

Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

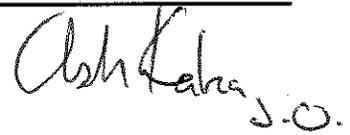
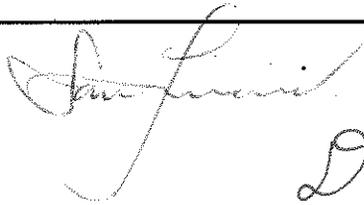
FROM: Councilmember Ash Kalra
Councilmember Kansen Chu
Councilmember Sam Liccardo
Councilmember Don Rocha

SUBJECT: SEE BELOW

DATE: January 20, 2012

Approved

Date



SUBJECT: ACCEPT STAFF ANALYSIS OF AB 1148 AND DIRECT STAFF TO PREPARE A RESOLUTION IN SUPPORT OF THE CALIFORNIA DISCLOSE ACT.

RECOMMENDATION

1. Accept the Staff Analysis of AB 1148, the California Disclose Act, as recommended by the City Clerk in the attached memo.
2. Direct Staff to prepare a resolution demonstrating the City of San José's support for the California Disclose Act; requiring full disclosure, in the ads themselves, of the largest major funders of all political television, radio, print, mass mailing, and online advertising for and against ballot measures and for independent expenditures for and against candidates.

BACKGROUND

In an ongoing effort to have an open and transparent government (including the campaign/election process) in the City of San José, we recommend that staff draft a resolution in support of AB 1148 as originally recommended in a memo dated December 15th, 2011 by Councilmembers Chu and Kalra. This will be consistent with the City's commitment to transparency and will further cement San José's status as a leader in open government.

--Attached: Memo from City Clerk and initial memo with sample resolution draft from Councilmember's Chu and Kalra.



COUNCIL AGENDA: 01-24-12
ITEM: 3.3

Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Dennis Hawkins, CMC
City Clerk

SUBJECT: SEE BELOW

DATE: 1-11-12

SUBJECT: RECOMMENDATION TO SUPPORT THE CALIFORNIA DISCLOSURE ACT

RECOMMENDATION

As recommended by the Rules and Open Government Committee on January 11, 2012 and outlined in the attached memo previously submitted to the Rules and Open Government Committee, accept the Staff Analysis of AB1148, the California Disclosure Act.



Memorandum

TO: RULES AND OPEN
GOVERNMENT COMMITTEE

FROM: Councilmember Kansen Chu
Councilmember Ash Kalra

SUBJECT: RECOMMENDATION TO SUPPORT
THE CALIFORNIA DISCLOSURE
ACT

DATE: December 15, 2011

APPROVED:

DATE:

Kansen Chu *Ash Kalra*
RECOMMENDATION: 12/15/11

Adopt a resolution in support of AB 1148, the California Disclosure Act.

BACKGROUND:

Unlimited anonymous corporate and other special interest contributions are misleading voters with deceptive political advertisements while hiding who is spending millions to buy elections. AB 1148, the California Disclosure Act, authored by Assemblymember Julia Brownley, would require full disclosure, in the advertisements themselves, of the largest major funders of all political television, radio, print, mass mailing, and online advertising for and against ballot measures and for independent expenditures for and against candidates. Misleading political advertising deceives voters into supporting or opposing candidates and ballot measures that they would not support if they who was behind it. Disclosing the true funders of political advertisements would help voters make better informed decisions.

While this is a state mandate, cities also have a stake in AB 1148. Ensuring transparency is a crucial first step in the direction of assisting voters make informed decisions. Every voter deserves to know who is paying for political advertisements. Citizens look to their elected officials and leaders for guidance and advice on such public policy matters. Every citizen of San José is also a citizen of California, and the integrity of our electoral process affects us all.

Cities in California that have endorsed AB 1148 include Los Angeles and Berkeley. While there has been much discussion in Santa Clara County regarding AB 1148, the City of San José is positioned to be the first city taking a formal stance on the California Disclosure Act and will demonstrate its leadership by further ensuring transparency and open government. In addition, individual elected officials in many different jurisdictions and offices have personally endorsed the measure. The League of Women Voters of California and California Common Cause are also supporting the bill.

In the spirit of having an honest and open government, voters and other special interest groups, would have less influence when it comes to electing our representatives. This will promote ethics and accountability in the system. The adoption of a resolution from the City of San José will confirm local government support at the state level.

RESOLUTION IN FAVOR OF AB 1148, THE CALIFORNIA DISCLOSE ACT

WHEREAS the Supreme Court's *Citizens United* decision has unleashed hundreds of millions of dollars of anonymous corporate spending on political campaigns across California and the nation; and

WHEREAS misleading political advertising by big-money interests hiding behind innocuous sounding committee names and other organizations deceives voters into supporting or opposing candidates and ballot measures that they wouldn't if they knew who was really behind it; and

WHEREAS disclosing the true funders of political ads in the ads themselves would help voters make better informed decisions;

THEREFORE BE IT RESOLVED that _____ endorses AB 1148, the *California DISCLOSE Act*, authored by Assemblymember Julia Brownley, to require full disclosure, in the ads themselves, of the largest major funders of all political television, radio, print, mass mailing, and online advertising for and against ballot measures and for independent expenditures for and against candidates.

THEREFORE BE IT FURTHER RESOLVED that a copy of this Resolution be provided to the Governor, Assembly Speaker John Perez, Senate President pro Tem Darrell Steinberg, Assembly Elections Committee Chair Paul Fong, Senate Elections Committee Chair Lou Correa, Assemblymember Julia Brownley, and to our area's members of the Democratic Caucus of the California Legislature and Congressional Delegation.

Submitted by:

Organization

Signature

Date

Signer/Officer Name

Signer Email

Signer Phone

Please return completed form to California Clean Money Campaign at address or fax below.

PLEASE RETURN RESOLUTION FORM TO:

California Clean Money Campaign

3916 S. Sepulveda, Suite 109 • Culver City, CA 90230

(Updated 05/21/11)

Phone (310) 397-0200 • Fax (888) 633-8898 • www.CAClean.org

