

SAN JOSE ETHICS COMMISSION
Annual Report for FY 2013-14

Objective for FY 2013-14	Timeframe	Status & Accomplishments	Future Target/Goals
1. Monitor compliance with all campaign and ethics ordinances in Title 12 of the Municipal Code [Ref: SJMC 12.04.070(A)]	July 2013 - June 2014	<ul style="list-style-type: none"> • Updated process for periodic review and analysis of compliance data obtained from the city clerk's prima facie review of disclosures and reports filed in accordance with campaign and ethics ordinances (June 2014) • Periodically reviewed results of compliance monitoring (Ongoing) 	<ul style="list-style-type: none"> • Continue to periodically review and analyze compliance data, assess impact and develop appropriate recommendations with regard to regulations and policies
2. Review and investigate allegations of violations of Title 12 and take enforcement action where appropriate [Ref: SJMC 12.04.070(B)]	July 2013 - June 2014	<ul style="list-style-type: none"> • Investigated and conducted a hearing on a complaint alleging violation of SJMC 12.06.1010(A), and found a violation in that campaign lawn signs did not initially contain the correct "paid for by" disclaimer. Corrective action had already been taken and no penalties were imposed due to a number of mitigating circumstances. (May 2014) • Investigated and conducted a hearing on a complaint alleging violations of SJMC 12.06.290(A), and found that each allegation was either not a violation of Title 12 or did not identify specific facts demonstrating sufficient cause for an investigation. However, as a result of the investigation, a violation was found regarding non-reporting of an in-kind contribution. Corrective action had already been taken and no penalty was imposed due to mitigating circumstances. (May 2014) • Investigated and conducted hearings on two complaints alleging violation of SJMC 12.06.1010, and found that no violations had occurred. (June 2014) 	<ul style="list-style-type: none"> • Continue to review, investigate and take appropriate enforcement action for each allegation per Resolution 76954, with the objective of having the independent evaluator's report and recommendations available within 30 calendar days after receipt of a complaint • Issue request for qualifications, review proposals, select independent evaluator and submit contract for approval by city council prior to expiration of existing contract

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2. (continued)		<ul style="list-style-type: none"> • Initiated action to extend expiration of existing contract for independent evaluator by six months to comply with contract term requirements of Resolution 76954 (April 2014) 	
3. Make recommendations to the city council with regard to campaign and ethics regulations and policies [Ref: SJMC 12.04.070(C)]	July 2013 - June 2014	<ul style="list-style-type: none"> • Based on recommendations derived from commission's evaluation of campaign and ethics issues during FY 2012-13, developed specific amendments to applicable regulations, procedures and forms <ul style="list-style-type: none"> ○ Ordinance 29310, amending certain provisions of regulations governing elections and campaign contributions, was adopted by the city council (September 2013) ○ Ordinance 29398 and Resolution 76954, amending regulations and procedures for commission investigations and hearings, were adopted by the city council (April 2014) ○ The complaint form was revised by the city clerk (April 2014) • Implemented new process for monitoring relevant legislative and judicial activity via periodic reports from staff (July 2013) • Periodically reviewed relevant legislative and judicial activity (Ongoing) 	<ul style="list-style-type: none"> • Continue to provide recommendation(s) in response to issues referred by the city council, with the objective of providing responses within 120 calendar days • Continue to monitor emerging ethics and campaign issues and associated legislative and judicial activity, assess impact and develop appropriate recommendations with regard to regulations and policies • Evaluate results from compliance monitoring and investigations during the 2014 election cycle and develop recommendations for addressing concerns with regard to regulations and policies
4. Settle challenges to commission decisions in accordance with Section 4.24.050 of Title 4 [Ref: SJMC 12.04.070(D)]	July 2013 - June 2014	<ul style="list-style-type: none"> • No challenges received 	<ul style="list-style-type: none"> • Settle challenges to commission decisions as required

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5. Respond to complaints alleging that public records or some parts of records are being withheld improperly [Ref: Resolution 75091]	July 2013 - June 2014	<ul style="list-style-type: none"> • No complaints received 	<ul style="list-style-type: none"> • Review and evaluate each public records complaint as required and respond within 30 calendar days
6. Provide to the council each fiscal year an annual work plan of activities to be undertaken and a subsequent report of accomplishments [Ref: SJMC 2.08.030(C)]	July 2013 - June 2014	<ul style="list-style-type: none"> • Developed and issued 2014-15 work plan (June 2014) • Developed and issued 2013-14 annual report (June 2014) 	<ul style="list-style-type: none"> • Continue issuing work plans and annual reports as required