



THE CITY OF SAN DIEGO

## **PRESS RELEASE**

### **Ethics Commission**

**FOR IMMEDIATE RELEASE**

Tuesday, October 14, 2003

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### **Ethics Commission Announces Resignation of Edward F. Kolker**

**San Diego** - Dorothy Smith, Chairwoman of the San Diego Ethics Commission, announced today that one of the Commissioners has inadvertently failed to comply with one of the qualifications required of Ethics Commissioners.

Mr. Edward Kolker, who was sworn in as a member of the Commission on September 11, 2003, made a contribution to the Mayor's reelection committee in late September. Though the contribution was promptly returned by the candidate, the law regulating contributions by members of the Commission is very stringent.

Municipal Code section 26.0406(b) prohibits an Ethics Commissioner from making a contribution to support a candidate for City office. Section 26.0407 states further that if a Commissioner fails to comply with Section 26.0406, the failure to comply shall constitute an automatic resignation from the Ethics Commission. In a letter to the Mayor, Mr. Kolker stated, "I had no knowledge of the ordinance provision. Had I had such knowledge, I would not have made the contribution." Although the failure to comply was unintentional and the donation was promptly returned, Mr. Kolker has automatically resigned from the Commission by operation of law.

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The Ethics Commission has jurisdiction to enforce governmental ethics laws, but has no involvement in the appointment process, the qualifications outlined in Municipal Code section 26.0406, or in the filling of vacancies on the Commission. Chairwoman Smith commented, "I would hope that, through the process set forth in the Municipal Code, Mr. Kolker receives consideration to return to his former position as a member of the Commission."

Chairwoman Smith added, "This is a very sad time for the Ethics Commission. Mr. Kolker is an outstanding professional and a fine person. Many who have worked with him through the years have attested to his high level of integrity. We have appreciated Mr. Kolker's valuable contributions during his short tenure as a Commissioner."

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