

**MEETING MINUTES**

February 13, 2019

**I. Call to Order & Orders of the Day**

**Roll Call**

**PRESENT:** Chair Adrian Gonzales and Board Members Madhavee Vemulapalli and Amarpal Randhawa.

**ABSENT:** Vice Chair Peacock. (Excused)

**STAFF:** Deputy City Attorney, Mark Vanni, City Clerk Toni Taber and Deputy City Clerk Ruth Krantz.

**Call to Order**

The members of the San José Ethics Commission convened at 5:39 p.m. in Room T-1446 of City Hall, 200 E. Santa Clara Street, CA 95113.

**Orders of the Day**

Action: Upon motion by Board Members Madhavee Vemulapalli, seconded by Amarpal Randhawa and carried unanimously, the Commission approved the adoption of the February 13, 2019 agenda. (3-0-1. Absent: Peacock.)

**II. Closed Session - None**

**III. Hearings – None.**

**IV. Consent Calendar**

- A. Approve the Minutes of October 10, 2018 – Regular Meeting
- B. Approve the Minutes of November 28, 2018 – Special Meeting

Action: The minutes were not drafted in time for this meeting, so approval is deferred to the next meeting of the Board.

**V. Reports**

- A. Chair –None..
- B. City Attorney – None.
- C. City Clerk
  - 1. Legislative update – None.

C. City Clerk

1. Status report on filings (Form 700, Campaign Statements, Lobbyists)
2. Elections update - None.
3. Update on the status of the recruitment for open positions on the Board of Fair Campaign and Political Practices.

Discussion: City Clerk Toni provided an update, noting that the Form 700 first notices have gone out and once uploaded, a second notice will be sent out. It's a slow year for lobbyist forms, with only 55 new lobbyists entered. Regarding campaign statements, nearly all final filings have been filed. She continued that there are seven applications now being reviewed for conflict of interest for open positions on the Board of Fair Campaign and Political Practices.

Action: No action required.

D. Investigator/Evaluator:

Discussion: City Clerk Toni Taber noted that the Request for Qualifications (RFQ) for the Board's Independent Investigator/Evaluator will go out February 15, 2019.

Action: No action required.

**VI. Old Business**

C. Discussion and action on Reprimand Letter to the Re-Elect Magdalena Carrasco for City Council D5 2018 campaign committee in the matter of Imhoff-Dousharm v. Re-Elect Magdalena Carrasco for City Council D5 2018.

Discussion: Deputy City Attorney, Mark Vanni offered the draft of the Letter of Reprimand to Councilmember Carrasco for the Complaint filed on August 10, 2018 by Robert Imhoff-Dousharm to the Board for their review. The Board determined to proceed with the letter as written.

Action: Upon motion by Board Member Amarpal Randhawa, seconded by Board Member Madhavee Vemulapalli, and carried unanimously, the Board approved the Letter of Reprimand dated December 12, 2018 regarding the complaint filed against Re-Elect Magdalena Carrasco for City Council D5 2018 on August 10, 2018 by Robert Imhoff-Dousharm. (3-0-1. Absent: Peacock.)

D. Discussion and possible action on recommendation to the City Council of the benefits or implications for holding Mayoral Elections concurrent with Presidential Elections. (City Clerk)  
[Referral from City Council on October 16, 2018 – Item 3.9]

*(Item Continued on the Next Page)*

Discussion: In response to the City Council's referral of a policy study to the Board evaluating implications for shifting mayoral elections from the gubernatorial election cycle to the presidential election cycle, Chair Adrian Gonzales provided a summary of observations and recommendations following his assessment of data and review of public testimony. City Clerk Toni J. Taber provided information on election costs, and discussion followed.

Action: Upon motion by Board Member Amarpal Randhawa, seconded by Board Member Madhavee Vemulapalli, and carried unanimously, the Policy Analysis of the City Council's Proposal to Shift Mayoral Elections dated February 6, 2019 by Chair Adrian Gonzales, was accepted, with the report to be provided to Council for their review. (3-0-1. Absent: Peacock.)

- E. Discussion and possible action on biennial review of San Jose Municipal Code Title 12, City Council Resolution 78390 and other administrative policies. (City Clerk)
- F. Discussion and possible action on report from Ad Hoc Committee for Public Education Campaign. (Chair Adrian Gonzales and Vice Chair Chris Peacock)
- G. Discussion and possible action on report from Ad Hoc Committee for Complaint Intake Process. (Chair Adrian Gonzales)

Action: Continued to a future meeting of the Board.

- H. Scheduling of Special Board meeting if needed. (City Clerk)

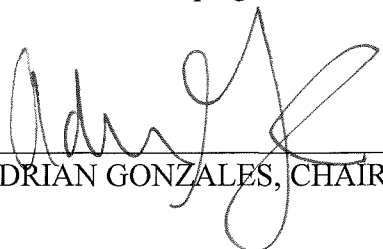
A special meeting of the Board will be set for March 2019 should all new appointments be made.

**VI. New Business** – None.

**VII. Public Comment** – None

**VIII. Future Agenda Items and Adjournment**

Upon motion by Board Member Amarpal Randhawa, seconded by Board Member Madhavee Vemulapalli, and carried unanimously, the meeting of the Board of Fair Campaign and Political Practices was adjourned at 5:57 p.m.

  
ADRIAN GONZALES, CHAIR

ATTEST:  
ELECTIONS COMMISSION SECRETARY

  
\_\_\_\_\_  
TONI J. TABER, CMC  
CITY CLERK