

## City of San José Board of Fair Campaign and Political Practices

Chair—Adrian Gonzales  
Vice Chair - Vacant  
Member—Joe Lopez  
Member—Louis Silver  
Member—Vacant

Mark Vanni, Deputy City Attorney—Staff  
Toni Taber, City Clerk—Staff  
Joy Rodriguez, Assistant City Clerk—Staff

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### **DRAFT MEETING MINUTES**

**December 9, 2020**

**5:30 p.m.**

#### **\* COVID-19 NOTICE \***

*Consistent with the California Governor's Executive Order No. N-29-20, City of San Jose's Resolution No. 79485, and the Santa Clara County Health Officer's March 16, 2020 Shelter in Place Order, the Civil Service Commission meeting will not be physically open to the public and the Commissioners will be teleconferencing from remote locations.*

#### **I. Call to Order & Orders of the Day**

Roll Call

PRESENT: Chair Adrian Gonazales, Board Members Joe Lopez and Louis Silver  
ABSENT: None

VACANT: Two seats vacant on Board

STAFF: Deputy City Attorney Mark Vanni, Deputy City Clerk Ruth Krantz, Assistant City Clerk Joy Rodriguez, City Clerk Toni Taber

OTHER: Member of the Public Jeff Buchanan

The members of the San José Board of Fair Campaign and Political Practices convened virtually via remote teleconferencing at 5:34 p.m.

Action: Upon motion by Board Member Joe Lopez, seconded by Board Member Louis Silver, and carried unanimously, the Board approved the adoption of the December 9, 2020 agend. (3-0).

#### **II. Closed Session – None**

#### **III. Hearings – None**

#### **IV. Public Record – None**

#### **V. Consent Calendar**

Action: Upon motion by Board Member Louis Silver, seconded by Board Member Joe Lopez, and carried unanimously, the Board approved the Minutes of the October 14, 2020 – Regular Meeting.

## **VI. Reports**

A. Chair - None

B. City Attorney – Deputy City Attorney Mark Vanni stated that San José City Council certified election results at the December 8, 2020 City Council Meeting. He stated that this triggers timelines for surplus campaign funds and the like. He also noted a question received about accepting campaign contribution from any entity affiliated with Cardrooms and mentioned that no complaints have been received thus far from the previous elections.

C. City Clerk

1. Legislative update - None

2. Status report on filings

a) Form 700s - None

b) Lobbyists Forms - None

c) Campaign Statements - None

d) Income & Time Disclosure Statement and Disclosure of Fundraising Report Forms - None

3. Elections update - None

4. Update on Board Expenditures

a) Hanson Bridgett Contract Expenditures—None

D. Investigator/Evaluator - None

## **VII. Old Business**

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

Discussion: Chair Adrian Gonzales noted that this item would continue to be carried on due to upcoming changes and procedures.

B. Discussion and possible action on report from Ad Hoc Committee for Complaint Intake Process. (Chair Adrian Gonzales/Vanni)

Discussion: Deputy City Attorney stated no updates.

Action: Deputy City Attorney would inquire whether there would be updates before next meeting.

C. Discussion and possible action on biennial review of San Jose Municipal Code Title 12, City Council Resolution 78390 and other administrative policies.  
Suggested Revisions to the SJMC Title 12 and Resolution 78390 (City Clerk)

Discussion: Chair Adrian Gonzales stated to continue discussion for items to be added for the Biannual Review.

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

Discussion: Assistant City Clerk Joy Rodriguez confirmed no issues.

E. [Ad Hoc Committee Status Update](#) – proposed campaign finance and conflict of interest reforms, board and commission reforms, and lobbyist and contractor restrictions (Chair Adrian Gonzales)

Discussion: Chair Adrian Gonzales presented a status update report outlining campaign finance and ethics reforms pertaining to Contribution Limits, Conflicts of Interest; and Lobbyists and Contractors as well as proposed research methodology for each item. Questions from the Board regarding accessibility of reports came up;

Public Comment: Public member Jeff Buchanan from Working Partnerships USA spoke on development; encouraged Board to make recommendations about what actions can be included and address loopholes such as fee reductions or tenant protections where financial interest is at stake and not covered by policy at hand. Chair Adrian Gonzales addressed that this is to see if there are problems and encouraged Mr. Buchanan to send an email with any additional recommendation to consider. City Clerk Toni Taber would also look into the filings submitted through the portal as there's no longer intervention from the Clerk's Office when lobbyists and contractors file.

Action: Chair Adrian Gonzales would continue to work with city staff to obtain information and status update reports will be provided at each meeting.

**VIII. New Business**

A. Discussion of Rules and Open Government Committee Referral from November 18, 2020 Campaign Finance Regulations to be included in the January/February 2021 Joint Study Session

Discussion: Deputy City Attorney Mark Vanni noted the referral proposed regarding disclaimers for independent expenditure ad and also suggested looking at other cities as a sample. City Clerk Toni Taber reviewed with the Board the memo presented at the Rules and Open Government Committee meeting and noted requested input from the Board for the January/February 2021 Study Session. Both Deputy City Attorney Mark Vanni and City Clerk Toni Taber that bringing onboard a consultant would be a good idea.

Action: The Board would review the memo and decide in January whether to put forward a plan or memo.

**IX. Public Comment – None.**

**X. Meeting Schedule and Agenda Items**

The next regular meeting is scheduled for January 13, 2021 at 5:30 p.m. via remote teleconferencing.

**XI. Adjournment**

Action: Upon motion by Board Member Joe Lopez, seconded by Louis Silver and carried unanimously, the Board approved to adjourn the meeting at 6:38 p.m. (3-0).

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ADRIAN GONZALES, CHAIR

ATTEST:

BOARD OF FAIR CAMPAIGN AND POLITICAL PRACTICES SECRETARY

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TONI J. TABER, CMC  
CITY CLERK