



2026 CHARTER REVIEW COMMITTEE COUNTY OF SAN MATEO

AGENDA

Tuesday, February 3, 2026, at 5:30 p.m.

500 County Center, 1st Floor

Manzanita Hall

Redwood City, California 94063

Zoom Participation: <https://smcgov.zoom.us/j/93855127413>

1. Roll Call
2. Approval of January 26, 2026 Minutes
3. General Public Comment
This is an opportunity for members of the public to address the Committee on any Committee-related topics that are not on the agenda. If your subject is not on the agenda, the Chair will recognize you at this time.
4. Presentation of Recommendations
 - a. *Presentation of recommendations of potential Charter Amendments for Committee to consider made by individual members of the Board of Supervisors*
 - b. *Presentation of recommendations of potential Charter Amendments for Committee to consider from Charter Review Committee Members. In an effort to give all ideas an opportunity to be heard, each recommendation will be limited to a 5 minute presentation.*
5. Discussion
6. Motions
 - a. *Vote to approve which potential Charter Amendments Committee will consider*
 - b. *Vote to approve ad-hoc subcommittees to focus on individual issues*
7. Adjourn

Meetings are accessible to people with disabilities. Individuals who need special assistance or a disability-related modification or accommodation (including auxiliary aids or services) to participate in this meeting, or who have a disability and wish to request an alternative format for the agenda, meeting notice, agenda packet or other writings that may be distributed at the meeting, should contact Kim Boverio, Assistant Clerk of the Board, at least two working days before the meeting at kboverio@smcgov.org. Notification in advance of the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting and the materials related to it.

County of San Mateo

2026 County Charter Review Committee – Identifying CRC Issues

Judith Holiber – Chief Deputy County Attorney

Brian Pettit - Deputy County Attorney

February 3, 2026



County Charter – “Home Rule” Authority



County Charter – Home Rule Authority

- “**Home rule**” - the authority of the people to create and operate their own local government and define the powers of that government
- “[C]harter county ‘home rule’ authority is limited to matters concerning the structure and operation of local government.”

(Dibb v. County of San Diego (1994) 8 Cal.4th 1200, 1207.)



County Charters Powers

Charter Counties shall provide for:

- a) A governing body of 5 or more members;
- b) The compensation, terms, and removal of members of the governing body;
- c) An elected sheriff, an elected district attorney, an elected assessor, other officers, their election or appointment, compensation, terms and removal;
- d) The performance of functions required by statute;



County Charter Powers

- e) The powers and duties of governing bodies and all other county officers, and for consolidation and segregation of county officers, and for the manner of filling all vacancies;
- f) Regulation, by ordinance, of the appointment and number of assistants, deputies, clerks, attachés, and other persons to be employed, their powers, duties, compensation, terms, and manner of appointment or removal
- h) The powers provided by Constitution and statute



Limitation on County Charter Powers

- If authorized, County Charter supersedes general state law unless:
 - Limited by Constitution
 - Imposes additional requirements
 - Statewide concern and state law occupies the field
 - Statewide concern such that it is not considered a municipal affair

(Penrod v. County of San Bernardino (2005) 126 Cal.App.4th 185, 191.)



County Charter – Within Authority

- Removal of elected officer for cause (Gov't Code § 25303 – supervision of officers)
- Creation of civilian review board (Gov't Code § 31000.1 – creation of citizen commissions or committees)



County Charter – Exceeds Authority

- Limiting County tax rate
 - County cannot incapacitate itself to perform functions delegated to it by the State
- Prohibiting approval of development projects unless demonstrable method exists for financing facilities necessary to serve project
 - Development approval governed by State law, this additional requirement not authorized



County Charter – Exceeds Authority

- Limiting the number of consecutive terms an elected County official may serve
 - Unauthorized additional “qualification for candidacy”
 - Statute authorizes terms limits for Supervisors



San Mateo County Charter



San Mateo County Charter

- Article I (Powers of the Electors)
 - General law governs elections
 - Electors have power of initiative, referendum, recall, and Charter amendment pursuant to general law



