

FW: [Coalition Letter] 08/29/23 Council Meeting, Item 3.3, Revolving Door Ordinance

City Clerk <city.clerk@sanjoseca.gov>

Tue 8/29/2023 9:41 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

📎 1 attachments (166 KB)

SVCN Sign-On Letter to CSJ re OPPOSE Removal of Revolving Door Nonprofit Exemption 2023.08.25.pdf;

From: Alan Gouig [REDACTED]

Sent: Friday, August 25, 2023 9:31 AM

To: The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>

Cc: Jim.Reed@sanjoseca.gov <IMCEACC-+20Jim+2EReed+40sanjoseca+2Egov [REDACTED]>; Gomez, David <David.Gomez@sanjoseca.gov>; Sandoval, Vanessa <vanessa.sandoval@sanjoseca.gov>; Arreola, Kiara <Kiara.Arreola@sanjoseca.gov>; Nguyen, Lam <Lam.Nguyen@sanjoseca.gov>; Madero, Angel <Angel.Madero@sanjoseca.gov>; Groen, Mary Anne <maryanne.groen@sanjoseca.gov>; Fleming, Jonathan <Jonathan.Fleming@sanjoseca.gov>; Fabro, Alex <Alex.Fabro@sanjoseca.gov>; Hughes, Scott <scott.hughes@sanjoseca.gov>; Dexter, Michele <Michele.Dexter@sanjoseca.gov>; Kyra Kazantzis <Kyrak@svcn.org>; Yvonne Jimenez <Yvonnej@svcn.org>

Subject: [Coalition Letter] 08/29/23 Council Meeting, Item 3.3, Revolving Door Ordinance

[External Email]

Dear Mayor and City Council,

This email is in regards to **City Council's August 29, 2023 agenda item 3.3, Proposed Revisions to the Revolving Door Policy Under Title 12 of the San José Municipal Code, the City's Ethics and Open Government Provisions under Title 12 of the San José Municipal Code, and Resolution 79187 Governing the Board's Regulations and Procedures.**

Please find attached a letter from the **81 undersigned nonprofit organizations** expressing **opposition** to the proposal that eliminates any exemption for nonprofits from the City's Revolving Door Ordinance. Rather than remove the limited exemption of nonprofits from the ordinance, City Council should extend the exemption to all nonprofits rather than only nonprofits with formal relationships with the City.

Thank you for your consideration.

Best,

Alan Gouig | Policy & Advocacy Associate | he/him

Silicon Valley Council of Nonprofits

Web: svcن.org | Twitter: [@SVCN](https://twitter.com/SVCN)

Nominations Open for the Nonprofit Impact Awards!

**NONPROFIT
IMPACT AWARDS
2023
SANTA CLARA COUNTY**

Awardees will be
honored at
SVCN's
Be Our Guest

OCTOBER 26
11:30AM - 1:30PM

*Nominations open
until Friday,
September 1.*

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August 25, 2023

San José City Council
San José City Hall
200 E. Santa Clara St.
San José, CA 95113
Sent via electronic mail

Re: Proposed revisions to remove the nonprofit exemption to the Revolving Door Ordinance -- OPPOSED

Dear Mayor Mahan and Members of the City Council:

I write to you on behalf of the Silicon Valley Council of Nonprofits (SVCN), an alliance of community-based organizations working to support thriving and equitable communities in Santa Clara County.

The below nonprofit signatories write with great concern about the proposal to remove the nonprofit exemption to the Revolving Door Ordinance.

Nonprofits are great and steadfast partners of the City; there are myriad examples of nonprofits being part of the fabric of City programs and services. Nonprofits currently work day-to-day with City staff to conduct outreach to our unhoused neighbors and to support youth in our community who are at risk of gang involvement. Nonprofit and City staff labored shoulder to shoulder to respond to the pandemic—providing food, childcare, testing and vaccines, and protecting our unhoused and other vulnerable community members from COVID. Nonprofit leaders worked for a year (in a volunteer capacity) on the Recovery Task Force, together with City staff and community members with relevant lived experiences, to envision a future where our community experiences an equitable recovery from the consequences of the pandemic.

Most recently the City acknowledged the value of nonprofit partnership through the development of a nonprofit contractor bench, an opportunity that will



leverage the trust communities have in the nonprofits that serve them to bridge the gap between the community and the city to support the City's commitment to deep civic engagement.

