

**ELK GROVE CHARTER EXPLORATORY AND ELECTION REFORM COMMITTEE
REGULAR MEETING
CITY COUNCIL CHAMBER, 8400 LAGUNA PALMS WAY
MONDAY, OCTOBER 22, 2007**

1. CALL TO ORDER / ROLL CALL

The Regular Committee meeting of October 22, 2007 was called to order by Chair Orrock at 6:03 p.m.

Present: Committee Members – Chaires, Loveland, Orrock, and Perez

Absent: Committee Members – Allen (arrived at 6:07 p.m.)

(Assigned staff/Presenters)

Also Present: Lucy Eidam, Richard Miadich, and Susan Blackston

2. PUBLIC COMMENT (on non-agenda items)

None.

3. APPROVAL OF MINUTES

MOTION/VOTE:

Committee Member Perez made a motion, Loveland second, to approve the October 8, 2007 minutes as presented. The motion carried by the following vote:

Ayes: Committee Members – Chaires, Loveland, Orrock, and Perez.

Noes: Committee Members – None

Absent: Committee Members – Allen

4. QUESTIONS AND ANSWERS

Follow up to October 8 presentation regarding (Part 3 of 3) Campaign Finance (Expenditure Limits, Limits on Independent Expenditures, Issue Ads, and Public Financing) overview of General Law and Charter City Forms of Government

There were no questions from Committee Members regarding the October 8 presentation.

Richard Miadich, Associate with Olson, Hagel & Fishburn, LLP, reviewed recent action taken on the following Assembly Bills:

- Governor Schwarzenegger recently signed AB 1430

Existing law provides that, for the purposes of contribution limits imposed by the Political Reform Act of 1974, payments for communications to an organization's members, employees, shareholders, or their family members, to support or oppose a candidate or ballot measure are not contributions or expenditures if not made for general public advertisements, such as broadcasting, billboards, or

newspaper ads. However, existing law requires that payments by a political party for communications to registered party members that would otherwise qualify as contributions or expenditures be reported in accordance with provisions governing the filing of periodic campaign reports, and governing the filing of reports online or electronically with the Secretary of State.

Existing law provides that the Political Reform Act does not nullify contribution limitations or prohibitions of any local jurisdiction that apply to elections for local elective office, except the limitations and prohibitions may not conflict with these provisions regulating payments for communications.

This bill would provide that certain restrictions and limitations by a local jurisdiction on payments for a member communication, as defined, would conflict with these provisions and would be prohibited.

Mr. Miadich summarized that AB 1430 prohibits local governments from adopting campaign finance ordinances that restrict communications between an organization and its members unless state law similarly restricts such communications.

- Governor Schwarzenegger recently vetoed AB 1294:

Existing law provides procedures for the nomination of candidates for elective offices in general law cities. It specifies the procedures for the conduct of the election, the canvass of ballots, and certification of persons elected to office. Related provisions require the holding of a runoff election if no candidate has been elected at the municipal election. Existing law provides that a vacancy in an elective office may be filled by appointment, at a special election, or at the next regular municipal election, as specified. Under existing law, the Secretary of State is the chief elections officer of the state and is required to administer the provisions of the Elections Code.

This bill would provide that, notwithstanding any provision of law, a city, county, or district may conduct a local election using ranked voting. This bill would specify the ranked voting method as it applies to both a single-candidate election and a multiple-candidate election.

Mr. Miadich summarized that that AB 1294 would have allowed General Law cities to choose instant runoff (ranked) voting; however, with the veto, it remains that only Charter cities can opt for this form of election.

5. Review of All Concepts / Principles Discussed in Prior Meetings and Committee's Draft Final Report to the City Council

Lucy Eidam, President of Lucy & Company, asked Members for their overall perception of the revised draft report (filed).

Vice Chair Chaires commented that the report is lengthy (64 pages); however, she felt it was necessary, due to the complexity of the topics and was very good overall.

Member Loveland felt that the topic of instant runoff voting could be better explained and consistent formatting throughout the document is needed.

Chair Orrock favored the chart format, as it assists the reader in understanding the material. She suggested the Committee discuss what should be highlighted in the upcoming presentation to Council.

Member Perez recommended that an Executive Summary be prepared, as well as a graphic that shows the differences between General Law and Charter cities.

Member Allen commented that, overall, the report was well done.

Ms. Eidam facilitated review, Committee discussion, and subsequent editing of pages 1 through 35 of the Report (Draft #1).

Discussion ensued regarding overall format, following which consensus was arrived at to prepare an Executive Summary. The report itself will have an introduction and the conclusion will be a brief statement noting that submission of the final report completes the objective tasked to the Committee and thanking Council for the opportunity to serve. The Executive Summary would describe the process undertaken by the Committee and include highlights from each of the chapters. Preparation of written chapter summaries/highlights were assigned as follows:

- Chapters 1 and 5 – Chair Orrock
- Chapter 2 – Vice Chair Chaires
- Chapters 3 and 6 – Member Allen
- Chapter 4 – Member Loveland
- Chapter 7 – Member Perez

Ms. Eidam explained that she would be forwarding the final report chapter to Committee Members for review and asked that edits be returned to her before the next meeting (i.e. November 13).

In response to Member inquiries, Susan Blackston, reported that the City Council has only one meeting scheduled for the month of December (i.e. December 12) and due to this, the agenda might be more lengthy than usual. She mentioned that the City Council will reorganize and select a Mayor and Vice Mayor at the December 12 meeting. In order for the Committee to make a presentation to Council at its December 12 meeting, the final report must be submitted to the City Clerk's Office by December 3.

Mr. Miadich offered to list, at the end of each chapter, what Charter and General Law cities are legally able to do, as it relates to each of the issues outlined in the chapter.

6. NEW BUSINESS

None.

7. ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 8:30 p.m.

ATTEST:

/s/ Susan J. Blackston
Chief Deputy City Clerk