

Fw: Re. Agenda Item 3.6 on 4/20 City Council Meeting

City Clerk <city.clerk@sanjoseca.gov>

Mon 4/19/2021 9:47 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

 1 attachments (344 KB)

Code for San Jose Letter - Agenda Item 3.6 on Campaign Finance.pdf;

Good morning,

I believe this email is regarding item 3.6 on the Council agenda for tomorrow.

Thank you!

Megan

Office of the City Clerk | City of San José200 E. Santa Clara St., Tower 14th Floor

San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

How is our service? [Please take our short survey.](#)

From: Ryan Walek [REDACTED]**Sent:** Monday, April 19, 2021 9:18 AM**To:** City Clerk <city.clerk@sanjoseca.gov>; The Office of Mayor Sam Liccardo

<TheOfficeofMayorSamLiccardo@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>

Cc: Annie Steenson [REDACTED]; phamdarren1 [REDACTED] <[REDACTED]>**Subject:** Re. Agenda Item 3.6 on 4/20 City Council Meeting

[External Email]

Dear Mayor Liccardo and Members of the City Council,

I am reaching out to you on behalf of the [Open Disclosure](#) project with [Code for San Jose](#).

Code for San Jose is a Code for America Brigade, a diverse nonprofit volunteer group. Our mission is to make community services more [REDACTED] accessible, and equitable by collaborating with local government and community-based organizations on civic projects to improve San Jose and the wider South Bay for everyone.

Open Disclosure is a volunteer-developed project of Code for San Jose aimed at making it easier for the average voter to see where campaign contributions are coming from and going to in local municipal elections. We believe that it is impractical to expect interested voters to sift through hundreds of complex PDF and spreadsheet files in order to get an understanding of a campaign's finances, and that voters should have this information in order to make informed decisions when they submit their ballots. Therefore, our goal is to aggregate and process the information contained in those documents in one place in a user-friendly format.

When looking at the Memorandum from Councilmember Jimenez, we believe that our website directly works to address some of the asks including:

- “Create a central online location for campaign finance disclosure information.”
- “Disclosure of top donors contributing to campaign committees making independent expenditures in municipal elections...” (this is a planned feature that is not currently available)

Based on the study session and memorandum objectives, we believe that we share a common interest with the city and would be interested in forming a partnership. Our main ask today is to partner with one (or multiple) city council members, ethics committee members and/or city staff to provide us recurring input on how our website can best serve the needs of the city to enforce equitable fundraising practices, and the needs of the community to actively monitor political contributions. This could come in the form of a bi-weekly or monthly meeting with associated project demos, or whatever form the city sees fit.

Best Regards,
Ryan Walek



Code for San Jose

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Best Regards,
Ryan Walek

[Redacted signature]

Code for San Jose

Fw: Re Agenda item 3.6

City Clerk <city.clerk@sanjoseca.gov>

Tue 4/20/2021 8:08 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

Office of the City Clerk | City of San José200 E. Santa Clara St., Tower 14th Floor

San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

How is our service? [Please take our short survey.](#)

From: Ann Ravel [REDACTED]
Sent: Monday, April 19, 2021 7:53 PM
To: City Clerk <city.clerk@sanjoseca.gov>
Subject: Fwd: Re Agenda item 3.6

[External Email]

>
> To Honorable Mayor Liccardo and City Council of the City of San Jose,
>
> This letter is in response to the Agenda item regarding: Discussion and Possible Campaign Finance Regulation Proposals, from the Board of Fair Campaign and Political Practices, as well as the Replacement Campaign Finance Regulations from Councilmember Jimenez.
>
> As a former Chair of the California Fair Political Practices Commission, appointed by Governor Brown, and the Chair, Vice Chair and Commissioner of the Federal Election Commission, appointed by President Obama, as well as an Adjunct Professor of Campaign Finance at University of California, Berkeley, Law School, I am addressing the Agenda item because of my expertise and support for campaign finance regulation which will encourage policies so all members of the community have an equal voice in government.
>
> The proposals put forth by the Board of Fair Campaign and Political Practices are thoughtful and will be consistent with the law and equally applied to all sectors of campaign contributors. I agree with the recommendations provided in the Board's April 19, 2021 Memorandum. Disclosure requirements for the top donors provide the information that the public needs to make decisions about voting. It is also important to enhance the City's website for Campaign Finance Information so that it is usable to the public. Unless campaign finance information is easily accessible to the public it does not serve the

purpose of disclosure. I also strongly agree that the Board should have status, title, authority and resources to accomplish its obligations. Without such authority, violators will be more likely to act with impunity and ignore the Board's oversight.

>

> Regarding the other issues referred to in the Board's Memorandum, and which are also referred to in the Memorandum by Councilmember Jimenez, further study of the issues in San Jose elections and potential remedies would be the best way to address such concerns.

