

DRAFT MEETING MINUTES

November 13, 2019

I. Call to Order & Orders of the Day

Roll Call

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

ABSENT: Vice Chair Peacock (Excused)

VACANT: One vacant seat on Board.

STAFF: Deputy City Attorney Mark Vanni, 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 5:30 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 November 13, 2019 agenda. (3-0-1. Absent: Peacock.)

II. Hearings – None.

III. Public Record – None.

IV. Consent Calendar – None.

V. Reports

A. Chair – None.

B. City Attorney – Deputy City Attorney Mark Vanni outlined bills signed by the Governor and provided the Elections Update. He provided a handout of Campaign Guidance, noting aggregate campaign contributions with business entities was an area not previously captured and is working on FAQ for this section. Also, annotations in the FPPC campaign guidance manual now highlight where City laws may differ. This will be brought before the Board for future consideration.

Documents Filed: Email and responses from Councilmember Lan Diep to Deputy City Attorney Mark Vanni, dated October/November 2019, regarding questions related to Title 12.

C. City Clerk

1. Legislative update – None.
2. Status report on filings and Elections Update – Deputy City Clerk Ruth Krantz indicated that all candidates thus far have been posted online.
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. No action taken.

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

Discussion: Deputy City Attorney, Mark Vanni submitted a report for reviewing and investigating complaints and noted the proposed changes. The Board discussed possible changes to a portion of Title 12 of the San José Municipal Code to regain an investigator with enforcement abilities. With the Title 12 recommendations already going forward before Council and elections underway, the Deputy City Attorney advised this as a separate issue.

Action: Upon motion by Board Member Lopez, seconded by Board Member Silver and carried unanimously, it was agreed to forward all research from the Board and City Attorney's Office regarding opportunities for advising the complaint/intake process to the City Council to receive direction on whether or not to move forward in researching possible implementation for these proposals. (3-0-1. Absent: Peacock.)

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

Action: No action needed.

VII. New Business – None.

VIII. Adjournment

The next meeting is scheduled for December 11, 2019 at 5:30 p.m. in Room W-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 6:13 p.m. (3-0-1. Absent: Peacock.)

ADRIAN GONZALES, CHAIR

ATTEST:
BOARD OF FAIR CAMPAIGN AND POLITICAL PRACTICES SECRETARY

TONI J. TABER, CMC
CITY CLERK

AG/rmk 20191113 BFCPP MIN