

## EX-EMPLOYEE SAYS FIRM PAID HIM TO CAMPAIGN

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A former driver at a Santa Clara garbage company vying for a lucrative city contract says he was paid overtime to work on two city council members' election campaigns -- a possible violation of state campaign finance laws that has been denied by the company president and the politicians.

Mark Soares, 25, said he was ordered to work on last fall's campaigns for council members Lisa Gillmor and Tim Jeffries, hanging political campaign signs, stuffing envelopes, phoning prospective voters, setting up a fund-raising lunch and running campaign errands.

"I was told that the reason I was working for these people is to get a vote," Soares said. "They (company officials) needed four votes to get the contract. They said the contract would bring in a lot of money for the company."

The work was not reported on statements candidates are required by law to file identifying contributions. State law also requires companies to report the campaign work of employees, if it totals more than 10 percent of the employee's time in a month, according to the Fair Political Practices Commission. Soares said he spent 25 of his 176 work hours in October on campaign work.

Gillmor said she had thought Soares was a volunteer, and Jeffries said he didn't know whether Soares was being paid by Mission Trail Waste Systems while working for him. Mission Trail's president, Nicholas Rinauro Jr., described Soares as a disgruntled employee with a checkered past and said Soares volunteered for political campaigns but was not paid by the company.

Soares made his charges in February to Dave Tobkin, a political foe of Gillmor's who lost a council race to her last November and who is an accountant for Soares' brother. Tobkin taped a statement from Soares and turned it over to District Attorney George Kennedy's office.

Kennedy declined to discuss the matter, saying that his office isn't required by law to report what it is investigating.

Soares quit Mission Trail last week, after the company said it just learned he didn't have a driver's license and docked part of his pay for three weeks.

Mission Trail, which picks up garbage at Santa Clara homes, has requested an exclusive contract to serve the city's industries, which now hire their own companies based on lowest bids and best service.

Mission Trail has promised to cut residential bills by 8 percent if it gets the exclusive contract. However, city officials said the bills for industries could go up 40 percent. The board of the city's 800-member chamber of commerce, which represents city businesses, has voted against the contract and is recommending that the city council oppose it.

### Work described

Soares said he was hired last October at the urging of Mission Trail's director of government and public affairs, Kevin Moore. During the days, he would drive around the city painting numbers on garbage bins for \$10 an hour. At night, and sometimes during the day, he said he would work for candidates and received \$15 an hour. Soares said that when he worked the overtime he wrote "For Kevin Moore" on his time cards.

Moore was not available for comment.

Gillmor said she had thought both Soares and Moore volunteered to work on her campaign. She said Moore was the head of her volunteers and had been her campaign manager in an unsuccessful election bid in 1988.

Jeffries said he has reported all donations that he knew of. Although his campaign reports for his unsuccessful race for state Assembly last fall indicate that he received \$7,500 from Rinauro and \$2,600 from Mission Trail, there was no mention of payments to Soares or services received from him.

### Building support

Soares said he was told by Moore that Jeffries wouldn't win the Assembly race and that working for him could help gain his city council support.

Part of his job at the company, Soares said, was to call business contacts and have them sign letters supporting Mission Trail's bid for the

exclusive contracts that were written by Moore.

Soares' father, Frank, has also been involved in Santa Clara politics, running for city council against Judy Nadler two years ago and supporting Lisa Gillmor last year.

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