

SAN JOSE ELECTIONS COMMISSION

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Staff: SANDRA LEE, DEPUTY CITY ATTORNEY
TONI TABER, ACTING CITY CLERK
CECILIA MCDANIEL, DEPUTY CITY CLERK

**200 E. Santa Clara Street
San Jose, CA 95113
City Hall Wing - Room W262**

5:30 p.m.

January 9, 2013

Room W262

ORDER OF BUSINESS

I. CALL TO ORDER

II. ADOPTION OF AGENDA

III. PUBLIC COMMENT

Members of the Public are invited to speak on any item that does not appear on this Agenda and that is within the subject matter jurisdiction of the Committee.

IV. CLOSED SESSION – None

V. APPROVAL OF MINUTES

- A. [November 14, 2012](#)
- B. [December 12, 2012](#)

VI. REPORTS

- C. Chair
- D. City Attorney
- E. City Clerk
- F. Investigator/Evaluator

VII. ITEMS SCHEDULED FOR ACTION

- A. Hearing on the following related complaints:
 - [Attachment of Exhibits](#)
 - a. [Complaint filed by John Daley on October 10, 2012 alleging violations of the San Jose Municipal Code by Jimmy Nguyen, candidate for Council District 8. \(Independent Investigator/Evaluator\)](#)
 - b. [Complaint filed by Dennis Hawkins on October 26, 2012 alleging violations of the San Jose Municipal Code by Crema Coffee Co., et al. \(Independent Investigator/Evaluator\)](#)

- c. [Complaint filed by Dennis Hawkins on November 16, 2012](#) (and amended on December 7, 2012) alleging violations of the San Jose Municipal Code by Friends of Jimmy Nguyen, et al. (Independent Investigator/Evaluator)
 - d. [Complaint filed by Phong Q. Hoang on December 11, 2012 alleging the theft and destruction of campaign signs by Councilmember Rose Herrera and her husband Matt Wahlin.](#) (Independent Investigator/Evaluator)
- B. Discussion and action on scheduling a Special Elections Commission meeting.
(City Clerk)

VIII. ITEMS SCHEDULED FOR INFORMATION OR DISCUSSION

- A. Presentation of written report identifying possible areas of concern found through compliance monitoring with regard to campaign and ethics regulations and other required disclosures per 2012-13 work plan. (City Clerk)
- B. Status of compliance with Commission resolution re: Silicon Valley Association of Republican Women – Verbal report by City Clerk.
- C. [Discussion of cumulative results of investigations and possible areas of concern with regard to campaign and ethics regulations and policies per 2012-13 work plan.](#) (City Clerk)
- D. Status of proposed changes to the Gift Ordinance – Verbal report by the City Attorney

IX. MEETING SCHEDULE AND AGENDA ITEMS

The next Regular Meeting is Wednesday, February 13, 2013.

X. ADJOURNMENT

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.

The City Code of Ethics may be viewed on-line at http://www.sanjoseca.gov/clerk/cp_manual/CPM_0_15.pdf

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 legislative body will be available for public inspection at the Office of the City Clerk at San José City Hall, 200 E. Santa Clara Street Wing, San José, CA 95113 at the same time that the public records are distributed or made available to the legislative body.

To request an accommodation or alternative format for City-sponsored meetings, events or printed materials, please call 408-535-1252 or (408) 294-9337 (TTY) as soon as possible, but at least three business days before the meeting.