on issues identified at January 20<sup>th</sup> subcommittee meeting**
- **Issues presented/discussed included:**
  - Additional information regarding City Council salary setting process, including benchmarking, to help determine what, if any, Charter changes are necessary
  - Can a City Council person be a City employee? Short answer: no
  - Possible conversion of City meeting requirement from 2 per month to 24 per year
  - What constitutes a “vacancy” of an elected or appointed position
  - Quorum requirements and meeting management protocols: Charter vs. CC Policy
  - Potential addition of City Council duties, including professionalism and courtesy

# Issues for Tonight

- Definition of Vacancies
- Process for Filling Vacancies
- City Council Powers and Duties
- City Council member Powers and Duties
- Alternative to 24 meetings per year (versus existing 2 meetings per month) proposal



# Next Steps

- Calendar next Subcommittee meeting
- Assign Committee Member/Staff Follow Ups
- Confirm process for preparing and presenting report out to CRC at upcoming March 18, 2026 meeting



# City of Santa Clara

## Charter Review Ad Hoc Subcommittee Group 3

### Senior Officials: Duties and Qualifications

March 11 2026, 6:00 p.m., Sparacino  
Conference Room



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

# Proposed Meeting Agenda

- Recap of January 12, 2026 meeting
- Presentations/discussion re: Chief of Police Duties
  - Cory Morgan, Chief of Police
  - Jovan Grogan, City Manager
- Time permitting, review/identification of other/new issues
- Next Steps



# Recap of January 12<sup>th</sup> Meeting

- Staff presentation on: (1) subcommittee meeting logistics, (2) overview of assigned Charter Sections (parts of Article VIII (re City Manager) and most of Article IX (re Other Senior Leadership Positions)), (3) summary of history (since 1952) of Charter Amendments proposed in this area, and (4) preliminary issues identified (both for reorganization of assigned sections and updates needed for roles and functions of various positions), (5) process for soliciting input from various “stakeholders” (the existing office holders), with possible presentations to the Subcommittee to be scheduled.
- 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.
- 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.

# 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. Chief/City Manager here to present.

# Additional Chief of Police Items Under Consideration/Review

- “Preserve the public peace” is a term used in the State Code, but likely warrants further explanation.
- “Execute and return all process issued to him/her by legal authority” definitely needs further explanation or replacement with better language.
- Benchmarking. We have the only elected Chief of Police, but provisions in State law regarding sheriffs, and review of relationships at the County level between County Administrators and elected Sheriffs may be informative.
- Review/Update Chief of Police Qualifications [Section 701.1]. Current language requires minimum qualifications applicable to the office of sheriff. Group Two is reviewing this Section.

# 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:
  - Specific language on Chief of Police
  - Presentation/Discussion of issues/proposed language on City Attorney/Finance Director
- Responsibility for preparing and presenting report out to CRC at upcoming March 18<sup>th</sup> meeting

## **Charter Language (Existing)**

### **For the Chief of Police**

#### **Sec. 701.1 Qualifications for Chief of the Police Department.**

Candidates for the office of Chief of Police shall meet the minimum eligibility and qualification requirements imposed by state law upon candidates for the office of sheriff. (Added by electors at an election held March 7, 2000, Charter Chapter 11 of the State Statutes of 2000)

#### **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. (Amended by electors at an election held March 7, 2000, Charter Chapter 11 of the State Statutes of 2000)

### **For the City Manager (Just Powers and Duties Related)**

#### **Sec. 802 Powers and duties.**

The City Manager shall be chief executive officer and the head of the administrative branch of the City government. He/she shall be responsible to the City Council for the proper administration of all affairs of the City and to that end, subject to the personnel provisions of this Charter, he/she shall have power and shall be required to:

- (a) Appoint and remove, subject to the Civil Service provisions of this Charter, all officers and employees of the City, except as otherwise provided by this Charter, and except as he/she may authorize the head of a department or office to appoint and remove subordinates in such department or office. No person related to the City Manager by blood or by marriage shall be eligible for office or employment in the City.
- (b) Prepare the budget annually and submit it to the City Council and be responsible for its administration after adoption.
- (c) Manage the City-owned water and power departments in a business-like manner, charging equitable rates for the services furnished and building up the properties so as to conserve their

value and increase their capacity as needed by the City.

