

## Election Committee Minutes - August 3, 2021

**Members Present:** Bette Rohrback, Nan Carnal, Charlene Simmons, Steve Meyers

**Staff/Guests Present:** Robin Bennett, Benjamin Levine

Member Comments: None

### **Campaign Spending Discussion:**

**Background:** One of the Elections Committee goals established for 2021 (and approved by the board) was to “Explore campaign finance disclosure in Tahoe Donner.” At the May 4, 2021, Elections Committee meeting, this goal was revisited post-2021 election cycle as planned. The outcome of that discussion was to conduct a review of what was known about campaign spending in previous years.

Subsequent to that meeting Charlene Simmons and Benjamin Levine met to review data accumulated by Benjamin as a result of his role working on various TD election campaigns over the past several years. He has accumulated an inventory of campaign materials dating back to 2018. From this inventory, Charlene developed an estimate of candidate campaign spending during that period. She also interviewed several current and former board members.

**Discussion:** This meeting was convened to review this information with the committee and determine, what (if any) next steps should be undertaken by the committee.

The attached documents written by Charlene (*Memo to the Elections Committee* and *Tahoe Donner HOA Elections Analysis 2017 – 2021*) were reviewed by the committee. The following issues identified on the Election Analysis (bullet points) were discussed.

- Does the HOA have the legal authority to require disclosure of contributions? If so, at what level and what would be the mechanism? What about independent expenditures?
- Is the actual or perceived cost of running for the board acting as a deterrent to members who might otherwise consider running?
- Was the level of expenditure on campaigns a significant driver of election results, or were other factors at play?
- Should the committee play a more significant role in educating the membership about what it means to run for the board, not only in terms of time commitment, but also potential campaign financial considerations?
- Will the revision of the Campaign Guidelines, Elections Committee Charter and Board Code of Conduct enacted during the past year have a positive influence on driving candidate behavior around this and other issues? (Given the uncontested

election, there was no opportunity to evaluate the impact of these changes during the last cycle).

- Would the Board support further activity by the committee (including involving legal counsel in the discussion) in investigating/addressing the issue of campaign disclosure and spending?

### **Next Steps**

Benjamin and Charlene will investigate what, if any, guidelines or requirements exist within the Town of Truckee election regulations around campaign financing expenditures and disclosure. State law now requires local government campaign finance disclosure. This may give us a sense of legal authority, although it may not be applicable to HOA's.

Depending on what is learned from that investigation, the committee may decide to approach the Board (and General Manager) about the need for further discussion with legal counsel about its applicability for HOA's.

The committee may decide to continue to monitor the issue during the 2022 election cycle to see what (if any) impact the revisions put in place to election processes in the past year make. If that decision is made, continued monitoring, evaluation and recommendations to the board would be included in our goals. The committee could publicize its ongoing review to potential candidates.

The committee agreed to begin our formal meetings in October this year to allow more time for evaluation and planning before kicking of the actual election cycle in January, 2022.,

### **New Member Orientation & Recruitment**

Committee orientation of new member, Steve Meyers, will be completed 'in real time' as we begin the next cycle. Bette will also prepare an electronic Orientation Manual which will include examples of all relevant committee working documents, timelines, legal references, and governing documents for his review by mid-September. Copies of this manual will also be provided to all current (and future) committee members.

The EC will have a table at the upcoming Member Expo on August 15 to provide information and help recruit to fill the one remaining committee vacancy.