

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

Arlene Silva, Deputy City Attorney—Staff
Toni Taber, City Clerk—Staff
Ruth Krantz, Deputy City Clerk—Staff

SPECIAL AGENDA

5:30 p.m.

March 25, 2015

**San José City Hall
Wing – Room 262**

I. Call to Order & Orders of the Day

II. Closed Session - None

III. Hearings

- A. [Continuation of hearing on Complaint filed by Bui Dinh against Supervisor Dave Cortese for Mayor 2014 and Tam Nguyen dated October 14, 2014](#) and continued to March 2, 2015 (Independent Investigator/Evaluator)
- B. [Hearing on Complaint filed by Bui Dinh on February 18, 2015](#), alleging violations of San José Municipal Code by Manh Nguyen and Manh Nguyen for San José Council D4 2015 Committee (Independent Investigator/Evaluator)
- C. [Hearing on Complaint filed by Bui Dinh on February 23, 2015](#), alleging violations of San José Municipal Code by Manh Nguyen, candidate of San José City Council D4 2015, and Vietnam Liberty News (Independent Investigator/Evaluator)
- D. [Hearing on Complaint filed by Karin Cogbill on March 2, 2015](#), alleging violations of San José Municipal Code by Manh Nguyen for San José Council D4 2015 (Independent Investigator/Evaluator)
[Response from Karin Cogbill dated March 24, 2015](#)
- E. [Hearing on Complaint filed by Daniel Bogert on March 4, 2015](#) against Lan Diep for San José City Council D4 (Independent Investigator/Evaluator)

IV. Consent Calendar

To be heard at the regularly scheduled meeting of April 8, 2015.

V. Reports

- A. Chair
- B. City Attorney
 - 1. Legislative update
 - 2. Update on Ethics Commission resolution backlog
- C. City Clerk
 - 1. Legislative update
 - 2. Status of compliance with Commission resolutions
 - 3. Status report on filings (Form 700, Campaign Statements, Lobbyists)
 - 4. Elections update
- D. Investigator/Evaluator

To be heard at the regularly scheduled meeting of April 8, 2015.

VI. Old Business

- A. Status, review and possible action on Gift Ordinance and Frequently Asked Questions Sheet (City Attorney)
- B. Status of Independent Evaluator/Investigator RFQ (City Clerk)
- C. Update on outreach to ethnic and specialized media regarding campaign and ethics regulations and policies (Ad Hoc Subcommittee)

To be heard at the regularly scheduled meeting of April 8, 2015.

VII. New Business

VIII. 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*).

IX. Future Agenda Items and Adjournment

- a. Preparation of 2015-16 Workplan and 2014-15 Annual Report
- b. Brown Act/Open Government Training (City Attorney)
- c. Identification and prioritization of concerns regarding campaign and ethics regulations and policies.

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., Wing 2nd 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 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:

City of San José
City Clerk's Office
Attn: Ruth Krantz
200 E. Santa Clara St., Wing – 2nd Floor
San José, California 95113
Tel: (408) 535-1260 / Fax: (408) 292-6207
Email: city.clerk@sanjoseca.gov