

MEETING MINUTES

March 8, 2017

I. Call to Order & Orders of the Day

Roll Call

PRESENT: Chair Adrian Gonzales, Vice Chair Chris Peacock, and Board Members Madhavee Vemulapalli and Amarpal Randhawa

ABSENT: None

STAFF: Deputy City Attorney Mark Vanni, City Clerk Toni Taber, 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 5:40 p.m. in Room W-120 at City Hall, 200 E. Santa Clara Street, CA 95113.

I. Orders of the Day

Action: Upon motion by Board Member Chris Peacock, seconded by Board Member Amarpal Randhawa and carried unanimously, the Board approved the adoption of the March 8, 2017 agenda with Item VIII.B. Election of Officers to be heard first. (4-0.)

II. Closed Session – None.

III. Hearings – None.

IV. Public Record – None.

V. Consent Calendar

A. Approve the Minutes of January 11, 2017 – Regular Meeting

B. Approve the Minutes of February 8, 2017 – Regular Meeting

Document Filed: Draft Minutes of the January 11, 2017 Board meeting.

Action: Upon motion by Board Member Amarpal Randhawa, seconded by Vice Chair Chris Peacock, the Board moved to approve minutes of the January 11, 2017 meeting.

Upon an amended motion by Board Member Madhavee Vemulapalli, seconded by Board Member Amarpal Randhawa and carried unanimously, the Board moved to approve minutes of the January 11, 2017 meeting with an amendment to Item XI to indicate that

the next meeting to take place on February 8, 2017. (4-0.) The Minutes of February 8, 2017 were not drafted in time for meeting so approval deferred to April 8, 2017 meeting.

VI. Reports

A. Chair – None.

B. City Attorney –

1. Legislative update – None.
2. Status of outstanding Ethics Commission/BFCPP Resolutions – Deputy City Attorney Mark Vanni announced that all Board resolutions have been served and there is no longer a need to have this item on the agenda.
3. Election update – Deputy City Attorney Mark Vanni is drafting the updated Dates of Interest Calendar and Form for the 2018 elections.
4. Lobbyist Ordinance update – Deputy City Attorney Mark Vanni informed the Board he is waiting for feedback from the Mayor's Office and is finalizing language in the ordinance to allow e-filing.
5. Gift Ordinance update – Deputy City Attorney Mark Vanni informed the Board that the memo to the Rules and Open Government Committee is being finalized with the City Clerk's Office. The item should go to Rules the next few weeks.

C. City Clerk

1. Legislative update – None.
2. Status report on filings (Form 700, Campaign Statements, Lobbyist) – City Clerk Toni Taber informed the Board that hard copy notices sent to individuals who have not yet filed their annual statement. The Clerk's Office is in the process of collecting on late fees for Lobbyist registrations.
3. Elections update – City Clerk Toni Taber is in the process of reviewing the budget for the 2018 elections.
4. Update on Board Expenditures

Document Filed: 1) Board Expenses FY 16-17 Spreadsheet from the City Clerk's Office; and 2) Hanson Bridgett Contract Expenses FY 16-17 Spreadsheet from City Attorney's Office.

Discussion: City Clerk Toni Taber announced that there were no additional charges since the last meeting.

5. Board Appointments – City Clerk Toni Taber reported that Amarpal Randhawa was appointed to the Board for a term ending March 1, 2019; Thomas Goodwin

was appointed to the Board for a term ending March 1, 2021; and Hugh Christopher Peacock was reappointed to a term ending March 1, 2021.

D. Investigator/Evaluator – None.

VII. Old Business

A. Status of report from ad hoc subcommittee on referral from City Council to analyze ordinances 29792 (legal defense fund) and 29793 (officeholder accounts). (Vice Chair Adrian Gonzales and Board Member Chris Peacock).

Discussion: Chair Adrian Gonzales finalized the response with staff. Sr. Deputy City Clerk Cecilia McDaniel will be finalizing the memo for submittal to the Rules and Open Government Committee in the next few weeks.

B. Discussion and possible action on report from ad hoc committee on community outreach. (Board Member Chris Peacock)

Action: No action taken. Board to re-evaluate purpose of ad hoc committee at next meeting.

C. Discussion and possible action on evaluating cumulative results of compliance monitoring, investigations and legislative review, and identifying possible areas of concern with regard to campaign and ethics regulations. (City Clerk)

Documents Filed: 1) Memorandum from City Clerk Toni Taber to the Board regarding Review of SJMC Title 12 and Council Resolution 77879 dated February 1, 2017; 2) San Jose Municipal Code Title 12; 3) City Council Resolution 77879; and 3) Memorandum from City Clerk Toni Taber to the Rules and Open Government Committee regarding the Ethics Commission Title 12 and San Jose City Council Resolution 76954 Recommended Revisions dated August 13, 2015.

Discussion: City Clerk Toni Taber reviewed the matrix with the Board and requested input from the Board. City Clerk Toni Taber and Deputy City Attorney answered Board questions. Staff to come back will update matrix and bring back for Board review. Deputy City Attorney Mark Vanni will begin revisions to Board resolution.

Action: Upon a motion by Chair Adrian Gonzales, seconded by Board Member Madhavee Vemulapalli and carried unanimously, the Board moved to create an ad hoc committee consisting of Chair Adrian Gonzales and Board Member Amarpal Randhawa for the biennial review of SJMC Tile 12 and Council Resolution 77879. (4-0.)

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

Action: No action taken.

VIII. New Business

A. Orientation of Board of Fair Campaign and Political Practices. (City Attorney)

Discussion: Deputy City Attorney Mark Vanni provided the Board Members a review of the Brown Act and reviewed sections of the Orientation Binder. Another orientation will be provided at next meeting.

B. Election of Officers to Board. (City Clerk) (Item heard first)

Action: Upon motion by Board Member Chris Peacock, seconded by Board Member Madhavee Vemulapalli and carried unanimously, the Board approved the nomination of Vice Chair Adrian Gonzales to the position of Chair. (4-0.)

Action: Upon motion by Board Member Amarpal Randhawa, seconded by Board Member Madhavee Vemulapalli and carried unanimously, the Board approved the nomination of Board Member Chris Peacock to the position of Vice Chair. (4-0.)

IX. Public Comment – None.

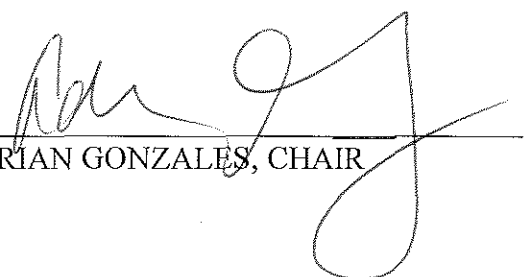
X. Future Agenda Items

- Preparation of 2016-17 Annual Report and 2017-18 Work Plan
- Orientation


XI. Adjournment

The next regular meeting is schedule for April 12, 2017 at 5:30 p.m. in City Hall Room W-120, pending coordination of a Special Meeting and/or hearing if needed.

The meeting was adjourned at 7:19 p.m.


ADRIAN GONZALES, CHAIR

ATTEST:
BOARD OF FAIR CAMPAIGN AND POLITICAL PRACTICES SECRETARY


TONI J. TABER, CMC
CITY CLERK