



Memorandum

**TO: HONORABLE MAYOR AND
CITY COUNCIL**

FROM: DENNIS HAWKINS,

**SUBJECT: ELECTIONS COMMISSION
APPOINTMENT**

DATE: AUGUST 19, 2011

RECOMMENDATION

1. Interview applicants for appointment to the Elections Commission
2. Appoint one (1) member to the Elections Commission to a term expiring March 1, 2015.
3. If no applicant is appointed, direct the City Clerk to continue recruitment efforts and bring additional applicants forward for consideration within 90-days

BACKGROUND

On March 1, 2011 three vacancies were created on the Elections Commission upon the expiration of the terms of office of the incumbents. Two (2) Commissioners were appointed by the City Council on March 8, 2011 and the third seat was left vacant. The Office of the City Clerk was directed to conduct additional outreach and recruitment for prospective members. This resulted in the receipt of eight (8) applications. The Office of the City Clerk has verified with the Santa Clara County Registrar of Voters that all eight applicants are qualified registered voters in the City of San Jose.

All applications were submitted to the Mayor and City Council for their review. Each Council member was asked to give an "indication of interest" of applicants to be interviewed. Any applicant receiving interest from four or more Councilmembers will be considered in the interview process. This procedure is consistent with the Council's direction regarding appointments to specific City Boards and Commissions. A supplemental memo will be issued which contains information regarding the applicants who have received four or more indications of interest and have been invited to be interviewed by the City Council on August 30. The applicants are:

• Neno Aiello	• Rolanda Pierre Dixon
• Louisa Davis	• Brian Quint
• Christine DiSalvo	• Rama Sehtia
• Rosalie Flores	• Albert Reavis

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Eligibility requirements:

Municipal Code Section 2.08.1630 establishes special eligibility requirements for service on the Elections Commission as follows:

- A. *Each member of the commission must be a qualified elector of the city and have some demonstrated familiarity and experience with campaign laws. The commission's membership should be representative of the community.*
- B. *No member will be employed by the city or have any direct and substantial financial interest in any business, work or official action taken by the city.*
- C. *While serving on the commission, no member will hold any elected public office.*
- D. *No member will participate as a candidate in any election to public office for a period of one (1) year both before and after tenure on the commission.*
- E. *While serving on the commission, no member will publicly endorse any candidate for city office nor engage in any political or campaign activity on behalf of any candidate for city office.*
- F. *While serving on the commission, no member will be employed by or have any contractual relationship with any candidate for city office.*

ANALYSIS

The interview pool will include all applicants who receive interest from four or more Councilmembers. After the interviews, the Council may appoint one applicant to serve a term of office expiring March 1, 2015. As required by the Municipal Code, a successful applicant must receive a 2/3 majority vote, (eight (8) or more votes) to be appointed to the Elections Commission. If no member is appointed, it is recommended that the recruitment be referred back to the City Clerk to secure additional applicants for consideration by the Council in 90-days.

The applications and resumes have been previously submitted to the Council. Memoranda from the Office of the City Attorney and the Department of Planning, Building, and Code Enforcement regarding their review for potential conflicts of interest will be issued with the forthcoming Supplemental memo.

Interview Order:

The applicant interview order will be determined by using the California Secretary of State's Randomized Alphabet Drawing for the November 2010 election ballot. The order of interviews will be included in the Supplemental memo. This method is consistent with the process used in scheduling interviews for other boards and commissions. Applicants will be sequestered in another location so that they may not view or hear the interviews of other applicants until they are called to appear.

PUBLIC OUTREACH

This item does not meet any of the criteria outlined below. However, the memo has been posted on the City Clerk's website as a part of the August 30, 2011 Council Meeting Agenda.

- Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater. (Required: Website Posting)

- Criterion 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. (Required: E-mail and Website Posting)

- Criterion 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, , or a Community group that requires special outreach. (Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)

COORDINATION

This memorandum has been coordinated with the Office of the City Attorney and the Department of Planning, Building, and Code Enforcement.

CEQA

Not a project.



DENNIS D. HAWKINS, CMC
City Clerk

For questions, please contact Dennis Hawkins, City Clerk, at (408) 535-1275.