San Mateo County Charter

- Article II (Board of Supervisors)
 - Five-member BOS, elected by-district, residency requirement, term limits
 - Process for filling vacancies
 - Ineligibility for appointments
 - Regular meetings set by ordinance
 - General powers and duties
 - Communications with employees through CEO



San Mateo County Charter

- Article III (County Executive)
 - Appointment and removal
 - Vacancy, compensation, exclusive employment
 - Duties
 - Attendance at BOS meetings



San Mateo County Charter

- Article IV (Dept. Heads, Boards, Commissions)
 - Powers and duties set by ordinance, general law, and Charter
 - Identifies public offices – elected vs appointed
 - Terms, vacancies, removal of elected Sheriff for cause
 - Department Heads designated by ordinance
 - Boards and Commissions – residency requirement, terms and qualifications set by Ord.



San Mateo County Charter

- Article V (Personnel)
 - Policy of merit-based appointment and promotion and equal opportunity
 - Establishment of Civil Service Commission, process for hearings and appeals
 - Classified vs unclassified employees
 - Conflicts of interest laws apply to employees, nepotism
 - Employee political activities



San Mateo County Charter

- Article VI (Finance)
 - General law governs property assessment, taxation, County budget
 - Office of Controller
 - Annual audits and report on County's financial transactions
 - Travel expenses policy set by ordinance
 - Local preference for County products policy



San Mateo County Charter

- Article VII (Judiciary)
 - Court system governed by general law

- Article VIII (General)
 - Charter Review every eight years
 - Severability



Potential Charter Amendments Identified By Individual Supervisors



Potential Charter Amendments

“The 2026 Charter Review Committee shall consider any changes to the County Charter as authorized by the Constitution and State Law, which in the Committee’s opinion are appropriate.”



2026 CRC - Individual Supervisor Recommendations

Whether County Charter Section 412.5 (Removal of Elected Sheriff for Cause) should be amended to delete subsection e, which currently states that Section 412.5, which vests the Board with authority to remove a Sheriff for cause shall sunset and be of no further force and effect as of December 31, 2028.



2026 CRC - Individual Supervisor Recommendations

Whether the County Charter should be amended to add a new Section requiring the Board of Supervisors to annually review the Board's governance processes and practices, such as requiring the creation of a governance handbook, amending the handbook, and inclusion of a demographic report.



2026 CRC - Individual Supervisor Recommendations

Whether Section 415 of the County Charter should be amended to further specify Board procedures in the event that the Board makes an appointment to fill a vacancy in an elected office.



2026 CRC - Individual Supervisor Recommendations

Whether the County Charter should be amended to identify procedures in the event that the Board has cause to believe that an elected office has been or should be vacated because the incumbent official has become physically, mentally, or otherwise incapacitated. Any such procedures should bear in mind the confidentiality, dignity, and legal rights of the official.



2026 CRC - Individual Supervisor Recommendations

Whether any currently-elected County offices should be appointed rather than elected. (i.e., Controller, Coroner, Treasurer-Tax Collector)



2026 CRC - Individual Supervisor Recommendations

Whether (and how) to amend the Charter to give the Board President greater stature/influence (e.g., title) when interacting with executive leaders of regional partners, e.g., mayors of Cities of San Jose and San Francisco



2026 Charter Review Process – Timeline



CRC Timeline

- November 3, 2026 – election day
- Election materials must be submitted 88 days in advance of election
- August 7, 2026 – last day for Board to submit Charter Amendment
- BOS – July recess
- Ordinance – two reading required
- May 1, 2026 – CRC report deadline



Charter Review Committee Timeline

December 9, 2025	BOS establishes the 2026 Charter Review Committee
January 13, 2026	BOS appoints 19 members to the 2026 Charter Review Committee
January 26, 2026	Initial Meeting
February 3, 2026	CRC identifies potential Charter Amendments to consider
May 1, 2026	Deadline for CRC to submit recommendations to BOS
May, June, 2026	BOS considers recommendations and determines if an ordinance calling for an election to amend the Charter should be submitted to the voters <i>*NOTE: The BOS, in its discretion, determines which amendments are sent to the voters.</i>
August 7, 2026	Deadline for BOS to submit proposed ordinance (if any) amending County Charter for election on November 3, 2026



