



CITY OF SAN JOSE, CALIFORNIA

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

SAN JOSE ELECTIONS COMMISSION

Fred de Funiak, Chair
Michael Smith, Vice Chair
Leon Louie
Robert Shepard
Erica Cosgrove

SAN JOSE ELECTIONS COMMISSION STUDY SESSION MINUTES APRIL 8, 2009

The San José Elections Commission convened in a Study Session at 6:38 p.m. in Rooms W118-119 at City Hall.

PRESENT: COMMISSIONERS: Cosgrove, Louie, Shepard, Smith, and de Funiak

ABSENT: COMMISSIONER: None

STAFF PRESENT: Senior Deputy City Attorney Lisa Herrick
Evaluator Mike Moye
City Clerk Lee Price
Deputy City Clerk Michelle Radcliffe

Purpose: The Commission met in a Study Session for the purpose of discussing the City's current campaign finance regulations relating to contribution limits generally, contribution limits on independent expenditures committees and segregation of contributions to independent expenditure committees. In addition, the Commission will examine inflation adjustments on contribution limits and explore options for greater disclosure of contributions.

Documents Filed: Court Decisions regarding: 1) Buckley, et al. v. Valeo, et al; 2) McConnell, et al v. Federal Elections Commission, et al; 3) Federal Elections Commissions v. Wisconsin Right to Life, et al; 4) North Carolina Right to Life v. Leake; 5) Long Beach Area Chamber of Commerce, et al v. City of Long Beach; 6) Long Beach Area Chamber of Commerce, et al v. City of Long Beach Order; 7) Committee on Jobs Candidate Advocacy Fund, et al v. SF Ethics Commission, et al Order; 8) COMPAC, et al v. City of San José, et al; and 9) OAKPAC, Oakland

Metropolitan Chamber of Commerce v. the City of Oakland Order

Chair de Funiak presented opening remarks. City Clerk Lee Price provided an overview of information given to candidates when running for local office and summarized various campaign disclosure forms candidates file. Senior Deputy City Attorney Lisa Herrick provided an overview of contribution limits for independent committees.

Chair de Funiak opened the floor for public testimony.

Public Comments:

Former Elections Commission Chair Alex Stuart noted that contribution limits are the same as they were thirty years ago. Independent expenditures were not a big issue, he explained, until the COMPAC complaint. He suggested that the Commission study the issues of campaign spending and impacts on San José elections. Mr. Stuart stated that disclosure is essential in identifying who is spending money on campaigns and added that this is the fundamental reason behind the campaign finance ordinance. He also suggested that the Commission simplify the ordinance to ensure compliance.

San José Silicon Valley Chamber of Commerce Vice President of Public Policy Jody Hansen stated that COMPAC is interested in the Commission completing its work and urged the Commission to make a decision so that COMPAC can move on. Ms. Hansen also stated that COMPAC would like to have a level playing field with labor unions and that the disclosure forms are difficult to use.

Craig Dunkerley, South Bay Volunteer Coordinator for California for Clean Money, spoke on the merits of public financing of election campaigns.

Attorney Ash Pirayou stated that the current campaign finance regulations ordinance lack clarity and simplicity. He explained that there are so many rules in so many places that the ordinance is unworkable.

Commission comments and discussion followed.

Chair de Funiak adjourned the study session at 8:24 p.m.

ATTEST:



LEE PRICE, MMC


FRED DE FUNIAK, CHAIR

CITY CLERK and SECRETARY TO THE COMMISSION