



City of San José Board of Fair Campaign and Political Practices

Chair—Adrian Gonzales
Vice Chair— Louis Silver
Member— Tom Pavel
Member— Baltazar Lopez
Member— Vacant

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
January 12, 2023
5:30 p.m.

I. Call to Order & Orders of the Day

Roll Call

PRESENT: Chair Adrian Gonzales, Vice Chair Louis Silver, Board Members Tom Pavel, Baltazar Lopez

ABSENT: None

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

The members of the San José Board of Fair Campaign and Political Practices convened virtually via remote teleconferencing at 5:35 p.m.

Action: Upon motion by Vice Chair Louis Silver, seconded by Board Member Tom Pavel, and carried unanimously, the Board approved the Orders of the Day. (4-0-0)

II. Closed Session – None

III. Hearings – None

IV. Public Record – None

V. Consent Calendar

Action: Upon motion by Vice Chair Louis Silver, seconded by Board Member Pavel, and carried unanimously, the Board approved the Minutes of the December 8, 2022 Regular Meeting. (3-0-1; Abstention: Lopez.)

VI. Reports

A. Chair – Chair Adrian Gonzales noted that his term as Chair will end on March 2, 2023. Vice Chair Louis Silver inquired if there has been any progress on appointment of an additional board member. City Clerk Toni Taber stated that recruitment is ongoing, there are five applicants for the BFCPP, and that Chair Adrian Gonzales may be eligible for a third term if he chooses to apply.

- B. City Attorney – Deputy City Attorney Matthew Tolnay noted three emails received from December 2022 to January 2023 regarding campaign guidance.
- C. City Clerk – City Clerk Toni Taber described the process the City Council will follow to fill the unanticipated vacancies for City Council Districts 8 and 10.

Discussion: Chair Adrian Gonzales asked for clarification of the budget for the Board’s Investigator/Evaluator. Assistant City Clerk Joy Rodriguez stated that the budget is \$40,000 annually, with possibility of the rollover of encumbrances from previous years.

Public Comment: Paul Soto clarified that his hand was raised for the Consent Calendar item and asked what the position of the Board Members is regarding South Bay Labor Council and revenue from construction.

- D. Investigator/Evaluator – No report.

VII. Old Business

- A. Discussion and possible action on biennial review of [San Jose Municipal Code Title 12](#), City Council [Resolution 79187](#) and other administrative policies, including Complaint Intake Process. Suggested Revisions to the SJMC Title 12 and Resolution 79187 (Chair Adrian Gonzales/City Attorney)

Discussion: Deputy City Attorney Matthew Tolnay stated that edits to the Municipal Code and Resolution 79187 are in progress and that he aims to provide them by the February 9, 2023 BFCPP meeting. Deputy City Attorney Tolnay also noted that he would like to meet with the Ad Hoc Subcommittee for discussion. Board Member Pavel inquired about the target completion date for the Biennial Review. City Clerk Toni Taber responded that quorum for the Board will likely be met if the application and appointment process for board members is completed on schedule, before the March BFCPP meeting. City Clerk Toni Taber introduced Councilmember Rosemary Kamei as the Board’s new City Council liaison. Councilmember Rosemary Kamei introduced herself to the Board and thanked the Board Members for their service.

- B. Status update on collaboration with [Code for San José: Open Disclosure](#).

Discussion: Chair Adrian Gonzales stated that he contacted Joey Richardson regarding the staffing change in Code for San José collaboration. Board Member Tom Pavel volunteered to be the Board’s liaison for Code for San José.

- C. Scheduling of Special Board meeting if needed.

Discussion: City Clerk Toni Taber stated that there is no need for a special meeting at present, but that a second Board meeting could be scheduled for February to accommodate the completion of outstanding work before the expiration of Board Members’ terms.

- D. Discussion and possible action on report from Ad Hoc Subcommittee for Officeholder Accounts and Officeholder-Controlled Committees. (Board Member Tom Pavel and Board Member Baltazar Lopez)

Discussion: Deputy City Attorney Matthew Tolnay stated that implementation language regarding the Ad Hoc Subcommittee's work will be ready to present and discuss during the February 9, 2023 BFCPP meeting. Board Member Tom Pavel stated that the items regarding op-eds and 501(c)(4) reporting are currently under discussion.

VIII. New Business – None

IX. Public Comment – None

X. Meeting Schedule and Agenda Items

The next regular meeting is scheduled for February 9, 2023 at 5:30 p.m. via remote teleconferencing.

XI. Adjournment

Upon motion by Board Member Baltazar Lopez, seconded by Vice Chair Louis Silver, and carried unanimously, the Board approved to adjourn at 6:01 p.m. (4-0-0)

ADRIAN GONZALES, CHAIR

ATTEST:
BOARD OF FAIR CAMPAIGN POLITICAL PRACTICES SECRETARY

TONI J. TABER, CMC
CITY CLERK