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## Memorandum

**TO:** HONORABLE MAYOR AND CITY COUNCIL

**FROM:** Nora Frimann  
City Attorney

**SUBJECT:** Board of Fair Campaign and Political Practices Applicants: Conflicts of Interest

**DATE:** September 5, 2025

### **BACKGROUND**

The City Council will interview applicants for the San José Board of Fair Campaign and Political Practices ("BFCPP") to fill any vacancies.

This office routinely reviews applications to City Boards, Commissions and Committees. Although the applications do not provide complete information, they do occasionally disclose potential conflicts of interest or incompatible offices. The purpose of this memorandum is to highlight major areas of potential conflict that are disclosed by the applications. In order to analyze potential conflicts, it is necessary to consider the duties of the particular commission or committee to which the applicant is seeking appointment.

### **DUTIES**

The BFCPP is a five-member commission established to:

- Monitor compliance with all campaign, lobbying and ethics ordinances in the San José Municipal Code (See SJMC Title 12);
- Investigate complaints and issue findings where appropriate, including fines; and
- Recommend changes to campaign, lobbying, and ethics regulations and policies.

### **MEMBERSHIP REQUIREMENTS**

BFCPP members must be appointed by a two-thirds vote of the City Council and selected by the same procedure of application and public interview used for the Planning Commission. (SJMC §2.08.1610.) BFCPP members may also be removed by two-thirds vote of the City Council for any reason or no reason. (SJMC §2.08.1640.)

BFCPP members must have some demonstrated familiarity and experience with campaign laws and should be representative of the community. (SJMC §2.08.1630(A).)

They also have special eligibility requirements, which may result in a vacancy or removal if not followed. (SJMC §2.08.1630, see also SJMC §2.08.050.) BFCPP members must be qualified electors of the City and may not hold elected public office; publicly endorse any candidate for City office; engage in political or campaign activity on behalf of any candidate for City office; or be employed by or have any contractual relationship with any candidate for City office. (SJMC §2.08.1630(A)(C)(E)(F).) Further, no member can participate as a candidate in any election for public office for a period of one year before and after tenure on the Board. (SJMC §2.08.1630(D).) Finally, no member may be employed by the City or have any direct and substantial financial interest in any business, work or official action taken by the City. (SJMC §§2.08.1630(B).)

### **LEGAL CONFLICTS THAT MAY PRECLUDE VOTE OR PARTICIPATION**

Certain positions may preclude a commissioner from participating in a commission discussion or from voting on a matter if there is a conflict. While this list is not complete, conflicts usually fall within the following situations:

- An application shows entities that are “sources of income” to a potential commissioner within the 12 months preceding the start of the commission term, as defined under the Political Reform Act.
- An application shows sources of income to a spouse or Domestic Partner of a potential commissioner within the 12 months preceding the start of the commission term.
- An applicant or the spouse or Domestic Partner of an applicant, is an Officer or Board Member of an entity and it is foreseeable that the entity could be involved in a matter coming before the commission.

In each of these instances, the commissioner may be required to recuse himself or herself if a matter comes before the Commission affecting the above interests. A Commissioner’s employer, or the employer of the Commissioner’s spouse, is generally considered a source of income to the Commissioner such that the Commissioner will have to recuse himself or herself from taking part in the Commission’s decision on a matter if the decision will have a foreseeable financial effect on the employer.

### **APPEARANCE OF BIAS**

There may also be facts which would not amount to a legal conflict of interest, but still require recusal because certain relationships may create an appearance of bias. City Council policy requires commissioners to be free from bias in their decision making and may require recusal if the facts could reasonably lead one to conclude that the commissioner would be biased for or against an entity or entities.

## **APPLICANTS**

**Lu, Eddy:** Applicant applied on July 15, 2025. Applicant is a resident of District 4 in San Jose and is employed as a Staff Software Engineer with Parafin. The Applicant reports having taken a personal interest in campaign ethics and transparency. The Applicant has reviewed Title 12 of the San Jose Municipal Code and related Fair Political Practices Commission materials. The Applicant's experience may satisfy the special eligibility requirement to demonstrate familiarity and experience with campaign laws. The Applicant does not hold an incompatible office.

**Vijendiran, Sangeetha:** The Applicant applied on April 21, 2025. The Applicant is a resident of District 8 in San Jose and is currently employed as a Principal Program Manager with Oracle. The Applicant reports experience volunteering in local elections and a commitment to learn and understand specific election laws. Based on this response, the Applicant's experience may satisfy the special eligibility requirement to demonstrate familiarity and experience with campaign laws. The Applicant does not hold an incompatible office.

**Pathak, Ravi:** The Applicant applied on April 20, 2025. The Applicant is a resident of District 8 in San Jose and is currently employed as the Founding Executive Director of FinFit Life. The Applicant did not respond the question regarding experience with elections or campaign regulations for the Board's Applicants. Based on the lack of a response, it is unclear if the Applicant may satisfy the special eligibility requirement to demonstrate familiarity or experience with campaign laws. The Applicant does not hold an incompatible office.

**Shuler, John:** Applicant applied on March 31, 2025. Applicant is a resident of District 9 in San Jose and is employed as a Specialist Instructor in Music with the Campbell Union High School District. The Applicant reports being political well-read and familiar with Federal voting laws and proposed laws. Based on this response, it appears that the Applicant may satisfy the special eligibility requirement to demonstrate familiarity or experience with campaign laws. The Applicant does not hold an incompatible office.

**Gangadharan, Manjusha:** The Applicant applied on March 12, 2025. The Applicant is a resident of District 10 in San Jose and is currently employed with Ex-Minio, Ex-Seagate, and Ex-Wipro as the Head of Partnerships and Head of Strategy. The Applicant did not provide a response indicating familiarity or experience with campaign laws. Based on this response, the Applicant has not demonstrated familiarity with campaign laws as required by San Jose Municipal Code Section 2.08.1630(A.). Without additional information it is unclear if the Applicant is eligible for appointment.

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**Pierre-dixon, Rolanda:** The Applicant applied on September 15, 2025. The Applicant is a resident of District 2 in San Jose and is retired. The Applicant has previously served on the San Jose Elections Commission. The Applicant will be limited to a combined service period of eight (8) years including their previous appointment if selected. Based on the Applicant's previous service on the Board, they have a demonstrated familiarity with election laws and regulations. The Applicant does not hold an incompatible office.

## **CONCLUSION**

The Council may wish to consider the above comments in making its recommendations regarding appointments to the BFCPP.

NORA FRIMANN  
City Attorney

By /s/ Matthew Tolnay (electronically signed)

Matthew Tolnay  
Senior Deputy City Attorney

cc: Jennifer Maguire, City Manager  
Toni J. Taber, City Clerk