



**Agenda for Special Meeting of
Thursday, August 17, 2023
2:00 p.m.**

In-Person Meeting

Special Meeting: Please note the new date and time.

**Second Floor Conference Room
451 A Street, San Diego, California 92101**

To access the meeting, enter the building from the main entrance in the courtyard behind 450 B Street, San Diego, California 92101. After passing the security station, take the elevator to the second floor. For additional information, contact the Ethics Commission at (619) 533-3476.

SPECIAL MEETING

Item 1: Call to Order.

Item 2: Roll Call.

Item 3: Approval of Commission Minutes.

Approval of Commission Minutes of June 8, 2023.

► View back-up materials: [Minutes](#)

Item 4: Non-Agenda Public Comment.

Item 5: Commissioner Comment.

This portion of the agenda provides an opportunity for Commissioners to make announcements or comments.

Item 6: Executive Director Comment.

This portion of the agenda provides an opportunity for the Executive Director to make announcements or comments.

Item 7: General Counsel Comment.

This portion of the agenda provides an opportunity for the Commission's General Counsel to make announcements or comments.

Item 8: Election of Ethics Commission Chair and Vice Chair for Fiscal Year 2024

Report by the Commission's ad hoc nominating committee and election of the Ethics Commission Chair and Vice Chair, who will serve a one-year term that runs from July 1, 2023 to June 30, 2024.

(Note: This item was continued from the meeting of June 8, 2023.)

Item 9: Consideration and Adoption of Ethics Commission's Calendar for the 2024 Fiscal Year.

Consideration and adoption of the Commission's schedule of monthly meetings for the 2024 Fiscal Year.

► View back-up materials: [Commission Calendar](#)

Item 10: Presentation of Final Audit Report Regarding the Barbara Bry for San Diego Mayor 2020 Committee.

Discussion and possible action regarding the Final Audit Report presented by staff concerning the audit of the Barbara Bry for San Diego Mayor 2020 Committee.

► View back-up materials: [Final Audit Report](#)

Item 11: Announcement of Closed Session Items / Adjourn to Closed Session.

Items to be discussed in Closed Session are listed in the Closed Session portion of the Agenda. The Commission will hear any public comment on these items before it recesses the open session meeting to convene in Closed Session.

The Commission will reconvene into open session following the conclusion of Closed Session to report any action taken. A record of actions taken in Closed Session will also be posted on the Commission's website on Friday, August 18, 2023.

CLOSED SESSION

Item 1: Conference with Legal Counsel

Anticipated Litigation. Initiation of litigation pursuant to Government Code section 54956.9(d)(4). **(Case No. 2023-12)**

The Ethics Commission may meet in closed session to consider the settlement, dismissal, status of an investigation, or the issuance of a subpoena or Draft Administrative Complaint. Should the issuance of a Draft Administrative Complaint be authorized, the identity of the Respondent or Respondents will be available after a Draft Administrative Complaint is issued and the matter is noticed for discussion as pending litigation. The nature and details of the allegations will be available upon request only if and after a Final Administrative Complaint is issued.

Item 2: Conference with Legal Counsel

Anticipated Litigation. Initiation of litigation pursuant to Government Code section 54956.9(d)(4). **(Case No. 2023-17)**

The Ethics Commission may meet in closed session to consider the settlement, dismissal, status of an investigation, or the issuance of a subpoena or Draft Administrative Complaint. Should the issuance of a Draft Administrative Complaint be authorized, the identity of the Respondent or Respondents will be available after a Draft Administrative Complaint is issued and the matter is noticed for discussion as pending litigation. The nature and details of the allegations will be available upon request only if and after a Final Administrative Complaint is issued.

Item 3: Conference with Legal Counsel

Anticipated Litigation. Initiation of litigation pursuant to Government Code section 54956.9(d)(4). **(Case No. 2023-11)**

The Ethics Commission may meet in closed session to consider the settlement, dismissal, status of an investigation, or the issuance of a subpoena or Draft Administrative Complaint. Should the issuance of a Draft Administrative Complaint be authorized, the identity of the Respondent or Respondents will be available after a Draft Administrative Complaint is issued and the matter is noticed for discussion as pending litigation. The nature and details of the allegations will be available upon request only if and after a Final Administrative Complaint is issued.

