

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

AGENDA

5:30 p.m.

May 14, 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 Duc Lam on April 7, 2014 alleging violations of the San Jose Municipal Code by Van Le, candidate for Council District 7 \(Independent Investigator/Evaluator\)](#)
- B. [Hearing on Complaint filed by Stephen Kline on April 8, 2014 alleging violations of the San Jose Municipal Code by Sam Liccardo, candidate for Mayor \(Independent Investigator/Evaluator\)](#)
[Response by Sam Liccardo](#)
[Response by Attorney James Sutton](#)

IV. Consent Calendar

- A. Approve the Minutes of April 9, 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
- D. Investigator/Evaluator

VI. Old Business

- A. Status and possible action on revisions to Ethics Commission’s Resolution No. 75640 (City Attorney)
- B. Status and possible action on revisions to San José Municipal Code (SJMC) Chapter 12.04 (City Attorney)
- C. Status, review and possible action on Gift Ordinance and Frequently Asked Questions Sheet (City Attorney)
- D. Status, review and possible action on officeholder/candidate legal defense fund ordinance (City Attorney)

- E. Status, review and possible action on draft Request for Qualifications and contract for Ethics Commission Evaluator/Investigator (City Clerk)
- F. Discussion and possible action on reporting requirements from staff to Commission regarding filings (City Clerk)
- G. Discussion and possible action on FY 2013-14 Annual Report and FY 2014-15 Workplan (Chair)
 - 1. [Draft FY 2013-14 Annual Report](#)
 - 2. [Draft FY 2014-15 Workplan](#)

VII. New Business

- A. Discussion and possible action on revisions to the Ethics Commission Complaint Form (City Clerk)
 - [Ethics Commission Complaint Form](#)
 - [Memo from Deputy City Attorney Arlene Silva](#)
- B. Discussion and action on scheduling a Special Ethics Commission meeting (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 Wednesday, June 11, 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 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 cecilia.mcdaniel@sanjoseca.gov or by telephone at (408) 535-1263 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) 535-1263 as soon as possible, but at least three business days before the meeting.

Please direct correspondence and questions to:

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