



**Minutes for the Meeting of
Thursday, September 11, 2025**

Item 1: Call to Order.

The Commission Chair called the meeting to order at 5:00 p.m.

Item 2: Roll Call.

Present – Commission Chair Paul Cooper, Vice Chair Jimmie Slack, and Commissioners Hon. Laura W. Halgren, James Hauser, Tom Lincoln, and Deval Zaveri

Absent – Commissioner Caridad Sanchez

Staff – Executive Director Bryn Kirvin, General Counsel Christina Cameron, Audit Program Manager Rosalba Gomez, Investigative Program Manager Kristina Gagné, Legislative Program Manager Megan Curran, and Administration & Training Compliance Program Manager Victoria Velasquez

Item 3: Random Drawing of Campaign Committees to be Subject to Ethics Commission Audit for the 2024 Election Cycle.

The City Clerk's Office, led by City Clerk Diana Fuentes, Deputy Director Cristina Hernandez, and Elections Analyst Mark Moreno, conducted the live, random drawing of the names of each campaign committee from the City of San Diego's 2024 election cycle that will be subject to an audit by the Ethics Commission. The drawing was held in compliance with the Commission's governing procedures. The Commission Chair thanked the Clerk's Office for its work on the drawing.

The list of the selected committees is available on the Commission's website: <https://www.sandiego.gov/ethics/documents/audits/25auditselection>

Item 4: Approval of Commission Minutes of August 14, 2025.

Motion:	Approve Minutes
Moved/Seconded:	Lincoln/Slack
Vote:	Carried Unanimously
Absent:	Sanchez

Item 5: Non-Agenda Public Comment.

None.

Item 6: Commissioner Comment.

None.

Item 7: Executive Director Comment.

Executive Director Kirvin shared that she was notified that the Ethics Commission reappointment and appointment process is suspended until a new process is developed and approved by the San Diego City Council.

Ms. Kirvin advised that the May and June redlines were provided to the City Attorney's Office for review. Commission staff will continue to forward redline tranches as the Commission provides input.

Item 8: Discussion of Proposed Municipal Code Amendments and Possible Action (August Sections 26.0423 – 26.0432, 0402, and 0414).

Ms. Curran provided an overview of the partial redline Ordinance incorporating the Commission's August meeting input regarding sections 26.0423 – 26.0432, 0402, and 0414. Commissioners provided further input as follows:

Revisions to 26.0402: Commissioner Halgren recommended that the definition of Probable Cause not contain the "may have" qualifier. In discussing this issue, Ms. Cameron also noted that the "may have" qualifier should also be removed from 26.0432(a)(3). That term was removed from both sections and not found in any other code section.

Revisions to 26.0406: Commissioner Halgren recommended that the phrase "after a judgment of conviction has been entered" be deleted. Staff deleted that phrase from the document.

Revisions to 26.0414: Pursuant to the August meeting direction, staff modeled this section after Oakland but included greater detail about the roles and responsibilities of the Commission, the Executive Director, and the

General Counsel. Ms. Curran also reported that the information highlighted in yellow would be moved to a procedural manual. The Commission agreed with the changes as presented.

Revisions to 26.0423: Staff edited 0423(a) to clarify that the Executive Director chooses between the three courses of action based on Charter Section 41.3. Staff edited 0423(b) to clarify that the Executive Director determines whether to take action based on Charter Section 41.3. The Commission agreed with the changes as presented.

Revisions to 26.0424: Pursuant to the direction at the August meeting, staff deleted 0424(a) and (b) and moved guidance regarding the timing of investigations to a procedural manual. Commissioner Lincoln raised the point that 0424(a) should explicitly give the Commission the authority to conduct formal investigations consistent with the Commission's policies and regulations. Staff added that language.

Revisions to 26.0426: Ms. Curran presented the revised 0426, which included four circumstances that will trigger tolling. The Commission agreed with the changes as presented.

Revisions to 26.0430(b)(2)(C): The Commission agreed with the changes as presented.

Revisions to 26.0407: Commissioner Lincoln requested changes and agreed to send his specific comments to Executive Director Kirvin. The issue will then be added to the agenda for the meeting at which the Commission discusses the final revisions to the Division.

Item 9: Discussion of Municipal Code Sections and Possible Action (September Sections 26.0435 – 26.0438).

