

ELECTIONS COMMISSION
Meeting Minutes
June 8, 2011

ROLL CALL

PRESENT: Chair Smith, Vice Chair Cosgrove, Commission Member Louie

ABSENT: Commission Member Edgeworth

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

ORDER OF BUSINESS

I. Call to Order

II. Closed Session
None.

III. Approval of Minutes

Action: Upon motion by Commissioner Cosgrove, seconded by Commissioner Louie, the Commission unanimously approved the Meeting Minutes of April 13, 2011 as amended. Vote 3-1-0 (Commissioner Edgeworth Absent)

IV. Report of the Chair
There was no report.

V. Reports of the Clerk/Attorney

City Clerk Dennis Hawkins reported that the Rules and Open Government Committee directed staff to continue recruitment for the Elections Commission vacant seat for another 90 days. He also reported that the Clerk's office will lose 2 positions due to the City's Budgetary Actions.

VI. Report of the Evaluator

There was no report.

VII. Discussion Items

A. Review and Discuss Lobbying Forms

Document Filed: City of San Jose Lobbyist Report.

City Clerk Dennis Hawkins distributed a sample of an actual City of San Jose Lobbyist Report and explained the compliance review the City Clerk's office conducts. He mentioned that as the Commission reviews Title 12 they may make modifications as it relates to reporting modifications in the Lobbyist section.

Commission discussion followed.

Dennis said he would return in August/September timeframe to discuss Campaign Finance forms and break it down by order of which forms are filed as the 2012 campaign cycle begins (i.e. 501 Candidate Intention Statement, 410 Statement of Organization Recipient Committee, etc.).

B. Continue Discussion and determine next steps on Compliance Monitoring

The Commission discussed the Commission's involvement in compliance monitoring as part of their role as defined in Title 12 as well as how the Clerk could report to the Commission on compliance monitoring. Chair Smith suggested that the Clerk develop a reporting schedule on compliance reviews which would meet their objective as a Commission in compliance monitoring. Dennis said he would return in August with a draft of a schedule.

C. Initiate Discussion and determine next steps on potential revisions to gift Ordinance

Senior Deputy City Attorney Lisa Herrick reviewed the Gift Ordinance section of Title 12 with the Commission and made some suggestions in areas that could be clarified as well as areas which could be revised to conform to the Fair Political Practices Commission regulations.

Commissioner questions and discussion ensued.

Antonio Guerra from the Mayor's Office shared from his experience that for the most part in practice the Gift Ordinance section is understandable as it relates to the basics but that there are a few questions that do arise around the grey areas from time to time.

Lisa said she would return to the Commission in August with a red-lined version of the Ordinance.

D. Voluntary Expenditure Limits – Discussion and Set a Study Session Date

The Commission agreed to do outreach to current Councilmembers, past candidates, and treasurers. Commission discussion continued about how to engage Councilmembers in providing input on the Voluntary Expenditure Limit. The Commission set the date for a study session on August 5, 2011.

VIII. Meeting Schedule and Agenda Items

The next regular meeting is for Wednesday August 10, 2011. Agenda items to include: (1) Continue discussion and adoption of recommendations regarding potential revisions to Gift Ordinance (SJMC 12.08); (2) Status report on disclosure filings; (3) Voluntary Expenditure Limits- study session.

IX. Public Comment

There were none.

X. Adjournment

The meeting was adjourned at approximately 7:20 p.m.



MICHAEL SMITH, CHAIR

ATTEST:
ELECTIONS COMMISSION
DENNIS HAWKINS, CMC, SECRETARY



Nora Pimentel, CMC