

NORMAN ELECTION COMMISSION MINUTES

June 22, 2016

The Norman Election Commission of the City of Norman, Cleveland County, Oklahoma, met in the Municipal Building Conference Room at 201 West Gray on the 22nd day of June, 2016, at 3:06 p.m. Notice and agenda of the meeting were posted at the Municipal Building 48 hours prior to the beginning of the meeting.

MEMBERS PRESENT: Robin Allen  
Richard Hilbert  
Elizabeth Windes  
Ty Hardiman, Chairman

MEMBERS ABSENT: Elizabeth Pierce

OTHERS PRESENT: Brenda Hall, City Clerk

**Item 2. Consideration of approval of the Norman Election Commission minutes of May 2, 2016.** Member Hilbert moved that the Norman Election Commission minutes of May 2, 2016, be approved, which motion was duly seconded by Member Windes;

Items submitted for the record

1. Norman Election Commission minutes of May 2, 2016

and the question being upon approving the Norman Election Commission minutes of May 2, 2016, a vote was taken with the following result:

YEAS: Members Allen, Hilbert, Windes, and  
Chairman Hardiman

NAYES: None

Chairman Hardiman declared the motion carried and the Norman Election Commission minutes of May 2, 2016, were approved.

\*\*\*\*\*

**Item 3. Review of Campaign Contribution and Expenditure Reports from the following candidates and elected officials.**

NAME ON REPORT	STATEMENT OF ORGANIZATION	QUARTERLY CONTRIBUTION & EXPENDITURE REPORT	CONTRIBUTION & EXPENDITURE REPORT - FINAL
Friends of Jerry Lang 2016		X	
Friends of Breea Clark 2016		X	

Item 3, continued:

***Friends of Jerry Lang 2016***

Member Hilbert moved that the Campaign Contribution and Expenditure Report for Friends of Jerry Lang 2016 be accepted, which motion was duly seconded by Member Allen;

Items submitted for the record

1. Municipal Candidate Committee Contributions and Expenditures Report for Friends of Jerry Lang 2016 dated June 19, 2016

and the question being upon accepting the Campaign Contribution and Expenditure Report for Friends of Jerry Lang 2016, a vote was taken with the following result:

YEAS: Members Allen, Hilbert, Windes, and  
Chairman Hardiman

NAYES: None

The Chairman declared the motion carried and the Campaign Contribution and Expenditure Report for Friends of Jerry Lang 2016 was accepted.

\*

***Friends of Breea Clark 2016***

Member Hilbert moved that the Campaign Contribution and Expenditure Report for Friends of Breea Clark 2016, be accepted, which motion was duly seconded by Member Windes;

Items submitted for the record

1. Municipal Candidate Committee Contributions and Expenditures Report for Friends of Breea Clark 2016, filed June 20, 2016

and the question being upon accepting the Campaign Contribution and Expenditure Report for Friends of Breea Clark 2016, a vote was taken with the following result:

YEAS: Members Pierce, Windes, and  
Chairman Hardiman

NAYES: None

The Chairman declared the motion carried and the Campaign Contribution and Expenditure Report for Friends of Breea Clark 2016 was accepted.

\*

**Item 4. Continued discussion regarding Senate Bill 438 related to the Municipal Campaign Finance and Financial Disclosure Act, which authorizes municipalities to enact comprehensive code of campaign finance and personal financial disclosure ordinances.**

Chairman Hardiman said discussion of Senate Bill 438 (the Act) began in December 2014, when the State took control over municipal elections. In 2015, the State gave municipalities the option of reasserting authority over their elections, but it was all or nothing. The Norman Election Commission (NEC) has been evaluating the State process and comparing that to the previous City of Norman Code, Chapter 7.5 to try to determine whether or not it would be beneficial for the City of Norman to opt out of the State Ethics Commission rules and adopt its own ordinances regulating contributions and expenditures and financial disclosures.