>

> I take issue with recommendation 2c. in Councilmember Jimenez's memo, to "limit corporations with conflicts of interest from donating to candidates". Any such limitation should be equally applicable to interest groups, unions, and others. Conflicts of interest arise when a candidate (and potential public official) can be influenced by a large donor. This can arise in a myriad of decisions by a public official, and are not solely involved in decisions relating to corporations. A conflict of interest standard needs to be fairly and equally applied in order to achieve its purpose.

>

> Thank you very much for the opportunity to address some of the issues contained in Agenda item 3.6.

>

> Ann Ravel

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Fw: Support for Jimenez Supplemental Memo Item 3.6 Discussion and Possible Actions Regarding Campaign Finance Regulations

City Clerk <city.clerk@sanjoseca.gov>

Tue 4/20/2021 12:40 PM

To: Agendadesk <Agendadesk@sanjoseca.gov>

Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14th Floor

San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

How is our service? [Please take our short survey.](#)

From: Jake Tonkel [REDACTED]

Sent: Tuesday, April 20, 2021 9:56 AM

To: 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>; The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>

Subject: Support for Jimenez Supplemental Memo Item 3.6 Discussion and Possible Actions Regarding Campaign Finance Regulations

[External Email]

Hello honorable Councilmembers & Mayor,

I am positive I don't need to explain how influential money was in the 2020 elections. With roughly \$2 million spent on 2 city council seats, we are reaching a point of no return in our election process and quickly losing trust from the community. I want to urge you to support Councilmember Jimenez's Supplemental Memo to 3.6 Discussion and Possible Actions Regarding Campaign Finance Regulations.

I want to speak from personal experience as to how detrimental weak campaign finance, disclosure and reporting regulations were not just to my campaign but to council member Davis' as well and the brutal impact to our residents. Many of the solutions are clearly laid out in the Jimenez memo so I will simply speak to the current issues we need to address.

The fact that only a small group of voters understand the difference between a candidate controlled committee and a PAC is our responsibility. On too many occasions, residents would tell me how terrible Councilmember Davis was for her attacks on me. I say this in that way because I had to correct people

time and time again. Councilmember Davis did not send, approve or assist in that ugly messaging. While I did not win, I do not wish destruction of our local trust in the ability of elected officials and these negative perceptions of my opponent are unfair and only hurt our community as a whole. Even more politically engaged residents did not understand how to navigate the fine print of PAC ads, we need mechanisms that make it very clear if we want to build trust in local government.

Secondly, as we all were once candidates, we understand the nature of fundraising. It is not secret to you that in each race, there are roughly the same donors to every campaign. This small group of political players needs to be expanded if residents are to feel empowered to get involved in local elections. A donation limit was a good first step at limiting the outsized influence of the wealthy but it does not empower all residents equally. Candidates with less wealthy networks are considered less viable, regardless of their qualifications and this often discourages people from running in the first place. I feel extremely privileged to have had the support I did in my race but even with the focus on small dollar donations that my campaign had, there is no question that larger donations still played a significant role in reaching the level of success we did have.

Thirdly, regardless of what is true about the influence of donations on the actual votes of elected officials, the perception of residents of local corruption is extremely widespread and on all sides of the political spectrum. Again, I stress the importance of building trust in our election process. Residents are not blind to the influence of developers, real estate, google, and yes even unions in city council elections and the subsequent decisions made. While we should be very clear that the influence of these entities are not equal with pro business outspending unions 3 to 1, the fact is residents are distrusting of the entire process and we need solutions that reward community engagement, resident communication, education and transparency over monied interests. On many occasions voters were more concerned about trust in their elected official than with which political leaning the elected official had. That is the canary in the coal mine for a deteriorating democracy.

Lastly, the Board of Fair Political Practices needs to be a strong entity within San Jose. A commission with all volunteer resources that should be the driving force behind election integrity has been mostly ignored over the years. Providing the commission with more authority and resources is a great first step in putting a fair election process before political ties.

If you have any questions or concerns please reach out to me for a conversation.

Best,

Jake Tonkel

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Fw: Support for Jimenez Supplemental Memo Item 3.6 Discussion and Possible Actions Regarding Campaign Finance Regulations

City Clerk <city.clerk@sanjoseca.gov>

Wed 4/21/2021 8:40 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14th Floor

San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

How is our service? [Please take our short survey.](#)

From: Bre P [REDACTED]

Sent: Tuesday, April 20, 2021 4:15 PM

To: 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>; The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>

Subject: Support for Jimenez Supplemental Memo Item 3.6 Discussion and Possible Actions Regarding Campaign Finance Regulations

[External Email]

Hello Honorable Councilmembers & Mayor,

I am an ardent supporter of fair elections and want to encourage you to support Councilmember Jimenez's Supplemental Memo to 3.6 Discussion and Possible Actions Regarding Campaign Finance Regulations.