Next Steps



Next Steps

- Second meeting of the CRC
 - ❖ Identify which potential amendments to the County Charter the CRC will consider (either Supervisor recommendations or member proposals)
 - ❖ Create subcommittees to focus on individual issues and report back to full CRC at regular meetings for further discussion



COUNTY OF SAN MATEO





2026 CHARTER REVIEW COMMITTEE
COUNTY OF SAN MATEO
RECOMMENDATIONS FOR CONSIDERATION FROM INDIVIDUAL MEMBERS
OF THE BOARD OF SUPERVISORS

1. Whether Section 415 of the County Charter should be amended to further specify Board procedures in the event that the Board makes an appointment to fill a vacancy in an elected office.

2. Whether (and how) to amend the Charter to give the Board President greater stature/influence (e.g., title) when interacting with executive leaders of regional partners, e.g., mayors of Cities of San Jose and San Francisco

3. Whether the County Charter should be amended to add a new Section requiring the Board of Supervisors to annually review the Board's governance processes and practices, such as requiring the creation of a governance handbook, amending the handbook, and inclusion of a demographic report.

4. Whether any currently-elected County offices should be appointed rather than elected.

5. Whether County Charter Section 412.5 (Removal of Elected Sheriff for Cause) should be amended to delete subsection e, which currently states that Section 412.5, which vests the Board with authority to remove a Sheriff for cause, shall sunset and be of no further force and effect as of December 31, 2028.

6. Whether the County Charter should be amended to identify procedures in the event that the Board has cause to believe that an elected office has been or should be vacated because the incumbent official has become physically, mentally, or otherwise incapacitated. Any such procedures should bear in mind the confidentiality, dignity, and legal rights of the official.

**2026 Charter Review Committee
District 2 Recommendations
Jan 29, 2026**

1. Sunset of Board Authority to Remove an Elected Sheriff for Cause (Charter §412.5(e))

Whether County Charter Section 412.5 (Removal of Elected Sheriff for Cause) should be amended to delete subsection e, which currently states that Section 412.5, which vests the Board with authority to remove a Sheriff for cause, shall sunset and be of no further force and effect as of December 31, 2028.

What is being asked

The Committee is being asked to consider whether to amend Section 412.5 to delete subsection (e), which causes the Board's authority to remove an elected Sheriff for cause to automatically expire on December 31, 2028.

Context

Section 412.5 was adopted to clarify the Board of Supervisors' authority to remove a Sheriff for cause, consistent with constitutional and statutory law. Subsection (e) includes a sunset clause, meaning voters would need to reauthorize or replace this authority after 2028 for it to continue.

Key issues for consideration

- Whether the authority to remove a Sheriff for cause should be permanent rather than temporary.
- Whether the sunset provision was intended as a trial period or safeguard and whether that purpose has now been satisfied.
- The balance between:
 - Voter accountability for elected officials, and
 - The County's ability to respond to serious misconduct, incapacity, or failure to perform duties.
- Legal clarity and continuity: whether allowing the authority to expire could create uncertainty or gaps in oversight.

What a charter amendment could do

- Remove the sunset clause entirely, making the authority ongoing.
- Retain the sunset but modify it (e.g., extend the date or require periodic review).
- Clarify procedural or due-process protections in conjunction with permanence.

2. Procedures for Board Appointments to Fill Vacancies in Elected Office (Charter §415)

Whether Section 415 of the County Charter should be amended to further specify Board procedures in the event that the Board makes an appointment to fill a vacancy in an elected office.

What is being asked

The Committee is asked to consider whether Section 415 should be amended to more clearly define the procedures the Board must follow when appointing someone to fill a vacancy in an elected office.

Context

While the Charter authorizes the Board to fill vacancies, it does not fully specify how the appointment process should work. In practice, procedures are often established ad hoc or by Board policy rather than by Charter direction. A recent example is the Board's creation and adoption of procedures to appoint a Sheriff.

Key issues for consideration

- Whether the Charter should provide more consistency, transparency, and predictability in vacancy appointments.
- Whether voters would benefit from clearer rules about:
 - Notice to the public
 - Application and vetting processes
 - Timelines
 - Public interviews or hearings
 - Voting thresholds
- The appropriate balance between flexibility for the Board and standardized procedures.

