

## NORMAN ELECTION COMMISSION MINUTES

August 1, 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 1st day of August, 2016, at 2:07 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 (left at 2:50 p.m.)  
Richard Hilbert  
Elizabeth Pierce (arrived at 2:10 p.m.)  
Elizabeth Windes  
Ty Hardiman, Chairman

MEMBERS ABSENT: None

OTHERS PRESENT: Brenda Hall, City Clerk

**Item 2. Consideration of approval of the Norman Election Commission minutes of June 22, 2016.** Member Wines moved that the Norman Election Commission minutes of June 22, 2016, be approved, which motion was duly seconded by Member Hilbert;

Items submitted for the record

1. Norman Election Commission minutes of June 22, 2016

and the question being upon approving the Norman Election Commission minutes of June 22, 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 June 22, 2016, were approved.

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**Item 3. 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 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 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 ordinance regulating contributions and expenditures and financial disclosures.

The NEC felt that a public meeting would be appropriate in helping them with their decision and did not believe they should make a final decision without further discussion with the public and City Council. A public meeting was held on July 27, 2016, and Ms. Joy Hampton, [The Norman Transcript](#), wrote an article summarizing the public meeting discussion. Chairman Hardiman said in the course of the public meeting he delivered a presentation and the audience asked questions.

Item 3, continued:

Chairman Hardiman said the purpose of collecting campaign information for the public and candidates is served regardless of whether the City is under State or local rules. A component discussed at the public meeting included the State's \$2,700 contribution limit and if Norman wanted to specifically choose its own limit and the only means to do that is through a local ordinance. He said that does not change the concept of collecting and distributing information, but has more to do with the amount of a contribution. He is not sure by what method the NEC would determine whether City Council and the citizens of Norman feel strongly about lowering the limits. He is sure there are people who do not like the limit of \$2,700, but there are others that probably love the limit. He said one of the fundamental reasons for a local ordinance would be to change the contribution amount.

Chairman Hardiman said another reason for a local ordinance is to require third party, non-candidate committees to file reports. There have been times when the City has desired to have financial information from a non-candidate committee and as it currently stands with the State, a committee would have to spend \$1,000 before they are required to file a report. If the City had a local ordinance, they could make the limit \$200 so there would be reporting contribution and expenditure thresholds. Under the old Code in Chapter 7.5, the City's threshold for reporting City Council candidates was \$0, but under State rules that threshold is \$1,000.

Member Hilbert said he spoke with Mr. Lee Slater, Former Executive Director of the State Ethics Commission, about the State's threshold of \$1,000 and Mr. Slater said if you add inflation to the initial threshold you come up with the current threshold and Member Allen agreed because she has made that calculation.

Member Allen said as far as the State's blackout periods, it does not seem as if action against a candidate is resolved until after the election anyway. Ms. Hall agreed and said oftentimes a conclusion or resolution is not found until after the election. Chairman Hardiman said there was a rather awkward quote of him in the newspaper article, but what he was trying to say was that sometimes two candidates get into a spat and the City does not want to get into the middle of that and is not equipped to respond in a timely manner. Ms. Kristina Bell, Assistant City Attorney, said if there is an initial accusation against a candidate then a lot of times there will not be a resolution until after the election, but on the other hand simple accusations, such as an error in addition or subtraction on a report, do get handled in a timely manner. She said most candidates comply because they do not want the public to have a bad perception of them; however, compliance depends on the nature of the issue.

Chairman Hardiman asked Ms. Hall about her thoughts on the subject and Ms. Hall said she is here to serve and will follow whatever rules are in place; however, she does work very closely with candidates during the campaign reporting period. She said a lot of time is spent obtaining reports from candidates in a timely manner, reviewing reports, obtaining more detailed information from candidates, correcting errors, etc. Her only concern is that every time the City changes the rules it makes it more difficult for the candidates to remember which rules to follow.

Chairman Hardiman said if NEC made a recommendation to City Council to make a change for local control, would that be discussed by a Council Committee first? At what point is NEC drafting an ordinance prior to knowing if Council is interested in a local ordinance? He said no Councilmembers attended the public meeting, but Councilmember Holman contacted him the evening of the meeting and said "when local control was taken over by the State, I disagreed with that." Chairman Hardiman said that is not to infer that Councilmember Holman wants to return to local control, but Councilmember Holman's position in 2014 was for local control to remain.

