

DRAFT MEETING MINUTES

April 11, 2018

I. Call to Order & Orders of the Day

Roll Call

PRESENT: Chair Adrian Gonzales, and Board Members Madhavee Vemulapalli, Thomas Goodwin, and Amarpal Randhawa

ABSENT: Vice Chair Chris Peacock

STAFF: Deputy City Attorney Mark Vanni, and Sr. Deputy City Clerk Cecilia McDaniel

OTHER: None

Call to Order

The members of the San José Board of Fair Campaign and Political Practices convened at 5:35 p.m. in Room W-120 of City Hall, 200 E. Santa Clara Street, CA 95113.

Orders of the Day

Action: Upon motion by Board Member Thomas Goodwin, seconded by Board Member Amarpal Ranhawa and carried, the Board approved the adoption of the April 11, 2018 agenda. (4-0-1. Absent: Peacock.)

II. Closed Session – None.

III. Hearings – None.

IV. Public Record – None.

V. Consent Calendar

A. Approve the Minutes of January 10, 2018 – Regular Meeting

Action: Minutes not prepared. Defer to next meeting for approval.

VI. Reports

A. Chair – Chair Adrian Gonzales informed the Board he acquired a new job and has new contact information..

B. City Attorney –

1. Legislative update – Deputy City Attorney Mark Vanni informed the Board that due to the passign of SB 568, starting in 2020, the Presidential Primary Elections

will be in March so changes to the San Jose Municipal Code will be needed.

2. Election update – Deputy City Attorney Mark Vanni reported that the seat for District 1 and District 3 are running unopposed; there are challengers for the Mayor’s seat and District 5 and 7; and there is no incumbent for the District 9 seat. Deputy City Attorney Mark Vanni reminded the Board Members to not discuss matters coming before the Board outside of the meeting since it could be considered a Brown Act violation.

C. City Clerk

1. Legislative update – None.
2. Status report on filings (Form 700, Campaign Statements, Lobbyist)
 - a) Form 700 Filing Status

Document Filed: Form 700 Filing Status Charts By Category

Discussion: Sr. Deputy City Clerk Cecilia McDaniel reported that 94% of Form 700 filers timely efiled their Form 700 through the City’s new eDisclosure system. Consultants are still being added to the system as they are identified as Form 700 filers.

3. Elections update

Document Filed: Notice of Nominees for Public Office

Discussion: Sr. Deputy City Clerk Cecilia McDaniel provided the Board with a list of candidates and measures to be voted on for the Primary Municipal Election on June 5, 2018.

4. Update on Board Expenditures

Document Filed: Hanson Bridgett Contract Expenses FY 17-18 Spreadsheet from City Attorney’s Office.

Discussion: Sr. Deputy City Clerk Cecilia McDanil reported no additional expenditures have been made since the last meeting.

D. Investigator/Evaluator – None.

VII. Old Business

- A. Scheduling of Special Ethics Commission meeting if needed. (City Clerk)

Action: No action taken.

VIII. New Business

- A. Discussion and possible action on report from Ad Hoc Committee for Public Education Campaign and Complaint Intake Process (Chair Adrian Gonzales and Board Member Thomas Goodwin)

Document Filed: Comparison of Complaint Intake Processes

Discussion: Chair Adrian Gonzales reported on the comparisons of the complaint intake processes between the City of San Jose, San Francisco, Oakland, San Diego and Los Angeles. Deputy City Attorney Mark Vanni answered Board questions. A change to the Board's complaint intake process would need to be reflected in City Council Resolution 78390.

Action: The Ad Hoc Committees will come back with additional information at the next meeting. The Ad Hoc Committees should be separate items. Chair Adrian Gonzales requested teleconferences be setup with the Ad Hoc Committees and staff to discuss the matters.

- B. Consider a change to the Revolving Door Ordinance due to the new independent contractor rule (AB 551). (City Attorney)

Documents Filed: 1) Memorandum from Deputy City Attorney Mark Vanni to the Board regarding AB 551 and Revolving Door Ordinance dated March 7, 2018; 2) San Jose Municipal Code Chapter 12.10; 3) Revolving Door Comparison Chart; and 4) Printout of Assembly Bill 551.

Discussion: Deputy City Attorney Mark Vanni reviewing the handouts with the Board and answered Board questions.

Action: Chair Adrian Gonzales created an Ad Hoc Committee for Revolving Door Ordinance Changes due to New Independent Contractor Rule comprising of Board Members Amarpal Randhawa and Madhavee Vemulapalli to discuss and bring recommendations back to the Board for review.

- C. Discussion and possible action on biennial review of San Jose Municipal Code Title 12, City Council Resolution 78390 and other administrative policies. (City Clerk)

Documents Filed: 1) City Council Resolution 78390; 2) San Jose Municipal Code Title 12; 3) Biennial Review Matrix; and 3) Printout of Senate Bill 568.

Discussion: Sr. Deputy City Clerk Cecilia McDaniel reviewed the handouts with the Board and explained that a review of Title 12 and Resolution 78390 is needed due to the passing of Senate Bill 568 changing the date of the Presidential Primary elections in 2020. Deputy City Attorney Mark Vanni answered Board questions.

Action: Chair Adrian Gonzales requested this item be carried forward to the next

meeting agenda and created an Ad Hoc Committee for Campaign Contribution Calculation comprising of the Chair and Board Member Thomas Goodwin to review necessary changes to San Jose Municipal Code Section 12.06.210 and come back to the Board with recommendations.

IX. Public Comment – Public Member David Brown with Represent.Us spoke to the Board about public funding of elections and requested information from the Board. Chair Adrian Gonzales will send the requested information to Public Member David Brown.

X. Future Agenda Items

- Ad Hoc Committee for Public Education Campaign
- Ad Hoc Committee for Complaint Intake Process
- Ad Hoc Committee for Revolving Door Ordinance Changes due to New Independent Contractor Rule
- Ad Hoc Committee for Campaign Contribution Calculation
- Biennial Ethics Review
- Election of Officers

XI. Adjournment

The next regular meeting schedule for May 9, 2018 at 5:30 p.m. in Room W-120.

Action: Upon a motion by Board Member Amarpal Randhawa, seconded by Board Member Thomas Goodwin and carried, the Board approved to adjourn the meeting at 6:36 p.m.

ADRIAN GONZALES, CHAIR

ATTEST:
BOARD OF FAIR CAMPAIGN AND POLITICAL PRACTICES SECRETARY

TONI J. TABER, CMC
CITY CLERK