



# CITY OF SAN JOSÉ, CALIFORNIA

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## **SAN JOSÉ ELECTIONS COMMISSION**

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

## **SAN JOSÉ ELECTIONS COMMISSION MEETING MINUTES January 11, 2007**

### **I CALL TO ORDER**

The Members of the San José Elections Commission convened at 5:16 p.m. in Room W-242 of City Hall, 200 E. Santa Clara Street, San José, CA 95113.

**PRESENT:** COMMISSIONERS Badhesha, de Funiak, Kline, Walsh and Mertens

**ABSENT:** COMMISSIONERS None

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

### **II OATH OF OFFICE**

City Clerk Price administered the Oath of Office to newly appointed Commissioner Norman Kline

### **III APPROVAL OF MINUTES**

- A. Minutes of October 26, 2006, were deferred.
- B. Minutes of November 1, 2006, were deferred.
- C. Minutes of November 8, 2006, were deferred.
- D. Minutes of November 13, 2006, were deferred.
- E. Minutes of November 15, 2006, were deferred.
- F. Minutes of November 16, 2006, were deferred.

#### IV REPORT OF THE CHAIR

There was nothing to report.

#### V PUBLIC HEARINGS

There were none.

#### VI DISCUSSION ITEMS

- A. Commission Review and Discussion of Ethics Ordinances regarding Lobbyist Registration/Reporting and Campaign Finance Regulations, and Mayor Reed's Sunshine Reform Referrals for consideration by the City Council on 1/9/07

City Clerk Price provided an overview of Reed Reforms #19 and #20 ("plugging loopholes in campaign finance and lobbyist regulations") and discussed briefly the definition of "in-house lobbyist". The Commission agreed to postpone further discussion on the reforms.

- B. Continued discussion of voter owned campaigns

Consultant Alex Stuart summarized comments received during candidate interviews and public meetings. Mr. Stuart noted there was a consensus to address independent expenditures first and added there were conflicting opinions about public financing for Council and Mayoral races. Mr. Stuart recommended revisiting the issue of contribution limits as it relates to public financing and to consider the impacts if the limits were increased. The Commission agreed that any recommendation should include a proposal to address independent expenditures.

Commissioner de Funiak proposed that the Commission is close to formulating a recommendation, but pointed out that the new Mayor and Council is not the same as the Mayor and Council who referred this matter to the Commission. Commissioner Badhesha noted that the timing may not be right given concerns about independent expenditures. Commissioner Walsh concurred. Commissioner Kline suggested it may be wise to re-establish the mandate.

A subcommittee was formed (Mertens/de Funiak), in consultation with Senior Deputy City Attorney Sato, to return with a draft report outlining the Commission's finding and recommendations.

Motion: Upon motion by Commissioner Badhesha, seconded by Commissioner Walsh, the Commission unanimously authorized the subcommittee to draft a report and to provide copies for the Commission at the next Elections Commission.

- C. Appointment of a subcommittee of the Commission to review and consider recommendations relating to the structure of the Elections Commission

Chair Mertens reported that the subcommittee previously formed (Mertens/de Funiak) are considering meetings with the Elections Commissions in Los Angeles and Portland to discuss their structure. Dates are pending for early February.

- D. Discussion on the structure of the Elections Commission

This item was deferred to the next Commission meeting.

## VII MEETING SCHEDULE

The next meeting was scheduled for January 25, 2007, at 6:00 p.m.

## VIII PUBLIC COMMENT

Philip Bump, from the South Bay Labor Council, expressed support for Reed Reform #19 (close loopholes in Campaign finance regulations).

Craig Dunkerly, Clean Money Campaign, questioned whether or not the Commission interviewed the right candidates on whether or not public financing will attract a qualified pool of candidates.

## IX ADJOURNMENT

The meeting adjourned at 8:01 p.m.

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THOMAS M. (TOM) MERTENS, CHAIR

ATTEST:

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LEE PRICE, MMC  
CITY CLERK and SECRETARY TO THE COMMISSION