Many of the City's key programs, like the Office of Racial Equity, exist in large part because of nonprofit advocacy for their existence.

The purpose behind the Revolving Door Ordinance is to prevent City employees who have separated from the City to use their knowledge from or relationships within the City to profit from or get unfair advantage with the City. This rationale is inapposite when applied to employees who transition to nonprofit employment. By definition, nonprofits are guided by their missions for the public benefit, rather than for a profit. To receive 501(c)(3) designation from the IRS, a nonprofit must serve with the purpose of, "... lessening the burdens of government; lessening neighborhood tensions; eliminating prejudice and discrimination; defending human and civil rights secured by law; and combating community deterioration and juvenile delinquency." ([Exempt Purposes - Internal Revenue Code Section 501\(c\)\(3\)](#)).

Further, nonprofit professionals, acting in the public interest, who have knowledge of City programs, priorities, and needs, are an asset to the City, not a threat. Restricting their ability to work on City-related projects and advocate for the community's interests would impede their nonprofit missions. In many cases, it would also stop them from working in partnership with the City toward City goals (like affordable housing organizations) or even delivering City services (like youth violence intervention and prevention organizations).

Lastly, nonprofits already face significant challenges in hiring and retaining staff. Removing the nonprofit exemption would both make it harder for nonprofits to recruit individuals motivated by service in the public good as well as make it harder for the City to have partners in its goals and objectives.

For all these reasons, rather than remove the limited exemption of nonprofits from the revolving door ordinance, City Council should extend the exemption to all nonprofits rather than only nonprofits with formal relationships with the City.



We support the specific recommendation of the May 19, 2023 memorandum by Councilmembers Jimenez and Cohen which calls for the exemption to be extended to all nonprofits, including those that may not have formal relationships or contracts with the city.

Please contact yvonnej@svcn.org with any questions. We appreciate your consideration of our perspective.

Sincerely,

Vaughn Villaverde
AACI

Milan R. Balinton
African American Community Service Agency

Almaz Negash
African Diaspora Network

Michelle Humke
Almaden Valley Counseling Service

Steve Eckert
Alum Rock Counseling Center

Maritza Maldonado
Amigos de Guadalupe Center for Justice and Empowerment

Richard Konda
Asian Law Alliance

Dr. Anne Ferguson
Bay Area Older Adults

Elisa Koff-Ginsborg
Behavioral Health Contractors' Association

Josh Selo
Bill Wilson Center

Zahra Biloo
CAIR San Francisco Bay Area

Gregory Kepferle
Catholic Charities of Santa Clara County

Alicia Orozco
Chicana Latina Foundation

Trami Cron
Chopsticks Alley Art

Marsha Hovey
Collaborating Agencies' Disaster Relief Effort (CADRE)



Dolores Alvarado
Community Health Partnership

Erin O'Brien
Community Solutions

Chad Johnston
CreaTV San José

Jennifer Loving
Destination: Home

Shawn Gerth
Educare California at Silicon Valley

Beth Leary
Family Supportive Housing, Inc.

Michael Fox
Goodwill of Silicon Valley

Veronica Goei
Grail Family Services

Jason Su
Guadalupe River Park Conservancy

Maria Angelica Nicolacoudis
Hearts & Minds Activity Center

Sonya M. Tetnowski
Indian Health Center of Santa Clara Valley

Quyen Vuong
International Children Assistance Network (ICAN)

Susan Frazer
Jewish Family Services of Silicon Valley

Robert Escobar
Jose Valdes Math Foundation

Rose Mukhar
Justice At Last

James Santucci
Kara

Deb Kramer
Keep Coyote Creek Beautiful

Gabriela Chavez-Lopez
Latina Coalition of Silicon Valley

Darcie Green
Latinas Contra Cancer

Socorro Montaño
Latinos United for a New America (LUNA)

