

**BLUE RIBBON TASK FORCE ON ETHICS ORDINANCE  
MEETING NOTES  
(ISSUES OTHER THAN LOBBYIST ORDINANCE)**

Wednesday, April 7

Room 202-A, Health Building

**Attending:** Councilmember Ken Yeager (Chair), Councilmember Cindy Chavez, Vice Mayor Pat Dando, Councilmember Chuck Reed

**Staff:** Rick Doyle (City Attorney), Deanna Santana (Interim City Clerk), Julia Chih (City Manager's Office), Norm Sato (City Attorney's Office), Peter Jensen (City Manager's Office)

**DISCUSSION**

**Task Force Workplan**

The original Council direction to the Task Force is contained in an August 22, 2003 memo from Mayor Gonzales, a January 23, 2004 memo from Mayor Gonzales, Vice Mayor Dando, and Councilmembers Chavez, Reed, and Yeager, and a March 11, 2004 memo from the same group. Each memo was approved by the Council. These memos direct the Task Force to provide recommendations to the Mayor regarding the following issues:

- Creation of legal defense funds (8-22-03 memo)
- Inconsistencies between the City's Campaign Contribution Ordinance and state and federal regulations (8-22-03 memo)
- Contribution and spending limits and comparisons with other jurisdictions (8-22-03 memo)
- Review the Ethics Ordinance to determine if changes should be made that improve openness, transparency, and public access to information about how San José conducts its decision making process (1-23-04 memo)

The Task Force is also empowered to "consider other issues that arise during its deliberations if the items are relevant to the ordinances being reviewed." It is to provide a status report to the Mayor on the progress of its recommendations within 90 days of its first meeting.

The Task Force reviewed the meeting agenda and the schedule for its first four meetings. Revisions to the Lobbyist Ordinance (Chapter 12.12 of the Ethics section of the Municipal Code) were identified as the top priority, and will be the subject of the Task Force's first five meetings. Other issues of interest were mentioned, and are to be considered after work on the Lobbyist Ordinance is complete. These included:

- Officeholder fund raising
- Independent expenditures
- Campaign ethics (particularly the content of campaign literature and how to deal with complaints exchanged between candidates in the course of an election)

- The emergence of “City process experts” hired as consultants to assist clients through City processes and whether ethics provisions should apply to them
- Other issues raised by Councilmembers in previous memos on this subject, which include:
  - Require declaration by candidates and others involved in political campaigns certifying compliance with the ordinance
  - Decrease the potential for confusion between the ordinance and the California Political Reform Act
  - Require that campaign contributions by registered lobbyists be footnoted on FPPC campaign disclosure/reporting forms
  - Review revolving door restrictions on former employees acting as lobbyists

The Elections Commission is also planning to recommend issues for the Task Force to examine.

The Task Force discussed the meeting schedule, and agreed that a fifth meeting should be added in May to finalize recommendations regarding the lobbyist section of the ordinance. The Task Force also agreed that there should be investigation of the possibility of three additional meeting dates in May or June, to be used to begin work on areas of the Ethics Ordinance other than the lobbying section.