

Chair—Michael Smith  
Vice Chair—Rolanda Pierre Dixon, Esq.  
Member—Linda Edgeworth  
Member—Leon Louie  
Member—Chris Peacock

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

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**AGENDA**

**5:30 p.m.**

**December 10, 2014**

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

**I. Call to Order & Orders of the Day**

**II. Closed Session - None**

**III. Hearings**

- A. [Hearing on Complaint filed by Bui Dinh on October 14, 2014 alleging violations of San José Municipal Code by Dave Cortese](#) and Dave Cortese for Mayor 2014  
(Independent Investigator/Evaluator)
- B. [Hearing on Complaint filed by Bui Dinh on October 14, 2014, alleging violations of San José Municipal Code by Barry H. Do](#), Thien L. Huynh, Tho T. Nguyen, and Thu M. Hoang. (Independent Investigator/Evaluator)
- C. [Hearing on Complaint filed by Carol Garvey on October 29, 2014](#), alleging violations of San José Municipal Code by Neighbors for Sam Liccardo for Mayor 2014.  
(Independent Investigator/Evaluator)

**IV. Consent Calendar**

- A. Approve the Minutes of September 10, 2014 – Regular Meeting  
*Request deferral to January 14 per City Clerk*
- B. Approve the [Minutes of November 12, 2014](#) – Regular Meeting

**V. Reports**

- A. Chair
- B. City Attorney
  - 1. Legislative update
- 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
  - 5. Update on the status of recruitment for open positions on the Ethics Commission.
- D. Investigator/Evaluator Draft Report  
(City Attorney)

**VI. Old Business**

- A. Status, review and possible action on Gift Ordinance and Frequently Asked Questions Sheet (City Attorney)
- B. Discussion and possible action on Open Government Legislation and the effects it will have on the Ethics Commission. (City Attorney)
  - 1. [Ordinance 29460](#)
  - 2. [Ordinance 29461](#)
- C. Status, discussion and possible action on extension of current contract for Independent Evaluator/Investigator and RFQ for new contract commencing July 1, 2015 (City Clerk)
  - 1. [Draft RFQ for Evaluator/Investigator](#) (City Attorney)
- D. Discussion, review and possible action on Form 500 language to ensure timely submittal.
  - 1. [Form 500](#)
  - 2. [San José Municipal Code Section 12.06.500 et. seq.](#)

**VII. New Business**

- A. Discussion and possible action on establishing an Ethics Commission ad hoc Subcommittee to explore opportunities for outreach to ethnic and specialized media regarding campaign and ethics regulations and policies per the Commission's FY2015 Work Plan (City Clerk)

**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**

The next regular meeting is January 14, 2014 at 5:30 p.m. in City Hall, Wing Room 262.

***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 2<sup>nd</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 2<sup>nd</sup> 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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