Item 4: Conference with Legal Counsel

Anticipated Litigation. Initiation of litigation pursuant to Government Code section 54956.9(d)(4). **(Case No. 2023-14)**

The Ethics Commission may meet in closed session to consider the settlement, dismissal, status of an investigation, or the issuance of a subpoena or Draft Administrative Complaint. Should the issuance of a Draft Administrative Complaint be authorized, the identity of the Respondent or Respondents will be available after a Draft Administrative Complaint is issued and the matter is noticed for discussion as pending litigation. The nature and details of the allegations will be available upon request only if and after a Final Administrative Complaint is issued.

Item 5: Conference with Legal Counsel

Anticipated Litigation. Initiation of litigation pursuant to Government Code section 54956.9(d)(4). **(Case No. 2023-13)**

The Ethics Commission may meet in closed session to consider the settlement, dismissal, status of an investigation, or the issuance of a subpoena or Draft Administrative Complaint. Should the issuance of a Draft Administrative Complaint be authorized, the identity of the Respondent or Respondents will be available after a Draft Administrative Complaint is issued and the matter is noticed for discussion as pending litigation. The nature and details of the allegations will be available upon request only if and after a Final Administrative Complaint is issued.

Item 6: Conference with Legal Counsel

Anticipated Litigation. Initiation of litigation pursuant to Government Code section 54956.9(d)(4) **(1 potential matter: Case No. 2023-19)**

The Ethics Commission may meet in closed session to consider initiating a formal investigation against a person or persons who are alleged to have violated local ethics laws. Should an investigation be authorized, the identity of the person or persons being investigated will be available upon request only if and after a Draft Administrative Complaint is issued. The nature and details of the allegations will be available upon request only if and after a Final Administrative Complaint is issued.

Item 7: Conference with Legal Counsel

Anticipated Litigation. Initiation of litigation pursuant to Government Code section 54956.9(d)(4). **(Case No. 2022-25)**

The Ethics Commission may meet in closed session to consider the settlement, dismissal, status of an investigation, or the issuance of a subpoena or Draft Administrative Complaint. Should the issuance of a Draft Administrative Complaint be authorized, the identity of the Respondent or Respondents will be available after a Draft Administrative Complaint is issued and the matter is noticed for discussion as pending litigation. The nature and details of the allegations will be available upon request only if and after a Final Administrative Complaint is issued.

Item 8: Appointment of Labor Negotiator

Appointment of Labor Negotiator for future discussions with unrepresented employee.

Government Code section 54957.6
Unrepresented Employee: Executive Director

INTERNET ACCESS TO COMMISSION AGENDA: The Internet address is:
<http://www.sandiego.gov/ethics>.

REQUESTS FOR ACCESSIBILITY MODIFCATIONS OR ACCOMMODATIONS

As required by the Americans with Disabilities Act, requests for agenda information to be made available in alternative formats, and any requests for disability-related modifications or accommodations that may be required to facilitate meeting participation, may be made by contacting the Ethics Commission. Please call (619) 533-3476 or email ethicscommission@sandiego.gov. This may include requests seeking alternatives to observing meetings and offering public comment as noted above.

Requests for translation services or auxiliary aids may require different lead times, which may range from five business days to two weeks. Please contact the Ethics Commission as soon as possible to ensure availability. The Ethics Commission is committed to addressing requests promptly to maximize accessibility and public participation.

COMMENT ON NON-AGENDA ITEMS: This portion of the agenda provides an opportunity for members of the public to address the Commission on items of interest within the jurisdiction of the Commission. Comments are limited to no more than three minutes per speaker. Submit requests to speak to the Commission **prior** to the start of the meeting. Pursuant to the Ralph M. Brown Act, the Commission shall take no discussion or action, other than a referral, on any issue brought forth under “Non-Agenda Comment.”

COMMENT ON AGENDA ITEMS: When the Commission Chair has introduced the item on which you would like to comment, you will be asked to introduce yourself and provide

your comments. Each speaker will have three minutes to speak. The Commission will take public comment on Closed Session items, if any, before adjourning to that meeting.

If you wish to submit written materials, please do so by sending an email to ethicscommission@sandiego.gov no later than close of business on Wednesday, August 16, 2023. Materials submitted via e-mail by this deadline will be distributed to the Ethics Commissioners before the meeting.