

**CITY OF SAN JOSÉ
MEASURE I**

Shall the City Charter be amended to add the City's ethics and elections commission (Board of Fair Campaign and Political Practices) to the Charter; remove requirements that members of the Planning, Civil Service, and Salary Setting Commissions be electors and/or citizens; remove gender-specific language; and require the City Council to adopt equity values, standards, and assessments in making certain decisions?

**YES
NO**

**CITY ATTORNEY'S IMPARTIAL ANALYSIS OF
MEASURE I**

Measure I, if approved by the voters, would amend the City Charter to: (1) add the Board of Fair Campaign and Political Practices to the Charter; (2) remove the requirement that members of the Planning, Civil Service, and Salary Setting Commissions be electors and/or citizens; (3) remove gender-specific language; and (4) require the City Council to adopt equity values, standards, and assessments in making certain decisions.

The Board of Fair Campaign and Political Practices (Board) monitors compliance with campaign and ethics ordinances, as authorized by the City Council under Title 12 of the Municipal Code; reviews and investigates alleged violations of the City's campaign and ethics laws when authorized under Title 12 of the Municipal Code and takes enforcement action where appropriate; and makes recommendations to the City Council regarding campaign and ethics regulations and policies. The Board is established by ordinance and its duties are codified in the Municipal Code. Measure I would establish and codify the Board's existing duties in the Charter.

Currently, the Charter requires members of the Planning Commission to be both a citizen of the United States and a City resident for at least one year immediately before the start of their term, and a registered elector of the City when appointed and throughout their term. The Charter also requires members of the Civil Service and Salary Setting Commissions to be qualified electors of the City throughout their term. A qualified elector is a person who is eligible to vote. To be eligible to vote in a jurisdiction, a person must be a United States citizen, at least 18 years of age, and a resident of the jurisdiction.

Measure I would remove the requirement to be an elector and/or citizen to serve on the Planning, Civil Service, or Salary Setting Commissions. Instead, members of the Planning Commission would only need to be a City resident for at least one year immediately before the start of and throughout their term; and Civil Service and Salary Setting Commissioners would only need to be City residents throughout their term.

Measure I would also replace gender-specific language in the Charter with gender-neutral language.

Finally, Measure I would add a provision to the Charter that would require the City Council to adopt and maintain a statement of values, as permitted by law, promoting racial and social equity, inclusion, and racial and social justice which will provide guidance to City officers and employees in their conduct while discharging their public responsibilities, including development and implementation of decisions, policies, budgets, programs, and practices.

**CITY ATTORNEY'S IMPARTIAL ANALYSIS OF
MEASURE I-Continued**

Measure I was placed on the ballot by the City Council.

A "Yes" vote is a vote to amend the Charter.

A "No" vote is a vote to not amend the Charter.

Nora Frimann
City Attorney
City of San Jose

The above statement is an impartial analysis of Measure I. If you would like to read the full text of the measure, see <https://www.sanjoseca.gov/MeasureI2022> or call 408-535-1260 and a copy will be sent at no cost to you.

ARGUMENT IN FAVOR OF MEASURE I

The San Jose Charter Review Commission proposed Measure I to require City government to operate in a more fair and ethical manner. The Commission consisted of 15 residents from all parts of San Jose. After extensive research, public hearings, and discussions over a year, the Commission voted to recommend that the voters VOTE YES to these changes in the City Charter.

- 1) The City must always have a Fair Political Practices Commission to investigate violations of the City's political campaign laws and ethics standards. Measure I protects the Commission from being ended by the City Council.
- 2) The City Council must add to the current code of ethics the values of inclusion, equity, and racial and social justice. In a diverse city like San Jose, our government leaders should acknowledge that all people are entitled to respect, responsiveness, and a fair level of city services.
- 3) The City must allow anyone who lives in the City to serve on the Planning Commission, the Salary Setting Commission, and the Civil Service Commission as long as they have lived in the city a certain length of time, have the specified skills, and take the legally required oaths. Without this provision, some legal residents would be unable to serve on these commissions, even if they are veterans.
- 4) The City must edit the Charter to be gender neutral so that the Charter applies to all people regardless of whether those persons identify as male or female.

These provisions of Measure I will move San Jose forward towards our common goal of a government that meets the highest ethical standards, that is open to participation by all, and that treats each and every resident as a person who is entitled to high quality services.

Jim Beall
Retired State Senator

Huy Tran
Workers' Rights Attorney

Poncho Guevara
Non Profit Director

Rosemary Kamei
Councilmember-Elect

Zoe Lofgren
Congresswoman

NO ARGUMENT AGAINST MEASURE I WAS SUBMITTED