(d) Prepare and submit to the City Council as of the end of the fiscal year a complete report on the finances and administrative activities of the City for the preceding year.

(e) Keep the City Council advised of the financial condition and future needs of the City and make such recommendations as may seem to him/her desirable.

(f) Make investigations into the affairs of this City, or any department or division thereof, or any contract, or the proper performance of any obligation to the City.

(g) Submit to the City Council at each meeting for its approval, the list of all claims and bills approved for payment by him/her.

(h) Perform such other duties as may be prescribed by this Charter or required by him/her by the City Council, not inconsistent with this Charter. (Amended by electors at an election held March 7, 2000, Charter Chapter 11 of the State *Statutes of 2000*)

### **Sec. 803 Rules and regulations.**

The City Manager may prescribe such general rules and regulations as he/she may deem necessary or expedient for the general conduct of the administrative offices and departments of the City under his/her jurisdiction. (Amended by electors at an election held March 7, 2000, Charter Chapter 11 of the State *Statutes of 2000*)

### **Sec. 804 Manager pro tempore.**

The City Manager shall appoint, subject to the approval of the City Council, one of the other officers of the City to serve as Manager Pro Tempore during any temporary absence or disability of the City Manager.

### **Sec. 805 Participation in Council action.**

The City Manager and such other officers of the City as may be designated by the City Council, shall be accorded a seat at the City Council table and shall be entitled to participate in the deliberations of the City Council, but shall not have a vote.

## **GRG Notes re Charter Language:**

### **--For Chief**

--This is pretty sparse language.

--Most notable omission: Doesn't say the elected Chief is the "Department Head" of the SCPD, although the titles of these Sections does say "Chief of the Police **Department**"

--Nothing to compare it to in other Charters, because we have the only elected Police Chief in the state

--Need to do research regarding what "powers" are conferred upon "sheriffs and other police officers by the laws of the State" but preliminary Westlaw research is provided below.

**--For City Manager**

--Need to discuss further with CMO

--I've already drafted some preliminary changes and tendered to CM for review.

## **Relevant City Code Provisions**

Here's the language from the City Code re SCPD. Main provision that backs up the concept of the Chief of Police as the head of SCPD department is highlighted in yellow. I don't think the rest is that relevant for current purposes (or even accurate, just like the City Attorney's Office info is way off in its description of how the office is organized) but is provided for context.

### Chapter 2.80 POLICE DEPARTMENT

#### § 2.80.010 Organization generally – Chief of Police.

#### § 2.80.015 Chief of Police – Compensation.

#### § 2.80.020 Assistant Chief of Police placed in unclassified service.

#### § 2.80.030 Field operations division.

#### § 2.80.040 Investigations division.

#### § 2.80.045 Special operations division.

#### § 2.80.050 Administrative services division.

#### § 2.80.051 Community service officer.

#### § 2.80.060 State aid in training policemen, etc. – Standards to be followed, etc.

#### § 2.80.070 Unclaimed property – Disposition generally – Notice and sale – Disposition of funds, etc.

#### § 2.80.080 Military equipment policy.

#### § 2.80.010 Organization generally – Chief of Police. [1]

The Police Department shall be under the direct supervision of the Chief of Police who shall be elected by the voters for a term of four years. The Police Department shall be organized into the divisions as provided in this chapter.

(Ord. 947; Ord. 1150 § 2, 10-11-1966; Formerly § 2-55)

[1]

*Charter reference – Duties and powers of Chief of Police, Charter § 906.*

#### § 2.80.015 Chief of Police – Compensation.

Commencing on July 1, 2019, and every two years on July 1st thereafter, the compensation of the Chief of Police shall be set by a Salary Setting Commission consisting of five members to be appointed by the Civil Service Commission, as set forth in City Charter Section 702. The City Council shall take all necessary legislative action to implement the salary set by the Salary Setting Commission.

