

FW: Item 3.4 on Today's agenda - deferral request

City Clerk <city.clerk@sanjoseca.gov>

Wed 5/24/2023 11:07 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

📎 2 attachments (212 KB)

Letter to CSJ City Council re Revolving Door 2023.05.19.pdf; Letter to CSJ Rules Committee re Revolving Door Ordinance 2023.05.10.pdf;

From: Kyra Kazantzis [REDACTED]

Sent: Tuesday, May 23, 2023 10:40 AM

To: vicemayoremail@sanjoseca.gov; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; domingo.cardelas@sanjoseca.gov; District9 <district9@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; arjun.batra@sanjoseca.g; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>

Cc: City Clerk <city.clerk@sanjoseca.gov>; Gomez, David <David.Gomez@sanjoseca.gov>; Reed, Jim <Jim.Reed@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>; Frimann, Nora <Nora.Frimann@sanjoseca.gov>; Wilcox, Leland <Leland.Wilcox@sanjoseca.gov>

Subject: Item 3.4 on Today's agenda - deferral request

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Dear Mayor Mahan, Vice Mayor Kamei, and Councilmembers,

Given the expected absence of two councilmember colleagues who have an interest in deliberations and voting on item 3.4, we respectfully request that the item be deferred.

A deferral also has the benefit of allowing the nonprofit community to have time to analyze and respond to the potential effects of the proposed change to the revolving door ordinance. As 20 nonprofit organizations have already expressed (in our joint letters, attached for your convenience), we have grave concerns with the proposed change and were also disappointed in the lack of outreach to our community. During the Rules Committee discussion, staff and a Commission member made clear that the item isn't particularly urgent.

Thank you for your consideration of this request. Please contact me with questions.

Best,

Kyra Kazantzis | CEO

Pronouns: she/her/hers

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May 10, 2023

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

Re: San Jose City Council Rules Committee, Item C.1. (23-190)

Dear Rules Chairperson Cohen and Members of the Committee,

We, the undersigned nonprofit organizations, are writing to express concern with the proposal to eliminate any exemption for nonprofits from the City's Revolving Door Ordinance.

The proposed change in the City's Revolving Door Ordinance to strike the current limited nonprofit exemption from the Revolving Door Ordinance was done without any consultation with the nonprofit community. Many of us have just learned about this proposal in the last several days and have not had a chance to assess how the proposed change will affect nonprofits and the greater community.

It's unusual and surprising for City staff not to reach out to affected groups when policy-making so that Council is fully informed of the potential effects of its decisions. We strongly recommend that the item be deferred while appropriate outreach is conducted.

Thank you for your consideration. Please contact Kyra Kazantzis at kyrak@svcn.org with any questions.

CC: Mayor Mahan, City Council, Chiefs of Staff, Committee Staff

Sincerely,

Sarita Kohli
AACI

Richard Konda
Asian Law Alliance

Milan R. Balinton
**African American Community Service
Agency**

Elisa Koff-Ginsborg
**Behavioral Health Contractors'
Association**

Gregory Kepferle
Catholic Charities of Santa Clara County

Cathryn Hyde
Community Health Partnership

David Low
Destination: Home

Darcie Green
Latinas Contra Cancer

Alison Brunner
Law Foundation of Silicon Valley

Eva Terrazas
Pacific Clinics

Poncho Guevara
Sacred Heart Community Service

Tracy Weatherby
Second Harvest of Silicon Valley

Regina Celestin Williams
Silicon Valley at Home

Gina Dalma
Silicon Valley Community Foundation

Kyra Kazantzis
Silicon Valley Council of Nonprofits

Victor Vasquez
SOMOS Mayfair

Yvonne Maxwell
Ujima Adult and Family Services

Jeffrey Buchanan
Working Partnerships USA

May 19, 2023

San José City Council
San José City Hall
200 East Santa Clara Street
San José, CA 95113
Sent via electronic mail

Re: Item 3.4, Proposed revisions to remove the non-profit exemption to the Revolving Door Ordinance -- OPPOSED

Dear Mayor Mahan and Councilmembers:

I write on behalf of Silicon Valley Council of Nonprofits (SVCN), an alliance of over 170 nonprofit organizations working to support the creation of equitable, vibrant, and thriving communities in Santa Clara County. I am writing 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. Only several weeks ago, the City announced the results of an RFQ process that will allow the City to partner with nonprofits to support the City's commitment to deep civic engagement with its neighborhoods and particular communities. Many of the City's key programs, like the Office of Racial Equity, exist in large part because of nonprofit advocacy for their existence.

Rather than remove the limited exemption of nonprofits from the revolving door ordinance, City Council should be extending the exemption to all nonprofits.

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 non-profit employment. By definition, nonprofits are guided by their missions for the public benefit, rather than for a profit. Nonprofit professionals who have knowledge of City programs, priorities, and needs—who are acting in the public interest—would be an asset to the City, not a detriment.

Further, removing the exemption would create a deterrent for individuals seeking nonprofit employment after leaving City service and would worsen nonprofits' already-difficult hiring challenges.

Please consider adding an exemption for all non-profits. It is unclear why the Board of Fair Campaign and Political Practices is making the recommendation it did; we are unaware of any outreach by the Board to the nonprofit community for feedback. Likewise, we're unaware of whether the Board conducted any research to determine how common nonprofit exemptions are in other governments' revolving door laws.

Please contact Yvonne Jimenez at Silicon Valley Council of Nonprofits (yvonnej@svcn.org) with any questions. We appreciate your consideration of our perspective.

Sincerely,

Milan Balinton
African American Community Service Agency

Sarita Kohli
Asian Americans for Community Involvement

Richard Konda
Asian Law Alliance

Elisa Koff-Ginsborg
Behavioral Health Contractors' Association

Greg Kepferle
Catholic Charities

Dolores Alvarado
Community Health Partnership

Erin O'Brien
Community Solutions

Jen Loving
Destination: Home

Alison Brunner
Law Foundation of Silicon Valley

Colsaria Henderson
Next Door Solutions to Domestic Violence

Eva Terrazas
Pacific Clinics

Kathy Córdova
Recovery Cafe

Poncho Guevara
Sacred Heart Community Service

Gina Dalma
Silicon Valley Community Foundation

Kyra Kazantzis
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Victor Vasquez
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Regina Celestin Williams
SV@Home

Yvonne Maxwell
Ujima Adult and Family Services

Kevin Zwick
United Way Bay Area

Maria Noel Fernandez
Working Partnerships USA