

March 2, 2016

Jonathan M. Padilla
Sent via Email to: [REDACTED]

Re: Question on campaign contribution issue

Dear Mr. Padilla:

You have asked the following question regarding the protocol rules about campaign contributions and matters coming before the San Jose City Council: If a campaign contribution is received from an individual or entity, would the Councilmember have to recuse himself before a vote or disclose the campaign contribution before the vote?

The receipt of a legal campaign contribution does not trigger a conflict of interest under the Political Reform Act or the San Jose Municipal Code. Thus, as long as the campaign contributions comply with San Jose Municipal Code Chapter 12.06 and the Political Reform Act, and its FPPC regulations, there are no recusal or disclosure requirements regarding the campaign contributions before the Councilmember votes on an item on the City Council or Council committee agenda.

We hope that this addresses your question concerning the City's Campaign Ordinance. Please feel free to call or email if you have further questions or need clarification with regard to this letter.

Very truly yours,

RICHARD DOYLE, City Attorney

By: Neelam Naidu
Neelam Naidu
Deputy City Attorney

CC: Toni J. Taber, CMC, City Clerk