

RIVERA & ASSOCIATES

PI 20124

May 14, 2008

Frederick deFuniak, Chair
Elections Commission
City of San Jose
200 East Santa Clara Street
San Jose, CA 95113

Re: *Registered Lobbyist Research*

Rivera & Associates and its colleagues conducted an investigation and research of Registered Lobbyist Disclosure on behalf of the City of San Jose, Elections Commission and the direction of its Chair. The purpose of the investigation is for assisting the Commission to identify and verify the disclosure on behalf of Registered Lobbyists in contact with City Officials or City Officials-Elect.

The investigations included securing public record documents, in-depth research and review, as well as, analysis of said documents, and report generation of the results of the investigation.

The foregoing information details the results of our investigation at this time, to include document attachments for your reference.

Sincerely,

Roberto A. Rivera
Investigator
RAR/ar
Attachments

INVESTIGATION

This investigation was conducted by Roberto A. Rivera, on behalf of the Elections Commission. Key documents were identified and secured for research and review. The purpose of this investigation was as follows:

- Secure copies of the Visitor Disclosure Sheets for Council Chambers from January through December 2007
- Secure copies of the Council members' Calendars from January through December 2007
- Secure copies of the quarterly disclosures of Registered Lobbyists
- Cross-reference their disclosure with Council members' Calendars
- Cross-reference their 2007 Quarterly Reports disclosures filed by Registered Lobbyists
- Determine extent of any possible prohibitive activity on behalf of any Registered Lobbyist to disclose contact with City Officials or City Officials-Elect

This investigation sought to confirm the adherence of Registered Lobbyists to a clear standard of conduct when engaged in contact with City Officials or City Officials-Elect for the purpose of influencing or attempting to influence legislative or administrative action. A person engaged in lobbying activity is requested to register as a "Visitor" when contacting a City Official or City Official-Elect, attending a meeting with, or any direct communication with a City Official or City Official-Elect, for the purpose of engaging in lobbying activity. A comparison of these "sign-in" sheets was conducted with Council Calendars and Lobbyist quarterly reports on file in the Office of the City Clerk in order to ensure Lobbyists were registered and were disclosing their clients.

FINDINGS

Based on information secured and researched in this investigation, several individual Registered Lobbyists failed to disclose their contact with Council members according to review and analysis of our research.

Key Lobbyists were identified as a result of this investigation:

Gary Schoennauer, The Schnoennauer Company LLC-

- No record was found for Mr. Schnoennauer's scheduled meeting with Councilmember Constant on June 12, 2007.

Patricia Sausedo, Sole Proprietor-

- No record was found for Ms. Sausedo's scheduled meeting with Councilmember Pyle on February 8, 2007.

Dev S. Dhaliwal Rattan-

- No record was found for Mr. Rattan's scheduled meeting with Councilmember Liccardo on September 10, 2007.

Ed Storm, Coleman Airport Partners, LLC-

- No record was found for Mr. Storm's scheduled meeting with Councilmember Chu on September 10, 2007.

George Shirakawa, Jr., Sole Proprietor-

- No record was found for Mr. Shirakawa's scheduled meeting with Councilmember Cortese on September 24, 2007.

CONCLUSION

This investigation revealed that key Registered Lobbyists failed to provide disclosure of their contact with Council members while attending a meeting with Council members for the specific purpose of lobbying activity.

Copies of the "Visitor Sign-In Sheets" were obtained from the Council Chambers. (See **attachments**)

Copies of the Council members' Calendars were obtained from individual Councilmembers' offices. (See **attachments**)

Copies of the Lobbyist quarterly reports were obtained from Office of the City Clerk. (See **attachments**)

Due to a lack of evidence, it has been undetermined that the Registered Lobbyists had not violated any ordinance.

RECOMMENDATIONS

Unless otherwise requested, this concludes our investigation into this matter.