(Ord. 1988 § 1, 10-9-2018)

#### § 2.80.020 Assistant Chief of Police placed in unclassified service.

The office of Assistant Chief of Police is hereby placed in the unclassified service of the Police Department of the City.

(Ord. 947; Formerly § 2-56)

#### § 2.80.030 Field operations division.

The functions of the field operations division shall be under the immediate supervision of a police captain who shall be in the unclassified service. The duties and responsibilities of this division shall be as follows:

(a)

Suppression of criminal activity, responding to routine and emergency calls, investigation of criminal activities, recovery of stolen property, regulation of criminal and noncriminal conduct and the apprehension of offenders.

(b)

Accident investigation, reports for the correction of traffic hazards.

(c)

Enforce traffic laws, issuing citations.

(d)

Identify and attempt to resolve continuing issues, requiring police resources, that can be reduced or eliminated through problem-solving techniques, community involvement, and coordination of government services.

(Ord. 947; Ord. 1119; Ord. 1150 § 2, 10-11-1966; Ord. 1712 § 1, 3-10-1998; Formerly § 2-57)

§ 2.80.040 Investigations division.

The functions of the investigations division shall be under the immediate supervision of a police captain who shall be in the unclassified service. The duties and responsibilities of this division shall be as follows:

(a)

Investigating criminal complaints, interrogating suspects, apprehension of misdemeanants and felons, securing warrants, examining and presenting valid evidence to the courts in cooperation with the district attorney's office, and filing on the disposition of cases.

(b)

Insuring the proper tracking and service of all arrest warrants forwarded to the Police Department for action, and the prompt service of all witness subpoenas that are necessary to secure the attendance of named individuals in court for criminal cases.

(c)

Participate in County-wide task forces focusing on specialized problems such as auto theft, narcotics enforcement, high-tech investigations, sexual predators, and other community problems lending themselves to multi-jurisdictional involvement.

(Ord. 947; Ord. 1119; Ord. 1150 § 3, 10-11-1966; Ord. 1712 § 1, 3-10-1998; Formerly § 2-58)

§ 2.80.045 Special operations division.

The functions of the special operations division shall be under the immediate supervision of a police captain who shall be in the unclassified service. The duties and responsibilities of this division shall be as follows:

(a)

Manage and coordinate the police response to all significant special events in the city where a police presence is necessary to ensure safety, maintain order or prevent disruptions.

(b)

Provide oversight, training, and management to the department's Special Response Team, ensuring that the team remains ready and prepared to provide services as necessary.

(c)

Provide oversight, training, recruitment, and management to the Per Diem Police Officer Special Event classification, including maintenance of Peace Officer Standards and Training compliance records.

(d)

Liaison with federal, state and local law enforcement partners to gather intelligence and information on criminal activity. Ensure that intelligence information is used to enhance the safety and security of all persons and events.

(Ord. 1977 § 1, 2-20-2018)

§ 2.80.050 Administrative services division.

The function of the administrative services division shall be under the immediate supervision of a police captain who shall be in the unclassified service. The duties and responsibilities of this division shall be as follows:

(a)

Maintain a training program for the Police Department, assist as directed in the background investigation of new applicants.

**(b)**

Provide planning and research for the Police Department.

**(c)**

Properly keep and maintain criminal records, receive and file complaints, teletypes and all other material received by the Police Department pertaining to law enforcement and vehicle maintenance for the Police Department.

**(d)**

All radio and telephone communication for the Police Department.

**(e)**

Receive and account for all property coming into the possession of the Police Department, the booking and safe detention or transportation of all prisoners.

**(f)**

Assist all police personnel in the solution of crimes and supply information as requested by other members of the Police Department.

**(g)**

Execution and control of all process papers.

**(h)**

Provide a reception function for the public where they can receive assistance and make reports either by phone or in person.

**(i)**

Establish and maintain a crime prevention program and school services program.

**(j)**

Provide traffic control at major crosswalks or near school crossings, etc., by utilizing part-time adult crossing-guards, and organization of safety patrols and bicycle safety program.

