



**Agenda for Meeting of  
Thursday, November 18, 2021  
5:00 p.m.**

For additional information, contact the  
Ethics Commission at (619) 533-3476

**COVID-19 PUBLIC SERVICE ANNOUNCEMENT REGARDING MEETING ACCESS  
AND PUBLIC COMMENT:**

Until further notice, Ethics Commission meetings will be conducted pursuant to the provisions of California Government Code section 54943(e), added by Assembly Bill 361, which suspends certain requirements of the Ralph M. Brown Act. During the current State of Emergency and in the interest of public health and safety, all Ethics Commission meetings will take place via videoconference. All Ethics Commissioners and members of Commission staff will participate in Commission meetings via videoconference.

Members of the public who wish to listen to and/or participate in the meeting on November 18, 2021, may do so online at <https://sandiego.zoomgov.com/j/1606910069> or by calling +1 669 254 5252 and entering webinar ID 1606910069.

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.

If you wish to submit written materials, please do so by sending an email to [ethicscommission@sandiego.gov](mailto:ethicscommission@sandiego.gov) no later than close of business on Wednesday, November 17, 2021. Materials submitted via e-mail by this deadline will be distributed to the Ethics Commissioners before the meeting.

---

---

**REGULAR MEETING**

---

---

**Item 1: Call to Order**

**Item 2: Roll Call**

**Item 3: Proclaiming Continued Need for Virtual Monthly Meetings of the Ethics Commission During COVID-19 Emergency**

This item will reconsider the circumstances that caused the Ethics Commission to declare that its October 21, 2021, meeting would be conducted remotely as a result of the COVID-19 pandemic, and make findings in compliance with California Government Code section 54953(e), added by Assembly Bill 361, to continue meeting remotely. The findings would provide that the Commission shall continue meeting remotely because (i) the state of emergency continues to impact the ability to meet safely in person and (ii) state or local officials have imposed or recommended measures to promote social distancing. The item will also report on the adoption of a resolution by the San Diego City Council, which extended similar findings to City of San Diego boards and commissions, including the Ethics Commission, as allowed by law.

► View back-up materials: [City Council Resolution](#); [City Attorney Memorandum](#)

**Item 4: Approval of Commission Minutes**

Approval of Commission Minutes of October 21, 2021.

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

**Item 5: Non-Agenda Public Comment**

**Item 6: Commissioner Comment**

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

**Item 7: Executive Director Comment**

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

**Item 8: General Counsel Comment**

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

**Item 9: Adjourn to Closed Session**

Adjournment to Closed Session to discuss the items listed in the Closed Session portion of the Agenda. Reportable actions for the closed session

items on the agenda will be posted on the Commission's website at <https://www.sandiego.gov/ethics/meetings/2021meetings>  
By the close of business on Friday, November 19, 2021.

---

---

## CLOSED SESSION

---

---

### **Item 1: Conference with Legal Counsel**

Anticipated Litigation. Initiation of litigation pursuant to Government Code section 54956.9(d)(4) (1 potential matter: **Case No. 2021-27**).

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 2: Conference with Legal Counsel**

Anticipated Litigation. Initiation of litigation pursuant to Government Code section 54956.9(d)(4) (1 potential matter, continued from meeting of October 21, 2021: **Case No. 2021-25**).

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 3: Appointment of and Conference with Labor Negotiator**

Government Code section 54957.6  
Agency representatives: Baber, Voorakkara  
Unrepresented Employee: Executive Director

#### **Item 4: Public Employee Performance Evaluation**

Government Code section 54957

Title: Executive Director

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

**ACCESS FOR PEOPLE WITH DISABILITIES:** As required by the Americans with Disabilities Act (ADA), requests for agenda information to be made available in alternative formats, and any requests for disability-related modifications or accommodations required to facilitate meeting participation, including requests for alternatives to observing meetings and offering public comment as noted above, may be made by contacting the Ethics Commission at (619) 533-3476 or [ethicscommission@sandiego.gov](mailto:ethicscommission@sandiego.gov).

**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.