

**SPECIAL MEETING MINUTES**

March 29, 2017

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

**Roll Call**

**PRESENT:** Chair Adrian Gonzales, Vice Chair Chris Peacock, and Board Members Madhavee Vemulapalli, Amarpal Randhawa, and Thomas Goodwin

**ABSENT:** None

**STAFF:** Deputy City Attorney Mark Vanni, City Clerk Toni Taber, Sr. Deputy City Clerk Cecilia McDaniel

**OTHER:** Independent Investigator/Evaluator Steven Miller

**Call to Order**

The members of the San José Board of Fair Campaign and Political Practices convened at 5:33 p.m. in Rooms W-118 & W-119 of City Hall, 200 E. Santa Clara Street, CA 95113.

**Orders of the Day**

Action: Upon motion by Board Member Amarpal Randhawa, seconded by Board Member Thomas Goodwin and carried, the Board approved the adoption of the March 29, 2017 agenda. (5-0.)

**II. Closed Session** – None.

**III. Hearings**

- A. Hearing on Complaint filed by Hoang Le aka Chris Le on February 21, 2017 against Councilmember Tam Nguyen alleging unspecified violations of the San Jose Municipal Code (Independent Investigator/Evaluator)

Documents Filed: 1) Report from Hanson Bridgett LLP dated March 20, 2017 regarding Hoang Le aka Chris Le v. Councilmember Tam Nguyen, Complaint Filed February 21, 2017; 2) Written Argument filed by Complainant Hoang Le aka Chris Le dated March 27, 2017; and 3) Response by Respondent Councilmember Tam Nguyen dated March 28, 2017.

Discussion: Chair Adrian Gonzales opened the public hearing. Evaluator Steven Miller summarized the Complaint and his recommendations to the Board. Complainant Hoang Le was present, was sworn in, provided testimony, and responded to Board questions. Respondent, Councilmember Tam Nguyen, was not present. Witness Sam Le was present, was sworn in, and provided testimony in

support of Complainant Hoang Le's claims that Respondent, Councilmember Tam Nguyen, slandered Complainant by calling him a communist.

Action: Board Member Thomas Goodwin moved that the Board approve the Evaluator's recommendation against conducting an investigation and that the file in this matter be closed without further action. Board Member Madhavee Vemulapalli seconded the motion, which carried unanimously. (5-0)

Each Board Member in attendance certified that he or she personally heard the testimony at the hearing and reviewed the entire evidence in the record.

The Board discussed the referring the matter to an outside agency for review but decided against it after consultation with Evaluator Steven Miller and Deputy City Attorney Mark Vanni.

Action: Upon a motion by Vice Chair Chris Peacock, and seconded by Board Member Thomas Goodwin and carried unanimously, the Board moved to direct the City Attorney to draft a resolution on the Board's findings, and further, that the Board authorize the Chair to approve and sign the resolution. (5-0) Chair Adrian Gonzales declared the hearing on this matter closed.

**IV. Public Record – None.**

**V. Consent Calendar**

- A. Approve the Minutes of February 8, 2017 – Regular Meeting
- B. Approve the Minutes of March 8, 2017 – Regular Meeting

Action: Minutes not drafted in time for meeting so approval deferred to April 12, 2017 meeting.

**VI. Reports – None.**

**VII. Old Business – None.**

**VIII. New Business – None.**

**IX. Public Comment – None.**

**X. Future Agenda Items**

- Preparation of 2016-17 Annual Report and 2017-18 Work Plan

**XI. Adjournment**

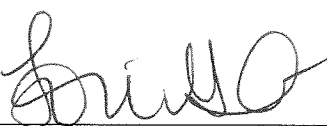
The next regular meeting is schedule for April 12, 2017 at 5:30 p.m. in City Hall Room W-120, pending coordination of a Special Meeting and/or hearing if needed. City Clerk Toni Taber informed the Board that she will be attending a conference and will be absent for the April 12, 2017 meeting.

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The meeting was adjourned at 6:32 p.m.

  
ADRIAN GONZALES, CHAIR

ATTEST:  
BOARD OF FAIR CAMPAIGN AND POLITICAL PRACTICES SECRETARY

  
TONI J. TABER, CMC  
CITY CLERK