Chairman Hardiman felt a public meeting would be appropriate in helping NEC with their decision and did not believe NEC should make a final decision without further discussion with the public and City Council. After the public meeting, the report back to Council would need to be some type of recommendation from NEC as to what NEC's opinion is on this subject based on what they have learned and what they have heard from the public.

Ms. Hall said if the City adopted a new ordinance, the State would have to approve that ordinance and Chairman Hardiman asked if that meant the State Ethics Commission would glance at it and say ok or would there be a formal hearing. Ms. Hall did not believe there would be a formal hearing, but in order to opt out the City would need to provide proof that whatever ordinance it has in place complies with the current State regulations.

Chairman Hardiman said NEC discussed scheduling a public meeting in June, but the Storm Water Utility (SWU) process became more time consuming for Council than anticipated and he did not want to put more on Council's plate. Ms. Hall said the SWU process for Council is pretty much finished and between now and August there will be more of an educational process for the public so NEC could schedule a public meeting in July if they wished. She said it would be helpful for NEC to have some type of presentation regarding the State regulations and the responsibilities of the City if it chose to opt out of the State requirements.

Chairman Hardiman said public feedback could be incorporated into a report for Council and Ms. Hall said after the public meeting, NEC should probably schedule a meeting to discuss the feedback received and decide if they want to recommend making a change to Council and, if so, what that would look like. She said a draft ordinance would then be prepared that would be submitted as part of the NEC report to Council; however, a Council Committee would probably review the recommendation prior to being presented to the full Council.

Member Hilbert asked about the timeline for this and Ms. Hall said she would like to have an ordinance adopted and effective before the end of the year so when the filing period opens in January, candidates know what rules to follow. She said it is very important to know the rules you are playing by once you file for office. Chairman Hardiman felt there was enough time to do that if NEC stayed diligent.

Member Hilbert asked how the public would be informed of a meeting and Ms. Hall said a press release would go out from Ms. Claudia Deakins, Chief Communications Officer, who would also put the information on Facebook, Twitter, Norman's website, etc. The press release would need to be written in such a way that the public would understand the purpose of the meeting.

Chairman Hardiman said in the late 1960's Norman's Council system was an at-large system and transitioned to a ward based system which was a huge shift in the composition of Council and it was during that time the United States (US) was in a politically active climate on a national and local level. He said NEC was a direct outcome of the social changes happening at that time and Chapter 7.5 was created.

Item 4, continued:

Member Allen said there does not seem to be much difference between what the City had and the State rules. Ms. Hall said the two biggest issues, in her opinion, would be the enforcement mechanism because the State has a blackout period for filing complaints *and* no expenses or contributions have to be reported until a candidate hits a \$1,000 threshold. Those are the two things the City could benefit from, but basically everything else that Norman had previously is covered in the State rules.

Chairman Hardiman said he would love to sit down with the State Ethic's Commission and have them explain how the blackout system works and Member Hilbert agreed. Ms. Hall said she spoke with the Ethics Commission and was told the Ethics Commission does not accept complaints during a campaign period and if a complaint comes in, it basically goes into a box and is not reviewed until after the election. For instance, Norman receives a lot of political sign complaints and most of the complainants want immediate action and the Ethics Commission does not want to be used as a pawn in the campaign process.

Chairman Hardiman said there seems to be agreement that a public meeting should be held to discuss these issues and asked Ms. Hall for potential public meeting dates. Ms. Hall said Monday dates include July 11th, July 18th, July 25th, or Wednesday dates of July 6th, 13th, and 27th.

Chairman Hardiman suggested a Wednesday meeting, but not on July 6th because that is too close to the July 4th holiday. After some discussion, members agreed on Wednesday, July 13th, at 6:00 p.m.

Chairman Hardiman said he would like a representative from the Ethics Commission to attend the meeting and Ms. Hall said she would ask, but was not sure they would be willing to attend.

\*\*\*\*\*

**Item 5. Miscellaneous Discussion.**

None

\*\*\*\*\*

**Item 6. Adjournment.**

Chairman Hardiman declared the meeting be adjourned at 3:50 p.m.