What a charter amendment could do

- Establish baseline procedural requirements while allowing the Board to adopt more detailed policies.
- Codify best practices already used by the County.
- Reduce uncertainty or controversy during high-profile or time-sensitive vacancies.

3. Procedures When an Elected Official May Be Incapacitated

Whether the County Charter should be amended to identify procedures in the event that the Board has cause to believe that an elected office has been or should be vacated because the incumbent official has become physically, mentally, or otherwise incapacitated.

What is being asked

The Committee is asked to consider whether the Charter should include explicit procedures for

situations in which an elected official may no longer be able to perform the duties of office due to physical, mental, or other incapacity.

Context

The Charter does not currently outline a process for determining incapacity or for responding if an elected official is unable to serve but has not resigned or died. This can create legal, operational, and ethical challenges.

Key issues for consideration

- How the County should responsibly address incapacity while:
 - Protecting the official's privacy and dignity
 - Respecting due process and legal rights
 - Ensuring continuity of government
- Who initiates concerns and what evidentiary standards apply.
- The role of medical evaluations, independent experts, or judicial review.
- How HIPAA confidentiality is maintained during the process.

What a charter amendment could do

- Define a clear, humane, and legally sound process for evaluating incapacity.
- Establish safeguards against misuse or politicization.
- Clarify outcomes (temporary leave, vacancy declaration, or other remedies).

4. Annual Review of Board Governance Practices

Whether the County Charter should be amended to add a new Section requiring the Board of Supervisors to annually review the Board's governance processes and practices, such as suggesting updates to a governance handbook and including a demographic report.

What is being asked

The Committee is asked to consider whether the Charter should require the Board of Supervisors to conduct an annual review of its governance processes and practices.

Context

Governance practices in San Mateo County, such as Board roles, procedures, norms, and use of data, have been introduced through policy as issues arise rather than being anticipated in the Charter. This proposal asks whether the Charter should mandate the creation of Board procedures, with regular reflection and updating to promote effective governance.

Key issues for consideration

- Whether embedding governance review in the Charter would strengthen accountability and institutional learning.
- What elements should be included, such as:
 - Creation and maintenance of a Board governance handbook

- Periodic updates to reflect best practices or legal changes
 - Inclusion of a demographic or trend report to inform policymaking
- The distinction between setting a requirement to review versus prescribing the content in detail.

What a charter amendment could do

- Require the Board's annual governance self-assessment.
- Institutionalize transparency and continuous improvement.
- Ensure the Board regularly evaluates whether its practices reflect the County's values, demographics, and responsibilities.

- The only reference to the environment in San Mateo County's Charter is in the brief preamble. Add language to be determined to require the County to consider environmental impacts in its decision-making. Language could include for example building resilience for sea level rise and wildfire risk, the prevention of offshore oil and gas development and the designation of the Santa Cruz Mountains located in San Mateo County, as defined, as a landscape of county significance that requires special protection.
- SMC Parks does not have a dedicated source of funding, unlike Santa Clara County and many others. Add language to the Charter dedicating direct funding for County Parks similar to what Santa Clara County has done in its Charter.

Parks has historically struggled to address long-overdue capital project needs. At one point, a former Parks Director did a study and found a huge amount of funds were needed to address long-term deteriorating facilities in County Parks. While Parks has been very well supported by current County leadership and the Board of Supervisors, what happens when Measure K sunsets or if a "unfriendly" County Executive and Board drastically cuts the funding?



COUNTY OF SAN MATEO CHARTER REVIEW COMMITTEE 2026 PROPOSED MEETING SCHEDULE

- **Monday, January 26th, 2026 | 1/26/2026**
 - 6:00 P.M. – 8:00 P.M.
 - In-person only (Manzanita Hall, 500 County Center, Redwood City, CA.)

- **Tuesday, February 3rd, 2026 | 2/3/2026**
 - 5:30 P.M. – 8:00 P.M.
 - Hybrid (Manzanita Hall, 500 County Center, Redwood City, CA.)