END

END

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THIS IS A CONFIDENTIAL DOCUMENT

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June 11 -
June 17

June 2007							July 2007						
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Monday, June 11	Thursday, June 14
<p>8:20am - 8:30am PERSONAL</p> <p>9:00am - 10:00am 9:00-10:00 Staff Meeting (Pete's Office)</p> <p>10:00am - 11:00am 10:00-11:00 Meeting with Paul Krutko, Nanci Klein & Jim Cogan Regarding Professional Soccer Stadium (Councilmember Pete Constant's Office)</p> <p>12:00pm - 1:30pm 12:00-1:30 Meeting REQUESTED BY/with Chuck Davidson, Mark Lazzarini, Sean Kalleraas, and Tony Arzola (The Davidson Residence)</p> <p>1:30pm - 2:30pm One-on-One with the City Manager (Pete's Office)</p> <p>2:30pm - 3:30pm 2:30-3:30 Pre-meeting for Aging Strategic Leadership Meeting C1 (Councilmember Pete Constant's Office-City Hall 18th Floor, 200 E. Santa Clara Street, San Jose)</p> <p>7:00pm - 9:00pm 7:00-9:00 Public Hearing on the Operating & Capital Budgets (Council Chambers)</p>	<p>8:30am - 9:30am 8:30-9:30 Federated Employees Retirement Board Meeting (Retirement Services, 1737 R. First Street, Suite 580)</p> <p>10:00am - 1:00pm 11:00-1:00 Senior Citizens Commission Luncheon (Three Flames Restaurant, 1547 Meridian Avenue)</p> <p>1:00pm - 4:00pm Senior Commission Meeting (Almaden Winery Community Center, 5730 Chamberlin Drive)</p> <p>3:20pm - 3:50pm One-on-One with Mayor Reed (Mayor's Office)</p> <p>4:00pm - 4:30pm Travel Time</p> <p>4:30pm - 7:00pm 4:30-7:00 Del Mar High Graduation Ceremony - PETE SPEAKING (Del Mar Quad)</p> <p>7:00pm - 7:30pm Travel Time</p>
Tuesday, June 12	Friday, June 15
<p>8:20am - 8:30am PERSONAL</p> <p>9:00am - 12:00pm Executive Session (Room W-133)</p> <p>12:00pm - 12:30pm 12:00-12:30 Press Conference (San Jose State University, Tower Lawn)</p> <p>12:30pm - 2:00pm 12:30-2:00 Proprietary Meeting with LOBBYIST Erik & Gary Schenckauer (5th San Fernando)</p> <p>1:00pm - 1:30pm Ad Hoc Review (Pete's Office)</p> <p>1:30pm - 4:45pm Council Meeting (Council Chamber)</p> <p>5:00pm - 7:00pm 5:00-7:00 USOC Reception (City Hall Rotunda)</p>	<p>8:20am - 8:30am PERSONAL</p> <p>9:00am - 9:30am 9:00-9:30 Meeting REQUESTED BY/with Jack Solis, Association of Retired San Jose Police Officers & Firefighters (Pete's Office)</p> <p>10:00am - 10:30am 10:00-10:30 Neighborhood Clean-up/Flier Meeting with Mike Hannon, Paul Higgins & Cheri Good (Pete's Office)</p> <p>11:30am - 12:00pm 11:30-12:00 Meeting REQUESTED BY/with LOBBYIST Pat Saucedo, Also attended by LOBBYIST Joan Gallo & Ed Abelle - Evergreen Grocery Store (Pete's Office)</p> <p>12:00pm - 2:00pm 12:00-2:00 San Jose North Rotary (San Jose Arena)</p> <p>12:00pm - 2:00pm Lunch w/ Jim Cogan and Clarence Stone</p> <p>2:00pm - 3:00pm 2:00-3:00 Meeting w/ Dan Carter and Meghan Horvath (Pete's Office)</p> <p>3:00pm - 4:00pm 3:00-4:00 Public Issues and Concerns Meeting with Albert Balades (Pete's Office)</p>
Wednesday, June 13	Saturday, June 16
<p>8:20am - 8:30am PERSONAL</p> <p>9:00am - 10:00am 9:00-10:00 Meeting REQUESTED BY/with Jose Radzinski (Pete's Office)</p> <p>11:00am - 11:30am Travel Time</p> <p>11:30am - 1:30pm 11:30-1:30 OTS Strategic Plan Advisory Board Meeting (Camden Community Center)</p> <p>12:00pm - 1:30pm 12:00-1:30 Rotary</p> <p>1:30pm - 2:00pm Rules Briefing (Pete's Office)</p> <p>2:00pm - 5:00pm Rules & Open Government Meeting (Room W-119)</p>	<p>10:00am - 10:30am 10:00-10:30 BAREC Legislative Suming Mtg with Local Government Leaders (County Office of Human Resources, 1860 Pruneridge Ave, Conf. Rm.)</p> <p>10:30am - 11:00am Travel Time</p> <p>11:00am - 1:00pm 11:00-12:00 Grand Opening 7:12:00 B90 (Starbird Youth Center)</p> <p>1:00pm - 1:30pm Travel Time</p> <p>2:30pm - 4:30pm 2:30-4:30 Youth Symphony - Bon Voyage Concert (Campbell Heritage Theater)</p>
	Sunday, June 17
	<p>9:30am - 10:00am Travel Time</p> <p>10:00am - 12:00pm Personal</p>

