



## CITY OF SAN JOSE, CALIFORNIA

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### 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 SEPTEMBER 30, 2009

The San José Elections Commission convened in a Study Session at 5:36 p.m. in Rooms W262 at City Hall.

#### I CALL TO ORDER

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

ABSENT: COMMISSIONER: de Funiak

STAFF PRESENT: Senior Deputy City Attorney Lisa Herrick  
City Clerk Lee Price  
Assistant City Clerk Dennis Hawkins  
Deputy City Clerk Michelle Radcliffe

#### II DISCUSSION ITEMS

The Commission met in a Study Session to consider recommending that the Council adopt an ordinance amending Title 12 of the San José Municipal Code to increase contribution limits, impose an annual increase on contribution limits based on the Consumer Price Index, clarify the contributions regulated by Title 12 and repeal other sections to eliminate redundancy.

Documents Filed: 1) City of San José Campaign Finance Regulations Notice of Recent and Pending changes dated September 18, 2009; 2) Copy of draft amended ordinance amending Title 12 of the SJMC to increase contribution limits, impose an annual increase on contribution limits based on the Consumer

Price Index, clarify the contributions regulated by Title 12 and repeal other sections to eliminate redundancy; and 3) Matrix of contribution limits for other municipalities.

Vice Chair Smith presented opening remarks. Senior Deputy City Attorney Lisa Herrick provided an overview of the draft ordinance. Questions from the Commissioners followed and discussion ensued.

Vice Chair Smith opened the floor for public testimony.

Public Comments:

Bianca Pirayou asked questions about segregation for clarification.

Ash Pirayou expressed concerns about the tone of the recitals and suggested that the words "loophole" and "circumvent" be removed. Mr. Pirayou spoke in favor of adopting the Consumer Price Index (CPI) to increase contribution limits and suggested that expenditure limits be increased using the CPI as well. Mr. Pirayou asked if there was a legal issue for the deletion of Section 12.06.560 (b) removal.

Jeff Ricketts spoke in favor of raising contribution limits but suggested that the Commission not recommend the use of the Consumer Price Index to adjust the contribution limit every other year because it would create confusion.

Discussion ensued.

Motion: Upon motion by Commissioner Louie, seconded by Commissioner Shepard, and unanimously passed, the Commission agreed to recommend to the City Council that contribution limits for Councilmember candidates be raised to \$500 and to \$1,000 for Mayoral candidates; decided not to recommend Consumer Price Index adjustments; to restore Section 12.06.560(b); and authorized the City Attorney to make minor edits to the ordinance and forward it to the City Council. (Vote: 4-0-1)

### III MEETING SCHEDULE

The next Regular meeting is scheduled for Wednesday, October 14, 2009 at 5:30 p.m.

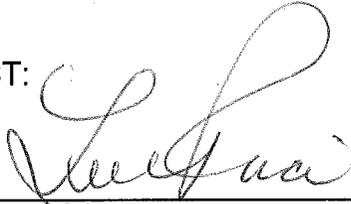
### IV PUBLIC COMMENT

There were none.

V ADJOURNMENT

The Study Session was adjourned at 8:24 p.m.

ATTEST:



LEE PRICE, MMC  
CITY CLERK and SECRETARY TO THE COMMISSION

*Michael Smith - CHAIR*  
for MICHAEL SMITH, VICE CHAIR