- **Tuesday, February 17th, 2026 | 2/17/2026**
 - 5:30 P.M. – 8:00 P.M.
 - Hybrid (Manzanita Hall, 500 County Center, Redwood City, CA.)

- **Tuesday, March 3rd, 2026 | 3/3/2026**
 - 5:30 P.M. – 8:00 P.M.
 - Hybrid (Manzanita Hall, 500 County Center, Redwood City, CA.)

- **Tuesday, March 17th, 2026 | 3/17/2026**
 - 5:30 P.M. – 8:00 P.M.
 - Hybrid (Manzanita Hall, 500 County Center, Redwood City, CA.)

- **Thursday, April 2nd, 2026 | 4/2/2026**
 - 5:30 P.M. – 8:00 P.M.
 - Hybrid (Manzanita Hall, 500 County Center, Redwood City, CA.)

- **Tuesday, April 14th, 2026 | 4/14/2026**
 - 5:30 P.M. – 8:00 P.M.
 - Hybrid (Manzanita Hall, 500 County Center, Redwood City, CA.)

- **Tuesday April 28th, 2026 | 4/28/2026**
 - 5:30 P.M. – 8:00 P.M.
 - Hybrid (Manzanita Hall, 500 County Center, Redwood City, CA.)



Lecture 3: ANALYSIS OF ORDINANCES, RESOLUTIONS, PROPOSALS

- Why
- Fiscal
- Political
- Operational
- Unintended Consequences

Why: (raison d'être)

What is happening that should not be happening

What is not happening that should be happening.

Fiscal: Will it save or cost the taxpayers money.

Political: Will adoption increase or decrease the power or influence of a person/entity/dept

Operational: Does adoption alter the operational jurisdiction, budget, staffing, or accountability of the entity or any constituent of the entity.

Unintended Consequences: What can be an impact outside of the entity on people, companies, unions, etc.



San Mateo County Charter Review Committee Meeting
Monday, January 26, 2026 6:00 p.m.
500 County Center, Manzanita Hall, Redwood City, CA 94063

DRAFT MINUTES

The meeting was called to order by Kim Boverio at 6:04 p.m.

1. Roll Call

Present:

Committee Members: Tom Adams, Talavou Aumavae, Liliam Perez Avila, Karen Chapman, Eddie Flores, Jacquelyn Foust, Rosanne Foust, Lynette Garcia, Mark Haesloop, Nathan Healy, Dana Johnson, Daniela Jonguitud, Jim Lawrence, Julie Lind, Iliana Rodriguez, George Smith, Kathleen Wheeler, Kimberly Woo

Staff: Brian Pettit, Deputy County Attorney; Judith Holiber, Chief Deputy County Attorney; Rocio Kiryczun, Deputy County Executive; Lena Silberman, Management Analyst and Kim Boverio, Assistant Clerk of the Board

Absent:

Committee Members: Monica Mejia

2. Public Comment

Speakers: None

3. Welcome and Introductions

- a. *Welcome by Supervisor Noelia Corzo, President of the Board of Supervisors, and County Executive Mike Callagy*

President of the Board of Supervisors. Supervisor Corzo welcomed attendees. County Executive Mike Callagy also provided welcoming remarks.

- b. *Introduction of Commissioners*

Commissioners introduced themselves, stating their names and affiliations/roles as applicable.

- c. *Swearing-in new Commissioners*

Oath of office given by Brian Pettit gave the oath of office to all commissioners.

Committee Member Monica Mejia joined the meeting at 6:13pm

4. Introduction and Swearing-in of Commissioners

5. Presentation and Training

Overview of the Brown Act, conflicts of interest, public meeting process, Board creation of the 2026 Charter Review Committee, Charter review process, and recommendations from individual Supervisors of potential Charter Amendments for Charter Review Committee to consider.

Speakers:

Brian Pettit, Deputy County Attorney

Presentation materials were provided to the Commission and are on file. Deputy County Attorney Brian Pettit provided a presentation and training on the following topics:

- Overview of the Brown Act
- Conflicts of interest
- Public meeting process
- Board creation of the 2026 Charter Review Committee
- Charter review process
- Recommendations from individual Supervisors regarding potential Charter amendments for consideration by the Charter Review Committee

The presentation was informational only. No action was taken.

