



CITY OF SAN JOSE, CALIFORNIA

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SAN JOSE ELECTIONS COMMISSION

Fred de Funiak, Chair
Michael Smith, Vice Chair
Leon Louie
Robert Shepard
Erica Cosgrove

SAN JOSE ELECTIONS COMMISSION REGULAR MEETING

April 8, 2009

4:30 P.M.

**200 E. SANTA CLARA STREET
SAN JOSÉ, CA 95113**

City Hall Wing - Room W242

****Please note earlier starting time***

ORDER OF BUSINESS

I CALL TO ORDER

II APPROVAL OF MINUTES

- a. February 11, 2009, amended
- b. March 11, 2009
- c. March 25, 2009 (*RECOMMEND DEFERRAL TO MAY 13, 2009*)

III REPORT OF THE CHAIR

IV REPORTS OF THE CLERK/ATTORNEY

V DISCUSSION ITEMS

- A. Status on the Instant Run-Off Voting (IRV)
RECOMMEND DEFERRAL TO MAY 13, 2009

TO ARRANGE AN ACCOMMODATION UNDER THE AMERICANS WITH DISABILITIES ACT TO PARTICIPATE IN THIS PUBLIC MEETING, PLEASE CALL (408) 535-1265 OR (408) 294-9337 (TTY) AT LEAST 48 HOURS BEFORE THE MEETING.

- B. Status of Review of the Record on the COMPAC Complaint by Commissioners
- C. Sub-Committee Status Report on Additional Election Analysis by City Clerk and MGT of America, Inc. (deFuniak/Smith)
- D. Sub-Committee Status Report on the Elections Commission Procedures for Anonymous Complaints (Cosgrove/Shepard)
- E. Consideration of Request by Kenneth Machado on behalf of Tom McEnery as relates to the Anonymous Complaint filed by John Doe v. Tom McEnery, John McEnery IV and Urban Markets, LLC

[Attachment 1 – Letter from Kenneth J. Machado, Jr., dated January 16, 2009](#)

[Attachment 2 – Letter from Mike Moye dated January 22, 2009](#)

[Attachment 3 – Letter from Kenneth J. Machado, Jr., dated March 19, 2009](#)

[Attachment 4 – Letter from James McMannis dated March 25, 2009](#)

[Attachment 5 - Supplemental Memorandum from Mike Moye dated April 7, 2009](#)

VI MEETING SCHEDULE AND AGENDA ITEMS—The next Regular Meeting is scheduled for Wednesday, May 13, 2009 at 5:30 p.m.

VII PUBLIC COMMENT

VIII ADJOURNMENT into Study Session in at 6:30 p.m. Committee Rooms W118-119

Availability of Public Records. All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at City Hall, Office of the City Clerk, 200 East Santa Clara Street, Wing – 2nd Fl., San José, CA 95113 at the same time that the public records are distributed or made available to the legislative body.