

Chair—Michael Smith  
Vice Chair—Rolanda Pierre Dixon, Esq.  
Member—Chris Peacock  
Member—Madhavee Vemulapalli  
Member—Adrian Gonzales

Arlene Silva, Deputy City Attorney—Staff  
Toni Taber, City Clerk—Staff  
Cecilia McDaniel, Deputy City Clerk—Staff

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**MEETING AGENDA**  
**March 9, 2016**

**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 Bryan Do on February 1, 2016 against Lan Diep for San Jose City Council \(2015 Campaign\) and Lan Diep alleging violations of the San Jose Municipal Code \(Independent Investigator/Evaluator\)](#)  
[Supplemental Memo from Deputy City Attorney Arlene Silva](#)

**IV. Public Record – None**

**V. Consent Calendar**

- A. [Approve the Minutes of December 9, 2015 – Regular Meeting](#)  
B. [Approve the Minutes of January 13, 2016 – Regular Meeting](#)  
C. [Approve the Minutes of February 10, 2016 – Regular Meeting](#)

**VI. Reports**

- A. Chair  
B. City Attorney  
1. Legislative update  
2. Status of outstanding Ethics Commission Resolutions  
3. Status of Gift Ordinance relating to Mayor’s Biennial Review  
C. City Clerk  
1. Legislative update  
2. Status report on filings (Form 700, Campaign Statements, Lobbyists)  
3. Elections update  
4. Update on FPPC Forum  
5. [Update on Commission Budget](#)  
6. [Boards and Commissions Resource Fair](#) and Recognition Event  
a) Discussion and possible action on rescheduling or canceling the April 13, 2016 Ethics Commission Meeting.  
D. Investigator/Evaluator

**VII. Old Business**

- A. Status regarding revisions to Council Resolution 76954, Regulations and Procedures for the San Jose Ethics Commission. (City Attorney)

- B. Discussion and possible action on report from ad hoc committee on community outreach. (Vice Chair Pierre Dixon)
- C. Discussion and possible action on report from ad hoc committee on potential for organizing statewide forum of Ethics Commissions regarding campaign finance laws. (Commissioner Gonzales)
- D. Status of referral to Ethics Commission by Councilmember Charles “Chappie” Jones to compare rules of other Cities and determine if additional changes are recommended regarding the length of the campaign contribution period. (City Clerk)
- E. Discussion and possible action on public statement to be issued by Commission regarding the late contribution reporting complaints. (City Clerk)  
[Replacement Draft Public Statement by Commissioner Chris Peacock](#)  
[Excerpts from 1/13/16 Ethics Commission Transcript](#)
- F. Scheduling of Special Ethics Commission 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 Ethics Commission*).

**X. Future Agenda Items**

- Open Government Training

**XI. Adjournment**

The next regular meeting is scheduled for April 13, 2016 at 5:30 p.m. in City Hall Room W-120, pending coordination of a Special Meeting and/or hearing if needed.

***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 Commission 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 Commission. Please be advised that, by law, the Commission 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 Commission 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 Commission 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 Commission will be available for public inspection at the City Clerk's Office located at 200 E. Santa Clara St., Tower, 14<sup>th</sup> Floor, San Jose, CA 95113 at the same time that the public records are distributed or made available to the Commission. 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 Commission. Contact the Cecilia McDaniel, Deputy City Clerk, by e-mail at [city.clerk@sanjoseca.gov](mailto:city.clerk@sanjoseca.gov) or by telephone at (408) 535-1260 for the final document.

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

The Ethics Commission 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 Commission 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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