(Ord. 947; Ord. 1119; Ord. 1150 § 2, 10-11-1966; Ord. 1712 § 1, 3-10-1998; Formerly § 2-59)

**§ 2.80.051 Community service officer.**

A "community service officer" is a non-sworn employee of the Police Department, authorized by the Chief of Police to:

**(a)**

Issue infraction citations for violations of the City Municipal Code and the **California Vehicle Code**; and

**(b)**

Issue misdemeanor citations for violations of the City Code when the employee has reasonable cause to believe that the person to be cited has committed a misdemeanor in their presence.

(Ord. 1733 § 3, 5-4-1999)

**§ 2.80.060 State aid in training policemen, etc. – Standards to be followed, etc.**

The City shall, in declaring that it desires to qualify to receive aid from the State under the provisions of Part 4, Chapter 1 (entitled "Commission on Peace Officer Standards and Training"), Section 13500 et seq. and Section **13522** of the Penal Code, adhere to the standards, recruitment and training established by the California Commission on Peace Officer Standards and Training while receiving such aid.

(Ord. 966; Formerly § 2-61)

**§ 2.80.070 Unclaimed property – Disposition generally – Notice and sale – Disposition of funds, etc.**

Any and all unclaimed property in the possession of the Police Department of the City of Santa Clara, except unclaimed bicycles, shall be held by the Police Department for a period of at least six months, and unclaimed bicycles shall be held by the Police Department for a period of at least three months, and thereafter such property will be sold at public auction to the highest bidder, and notice of such sale shall be given by the Chief of Police at least five days before the

time fixed therefor, by publication once in an official newspaper of said City. All funds realized from the sale of any such property shall be promptly paid to the Director of Finance for the general fund of the City.

(Ord. 654; Ord. 1071; Formerly § 2-62)

**§ 2.80.080 Military equipment policy.**

**(a)**

The City Council has made the following determinations:

**(1)**

The military equipment inventoried and presented to the City Council is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety;

**(2)**

The proposed military equipment use policy ("policy") will safeguard the public's welfare, safety, civil rights, and civil liberties;

**(3)**

The equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety (if any);

**(4)**

Prior military equipment use complied with the applicable equipment use policy (which included equipment now defined as military equipment) that was in effect at the time, or if prior uses did not comply with the accompanying military equipment use policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance.

**(b)**

The Police Department has submitted a proposed policy to the City Council and has made those documents available on the Police Department's website for at least 30 days prior to the public hearing concerning the military equipment at issue.

**(c)**

The policy was considered by the City Council as an agenda item in an open session of a regular meeting, noticed in accordance with the Ralph M. Brown Act, at which public comment was permitted.

**(d)**

The policy shall be made publicly available on the Police Department's website for as long as the military equipment is available for use.

**(e)**

The Police Department shall submit an annual military equipment report to the City Council, containing the information required in Cal. Gov't Code § 7072 (as that section may be amended or renumbered), and the City Council shall determine whether each type of military equipment identified in that report has complied with the standards for approval set forth in subsections **(a)(1)** through **(a)(4)** of this section.

**(f)**

The City Council shall review the ordinance codified in this section along with the annual military equipment report, and vote on whether to renew it on an annual basis at a regular meeting, by adoption of a written Resolution, in accordance with Cal. Gov't Code § 7071(e)(2) (as that section may be amended or renumbered).

**(g)**

The City Council approves the use of the policy, and finds that it satisfies the requirements of Cal. Gov't Code § 7070(d) (as that section may be amended or renumbered).

(Ord. 2042 § 1, 3-22-2022; Ord. 2084, 1/27/2026)

## **Preliminary Research Regarding Duties and Powers of Sheriffs and Police Officers**

From Westlaw "Co-Counsel" Search. The following has not yet been analyzed by CAO. Relevant information is highlighted in yellow.