Commissioners asked clarifying questions, which were addressed by Mr. Pettit.

6. Motions

a. Election of Chair and Vice Chair

Speakers:

Brian Pettit, Deputy County Attorney

Committee Member Julie Lind nominated Rosanne Foust as the Chair:

19 RESULT: Approved

MOTION: Julie Lind

SECOND: Karen Chapman

AYES: Tom Adams, Talavou Aumavae, Liliam Perez Avila, Eddie Flores, Jacquelyn Foust, Rosanne Foust, Lynette Garcia, Mark Haesloop, Nathan Healy, Dana Johnson, Daniela Jonguitud, Jim Lawrence, Monica Mejia, Iliana Rodriguez, George Smith, Kathleen Wheeler, Kimberly Woo

NOES: None

ABSENT: None

Result: Committee Member Rosanne Foust was elected Chair and assumed direction of the meeting.

Committee Member Dana Johnson nominated Eddie Flores as Vice Chair and Liliam Perez seconded.

Committee Member Rosanne nominated Julie Lind as Vice Chair and Kathleen Wheeler seconded.

Motion passed by roll call vote 10-9 Julie Lind.
Vote Results:

Member	Vote
Tom Adams	Julie Lind
Talavou Aumavae	Eddie Flores
Liliam Perez Avila	Eddie Flores
Karen Chapman	Julie Lind
Eddie Flores	Eddie Flores
Jacquelyn Foust	Julie Lind
Rosanne Foust	Julie Lind
Lynette Garcia	Julie Lind
Mark Haesloop	Eddie Flores
Nathan Healy	Julie Lind
Dana Johnson	Eddie Flores
Daniela Jonguitud	Eddie Flores
Jim Lawrence	Eddie Flores
Julie Lind	Julie Lind
Monica Mejia	Eddie Flores
Iliana Rodriguez	Julie Lind
George Smith	Julie Lind
Kathleen Wheeler	Julie Lind
Kimberly Woo	Eddie Flores

Totals:

- Julie Lind: 10
- Eddie Flores: 9

Result: Julie Lind was elected Vice Chair by a roll call vote of 10–9.

b. Approve teleconferencing by members of 2026 Charter Review Committee as “eligible subsidiary body” pursuant to Government Code Section 54953.8.6.

19 RESULT: Approved

MOTION: Mark Haesloop

SECOND: Julie Lind

AYES: Tom Adams, Talavou Aumavae, Liliam Perez Avila, Karen Chapman, Eddie Flores, Jacquelyn Foust, Rosanne Foust, Lynette Garcia, , Nathan Healy, Dana Johnson, Daniela

Jonguitud, Jim Lawrence, Monica Mejia, Iliana Rodriguez, George Smith, Kathleen Wheeler, Kimberly Woo

NOES: None

ABSENT: None

c. Set location and schedule for regular meetings of 2026 Charter Review Committee

19 RESULT: **Approved**

MOTION: Mark Haesloop

SECOND: Dana Johnson

AYES: Tom Adams, Talavou Aumavae, Liliam Perez Avila, Karen Chapman, Eddie Flores, Jacquelyn Foust, Rosanne Foust, Lynette Garcia, Nathan Healy, Daniela Jonguitud, Jim Lawrence, Julie Lind, Monica Mejia, Iliana Rodriguez, George Smith, Kathleen Wheeler, Kimberly Woo

NOES: None

ABSENT: None

7. Adjourn

19 RESULT: **Approved**

MOTION: Mark Haesloop

SECOND: Jim Lawrence

AYES: Tom Adams, Talavou Aumavae, Liliam Perez Avila, Karen Chapman, Eddie Flores, Jacquelyn Foust, Rosanne Foust, Lynette Garcia, Nathan Healy, Dana Johnson, Daniela Jonguitud, Julie Lind, Monica Mejia, Iliana Rodriguez, George Smith, Kathleen Wheeler, Kimberly Woo

NOES: None

ABSENT: None

The meeting was adjourned at 7:31 p.m.