

City of San José
Board of Fair Campaign and Political Practices

DRAFT MEETING MINUTES

October 9, 2019

I. Call to Order & Orders of the Day

Roll Call

PRESENT: Chair Adrian Gonzales, Vice Chair Chris Peacock, and Board Members, Joe Lopez and Louis Silver.

ABSENT: None

VACANT: One vacant seat on Board (due to resignation of Board Member Kerstyn Olson)

STAFF: Deputy City Attorney Mark Vanni, City Clerk Toni J. Taber, and Deputy City Clerk Ruth Krantz.

OTHER: None

I. Call to Order & Orders of the Day

The members of the San José Board of Fair Campaign and Political Practices convened at 5:35 p.m. in Room T-1446 of City Hall, 200 E. Santa Clara Street, CA 95113.

Action: Upon motion by Board Member Louis Silver, seconded by Board Member Joe Lopez, and carried unanimously, the Board approved the adoption of the October 9, 2019 agenda. (4-0.)

II. Hearings – None.

III. Public Record – None.

IV. Consent Calendar – None.

V. Reports

A. Chair – None.

B. City Attorney – Deputy City Attorney Mark Vanni referenced the number of campaign and election-related bills signed by the Governor. Additionally, he referenced the email sent to Deane & Company from the City Attorney's Office regarding a candidate spending personal funds from a joint account.

Documents Filed: Email from Rebecca Deane-Alviso (September 12, 2019) and response from the Office of the City Attorney, Campaign Guidance (September 24, 2019).

C. City Clerk

1. Legislative update – None.
2. Status report on filings and Elections Update – City Clerk Toni J. Taber noted no campaign statements being reported until January. Income and Time Disclosures (ITD's) and Disclosure of Fundraising Reports (DFR's) are not due until October 15, 2020. Resolution to call for the election is on the October 22, 2020 Council agenda. Elections are on March 3 and November 3, 2020.
3. Update on Board Expenditures – None.

D. Investigator/Evaluator – None.

VI. Old Business

- A. Discussion and possible action on report from Ad Hoc Committee for Public Education Campaign. (Chair Gonzales and Vice Chair Peacock)

Action: City Clerk Toni J. Taber to provide edits to pamphlet for Public Education Campaign.

- B. Discussion and possible action on report from Ad Hoc Committee for Complaint Intake Process (Adrian Gonzales and Joe Lopez)

Documents Filed: “Draft Report on Alternative Complaint Intake and Resolution Processes” provided by Chair Adrian Gonzales.

Discussion: Upon recommendations by City Clerk Toni J. Taber and Deputy City Attorney, Mark Vanni discussed maintaining a level of public disclosure when handling preliminary evaluations. The Board discussed what proposed amendments may be required to (1) summarily confirm the Evaluator's Preliminary Evaluations that do not require an investigation and (2) how to create a process for the Independent Evaluator to negotiate and propose a stipulated resolution for Board Approval.

Action: Upon motion by Board Member Silver, seconded by Board Member Lopez and carried unanimously, it was determined that Deputy City Attorney, Mark Vanni and Chair Gonzales would collaborate on a memorandum to present to Rules and Open Government Committee, with a preliminary memo to be provided at the next meeting of the Board. (4-0.)

- C. Scheduling of Special Ethics Commission meeting if needed. (City Clerk)

Action: No action needed.

VII. New Business

- A. Annual Report – Chair Gonzales reviewed the report, and no changes were suggested by members of the Board.
- B. Work Plan: No changes required.

Action: Upon motion by Board Member Lopez, seconded by Board Member Silver, the Annual Report and Work Plan were accepted as presented. (4-0.)

VIII. Adjournment

The next meeting is scheduled for November 13, 2019 at 5:30 p.m. in Room T-1446.

Action: Upon motion by Board Member Joe Lopez, seconded by Board Member Louis Silver and carried unanimously, the Board approved to adjourn the meeting at 6:37 p.m. (4-0.)

ADRIAN GONZALES, CHAIR

ATTEST:
BOARD OF FAIR CAMPAIGN AND POLITICAL PRACTICES SECRETARY

TONI J. TABER, CMC
CITY CLERK