



CITY OF SAN JOSÉ, CALIFORNIA

200 East Santa Clara Street
Second Floor, City Hall Wing
San José, California 95113
Telephone (408) 535-1252
FAX (408) 292-6207

SAN JOSÉ ELECTIONS COMMISSION

Thomas Mertens, Chair
Fred de Funiak, Vice Chair
Jang Badhesha
April Lin Walsh

SAN JOSÉ ELECTIONS COMMISSION MEETING MINUTES November 13, 2006

Special Meeting

I CALL TO ORDER

The Members of the San José Elections Commission convened at 6:35 p.m. in the Multi-Purpose Room of Willows Senior Center, 2175 Lincoln Avenue, San José, CA 95125 to discuss the concept of public financing of city council and mayoral candidate campaigns.

PRESENT: COMMISSIONERS Badhesha, deFuniak, Walsh, and Chair Mertens

ABSENT: COMMISSIONERS None

STAFF PRESENT: Consultant Alex Stuart
Chief Deputy City Attorney Norm Sato
City Clerk Lee Price
Deputy City Clerk Michelle Estabillo

Public Comments:

- Does the candidate know the difference between who has greater ability to donate
- The system can be improved, independent expenditures from labor unions – doesn't the candidate then owe a debt of gratitude?
- Unions can act as a Political Action Committee (PAC) because they are a union (distinct from a PAC).
- Businesses have power – no one talks about that. Don't try to finance at beginning but in the run-offs.
- Public financing won't work unless it provides for matching funds.
- Diversity should equal diverse ideas – wants choices
- Wants most qualified candidate – we don't need public financing to get us (in California) more diversity.

Public Comments (continued):

- Salary is an issue – if city council and mayor salaries were higher, it would attract more candidates.
- There is too much time being spent on running a campaign.
- It is tough to get voters to come to forums.
- Internet provides some opportunities to contact voters – is an equalizer. Mailers are the bulk of the costs.
- Campaign cycles are too long.
- If you shorten campaign cycles, it might be an advantage to the incumbents or people already in positions of authority.
- Public financing would allow candidate to spend more time speaking to voters.
- Candidates can't do campaigning just by door to door, phone calls – they need direct mail or can't communicate ideas to all voters.
- Public financing will change (used other states as examples)
- Can't we require more disclosure of independent expenditures?
- If you take General Fund money away for public financing it would take away from something else.
- Establish a set amount (matching funds).
- We're going to fall into a bottomless pit.
- Concern – mediocre people will run but just do public financing in the runoff. Need sophisticated candidates. Doesn't want to see mediocre candidates getting tax dollars.
- Restrict independent expenditures
- Where/how do we bring in people who don't have a lot of money?
- Small matching funds and if
- Concerned about free public money for expressing an idea (even though someone knows they would not win – but would use the money to get their personal message out).
- If we have public financing, we need limits for those who choose not to participate
- Why promote spending – create a new platform – internet
- Give candidates free time on Channel 26
- Will this open "Pandora's Box"?
- There's not enough money for libraries, to fix potholes, etc.
- Balance is important – concerns about skewing that balance.
- Public financing would increase the number of candidates who are "independents"
- At local level you can go out to the residents, but mayoral races it's different; more difficult to do grassroots campaigns
- As mayor's position gets stronger (authority), as issues get larger, City gets larger, harder to do grassroots.
- Develop a plan to restrict independent expenditures, you've got the cart before the horse – do that first then go to the public finance route. Get a plan in place that will address that, then he would advocate public financing.
- Get input from past candidates in a public forum
- Consensus: need independent expenditure reform – do something about independent expenditures. Unless we solve it, it may make problem worse.
- Identify registered lobbyists (when they donate)

Public Comments (continued):

- At minimum - need to have forums sponsored by the City to equalize.
- Give the City an out if financially the City cannot afford it – give an option. League representative objected – incumbents can skew.
- This is not as important as other things.
- Find a dedicated funding source that the Council cannot manipulate
- Don't let the independent expenditure issue throw out public financing

ADJOURNMENT

The meeting adjourned at 8:30 p.m.

THOMAS M. (TOM) MERTENS, CHAIR

ATTEST:

LEE PRICE, MMC
CITY CLERK and SECRETARY TO THE COMMISSION