February 08, 2007

Thursday

10:00 AM - 11:00 AM	1:1 w/Les White
12:00 PM - 1:00 PM	Lunch
1:30 PM - 2:00 PM	NP/LW--Performance measures;Economic Development
2:00 PM - 3:00 PM	**HOLD**For Committee Meeting
3:00 PM - 4:00 PM	NP/LW--Meeting w/Mayor Reed,Pat Dando(SV Chamber),Pat Saucedo(NAIOP),Beverly Bryant(HBA), Ru W

February 09, 2007

Friday

9:00 AM - 12:00 PM	Updated: Councilmember Orientation: Environment
12:00 PM - 1:30 PM	Staff Business Lunch
1:30 PM - 2:30 PM	NP/LW - Council Prep.
2:30 PM - 3:00 PM	1:1 w/LA
3:00 PM - 4:00 PM	NP/SH--Promotional Ceremony for two Captains, seven Lieutenants, eighteen Sergeants

February 10, 2007

Saturday

All Day	STUDY BINDER
12:00 PM - 3:00 PM	Relay for Life Kick-off

September 10 - September 16

September 2007							October 2007						
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Monday, September 10		Thursday, September 13	
10:00am 11:30am Office Time (Sam's Office)		8:00am 9:30am PERSONAL Appointment	
12:30pm 1:30pm PERSONAL Appointment		9:30am 10:00am Chuck Reed Monthly Meeting (Mayor's Office)	
2:30pm 3:00pm Jorge Sanchez re: Blue Monkey (Sam's Office)		10:00am 10:30am PHONE CALL w/ Dan Fenton	
3:00pm 3:30pm Staff Meeting (Sam's Office)		10:30am 11:45am PERSONAL Appointment	
3:30pm 4:00pm Rattan Dhalwal, Taxi Drivers re: Leasing Permit Proposal (Sam's Office)		12:00pm 1:00pm Lunch w/ Tiffany Dao (The Loft, 90 S. 2nd St)	
4:00pm 5:00pm Scott Kyles (lobbyist) and Art Bernstein Monthly Meeting, SJ Downtown Association (Sam's Office)		1:30pm 2:15pm Norma Martinez (ARUSD Superintendent), Rebecca Wright (ARUSD Assistant Superintendent), Paulo H	
6:00pm 7:00pm BART Tunnel at Coyote Creek Community Meeting (Chambers)		2:30pm 3:00pm Jennifer Loving, EHC Lifebuilders re: affordability restrictions on EHC's properties in the City of SJ (
7:30pm 8:00pm Tamien Neighborhood Association Meeting (Pbrac, 1197 Lick Ave)		3:00pm 3:30pm Jim Helmer and Sam Liccardo re: CMPP Committee (Sam's office)	
		3:30pm 4:00pm Catherine Tompkinson-Graham, The Tompkinson Group re: Airport Issues (Sam's Office)	
		4:00pm 5:00pm Leslye Kruitko Monthly Meeting **Laurel Prevetti to attend as well re: Inclusionary Housing** (Sam's	
		6:30pm 6:45pm Community Meeting for New Airport (Northside Community Center)	
		7:00pm 7:30pm Roosevelt Park NA (Portuguese Community Center)	
Tuesday, September 11		Friday, September 14	
