



**Agenda for Meeting of
Thursday, September 14, 2023
5 p.m.**

In-Person Meeting

**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.

REGULAR MEETING

Item 1: Call to Order.

Item 2: Roll Call.

Item 3: Random Drawing of Campaign Committees to be Subject to Ethics Commission Audit for the 2022 Election Cycle

The City Clerk's Office will conduct the live, random drawing of the names of each campaign committee from the City of San Diego's 2022 election cycle that will be subject to an audit by the Ethics Commission. The drawing is held every two years, in compliance with the Commission's governing procedures. (See www.sandiego.gov/ethics for Audit Procedures.)

A list of the committees potentially subject to an audit can be found here www.sandiego.gov/sites/default/files/2023auditpools.pdf. Results of the random drawing will be posted on the Ethics Commission's website and committees will be notified.

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

Item 4: Approval of Commission Minutes.

Approval of Commission Minutes of August 17, 2023.

▶ 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.

▶ View back-up materials: [Lobbying Quarterly Report](#)

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: Discussion of Potential Expansion of Ethics Commission's Jurisdiction

The Executive Director will update the Commission on the status of discussions regarding adding classified employees to the Commission's jurisdiction, and seek input from Commissioners for an upcoming report.

Item 10: Discussion and Possible Action Regarding Executive Director Compensation

Discussion and possible action concerning Executive Director compensation.

Note: This item will be continued until the Commission reconvenes in open session after the completion of Closed Session. This will enable the item to be heard after Closed Session Item 4, the Public Employee Performance Evaluation.

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, September 15, 2023.

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. 2023-20)**

The Ethics Commission may meet in closed session to consider initiating a formal investigation or issuing a Draft Administrative Complaint against a person or persons for whom material findings of a violation of local ethics laws have been made in an Ethics Commission Final Audit Report. 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). **(6 Potential Matters: Case Nos. 2023-21, 2023-22, 2023-23, 2023-24, 2023-25, and 2023-26)**

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: Conference with Labor Negotiator

Government Code section 54957.6
Agency Representatives: Commission Chair Sanchez, Vice Chair Cooper
Unrepresented Employee: Executive Director

Item 4: Public Employee Performance Evaluation

Government Code section 54957
Public Employee: Executive Director

RECONVENE IN OPEN SESSION

See Item 10 above.

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

REQUESTS FOR ACCESSIBILITY MODIFICATIONS 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, September 13, 2023. Materials submitted via e-mail by this deadline will be distributed to the Ethics Commissioners before the meeting.