Alison Brunner
Law Foundation of Silicon Valley

Dr. Angelica Cortez
LEAD Filipino



David P. Hott & Gisela Bushey
Loaves & Fishes Family Kitchen

Anjee Helstrup-Alvarez
MACLA/Movimiento de Arte y Cultura Latin

Bill Lee
Martha's Kitchen

Lana Nguyen
Mekong Community Center

Usha Srinivasan
Mosaic America

Phillip Rodriguez
New Hope For Youth

Colsaria Henderson
Next Door Solutions to Domestic Violence

Mary Gloner
Nonprofit Executive

Aisha Benson
Nonprofit Finance Fund

Meredith Curry Nuñez
Northern California College Promise Coalition

Grace Li
On Lok

Eva M. Terrazas
Pacific Clinics

Maria Daane
Parents Helping Parents

Heather Cleary
Peninsula Family Service

Tonya Suker
Playful People Productions

Nathan Svoboda
Project MORE

Carole Conn
Project Sentinel

Kathy Cordova
Recovery Café San Jose

Poncho Guevara
Sacred Heart Community Service

Dorsey Moore
San Jose Conservation Corps

James P. Reber
San Jose Parks Foundation

Wisa Uemura
San Jose Taiko

Belinda Lowe-Schmahl
Schmahl Science Workshops



Jessica Paz-Cedillos
School of Arts and Culture @ MHP

Tracy Weatherby
Second Harvest of Silicon Valley

Leticia Galyean
Seneca Family of Agencies

Huy Tran
**Services, Immigrant Rights, and
Education Network (SIREN)**

Gina Dalma
**Silicon Valley Community
Foundation**

Lisa Andrew
Silicon Valley Education Foundation

Kyra Kazantzis
Silicon Valley Council of Nonprofits

Victor Vasquez
SOMOS Mayfair

Mimi Nguyen
Step Forward Foundation

Regina Celestin Williams
SV@Home

Lucianne F. Latu
Taulama for Tongans

Lisa Pedersen
The Art of Yoga Project

Michele Lew
The Health Trust

Yvonne Maxwell
Ujima Adult and Family Services

Marlo Botello-Aeppli
UnChained

Kelly Batson
United Way Bay Area

Emily Schwing
Veggielution

Philip Nguyen
Vietnamese American Roundtable

Sujatha Venkatraman
West Valley Community Service

Bob Brownstein
Working Partnerships USA

Jennifer Masuda
Yu-Ai Kai Japantown Senior Center

FW: Public Comment Item 3.3 Nonprofit Revolving Door Exemption

City Clerk <city.clerk@sanjoseca.gov>

Tue 8/29/2023 10:31 AM

To:Agendadesk <Agendadesk@sanjoseca.gov>

From: Taylor Adams <[REDACTED]>
Sent: Tuesday, August 29, 2023 10:19 AM
To: City Clerk <city.clerk@sanjoseca.gov>
Subject: Public Comment Item 3.3 Nonprofit Revolving Door Exemption

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[External Email]

Hi, my name is Taylor Adams and I am representing the African American Community Service Agency. Nonprofits bring exceptional service to our community and are for the good of the people. The work of 501 ©(3) is not for profit but for the greater good of our most marginalized groups in San Jose. We are guided by our missions for the public benefit rather than for profit. Public interests lead nonprofits and should not be affected and all nonprofits in the area should be exempt to the Revolving Door Ordinance.

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FW: Item 3.3 - Exemption from the Revolving Door Ordinance

City Clerk <city.clerk@sanjoseca.gov>

Tue 8/29/2023 10:36 AM

To:Agendadesk <Agendadesk@sanjoseca.gov>

From: Cathy Blake [REDACTED]
Sent: Tuesday, August 29, 2023 10:34 AM
To: City Clerk <city.clerk@sanjoseca.gov>
Subject: Item 3.3 - Exemption from the Revolving Door Ordinance

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[External Email]

Hi, my name is Cathy Blake, and I am representing the African American Community Service Agency. Nonprofits bring exceptional service to our community and are for the good of the people. The work of 501 © (3) is not for profit but for the greater good of our most marginalized groups in San Jose. We are guided by our missions for the public benefit rather than for profit. Public interests lead nonprofits and should not be affected, and all nonprofits in the area should be exempt from the Revolving Door Ordinance.

Let's put serving people over profits since people are one of our most valuable resources.

Please allow the exemption for nonprofits to the Revolving Door Ordinance.

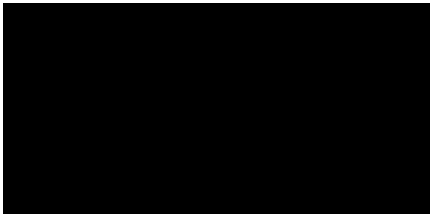
Thank you.

Strength in Unity,



Cathy Blake

FRC Program Specialist & Coordinator, African American Community Service Agency



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