9:30am 11:00am Closed Session (Wing, Room 133)		6:30am 8:40am Cycling w/ Carl Guardino	
1:30pm 5:00pm Council Meeting (Council Chambers)		10:00am 10:30am PRESS CALL w/ Sharon Simonson, Biz Journal re: Inclusionary Housing	
7:00pm 9:00pm Evening Council Meeting (Chambers)		11:30am 12:00pm Congressman Mike Honda re: Progress of Development of Japantown (Denny's)	
		12:00pm 1:00pm Century Club Monthly Luncheon (Holiday Inn, 1740 N. First St)	
		1:15pm 2:00pm Mexican Independence Day Flag Raising (City Hall Plaza)	
		2:00pm 2:30pm John Conway and Dave Powell (Restaurant & Entertainment Association) re: Parking (Sam's Office)	
		2:30pm 3:00pm John Poch, SJ Afterschool All Stars (Sam's Office)	
		3:30pm 4:00pm READ San Juan Bautista Child Development Center (CET Site, 701 Vine St)	
		5:00pm 5:30pm DROP BY 35th Annual RSVP Recognition Dinner (McEnery Convention Center, Ballroom A)	
		6:00pm 6:30pm PHONE CALL w/ Tom Werner (CEO, SunPower) re:	
		6:30pm 7:00pm SPEAK - MC Columbus Park Horseshoe Complex Grand	
Wednesday, September 12		Saturday, September 15	
9:30am 10:00am Marlene Bjornrud, BAWSI re: Go Girls Go Program (Sam's Office)		10:00am 10:30am MEET AND GREET (Antioch Baptist Church)	
10:00am 11:00am Office Time (Sam's Office)		11:00am 12:00pm INTERVIEW w/ Democratic Television, Cable Channel	
11:00am 12:00pm Harry Mavrogenes Blyvesky Meeting (Sam's Office)		1:00pm 1:45pm JUDGE Bark in the Park (William Street Park)	
12:00pm 1:30pm Rotary Lunch (4th Street Garage)		2:00pm 3:00pm Shirley Lewis and David Pandori re: General Plan Task	
2:00pm 2:30pm Jane Prizby, SJ Quilts and Textiles re: 30th Anniversary (Sam's Office)		4:00pm 5:00pm Reception for Anna Eshoo (Home of Carl & Leslee	
2:30pm 3:00pm Pat Dando (lobbyist) re: Inclusionary Zoning (Sam's Office)		5:00pm 7:00pm Bellarmine Reunion (Bellarmine)	
4:15pm 4:45pm PERSONAL Appointment		7:30pm 8:10pm InnVision the Night Gala (Marriott)	
6:00pm 7:00pm North San Pedro Housing Project Community Meeting (St. James Senior Center)		8:30pm 9:15pm Mexican Consulate Grito (Mexican Heritage Plaza)	
		Sunday, September 16	
		10:00am 11:30am RIDE IN PARADE 25th Annual Fiestas Patrias Parade & Festival (Assemble on Market btwn Victory Parking Lot & Santa Clara St)	
		12:30pm 1:30pm SPEAK Urban Plunge (City Hall - outside, by water feature)	
		2:00pm 3:00pm Japantown Community Congress Exhibit "Speed City-From Civil Rights to Black Power" (Pacific Hotel)	
		3:00pm 6:00pm Office Time	

