

**ELECTIONS COMMISSION**

Meeting Minutes

April 13, 2011

**ROLL CALL**

PRESENT: Vice Chair Smith, Commission Members Louie, Cosgrove and Edgeworth

ABSENT: None

STAFF: Senior Deputy City Attorney Lisa Herrick, City Clerk Dennis Hawkins, Senior Deputy City Clerk Nora Pimentel

**ORDER OF BUSINESS**

**I. Call to Order**

A. Administration of Oaths of Office to newly appointed Commissioners

Meeting was called to order by Vice-Chair Smith at 5:35 p.m. in Room W-262 of City Hall, 200 E. Santa Clara Street, CA 95113.

City Clerk Dennis Hawkins administered the Oath of Office to Commissioner Louie for a four-year term ending March 1, 2015. Commissioner Edgeworth had the Oath of Office administered on March 9, 2011 for a four-year term ending March 1, 2015.

**II. Closed Session**

None

**III. Approval of Minutes**

Action: Upon motion by Commissioner Louie, seconded by Commissioner Edgeworth, the Commission unanimously approved the Meeting Minutes of January 12, 2011 and February 9, 2011. Vote 4-0 (One vacant seat)

**IV. Report of the Chair**

Vice-Chair Mike Smith reported that he met with City Clerk Dennis Hawkins and Sr. Deputy City Attorney Lisa Herrick on February 18 and again with Dennis on March 23, 2011, to discuss the revisions to the Workplan and potential impact on staff resources. The Primary discussion of the second meeting was about Prima Facia reviews as it relates to compliance monitoring.

**V. Reports of the Clerk/Attorney**

City Clerk Dennis Hawkins gave an update on the status of the Elections Commission recruitment for the fifth member.

Regarding regulation of advocacy by non-profits Senior Deputy City Attorney Lisa Herrick reported that she and Antonio Guerra from the Mayors office met with a few non-profit representatives at the end of February and made an attempt to draft language that would be in the nature of a policy which is the Mayor's Office preference. She sent it to Patricia Gardner and Ben Fields who were the representatives they met with on behalf of the non-profits. Once their feedback is received she will forward the policy to the Rules and Open Government Committee. As it relates to the Instant Runoff Voting work that the Elections Commission completed about a year ago Lisa mentioned that staff was directed to do some further research which included the results of the Alameda County November election. This memo was completed and is currently being reviewed and will go to Rules in a few weeks. Regarding the Voluntary expenditures limits Lisa reported that this is on her to do list and that there was some specific direction from the Mayor and Councilmember Constant about looking to see whether or not it should be indexed.

City Clerk Dennis Hawkins mentioned that they should get the voluntary expenditures limits issue to the rules committee no later then the first quarter of the fiscal year because we are moving into the 2012 election cycle.

**VI. Report of the Evaluator**

There was no report.

**VII. Discussion Items**

A. Election of New Chair and Vice-Chair

Action: Upon motion by Commissioner Cosgrove, seconded by Commissioner Edgeworth, the Commission unanimously approved the appointment of Commissioner Smith as Chair.

Action: Upon motion by Commissioner Smith, seconded by Commissioner Edgeworth, the Commission unanimously approved the appointment of Commissioner Cosgrove as Vice-Chair.

- B. Review, Discuss and Adopt Revised Proposed Elections Commission Workplan for FY 2011-12  
*Continued from February 9, 2011*

Document Filed: Memo to the Elections Commission from Vice-Chair Smith dated February 23, 2011 regarding Revised Proposed Elections Commission Workplan for FY 2011-12.

Vice Chair Smith briefly summarized revisions made to the Workplan. They discussed the process when responding to complaints alleging that public records or some parts of records are being withheld improperly. Further discussion followed about process for identifying and monitoring compliance with campaign and ethics as outlined in the Title 12 of the Municipal Code.

Commissioner Edgeworth asked how the Clerk's Office reviews the campaign forms. City Clerk Dennis Hawkins provided a brief description of the manual process the Clerks office uses for review of the various forms. Discussion ensued.

Action: Upon motion by Commissioner Cosgrove, seconded by Commissioner Louie, the Commission unanimously approved to forward the Elections Commission Workplan for FY 2011-12 with amendments as discussed to the Rules and Open Government Committee.

**VII. Meeting Schedule and Agenda Items**

The next regular meeting is Wednesday, May 11, 2011. Agenda items to include: (1) Compliance Schedule and form overview by the City Clerk; (2) Planning Discussion on Title 12; (3) Discussion of Commission Name Change

**XI. Public Comment**

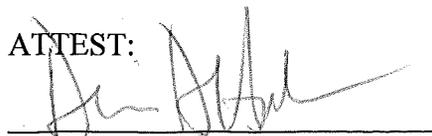
There were none.

**X. Adjournment**

The meeting was adjourned at approximately 6:42 p.m.

  
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MICHAEL SMITH, CHAIR

ATTEST:

  
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Dennis D. Hawkins, CMC  
CITY CLERK and SECRETARY TO THE COMMISSION