California law establishes comprehensive statutory frameworks governing the powers and duties of both sheriffs and police officers, with sheriffs' responsibilities primarily codified in the California Government Code and peace officer authority detailed in the California Penal Code. The sheriff's role is constitutionally mandated, while police officers derive their authority from municipal and statutory provisions.

### **Constitutional and Statutory Foundation for Sheriffs**

The California Constitution requires each county to have an elected sheriff and mandates that the Legislature provide for county powers and an elected sheriff (West's Ann.Cal.Const. Art. 11, § 1)[1]. Sheriffs are enumerated as county officers under California Government Code Section 24000 (West's Ann.Cal.Gov.Code § 24000)[2]. The fundamental duty of sheriffs is set forth in Government Code Section 26600, which provides that "[t]he sheriff shall preserve peace, and to accomplish this object may sponsor, supervise, or participate in any project of crime prevention, rehabilitation of persons previously convicted of crime, or the suppression of delinquency" (West's Ann.Cal.Gov.Code § 26600)[3].

### **Peacekeeping and Law Enforcement Authority**

Sheriffs possess broad authority to maintain order and enforce laws. Government Code Section 26604 grants sheriffs the power to "command the aid of as many \* \* \* inhabitants of \* \* \* the sheriff's county as he or she thinks necessary in the execution of his or her duties" (West's Ann.Cal.Gov.Code § 26604)[4]. The Attorney General exercises direct supervision over sheriffs and may require written reports concerning investigation, detection, and punishment of crime, and may direct sheriffs' activities relative to crime investigation or detection (West's Ann.Cal.Const. Art. 5, § 13)[5], (West's Ann.Cal.Gov.Code § 12560)[6].

### **Custody and Jail Management Responsibilities**

California Government Code Section 26605 establishes that sheriffs have sole and exclusive authority to keep county jails and prisoners, stating that "the sheriff shall take charge of and be the sole and exclusive authority to keep the county jail and the prisoners in it" (West's Ann.Cal.Gov.Code § 26605)[7]. This authority is further detailed in Penal Code Section 4000, which provides that "[t]he common jails in the several counties of this state are kept by the sheriffs of the counties in which they are respectively situated" for purposes including detention of persons charged with crime and confinement of persons sentenced to imprisonment (West's Ann.Cal.Penal Code § 4000)[8].

### **Court-Related Duties**

Sheriffs have mandatory court attendance obligations under Government Code Section 69922, which requires that "the sheriff shall attend all superior court sessions held within his or her county" except for noncriminal, nondelinquency actions unless the presiding

judge determines attendance is necessary for public safety (West's Ann.Cal.Gov.Code § 69922)[9]. Court security services provided by sheriffs include bailiff functions, patrolling hallways, and other security measures within court facilities (West's Ann.Cal.Gov.Code § 69922)[9].

### **Peace Officer Status and Authority**

Penal Code Section 830.1 designates sheriffs, undersheriffs, and deputy sheriffs as peace officers whose authority extends to any place in the state for public offenses committed within their political subdivision or when in fresh pursuit (West's Ann.Cal.Penal Code § 830.1)[10]. Deputy sheriffs in certain counties performing custodial duties have peace officer authority extending statewide while engaged in their employment duties (West's Ann.Cal.Penal Code § 830.1)[10]. Reserve or auxiliary deputy sheriffs designated by local ordinance or resolution possess full peace officer powers and duties as provided by Section 830.1 when they qualify under specified training requirements (West's Ann.Cal.Penal Code § 830.6)[11].

### **Police Officer Powers and Duties**

Police officers derive their authority from Penal Code Section 830.1, which establishes that chiefs of police and police officers appointed by chiefs of police are peace officers whose authority extends to any place in the state for public offenses committed within their employing political subdivision (West's Ann.Cal.Penal Code § 830.1)[10]. Municipal police departments may adopt policies regarding various law enforcement responsibilities, including protocols for officers' duties and mandated reporting requirements (West's Ann.Cal.Penal Code § 368.6)[12].

In summary, California law comprehensively defines sheriffs' and police officers' powers through constitutional provisions, Government Code sections addressing peacekeeping and jail management, and Penal Code provisions establishing peace officer status and statewide authority for law enforcement functions.