Ms. Curran presented a staff memo identifying issues for the Commissioners to consider in a group of sub-sections ("September sub-sections"). Commissioners discussed the issues and provided input as follows:

A. Section 26.0402 – Definitions

- 1. Individual Members of the Commission:** The Division does not currently define individual members of the Commission. It references the terms "Commissioner" (e.g., 26.0406(a)) and "members of the Commission" (e.g., 26.0404(b)). The Commission was asked to provide input about how they wish to be referenced in the Division. The Commission approved the term "Commission Member."

2. **Definition of Person:** The Commission approved using the definition for “person” in SDMC section 11.0210 and adding the terms “syndicate,” “committee,” and “any other organization or group of persons acting in concert.” Those terms align with language in the Political Reform Act, which forms the basis of some of the laws that are within the jurisdiction of the San Diego Ethics Commission.
3. **Style Conventions:** The Commission understands that certain style conventions will change to align with the City Attorney’s style manual.

B. Section 26.0435(b) - Preparation for Administrative Hearing

Staff recommended that section 26.0435(b)(2)(C) mirror the language of section 26.0430 with respect to choice (C), for appointment of the *Presiding Authority* in the case of an Administrative Hearing. The Commission agreed that (C) will be an Administrative Law Judge or an individual who “meets or exceeds minimum qualification criteria for training and experience as established by the Commission.” The criteria for who “meets or exceeds minimum qualification criteria” will be fleshed out in a future policy manual. With these changes, the Commission approved the redline of section 26.0435(b).

C. Section 26.0435(c)(2) – Preparation for Administrative Hearing

Section 26.0435(c)(2) lays out the text of a letter that the Executive Director must serve on the Respondent sixty calendar days before an Administrative Hearing. As previously discussed, it is no longer best practice to include this level of detail in the Municipal Code. For that reason, the staff deleted the explicitly required language and instead described what is required in the text of the letter. The Commission preferred to leave the letter’s contents in the Code itself rather than a procedural manual. Because that was how the document was drafted, the Commission approved the redline of section 26.0435(c)(2).

D. Section 26.0436(e) – Administrative Hearing

Section 0436(e) concerns recording an Administrative Hearing. Staff recommended that this section include a three-day requirement for electing a court reporter. The Commission recommended that (e)(1) and (e)(2) should be deleted from the code, and instead, those matters should be moved to a procedural manual. However, the Commission said that (e) should be augmented with, “A copy of the recording shall be provided to all Respondents upon request.”

E. Section 0438(f)(4) – Deliberation of the Commission

Section 0438(f) sets forth the factors the Commission must consider in determining a penalty for a violation. One of the factors, Section 0438 (f)(4), requires the Commission to consider “whether Respondent demonstrated good faith by consulting the Commission staff for written advice, and such written advice does not constitute a complete defense.” The Commission approved the redline of section 26.0438(f)(4) as presented at the August meeting, and the Commission said that a future procedural manual could state how written advice, formal and informal, should be considered for enforcement purposes.

Item 10: Informational Item: Enforcement Program Update.

Investigative Program Manager Kristina Gagné presented the monthly Enforcement Program Report.

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

Commission Chair Cooper adjourned the meeting to closed session at 6:39 p.m. He stated the Commission would reconvene into open session following the conclusion of closed session to report any action taken during the closed session portion of the meeting.

Reconvene to Open Session.

Commission Chair Cooper called the meeting back into open session at approximately 6:58 p.m.

Reporting Results of Closed Session Meeting of September 11, 2025.

Ms. Cameron reported the results of the closed session meeting of September 11, 2025:

Item 1: Conference with Legal Counsel – Anticipated Litigation.

No reportable action.

Item 2: Conference with Legal Counsel

Case No. 2024-09 - Disqualification Involving Benefactors

Motion:	Approve Stipulation
Moved/Seconded:	Hauser/Halgren
Vote:	Carried Unanimously
Absent:	Sanchez

Item 3: Conference with Legal Counsel

Case No. 2024-17 - Failure to Maintain Campaign Records

Sub-Item A:

Motion:	Approve Stipulation
Moved/Seconded:	Lincoln/Slack
Vote:	Carried Unanimously
Absent:	Sanchez

Sub-Item B:

Motion:	Accept Audit Report
Moved/Seconded:	Halgren/Lincoln
Vote:	Carried Unanimously
Absent:	Sanchez

The meeting concluded at 7:00 p.m.

[REDACTED]

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Paul Cooper, Chair
Ethics Commission

Victoria Velasquez, Program Manager
Ethics Commission

***THIS INFORMATION WILL BE MADE AVAILABLE IN ALTERNATIVE FORMATS
UPON REQUEST.***

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