



City of San José Board of Fair Campaign and Political Practices

Chair – Louis Silver
Vice Chair – Tom Pavel
Member – Baltazar Lopez
Member – Gregory Ebert
Member – Vasundhara Tadimeti

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

DRAFT MEETING Minutes
June 8, 2023
5:30 p.m.

I. Call to Order & Orders of the Day

Roll Call

PRESENT: Vice Chair Louis Silver, Board Members Tom Pavel, Baltazar Lopez, Gregory Ebert, and Vasundhara Tadimeti (6:05 p.m.)

ABSENT: None

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

Pursuant to AB2449, Vice Chair Tom Pavel provided notice to the Board of Fair Campaign and Political Practices that he would be participating in the meeting using videoteleconference under the just cause exemption of caregiving. This is his first of two allowed just cause exemptions.

Pursuant to AB2449, Board Member Gregory Ebert provided notice to the Board of Fair Campaign and Political Practices that he would be participating in the meeting using videoteleconference under the just cause exemption of illness. This is his first of two allowed just cause exemptions.

The members of the San José Board of Fair Campaign and Political Practices convened in person and virtually via remote teleconferencing at 6:06 p.m.

Action: Upon motion by Board Member Baltazar Lopez, seconded by Board Member Vasundhara Tadimeti, and carried unanimously, the Board approved the Orders of the Day. (5-0-0)

II. Closed Session – None

III. Hearings – None

IV. Public Record – None

V. Consent Calendar

Action: Upon motion by Board Member Baltazar Lopez, seconded by Board Member Gregory Ebert, and carried unanimously, the Board approved the Minutes of the April 13, 2023 Regular Meeting. (5-0-0)

VI. Reports

A. Chair – No report.

B. City Attorney – Deputy City Attorney Matthew Tolnay reported that the Board of Fair Campaign and Political Practices' Biennial Review recommendations were discussed by the City Council, and direction was given for the item to be brought back to City Council in August 2023 with additions from the City Attorney's Office. An ordinance with recommended changes to Title 12, discussed by former Councilmember Maya Esparza and the BFCPP, is scheduled to be placed on City Council agendas on June 13, 2023 and June 20, 2023 for approval. Deputy City Attorney Tolnay also noted that he will be tracking AB 83 from Assemblymember Lee, regarding foreign influence in elections. Deputy City Attorney Tolnay answered questions on the status of BFCPP recommendations from Board Members Vasundhara Tadimeti and Tom Pavel.

C. City Clerk – No report.

D. Investigator/Evaluator – No report.

VII. Old Business

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

Discussion: Assistant City Clerk Joy Rodriguez confirmed that no scheduling of a special meeting is necessary.

VIII. New Business

A. Discussion and possible action on RFP for Investigator/Evaluator. (City Clerk)

Discussion: Assistant City Clerk Joy Rodriguez reported that the City has pre-awarded the Investigator/Evaluator contract to Hanson Bridgett LLP. Two applicants responded to the RFP, Hanson Bridgett LLP and JL Group. Hanson Bridgett LLP received a rating of 86.2/100 and JL Group received a rating of 60.8/100. JL Group did not respond to the supplemental request from the City for a best and final offer, and was eliminated from consideration by default. The awarding of the contract is subject to City Council approval and will be placed on the City Council agenda for June 20, 2023. Board Member Baltazar Lopez inquired about the outreach process and Assistant City Clerk Joy Rodriguez responded. Investigator/Evaluator Steven Miller, on behalf of Hanson Bridgett LLP, thanked the Board for their recommendation and clarified the scoring process for the applicants.

Action: Upon motion by Board Member Baltazar Lopez, seconded by Board Member Gregory Ebert, and carried unanimously, the Board recommended to the City Council that Hanson Bridgett LLP be awarded of the Investigator/Evaluator contract for the Board of Fair Campaign and Political Practices. (5-0-0)

- B. Discussion on Open Issues Regarding San Jose Municipal Code Title 12, City Council Resolution 79187 and Other Administrative Policies, Including the Complaint Intake Process. (Board)

Discussion: Vice Chair Tom Pavel discussed his memo which outlined the three open issues that the sunsetted Ad Hoc Subcommittee for Officeholder Accounts and Officeholder-Controlled Committees explored. Chair Louis Silver directed that the item return on subsequent BFCPP agendas as an action item. Discussion amongst commissioners and Deputy City Attorney Matthew Tolnay ensued.

IX. Public Comment – None

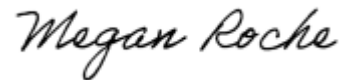
X. Meeting Schedule and Agenda Items

The next regular meeting is scheduled for August 10, 2023 at 5:30 p.m., to be held in City Hall 14th floor conference room T-1446.

XI. Adjournment

Upon motion by Chair Louis Silver, the Board adjourned at 6:48 p.m.

Minutes Recorded, Prepared, and Respectfully Submitted by,



Megan Roche
Deputy City Clerk, City of San José