

Suggested Revisions to the San José Municipal Code Title 12 and Resolution 78390

#	TOPIC	ISSUE	FROM	POSSIBLE SOLUTION	TYPE	BOARD RECOMMENDATIONS
1	Remove lobbyist exemption for non-profits	Per the action of the Board at its 1/10/18 meeting, strike the non-profit exemption so that the same rules apply whether former designated employees go to work for non-profit or for-profit organizations.	Board	Revise SJMC 12.12 to strike the non-profit exemption so that the same rules apply whether former designated employees go to work for non-profit or for-profit organizations.	ORD	Revise SJMC 12.12 to strike the non-profit exemption so that the same rules apply whether former designated employees go to work for non-profit or for-profit organizations.
2	Lobbyist weekly reporting deadline	Clarify the definition of lobbying activity to ensure all lobbying activity is reported on the weekly reports.	City Attorney	Clarify language of SJMC 12.12.170 and 12.12.430 to ensure all lobbying activity is reported on the weekly reports.	ORD	
3	Late fines for weekly Lobbyist reporting	SJMC 12.12.440 (D) requires the City Clerk to assess a late filing fine to lobbyist who fails to file a weekly report on time. This would require the Clerk's Office to cross-reference dozens of calendars with reports that can be amended at any time through the City's lobbyist portal. This is not feasible without adding another full-time staff person.	City Clerk	Revise the requirement of the late fine in SJMC 12.12.440.	ORD	
4	Rejecting complaints outside of Board jurisdiction or does not specify allegations	The Board receives complaints that does not specifically allege violations within the Boards purview. It is costly to have the independent evaluator review and advise the Board that the complaint is outside their purview.	City Attorney	Revise SJMC 12.04.080 and City Council Resolution 78390 to further clarify the City Clerk's authority to reject complaints, without prejudice, that are outside the jurisdiction of the Board or does not specifically allege a violation.	ORD & RESO	
5	Nepotism Rules & Campaign Mailers	Clarify the BFCPP's jurisdiction regarding Nepotism Rules and Campaign Mailers.	City Attorney	Revise Resolution to clarify that the BFCPP does not have jurisdiction over the Nepotism Rules and Campaign Mailers	RESO	

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6	Deposit of personal funds into campaign bank accounts	Clarify that the Form 502 (Personal Campaign Funds Declaration of Candidate) must also be filed with post-election campaign statements	City Attorney	Amend SJMC section 12.06.295(B) and revise directions on Form 502	ORD & ADMIN	
7	Special Municipal Election Dates	Due to recent amendments to the Elections Code, the Council no longer has the discretion to submit an initiative that qualifies for a Special Municipal Election to a Regular Municipal Election if certain criteria are met	City Attorney	Amend SJMC Chapter 12.05 to authorize the City Council to submit an initiative that qualifies for a Special Municipal Election to a Regular Municipal Election if certain criteria are met	ORD	
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