Ms. Hall said it is fair to ask if there is a desire by Council to really look at this seriously because NEC could spend quite a bit of time establishing an ordinance for local control and if there is no support from Council, it would be wasted. She suggested NEC put their recommendation into the final report which goes to Council on September 27th and make that a focus of the report so if Council really wants to entertain looking at a local ordinance they could give NEC direction at that time. Or if NEC wants to look at a local ordinance, Staff can work on drafting an ordinance for their review to submit to Council. Ms. Bell asked if it would be feasible to schedule a Study Session or Conference to discuss the pros and cons with Council before an ordinance is drafted and Ms. Hall said that could be a way to see if there is interest from Council.

Item 3, continued:

Chairman Hardiman said NEC could submit a summary of what they have discovered over the past year in the final report and Ms. Hall said that would work and suggested Chairman Hardiman give a short verbal update to Council for feedback. Chairman Hardiman asked if any NEC members are strongly opposed to the idea of a local ordinance or are they comfortable with considering a local ordinance if directed. Member Pierce said she is not opposed, but when you balance out all of the work to craft an ordinance versus the fact that there have not been negatives with any of the campaigns it may not be worth the effort. Chairman Hardiman asked if it was fair to say that if NEC worked on a local ordinance Member Pierce is not opposed, but is aware of the complexities involved and Member Pierce said that is correct. Members Hilbert and Allen felt the same way. Chairman Hardiman said he will let Council know the NEC does not want to go down this path unless Council is supportive.

Member Hilbert felt Chairman Hardiman should stress to Council the problems involved in making another change because there is a lot of work involved and it would create more confusion about what it is the City really wants to accomplish. Member Allen asked if any of the changes would open the City to any type of legal issues and Ms. Bell said she did not think so because the State clearly amended the statute to give municipalities the opportunity to have local control if they wanted. She said there could be specific issues that would have to be researched and the ordinance would need to be very comprehensive. Member Hilbert asked if there would be any violations of State law if the City adopted the same ordinance it had in place before the State exemption and Ms. Hall said the City could not adopt the exact ordinance because the City would be responsible for everything if they opted out of the State Ethics Commission rules so things would need to be added. Chairman Hardiman said the ordinance would need to be modeled after the State's rules rather than the old ordinance. Member Hilbert said as far as he is concerned that complicates matters.

Chairman Hardiman asked about the timeline if Council directed NEC to draft a new ordinance and Ms. Hall said the goal is to have rules in place before the filing period in January so candidates will know what rules to follow when they sign up for office. A new ordinance would need to be adopted in November to be fully effective by January, which basically leaves the month of October to get the ordinance completed or NEC could spend the next year drafting the ordinance for the 2018 election cycle.

Chairman Hardiman said he will present the report to City Council on September 27th and see where that leads.

**Item 4. Review of Campaign Contribution and Expenditure Reports from the following candidates and elected officials.**

NAME ON REPORT	QUARTERLY CONTRIBUTION & EXPENDITURE REPORT	CONTRIBUTION & EXPENDITURE REPORT - FINAL
Friends of Cindy Rosenthal (2013)		X
Greg Heiple for Ward 1 (2015)	X	
Leal for Ward 2 2016	X	
Aleisha Karjala for Ward 2	X	
Castleberry for Ward 3 (2015)	X	
Hickman for Ward 4 2016	X	
Supporters of Christina Owen 2016	X	
Friends of Breea Clark 2016	X	
Holman for Norman (2015)	X	
Allison for Ward 8 2016	X	
Lynne Miller for Mayor 2016	X	
Barksdale for Mayor 2016	X	

***Friends of Cindy Rosenthal (2013)***

Member Hilbert moved that the Campaign Contribution and Expenditure Final Report for Friends of Cindy Rosenthal (2013) be accepted, which motion was duly seconded by Member Windes;

Items submitted for the record

1. Municipal Candidate Committee Contributions and Expenditures Final Report for Friends of Cindy Rosenthal (2013) July 15, 2016

and the question being upon accepting the Campaign Contribution and Expenditure Final Report for Friends of Cindy Rosenthal (2013), 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 Final Report for Friends of Cindy Rosenthal (2013) was accepted.

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***Greg Heiple for Ward 1 (2015)***

Member Hilbert moved that the Campaign Contribution and Expenditure Report for Friends of Greg Heiple for Ward 1 (2015), be accepted, which motion was duly seconded by Member Windes;

Items submitted for the record

1. Municipal Candidate Committee Contributions and Expenditures Report for Greg Heiple for Ward 1 (2015), dated July 22, 2016

and the question being upon accepting the Campaign Contribution and Expenditure Report for Greg Heiple for Ward 1 (2015), a vote was taken with the following result:

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

NAYES: None

The Chairman declared the motion carried and the Campaign Contribution and Expenditure Report for Greg Heiple for Ward 1 (2015), was accepted.

