

ELECTIONS COMMISSION
Meeting Minutes
November 10, 2010

ROLL CALL

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

ABSENT: Chair de Funiak

STAFF: City Clerk Lee Price, Senior Deputy City Attorney Lisa Herrick, Assistant City Clerk Dennis Hawkins, and Deputy City Clerk Nora Pimentel

ORDER OF BUSINESS

I. Call to Order

The members of the San Jose Elections Commission convened at 5:37 p.m. in Room W-262 of City Hall, 200 E. Santa Clara Street, CA 95113.

II. Closed Session

None

III Approval of Minutes

Action: Upon motion by Commissioner Louie, seconded by Commissioner Shepard, the Commission unanimously approved the Meeting Minutes of October 13, 2010.

IV. Report of the Chair

None.

V. Reports of the Clerk/Attorney

City Attorney Lisa Herrick reported on the October 27, 2010 lobbyists stakeholders meeting and mentioned that some information will be going out to the non-profit community as to how the lobbying ordinance works in other jurisdictions that do not exempt non-profits.

She informed the Commission that the memo forwarding the recommendations regarding changes to the Elections Commission regulations is complete and will be going forward to the City Council on November 30, 2010. She added that revisions to the Campaign Finance Ordinance will also be moving on to the City Council at the same time.

VI. Report of the Evaluator

Mike Moye reported that a complaint was filed on October 7, 2010 and that the investigation has been completed. He explained that his report and recommendations have been submitted to the City Clerk and requested a hearing and explained that he anticipated the need for 45 minutes to conduct the hearing. Mr. Moye added that he expected to issue a supplemental report, but noted that he did not think the report would change his recommendations.

VII. Discussion Items

- A. Evaluation of Responses to Request for Qualifications for Investigator; Interviews of Prospective Individuals and/or Representatives
- B. Evaluation of Responses to a Request for Qualifications for Evaluator/Investigator and Interviews of Prospective Individuals and/or Representatives.

These items were taken up concurrently.

Vice Chair Smith provided background and outlined the interview process that would be followed.

The Commission interviewed the following individuals and/or representatives from firms submitting proposals for investigator, evaluator, or investigator/evaluator: Thomas Consulting; Rank Investigations; Fu-Gen; VanDermyden, Allison; Gautam Dutta; Hanson Bridgett, LLP; and Renne, Sloan, Holtzman & Sakai.

The Commission took a short break. Discussion ensued.

- C. Selection of an Investigator, Evaluator and/or Evaluator/Investigator

Action: Upon motion by Commissioner Shepard, seconded by Commissioner Louie, the Commission unanimously approved the selection of Hanson Bridgett as the Evaluator/Investigator. (Vote 4-0)

VIII. Meeting Schedule and Agenda Items

The next Regular Meeting is scheduled for Wednesday, December 1, 2010. The sole agenda item will be the hearing on the current complaint (Thomas Nguyen complainant).

IX. Public Comment

City Clerk Lee Price forwarded communications on behalf of Terry Reilly regarding the outcome of the instant runoff elections held in Alameda County in November.

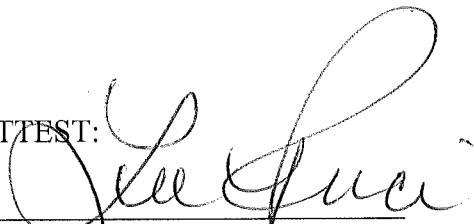
X. Adjournment

The meeting adjourned at approximately 8:09 p.m.



MICHAEL SMITH, VICE CHAIR

ATTEST:



LEE PRICE, MMC
CITY CLERK and SECRETARY TO THE COMMISSION