### **Commentary on This Question**

In California, the powers and duties of sheriffs and police officers are governed principally by statutes within the Government and Penal Codes. Sheriffs generally serve as the chief law enforcement officers in their counties, with duties that include preserving the peace, enforcing criminal laws, investigating crimes, providing security for courts, serving warrants, and transporting prisoners. Although common law also informs a sheriff's authority, statutory provisions define and may modify their powers and responsibilities within their jurisdiction (70 Am. Jur. 2d Sheriffs, Police, and Constables § 31)[13]. Deputies and reserve officers may be appointed with peace officer powers, but these authorities are restricted to specific assignments or durations as authorized under Penal Code §§ 830.1, 830.6, and 832.6 (California Subpoena Handbook § 5:4)[14].

Police officers, whether employed by cities or counties, hold statutory peace officer powers to enforce laws and make arrests, including arrest authority without a warrant in certain circumstances (California Subpoena Handbook § 5:4)[14], (2 Wharton's Criminal Procedure § 23:21 (14th ed.))[15]. These powers extend to on-duty and, in some respects, off-duty conduct, where officers retain obligations to preserve public peace and protect lives continuously (70 Am. Jur. 2d Sheriffs, Police, and Constables §

31)[13]. Moreover, California's Government Code §§ 68096.1 to 68097.10 address the payment and regulation of witness fees for peace officers subpoenaed to testify, reinforcing their formal recognition as state officers with defined procedural and investigatory duties (California Subpoena Handbook § 5:4)[14].

# City of Santa Clara

## Charter Review Ad Hoc Subcommittee Group 4

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

March 12, 2026, 6:00 p.m.  
Sparacino Conference Room



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

# Proposed Meeting Agenda

- Recap of February 12, 2026 Meeting
- Presentation/discussions regarding Board of Library Trustees (BOLT)
  - Jonathan Evans, Chair
- Debrief on Planning Commission CRC Study Session on March 11, 2026
- Time permitting, review/identification of other/new issues
- Next Steps

# Recap of February 12<sup>th</sup> Meeting

- **All members in attendance (Diamond, Brooks, Field, Sosinski)**
- **Meeting convened at 6:10 p.m. and adjourned at 8:08 p.m.**
- **Staff presentation included: (1) distribution of meeting minutes template, (2) recap of committee activities, and (3) an extensive presentation and solicitation of input on assigned sections, including draft language.**
- **Issues presented/discussed included:**
  - adding a requirement for adequate staff support
  - cross referencing language defining what constitutes a “vacancy” and related pros/cons of adding a “for cause” requirement for non-reappointment or removal
  - deleting language which appeared to allow “closed session” meetings contrary to Brown Act
  - pros/cons/appropriateness of adding an Ethics Commission as a Charter-required board/commission
  - eliminating (or limiting) “investigation” authority (extraordinary, not generally applicable)
  - formal input from Planning, Parks and Rec, and BLT still pending

# Board of Library Trustees

- Existing Charter Sections 1012 and 1013
- Key stakeholders: The Board of Library Trustees, the City Library Director, the City Manager
- Presentation by the Board of Library Trustee Board Chair, Jonathan Evans
  - Talking Points
  - Draft Language with Annotations

# Debrief on Planning Commission Study Session

- Presentation on Charter Basics and Charter Project Origins and Implementation Process/Status/End Game.
- Presentation and Discussion on Role of Planning Commission as an identified stakeholder.
- Issues to consider: does composition of 7 “qualified electors still make sense?; any need to modify list of “powers”?; thoughts on other elements of general application (e.g., process for appointment/filling vacancies, terms and attendance requirements.
- Extensive general and specific questions, especially regarding possible updates to composition/qualifications of members; they will agendaize for action at their next (April 8th) meeting.

