



City of San José Board of Fair Campaign and Political Practices

Chair – Louis Silver
Vice Chair – Tom Pavel
Member – Baltazar Lopez
Member – Gregory Ebert
Member – Vasundhara Tadimeti

Matthew Tolany, Deputy City Attorney—Staff
Toni Taber, City Clerk—Staff
Joy Rodriguez, Assistant City Clerk—Staff
Megan Roche, Deputy City Clerk—Staff

DRAFT MEETING Minutes
August 10, 2023
5:30 p.m.

I. Call to Order & Orders of the Day

Roll Call

PRESENT: Chair Louis Silver, Vice Chair Tom Pavel, Board Members Gregory Ebert and Vasundhara Tadimeti

ABSENT: Baltazar Lopez

STAFF: Deputy City Attorney Matthew Tolnay, City Clerk Toni Taber, Assistant City Clerk Joy Rodriguez, Deputy City Clerk Megan Roche

The members of the San José Board of Fair Campaign and Political Practices convened in person and virtually via remote teleconferencing at 5:36 p.m.

Action: Upon motion by Vice Chair Tom Pavel, seconded by Board Member Gregory Ebert, and carried unanimously, the Board approved the Orders of the Day. (4-0-1; Absent: Lopez)

II. Closed Session – None

III. Hearings – None

IV. Public Record – None

V. Consent Calendar

Action: Upon motion by Vice Chair Tom Pavel, seconded by Board Member Gregory Ebert, and carried unanimously, the Board approved the Minutes of the June 8, 2023 Regular Meeting. (4-0-1; Absent: Lopez)

VI. Reports

A. Chair – No report.

B. City Attorney – Deputy City Attorney Matthew Tolnay reported that Assembly Bill 83 from Assemblymember Lee, regarding foreign influence in elections, has gone

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- inactive. An ordinance with recommended changes to Title 12 (Ordinance No. 30926), discussed by former Councilmember Maya Esparza and the BFCPP, was approved by the City Council on June 20, 2023. The Board of Fair Campaign and Political Practices' Biennial Review recommendations will be brought back to the City Council on August 29, 2023. An update to Resolution 7987 and an ordinance regarding revolving door exception changes will be included in the BFCPP recommendations that will be discussed on August 29, 2023. Deputy City Attorney Tolnay noted that recent campaign guidance email responses will be included on the September BFCPP agenda, and he answered questions from Vice Chair Tom Pavel and Chair Louis Silver.
- C. City Clerk – City Clerk Toni Taber provided an update related to elections. She noted that the 2024 Elections webpage has been updated with a candidate guide and dates of interest for the upcoming election. The campaign contribution period opened on August 8, 2023; contribution limits are \$700 for Councilmember candidates and \$1500 for Mayoral candidates. The Nomination period opens at 8:00 a.m. on November 13, 2023 and closes at 12:00 p.m. on December 8, 2023. City Clerk Taber answered clarifying questions from Vice Chair Tom Pavel and Board Member Gregory Ebert, and confirmed Hanson Bridgett LLP expenditures are available within the spreadsheet attached to the agenda.

D. Investigator/Evaluator – No report.

VII. Old Business

A. Scheduling of Special Board meeting if needed. (City Clerk)

Discussion: City Clerk Toni Taber confirmed that no scheduling of a special meeting is necessary. She also provided an explanation for when the scheduling of a special meeting may be necessary.

VIII. New Business

A. Discussion on Open Issues Regarding San Jose Municipal Code Title 12, City Council Resolution 79187 and Other Administrative Policies, Including the Complaint Intake Process. (Board)

Discussion: Vice Chair Tom Pavel discussed his memo which outlined the three open issues that the sunsetted Ad Hoc Subcommittee for Officeholder Accounts and Officeholder-Controlled Committees explored. Discussion amongst commissioners, Deputy City Attorney Matthew Tolnay, and City Clerk Toni Taber ensued. The Board agreed that the topic of phone call disclaimers/regulation would be added to the list of open issues.

Action: Upon motion by Vice Chair Tom Pavel, seconded by Board Member Gregory Ebert, and carried unanimously, the Board directed the City Attorney's office to explore future revisions to the Municipal Code that support the idea of requiring disclosures for independent expenditure committees on the full set of officers/board members/decision makers, and to conduct a feasibility analysis on the proposition. (4-0-1; Absent: Lopez)

IX. Public Comment – None

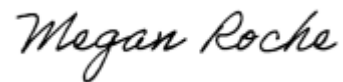
X. Meeting Schedule and Agenda Items

The next regular meeting is scheduled for September 14, 2023 at 5:30 p.m., to be held in City Hall 14th floor conference room T-1446.

XI. Adjournment

Upon motion by Chair Louis Silver, the Board adjourned at 6:53 p.m.

Minutes Recorded, Prepared, and Respectfully Submitted by,



Megan Roche
Deputy City Clerk, City of San José