Local government cannot be an effective representation of our community without fairness and trust in the election process. The 2020 election cycle was the worst yet for Independent expenditures and it has had an incredibly damaging impact on the trust our community has in elections and their elected representatives. I can only hope that the areas covered in this memo will add confidence and fairness to our upcoming 2022 elections.

The Jimenez memo covers four very important areas that need attention if we are to begin to build back trust with the community.

1) Transparency of political propaganda. Too often the small print on election mailers and advertisements go unnoticed leading to confusion among voters. And even when people read the disclosure statements, generic names like "innovation for everyone" mask the financial backings of the Political Action Committees. It is important that voters can see who is paying for these political ads in order to more accurately inform their voting decisions. Additionally, individual ads do not paint the whole picture. Having a reliable place to see aggregated data on PAC spending and political donors is a tool every voter needs access to. It should not be up to individuals to research themselves.

2) Campaign finance reform. With data from OpenSecrets.org, on a federal level the candidate with the most money won their election 86% of the time since 2000. This has created a congress where over 50% of elected members are millionaires, essentially leading to plutocracy, not a democracy. If we are to create a level playing field for candidates of all income level backgrounds, we need a public financing system in place.

3) Eliminate the pay to play corruption. Public funding, resources and subsidies can mean big money for certain players, particularly in land use issues that often come up to city council. The public deserves strong limitations on donations from entities that do business with the city like lobbyists, developers and landlords as well as from foreign interests. It's bad enough we have companies headquartered out of CA that donate to local candidates that fit their best interest. These entities have strong institutional power that dwarfs the general public and they should not also have such outside influence in our elections. We have seen direct donations to elected officials who have the power to decide million dollar decisions for these businesses. Despite what is commonly said, "that donations don't influence my decisions" this is not an individual by individual decision. It is visible corruption that true or false, erodes public trust in local government.

4) The Board of Fair Campaigns and Political Practices needs to be a strong institution in our governance structure. That's why I support moving the board permanently into our city charter and additionally, ensuring that it is given the proper resources to investigate and educate. Trust must come above all else in our elections process.

Sincerely,

Supporter of Fair Elections for San Jose

Sent from my iPhone

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

From: Lih Chiang

Sent: Monday, April 19, 2021 11:19 PM

To: 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>; The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>; CouncilMeeting <CouncilMeeting@sanjoseca.gov>
Subject: Please Study: Political Ads, Council Districts, Multi-Choice Voting

[External Email]

Honorable City Council Members and Mayor,

As a resident of San Jose, I have been disappointed in the crazy nature of our local politics. Our elections are the foundation of our democracy and should be focused on building trust, integrity and civic responsibility. The 2020 election season was the worst yet. There are three important improvements that would build trust among voters.

First, the amount of political propaganda is overwhelming. Approximately, \$2 Million was spent in 2020 to confuse, deceive and manipulate voters and it hurts both sides. Too many of my friends, family and neighbors are unaware of the nuances of political advertising. I heard blame for PAC advertisements placed on the candidates themselves and far too often the messaging was outright false. I strongly support investigating the ways the City can improve the disclosure requirements on political advertising. The top 25% of the mail or digital advertisement needs something similar to "Political Propaganda - Contents are meant to persuade voters and may or may not be factual" in white letters over a red background. We need to very clearly draw a line from the content candidates themselves are allowed to send out and the influence of special interests.

Second, San Jose continues to grow, yet we have had the same 10 city council seats since 1978 when our population was roughly 500,000. We are now a city of over 1 Million and despite the advances in communication, representing 100,000 people is a major equity issue. Too often residents meet unresponsive council offices and do not have the ability to interact with their representative. Building back trust in local government must come from relationship building and proper outreach to communities that have been historically marginalized. Just as we did away with at-large elections to more fairly build representation of our diversity, so too must we look at the correct representative to constituent ratio. Cities like Boston, Chicago, SF, Seattle, DC and others all have significantly less residents to councilmember ratios, roughly 50,000 to 1.

Lastly, I would like San Jose to study the benefits of moving to a multichoice voting system, like ranked-choice voting, approval voting or star voting. This removes the need for lengthy election cycles, where community members are burnt out, where candidates sacrifice years of their lives and the city spends significant taxpayer dollars to support. Having a single election by ranked choice voting would remove the need for primaries. Not every candidate can take off months of work, work a second job as a candidate for two years, or raise money twice in one election. RCV

brings us more equity in our candidate choices by removing major barriers to candidacy. It's also no secret that primary elections have lower voter turnout and as such, the greater voting population in the general election already has choices eliminated. If we truly value every voice and every vote, we need to be looking at systems that fit with our voter turnout models.

In summary, please support having city staff study the extent to which we can make PAC political advertising very clear to voters and the charter review commission study increasing the number of districts in San Jose, as well as switching to a multi-choice voting system.

I live in district 5 and I hope this email reaches someone who cares about fair elections.

Regards,
Li Chiang

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