



Memorandum

TO: HONORABLE MAYOR AND
MEMBERS OF THE CITY
COUNCIL

FROM: Councilmember Kamei

SUBJECT: Item 2.16: Amendment to San
José Municipal Code Chapter
12.08 - Gift Limits

DATE: September 8, 2025

Approved:

RECOMMENDATION

1. As recommended by the Rules and Open Government Committee on August 27, 2025 and the August 20, 2025 Memorandum by Vice Mayor Foley and Councilmember Cohen, approve an ordinance amending Section 12.08.110 of Chapter 12.08, Title 12 of the San José Municipal Code increasing the City's annual gift limit amount from \$50 to \$200.
2. Maintain a \$50 limit on gifts from registered lobbyists.

DISCUSSION

I support the recommendation from Vice Mayor Foley and Councilmember Cohen to increase San José's general gift limit to \$200. The \$50 cap, unchanged since 2004, no longer reflects the cost of attending civic and community events. Updating the limit ensures Councilmembers can participate more fully in the community without placing undue reliance on taxpayer funds.

At the same time, we must recognize that gifts from registered lobbyists present different considerations. Public trust in government depends on clear guardrails that minimize the risk of undue influence. While the broader \$200 limit updates an outdated policy for general purposes, maintaining the existing \$50 cap for lobbyist gifts strengthens confidence that policy decisions remain independent and transparent.

This approach strikes an important balance: it modernizes our overall gift policy to reflect current costs, while also reaffirming the City's commitment to accountability, transparency, and the highest ethical standards. Notably, the State of California has established a strict \$10 gift limit for lobbyists to state officials and employees, underscoring the importance of maintaining

heightened safeguards in this area¹. By preserving a lower threshold for lobbyist gifts, San José demonstrates that it prioritizes both community engagement and the public's trust in the integrity of its decision-making.

For questions, please contact Elise Lester, District 1, at elise.lester@sanjoseca.gov.

¹ Under California's Political Reform Act, elected state officials, legislative employees, and state agency officials may not accept gifts totaling more than \$10 in a calendar month from any individual registered as a lobbyist. This restriction is administered and enforced by the Fair Political Practices Commission (FPPC). Neither the Political Reform Act nor the FPPC impose a unique local limit on gifts from registered lobbyists that is different from the \$630 state limit in general. The state law mandating a \$10 limit to state officials reflects the same two-speed approach offered by the undersigned. See <https://www.fppc.ca.gov/learn/public-officials-and-employees-rules-/gifts-and-honoraria.html>.