



City of San José Board of Fair Campaign and Political Practices

Chair—Adrian Gonzales
Vice Chair— Louis Silver
Member— Tom Pavel
Member— Baltazar Lopez
Member— Vacant

Matthew Tolany, Deputy City Attorney—Staff
Toni Taber, City Clerk—Staff
Joy Rodriguez, Assistant City Clerk—Staff
Megan Roche, Deputy City Clerk—Staff

MEETING Minutes February 9, 2023 5:30 p.m.

I. Call to Order & Orders of the Day

Roll Call

PRESENT: Chair Adrian Gonzales, Vice Chair Louis Silver, Board Members Tom Pavel, Baltazar Lopez

ABSENT: None

STAFF: Deputy City Attorney Matthew Tolnay, City Clerk Toni Taber, Assistant City Clerk Joy Rodriguez, Deputy City Clerk Megan Roche

The members of the San José Board of Fair Campaign and Political Practices convened virtually via remote teleconferencing at 5:39 p.m.

Action: Upon motion by Vice Chair Louis Silver, seconded by Board Member Baltazar Lopez, and carried unanimously, the Board approved the Orders of the Day. (4-0-0)

II. Closed Session – None

III. Hearings – None

IV. Public Record – None

V. Consent Calendar

Action: Upon motion by Board Member Tom Pavel, seconded by Board Member Baltazar Lopez, and carried unanimously, the Board approved the Minutes of the January 12, 2023 Regular Meeting. (4-0-0)

VI. Reports

A. Chair – Chair Adrian Gonzales expressed his appreciation for working with the Board members. He stated that it has been a privilege and an honor to serve on the BFCPP and hopes that his fellow Board Members will continue the Board’s good work.

B. City Attorney – No report.

C. City Clerk – City Clerk Toni Taber announced that Domingo Candelas was appointed as Councilmember for District 8 and Arjun Batra was appointed as Councilmember for District 10. City Clerk Taber noted that notices have been distributed for the Form 700 annual filing deadline on April 3, 2023, a new lobbyist registration will be implemented, and the campaign statement filing deadline was on January 31, 2023. City Clerk Taber also described the status of the three BFCPP vacancies; there are currently five applicants whose interviews are scheduled for February 28, 2023.

D. Investigator/Evaluator – No report.

VII. Old Business

A. Discussion and possible action on biennial review of [San Jose Municipal Code Title 12](#), City Council [Resolution 79187](#) and other administrative policies, including Complaint Intake Process. Suggested Revisions to the SJMC Title 12 and Resolution 79187 (Chair Adrian Gonzales/City Attorney)

Discussion: Deputy City Attorney Matthew Tolnay stated that he met with Board Member Tom Pavel to discuss topics researched by the Ad Hoc Subcommittee and has also drafted revisions to Code provisions and Resolution 79187. Deputy City Attorney Tolnay is awaiting internal review from the City Attorney's office and suggested that the Board schedule a Special Board Meeting.

B. Status update on collaboration with [Code for San José: Open Disclosure](#).

Discussion: Chair Adrian Gonzales stated that he will meet with Board Member Tom Pavel and the new Code for San José project manager before his term as Chair ends.

C. Discussion and possible action on report from Ad Hoc Subcommittee for Officeholder Accounts and Officeholder-Controlled Committees. (Board Member Tom Pavel and Board Member Baltazar Lopez)

Discussion: Board Member Tom Pavel inquired about the date of dissolution for the Ad Hoc Subcommittee and if the Board would like the Subcommittee to continue researching the potential requirement of campaign statement disclosures. Board Member Pavel also discussed rules surrounding officeholder-controlled ballot measure committees and additional disclosures for “dark money” and 501(c)(4) sponsored committees.

D. Scheduling of Special Board meeting if needed. (City Clerk)

Action: Upon motion by Chair Adrian Gonzales, seconded by Board Member Tom Pavel, and carried unanimously, the Board scheduled a Special Meeting for February 22, 2023 at 5:30 p.m., to be held via remote teleconferencing. (4-0-0)

VIII. New Business

- A. Discussion and possible action on appointment of a Chair for the Board of Fair Campaign and Political Practices.

Discussion: The Board agreed to defer this item and postpone the election of a Chair to the next regular meeting of the Board of Fair Campaign and Political Practices, which is currently scheduled for March 9, 2023.

IX. Public Comment – None

X. Meeting Schedule and Agenda Items

The next regular meeting is scheduled for March 9, 2023 at 5:30 p.m., to be held in City Hall 14th floor conference room T-1446. *The Board scheduled a Special Meeting for February 22, 2023 at 5:30 p.m., to be held via remote teleconferencing.*

XI. Adjournment

Upon motion by Vice Chair Louis Silver, seconded by Board Member Tom Pavel, and carried unanimously, the Board approved to adjourn at 6:14 p.m. (4-0-0)

Minutes Recorded, Prepared, and Respectfully Submitted by,

Megan Roche

Megan Roche
Deputy City Clerk, City of San José