



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Richard Doyle
City Attorney

SUBJECT: Proposed Amendments to City
Charter and Municipal Code -
Transmittal Memo

DATE: January 3, 2008

Recommendation

- (a) Direction to the City Attorney to prepare an amendment to the City Charter to allow the City Council by majority vote to place Council Appointees on administrative leave for placement on the June 2008 Ballot.
- (b) Discussion of the California Elections Code recall process which allows voters to recall an official and elect his or her successor by a plurality vote in the same election, and direction to the City Attorney to prepare amendments to the Charter if the Council approves changes to the City of San Jose recall process consistent with the California Elections Code.
- (c) Discussion and direction on when to require a Member of the Council to abstain from participating in and voting on a matter before the City Council if to participate in the particular matter would create an "appearance of loss of impartiality."
- (d) Discussion of alternate City Council salary setting methods and direction to the City Attorney to prepare a Charter amendment if a change to the current method is approved.

Discussion

Over the past year, the Mayor has recommended various Charter changes. In order for the proposed Charter amendments to be placed on the June 2008 Ballot, the Council will need to approve the Ballot language no later than the March 4, 2008 Council Agenda.

The attached memoranda for Item 3.3 on the January 15, 2008 Agenda discusses each proposal and requests Council approval and direction on the recommendations.

HONORABLE MAYOR AND CITY COUNCIL

January 3, 2008

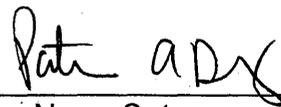
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RICHARD DOYLE

City Attorney

By



Norm Sato

Chief Deputy City Attorney

cc: Debra Figone

Attachments

For questions please contact Norm Sato, Chief Deputy City Attorney at 535-1925