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***Leal for Ward 2 2016***

Member Hilbert moved that the Campaign Contribution and Expenditure Report for Leal for Ward 2 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 Leal for Ward 2 2016, dated July 21, 2016

and the question being upon accepting the Campaign Contribution and Expenditure Report for Leal for Ward 2 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 Leal for Ward 2 2016, was accepted.

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***Aleisha Karjala for Ward 2 2016***

Member Hilbert moved that the Campaign Contribution and Expenditure Report for Aleisha Karjala for Ward 2 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 Aleisha Karjala for Ward 2 2016, dated August 1, 2016

and the question being upon accepting the Campaign Contribution and Expenditure Report for Aleisha Karjala for Ward 2 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 Aleisha Karjala for Ward 2 2016, was accepted.

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***Castleberry for Ward 3 (2015)***

Member Hilbert moved that the Campaign Contribution and Expenditure Report for Castleberry for Ward 3 (2015) be accepted, which motion was duly seconded by Member Windes;

Items submitted for the record

1. Municipal Candidate Committee Contributions and Expenditures Report for Castleberry for Ward 3 (2015), dated August 1, 2016

and the question being upon accepting the Campaign Contribution and Expenditure Report for Castleberry for Ward 3 (2015), 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 Castleberry for Ward 3 (2015), was accepted.

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***Hickman for Ward 4 2016***

Member Hilbert moved that the Campaign Contribution and Expenditure Report for Hickman for Ward 4 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 Hickman for Ward 4 2016, dated July 29, 2016

and the question being upon accepting the Campaign Contribution and Expenditure Report for Hickman for Ward 4 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 Hickman for Ward 4 2016, was accepted.

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***Supporters of Christina Owen 2016***

Member Hilbert moved that the Campaign Contribution and Expenditure Report for Supporters of Christina Owen 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 Supporters of Christina Owen 2016, dated August 1, 2016

and the question being upon accepting the Campaign Contribution and Expenditure Report for Supporters of Christina Owen 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 Supporters of Christina Owen 2016, was accepted.

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***Friends for Breea Clark 2016***

Member Hilbert moved that the Campaign Contribution and Expenditure Report for Friends for 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 for Breea Clark 2016, dated August 1, 2016

and the question being upon accepting the Campaign Contribution and Expenditure Report for Friends for Breea Clark 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 for Breea Clark 2016, was accepted.

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***Holman for Norman (2015)***

Member Hilbert moved that the Campaign Contribution and Expenditure Report for Holman for Norman (2015), be accepted, which motion was duly seconded by Member Windes;

Items submitted for the record

1. Municipal Candidate Committee Contributions and Expenditures Report for Holman for Norman (2015), dated July 26, 2016

and the question being upon accepting the Campaign Contribution and Expenditure Report for Holman for Norman (2015), 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 Holman for Norman (2015), was accepted.

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***Allison for Ward 8 2016***

Member Hilbert moved that the Campaign Contribution and Expenditure Report for Supporters of Allison for Ward 8 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 Allison for Ward 8 2016, dated July 15, 2016

and the question being upon accepting the Campaign Contribution and Expenditure Report for Allison for Ward 8 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 Allison for Ward 8 2016, was accepted.

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***Lynne Miller for Mayor 2016***

Member Hilbert moved that the Campaign Contribution and Expenditure Report for Lynne Miller for Mayor 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 Lynne Miller for Mayor 2016, dated July 29, 2016

and the question being upon accepting the Campaign Contribution and Expenditure Report for Lynne Miller for Mayor 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 Lynne Miller for Mayor 2016, was accepted.

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***Barksdale for Mayor 2016***

Member Hilbert moved that the Campaign Contribution and Expenditure Report for Barksdale for Mayor 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 Barksdale for Mayor 2016, dated July 29, 2016

and the question being upon accepting the Campaign Contribution and Expenditure Report for Barksdale for Mayor 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 Barksdale for Mayor 2016, was accepted.

Ms. Hall said until Mr. Barksdale closes his account by donating his balance to another campaign or committee he will have to continue filing a quarterly report even if there is no activity.

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**Item 5. General Election report to be submitted to City Council on September 27, 2016.**

Chairman Hardiman said he will prepare the final report for City Council's review on September 27th and include information regarding Senate Bill 438.

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**Item 6. Miscellaneous Discussion.**

None

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**Item 7. Adjournment.**

Chairman Hardiman declared the meeting be adjourned at 3:20 p.m.