

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

The City Attorney of San José has prepared the following title and summary of the chief purpose and points of the proposed measure:

AN INITIATIVE MEASURE TO: (1) AMEND THE CITY CHARTER TO HOLD MAYORAL ELECTIONS AT THE SAME TIME AS PRESIDENTIAL ELECTIONS STARTING IN 2024 AND TO CREATE A TWO-YEAR TERM FOR THE MAYOR ELECTED IN 2022 TO ACCOMPLISH THIS TRANSITION FROM THE CURRENT MAYORAL ELECTION CYCLE; AND (2) AMEND THE SAN JOSE MUNICIPAL CODE TO PROHIBIT CERTAIN “SPECIAL INTERESTS,” AS DEFINED BY THE MEASURE, FROM MAKING CAMPAIGN CONTRIBUTIONS TO CANDIDATES FOR CITY OFFICE AND FUNDRAISING AT THE BEHEST OF AN ELECTED CITY OFFICIAL.

Under the City Charter, the City of San José holds its Primary and Run-off election for Mayor when the State of California holds its primary and general election for governor. This measure proposes to amend the City Charter to hold Mayoral elections at the same time as the presidential primary and general elections starting in 2024. To accomplish this transition from the current Mayoral election cycle, the measure would also amend the City Charter to create a two-year term for the Mayor elected in 2022, who may run for reelection for one additional successive four-year term.

Separately, the measure also proposes to amend the Municipal Code, which regulates campaign contributions to candidates for City office, to prohibit certain groups referred to as Special Interests, Special Interest Contract Lobbyists, and Related Parties from making campaign contributions to and fundraising for candidates for City office.

The measure defines “Special Interests” as:

- **Substantial Contractors** includes any for profit business or person offering, proposing or bidding on providing goods or services to the City or who is seeking funding from the City for more than \$250,000 from the date of the bid or proposal until two years after the award or denial;
- **Substantial Developer** includes any for profit business or person who owns the land or is the applicant of a project for which an application for any discretionary land use approval has been submitted with over 20 residential units or over 10,000 square feet of non-residential floor area until the final discretionary approval or denial;
- **Substantial Landlord/Property Manager** includes any for profit business or person owning or managing over 10 residential rental units in the City.

The measure defines “Special Interest Contract Lobbyist” as any Contract Lobbyist (defined under the Municipal Code) for a Special Interest, and “Related Parties” as any owner, officer, spouse or key management employee or in-house lobbyist of a Special Interest or Special Interest Contract Lobbyist. A key management employee is defined under the measure as any person who has the authority to hire or fire other employees.

In addition to prohibiting campaign contributions, the measure would also prohibit Special Interests, Special Interest Contract Lobbyist, and Related Parties from fundraising at the behest of an elected City official as described in Municipal Code Section 12.16.030.

Finally, candidates for City office who would also be considered a Special Interest, Special Interest Contract Lobbyist, or Related Party under the proposed measure would not be limited by the measure and would be able to contribute personal funds to their campaign and engage in fundraising on their own behalf.

NOTICE TO PUBLIC: THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR VOLUNTEER. YOU HAVE THE RIGHT TO ASK.

SAN JOSE CITY REGISTERED VOTERS ONLY