# Other Discussion Items?

- Draft Salary Setting Commission Language
- City Clerk's Appointment Process



# 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 draft “final” general provisions language
  - Proposed draft Ethics Commission/Alternatives Language
  - Further stakeholder input, if available
- Responsibility for preparing and presenting report out to CRC at upcoming March 18<sup>th</sup> meeting

## DRAFT Talking Points for Chair Evan's Presentation with Group 4 Ad Hoc Subcommittee

### **Introduction**

- Brief explanation of what the Board of Library Trustees ("BOLT") is
  - o Current number of members
  - o Meets the first Monday of every month except for two months
- Chair Evan's background and involvement with the Board
- Description of process as to how Chair Evans was selected to represent BOLT to the Ad Hoc Subcommittee today
  - o Trustees unanimously voted Chair Evans to represent BOLT before the Ad Hoc Subcommittee
  - o Discussed potential charter changes over three meetings, including a special meeting in January, since BOLT normally does not meet in January
  - o Reached unanimous consensus on almost all items that the Chair will be presenting on today

### **General Changes**

- Increase number of Trustees to 7, currently at 5
  - o Would increase diversity and representation of the community
  - o Bring BOLT more in line with other boards and commissions within the City as well as with library boards of other cities
  - o Minimize cancellations due to lack of quorum
  - o Would be able to have subcommittees that include more than two Trustees without violating the Brown Act
- Change "qualified electors" to "residents"
  - o In line with the library's mission to expand participation to all residents, including non-citizens
  - o Increase diversity within the Board
- Update reference from the "Santa Clara Free Public Library" to the "Santa Clara City Library" to reflect the Library's name in actual use

### **Roles the Board Would Like to Maintain**

- *Charter 1013 (a): Make and enforce such by-laws, rules and regulations as it may deem necessary for the administration and protection of the City library*
  - o BOLT is not interested in enforcement of rules and regulations but would like to maintain current level of input into procedures and policies concerning the Library
  - o BOLT has concerns re a City Librarian being appointed that would completely ignore BOLT's recommendations
    - Currently, Patty (the City Librarian) does take the Board's recommendations into account and makes changes based on their feedback
- *Charter 1013(b) Approve or disapprove the appointment of a librarian who shall be the department head*

- Would like to continue being involved in the selection process and ultimate approval of the City Library
- Not interested in administering the recruitment but would like Trustees to be included in interview panels and also be able to vote as a Board on the final choice
- *Charter 1013(c): Accept into the library fund and administer money, personal property or real estate donated to the City or otherwise acquired for library purposes subject to the approval of the City Council*
  - Generally want to be able to have say over the acceptance of significant or potentially controversial donations
    - “Significant” or “potentially controversial” can be defined via the current BOLT policy at the time

### **Roles the Board would like to Add**

- *Anaheim City Charter:* The Board was interested in the elements of the Anaheim City Charter pertaining to their Board of Library Trustees, as they addressed
  - The job description for City Librarian and qualifications
  - Providing formal annual reporting to City Council
    - Would include an annual report plus an annual meeting where both bodies are able to have live discussions
  - Providing feedback and review of Library budget prior to the budget going to Council

### **Roles the Board is Not Interested in Maintaining**

- *Charter 1013 (d): Contract with school, county or other governmental agencies to render or receive library services or facilities, subject to the approval of the City Council*
  - Board could still direct staff to analyze and consider a recommendation to do some of these things, without actually requiring the power to contract with any agencies



# City of Santa Clara

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## Agenda Report

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26-287

Agenda Date: 3/18/2026

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### REPORT TO CHARTER REVIEW COMMITTEE

#### **SUBJECT**

Staff Presentation and Solicitation of Committee Input or Direction Regarding: (1) Pending Report to City Council on Reorganization Plan; (2) Legal Notice Requirements and (3) Project Work Plan and Scheduling update.

#### **DISCUSSION**

Staff will present to the Committee on the following subjects: (1) Pending Report to City Council on Reorganization Plan; (2) Legal Notice Requirements and (3) Project Work Plan and scheduling update

#### **RECOMMENDATION**

Hear the report and provide input or direction as appropriate.

Reviewed by: Courtney Mohammadi, Legal Executive Assistant, City Attorney's Office

Approved by: Glen Googins, City Attorney