



CITY OF SAN JOSE, CALIFORNIA

200 East Santa Clara Street
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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

**August 12, 2009
5:30 P.M.**

**200 E. SANTA CLARA STREET
SAN JOSÉ, CA 95113
City Hall Wing - Room W262
Please Note Location Change**

AND

**LIGHTHOUSE POINTE RESORT
22900 S. HWY 1 / P.O. BOX 154
POINT ARENA, CA 95468**

ORDER OF BUSINESS

I CALL TO ORDER

II CLOSED SESSION

The Commission will meet in Closed Session to discuss:

- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
PURSUANT TO GOVERNMENT CODE SECTION 54956.9 subsection
(a):

Name of Case:

1. San José Silicon Valley Chamber of Commerce Political
Action Committee, et al. v. City of San José and San José
Elections Commission

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.

III APPROVAL OF MINUTES

- A. [July 8, 2009](#)

IV REPORT OF THE CHAIR

V REPORTS OF THE CLERK/ATTORNEY

VI HEARING ON COMPLAINT

- A. [Hearing on the complaint filed on June 9, 2009 by the City Clerk](#) alleging that Sydney “Ted” Scarlett violated San José Municipal Code campaign finance regulations (Independent Evaluator)

VII DISCUSSION ITEMS

- A. Report on referral to the City Attorney’s Office regarding formal advice (Attorney)
RECOMMEND DEFERRAL
- B. [Sub-committee report regarding anonymous complaints](#) (Cosgrove/Shepard)
- C. Review of City Election Costs and continued discussion on the status of Instant Run-Off Voting (Clerk)

[Attachment – Correspondence from New America Foundation](#)
[Attachment – Correspondence from Terry Reilly](#)
[Attachment – Correspondence from Terry Reilly - Video](#)
[Attachment – Correspondence from Terry Reilly on IRV](#)
[Attachment – Memo from the City Clerk](#)
- D. Status report on recommendations from the MGT of America, Inc. analysis (Clerk)
- E. Status of Elections Commission contracts with Hanson Bridgett, LLC and Rivera and Associates (Clerk)

VIII MEETING SCHEDULE AND AGENDA ITEMS—The next Regular Meeting is scheduled for Wednesday, September 9, 2009, at 5:30 p.m.

IX PUBLIC COMMENT

X ADJOURNMENT

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.