Hadnot, Rhonda

11/2/2007 11:58 AM

September 10
September 16

September 2007							October 2007						
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Monday, September 10		Thursday, September 13	
<p>10:30am 12:30pm KC/CC/RC/SF Michael Gross-site tour/lunch (Zanker Landfill, 675 Las Esteros, SJ)</p> <p>3:00pm 4:00pm KC/CC/RC/SF Storm (Cris's office)</p> <p>4:00pm 5:00pm KC/CC/RC/SF agenda review/BCAC prep (Cris's office)</p> <p>5:00pm 8:00pm FYI: Airport Commission-rescheduled from 9/03 (Airport Admin., 1732 N. 1st St. #600 Conference Rm.)</p> <p>7:00pm 8:00pm KC/CC/RC/SF/JV: BCAC (BCC)</p>		<p>11:00am 12:00pm Tomas Liu (Cris's office)</p> <p>1:30pm 3:00pm KC/CC/RC: Neighborhood Services & Education Committee (CH-W118/W119)</p> <p>3:00pm 4:00pm personal</p> <p>4:30pm 5:00pm KC/SF: Neil Struthers (Cris's office)</p> <p>6:30pm 8:30pm NSJ Neighborhoods Taskforce Meeting (Don Cellaon School, Multipurpose Rm, 4176 Hick Mill byd., Santa Clara 95054)</p>	
Tuesday, September 11		Friday, September 14	
<p>9:30am 11:00am Closed Session</p> <p>12:00pm 1:00pm 911 Memorial event (MLK Library, Room 225)</p> <p>12:30pm 1:30pm CC: Hsu City Hall Tour (Meat 1st Floor)</p> <p>1:30pm 4:00pm Council - present commendation with Mayor to Grainger</p> <p>7:00pm 9:00pm Evening Council</p>		<p>9:00am 10:30am KC/JV: NHU Historical Stamp Unveiling (National Hispanic University, Bustos Family Plaza, 14271 Story Rd. SJ)</p> <p>11:30am 12:30pm KC/SF: Builders BBQ (18EW Local 332, 2125 Canoas Garden Ave., SJ)</p> <p>1:00pm 1:30pm Mexican Independence Day Flag Raising Ceremony (City Hall Plaza)</p> <p>2:00pm 3:00pm SJSU Student Presentation (SJSU Costanoan Room)</p> <p>3:30pm 4:30pm RC/SF Agenda Review (Cris's office)</p> <p>5:00pm 7:00pm RSVP Recognition Dinner (San Jose Convention Ctr., Ballroom A)</p> <p>6:00pm 8:00pm Coto event (Mexican Heritage Plaza)</p>	
Wednesday, September 12		Saturday, September 15	
<p>10:00am 10:30am City Mgr Sr Staff Mtg-15 minute stop by when time allows (W118/119)</p> <p>12:00pm 1:30pm Rotary (4th St. Garage)</p> <p>2:00pm 2:30pm John Eudy/Essex Property Trust (Cris's office)</p> <p>3:00pm 3:30pm KC/JV: J Howard/Tri-County (Cris's office)</p> <p>3:30pm 4:00pm All: Staff Mtg (KC's office)</p> <p>4:00pm 4:30pm KC/CC: Barbara Attard (Cris's office)</p> <p>5:30pm 7:00pm Alviso Rotary (Vahl's Restaurant, Taylor and El Dorado, Alviso)</p> <p>6:00pm 9:00pm Jeff (1990 Braden dr 95132)</p>		<p>10:00am 12:00pm Community Office hours (Berryessa Branch Library, 3355 Noble Ave.)</p> <p>3:30pm 6:00pm Taiwan Symphony Performance (Jubilee Christian Center 105 Nortech Pkwy SJ)</p> <p>4:00pm 6:00pm Anna Eshoo reception (Carl and Leslie Guardiano home, 489 Bird Avenue, Los Gatos, CA)</p> <p>7:30pm 10:30pm Ann & Steve's party</p>	
		Sunday, September 16	
		<p>7:30am 9:00am Agenda review</p> <p>9:00am 12:00pm Fiestas Patrias Parade & Festival (Market Street between Victory Parking lot & Santa Clara Streets)</p> <p>1:00pm 5:00pm FYI CC Chinese Moon Festival/commendation (Overfelt Gardens)</p> <p>1:00pm 2:00pm DAWN Champagne Brunch and Silent Auction (Hara Campos and Neil Struthers home, 971 Juliet Ave., 95127)</p>	

September 24, 2007

Monday

September 2007

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October 2007

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8 am	TENT [TVN] Quarterly Collaborative Healthy Silicon Valley (United Way)	8:30-10:00 EMAIL
9 00		
10 00		Return Calls
11 00	Prep for MTC 9/26 & 10/1 T&E	
12 pm		
1 00		
2 00	DOC Review: DC to read draft ET article	
3 00	block - PREP FOR MAYOR'S MEETING	
4 00	☐ Dave/Chuck (Mayor's office)	
5 00	5:00pm-5:15pm Discussion w/CM Campos re Fire Station 2 (Here)	
	Memo/George Shirakawa Jr re: City Business	
6 00	PAL GOLF Dinner (Vnages)	
7 00		
8 00		
	5:00am - 5:30am RAMADHAN	
	5:30am - 6:30am D Breakfast Block	
	6:30am - 8:00am D GYM BLOCK	