

City of San José
Board of Fair Campaign and Political Practices

Chair—Adrian Gonzales
Vice Chair—Chris Peacock
Member—Madhavee Vemulapalli
Member—Amarpal Randhawa
Member—Thomas Goodwin

Neelam Naidu, Sr. Deputy City Attorney—Staff
Toni Taber, City Clerk—Staff
Cecilia McDaniel, Sr. Deputy City Clerk—Staff

MEETING AGENDA
November 8, 2017

5:30 p.m.

San José City Hall
Room W-120

I. Call to Order & Orders of the Day

II. Closed Session – None

III. Hearings

- A. Hearing on Complaint filed by Elizabeth Plane on September 29, 2017 against Pam Foley for San Jose City Council D9 2018 alleging violations of San José Municipal Code section 12.06.290 (Campaign Contribution Period) (Independent Investigator/Evaluator)
[CORRECTED Report from Hanson Bridgett LLP dated October 30, 2017](#)

IV. Public Record – None

V. Consent Calendar

- A. [Approve the Minutes of September 13, 2017 – Regular Meeting](#)
B. [Approve the Minutes of October 11, 2017 – Regular Meeting](#)

VI. Reports

- A. Chair
B. City Attorney
1. Legislative update
2. Elections update
3. [Gift Ordinance update](#)
[Council Memo – 10/24/17, Item 3.4](#)
[Draft Gift Ordinance](#)
[Council Memo from Councilmember Diep](#)
C. City Clerk
1. Legislative update
2. Status report on filings ([Form 700](#), Lobbyists, [Campaign Statements](#))
a) Status of E-Filing Contract/Bid
3. Elections update
4. Update on Board Expenditures
a) [Hanson Bridgett Contract Expenditures](#)
D. Investigator/Evaluator

VII. Old Business

- A. Discussion and possible action on report from ad hoc committee on community outreach. (Vice Chair Chris Peacock and Board Member Amarpal Randhawa)

- B. [Discussion and possible action on biennial review of San Jose Municipal Code Title 12, City Council Resolution 77879 and other administrative policies. \(City Clerk\)](#)
[Council Memo – 10/24/17, Item 3.8](#)
[Draft Title 12 Ordinance](#)
[Draft Resolution for Board](#)
[Rules and Open Government Committee Memo – 10/11/17, Item G.3](#)
- C. [Consider a change to the Revolving Door Ordinance that mitigates potential conflicts](#) of interest and simplifies the rules surrounding former designated employees who work for non-profit organizations as lobbyists or on legislative or administrative matters which they worked on as part of their City employment. Potential policy directions include:
- a) a) Narrowing the non-profit exemption to 501(c)(3) organizations, regardless of whether the organization had received support from the City; or
 - b) b) Striking the non-profit exemption, such that the same rules apply whether former designated employees go to work for non-profit or for-profit organizations.
- (City Clerk)
[Referral from City Council on September 12, 2017 - Item 3.6]
[City Council Memo – 9/12/17, Item 3.6](#)
[City Council Synopsis for 9/12/17, Item 3.6 \(See page 11\)](#)
- D. Scheduling of Special Board meeting if needed. (City Clerk)

VIII. New Business – None.

IX. Public Comment (*Members of the Public are invited to speak on any item that does not appear on today's Agenda and that is within the subject matter jurisdiction of the Commission. Meeting attendees are usually given two (2) minutes to speak on any discussion item and/or during open forum; the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate. Speakers using a translator will be given twice the time allotted to ensure non-English speakers receive the same opportunity to directly address the Committee, Board or Commission.*)

X. Meeting Schedule and Agenda Items

The next regular meeting is scheduled for December 13, 2017 at 5:30 p.m. in City Hall Room W-120, pending coordination of a Special Meeting and/or hearing if needed.

XI. Adjournment

Board of Fair Campaign and Political Practices (BFCPP)

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November 8, 2017

The City of San José is committed to open and honest government and strives to consistently meet the community's expectations by providing excellent service, in a positive and timely manner, and in the full view of the public.

You may speak to the Board about any discussion item that is on the agenda, and you may also speak during Public Comment on items that are not on the agenda and are within the subject matter jurisdiction of the Board. Please be advised that, by law, the Board is unable to discuss or take action on issues presented during Public Comment. Pursuant to Government Code Section 54954.2, no matter shall be acted upon by the Board unless listed on the agenda, which has been posted not less than 72 hours prior to meeting.

Agendas, Staff Reports and some associated documents for the Board items may be viewed on the Internet at <http://www.sanjoseca.gov/index.aspx?nid=452>.

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the Board will be available for public inspection at the City Clerk's Office located at 200 E. Santa Clara St., Tower, 14th Floor, San Jose, CA 95113 at the same time that the public records are distributed or made available to the Board. Any draft resolutions or other items posted on the Internet site or distributed in advance of the Commission meeting may not be the final documents approved by the Board. Contact the Cecilia McDaniel, Sr. Deputy City Clerk, by e-mail at city.clerk@sanjoseca.gov or by telephone at (408) 535-1260 for the final document.

On occasion the Board may consider agenda items out of order.

The Board of Fair Campaign and Political Practices meets the 2nd Wednesday of the month at 5:30 p.m., unless otherwise noted. If you have any questions, please direct them to the Board staff. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.

To request an accommodation or alternative format under the Americans with Disabilities Act for City-sponsored meetings, events or printed materials, please call (408) 535-1260 as soon as possible, but at least three business days before the meeting.

Please direct correspondence and questions to:

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