



# City of San José

## Board of Fair Campaign and Political Practices

Member - Adrian Gonzales  
Member - Chris Peacock  
Member—Kerstyn Olsen  
Member—Joe Lopez  
Member—Louis Silver

Mark Vanni, Deputy City Attorney—Staff  
Toni Taber, City Clerk—Staff  
Ruth Krantz, Deputy City Clerk—Staff

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### MEETING AGENDA

April 10, 2019

5:30 p.m.

San José City Hall  
Tower Room T-1446

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

**II. Election of Chair and Vice Chair**

**III. Hearings**

- A. Hearing on Complaint filed by Robert Imhoff-Dousharm (Libertarian Party of Santa Clara County) on January 15, 2019 against Re-Elect Magdalena Carrasco for City Council D5 2018, alleging violations of San José Municipal Code Sections 12.06 - Municipal Campaign & Officeholder Contributions, Sections 12.06.710, 12.06.215 and 12.06.720. (Independent Investigator/Evaluator)

[Report from Hanson Bridgett LLP dated March 20, 2019](#)

[Exhibits A-S March 20, 2019 Report](#)

**IV. Public Record – None**

**V. Consent Calendar**

- A. Approve the Minutes of December 12, 2018 – Regular Meeting.  
B. Approve the Minutes of February 13, 2019 – Regular Meeting.

**VI. Reports**

A. Chair

B. City Attorney

1. Legislative update
2. Elections update
3. [Campaign Guidance update](#)

C. City Clerk

1. Legislative update
2. Status report on filings
  - a) Form 700s
  - b) Lobbyists Forms
  - c) Campaign Statements
  - d) Income & Time Disclosure Statement and Disclosure of Fundraising Report Forms
3. Elections update
4. Update on Board Expenditures
  - a) [Hanson Bridgett Contract Expenditures](#)

D. Investigator/Evaluator

## VII. Old Business

- A. Status on Independent Evaluator/Investigator RFQ. (City Clerk)
- B. Discussion and possible action on biennial review of San Jose Municipal Code Title 12, City Council Resolution 78390 and other administrative policies. (City Clerk)  
[City Council Resolution 78390](#)  
[San Jose Municipal Code Title 12](#)  
[Biennial Review Matrix](#)  
[Proposed City Council Resolution Changes Regulating BFCPP Procedures](#)  
[SB 568 – Primary Elections: Election Date](#)
- C. Discussion and possible action on report from Ad Hoc Committee for Public Education Campaign. (Adrian Gonzales and Chris Peacock)
- D. Discussion and possible action on report from Ad Hoc Committee for Complaint Intake Process. (Adrian Gonzales)
- E. Scheduling of Special Board meeting if needed. (City Clerk)

## VIII. New Business –

- A. Brown Act and Ethics Review

**IX. Public Comment** (*Members of the Public are invited to speak on any item that does not appear on today's Agenda and that is within the subject matter jurisdiction of the Commission. Meeting attendees are usually given two (2) minutes to speak on any discussion item and/or during open forum; the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate. Speakers using a translator will be given twice the time allotted to ensure non-English speakers receive the same opportunity to directly address the Committee, Board or Commission.*)

## X. Meeting Schedule and Agenda Items

The next regular meeting is scheduled for May 8, 2019 at 5:30 p.m. in City Hall Wing Room W-120, pending coordination of a Special Meeting and/or hearing if needed.

## XI. Adjournment

*The City of San José is committed to open and honest government and strives to consistently meet the community's expectations by providing excellent service, in a positive and timely manner, and in the full view of the public.*

You may speak to the Board about any discussion item that is on the agenda, and you may also speak during Public Comment on items that are not on the agenda and are within the subject matter jurisdiction of the Board. Please be advised that, by law, the Board is unable to discuss or take action on issues presented during Public Comment. Pursuant to Government Code Section 54954.2, no matter shall be acted upon by the Board unless listed on the agenda, which has been posted not less than 72 hours prior to meeting.

Agendas, Staff Reports and some associated documents for the Board items may be viewed on the Internet at <http://www.sanjoseca.gov/index.aspx?nid=452>.

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the Board will be available for public inspection at the City Clerk's Office located at 200 E. Santa Clara St., Tower, 14<sup>th</sup> Floor, San Jose, CA 95113 at the same time that the public records are distributed or made available to the Board. Any draft resolutions or other items posted on the Internet site or distributed in advance of the Commission meeting may not be the final documents approved by the Board. Contact the Ruth Krantz, Deputy City Clerk, by e-mail at [city.clerk@sanjoseca.gov](mailto:city.clerk@sanjoseca.gov) or by telephone at (408) 535-1260 for the final document.

On occasion the Board may consider agenda items out of order.

The Board of Fair Campaign and Political Practices meets the 2nd Wednesday of the month at 5:30 p.m., unless otherwise noted. If you have any questions, please direct them to the Board staff. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.

**To request an accommodation or alternative format under the Americans with Disabilities Act for City-sponsored meetings, events or printed materials, please call (408) 535-1260 as soon as possible, but at least three business days before the meeting.**

**Please direct correspondence and questions to:**

City of San José  
City Clerk's Office  
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200 E. Santa Clara St., Tower 14<sup>th</sup> Floor  
San José, California 95113  
Tel: (408) 535-1260 / Fax: (408) 292-6207  
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