



**Minutes for Meeting of
Thursday, January 23, 2003**

Item-1: Call to Order. (Time: 5:07:15 p.m.)

Chairperson Dorothy Leonard called the meeting to order.

Item-2: Roll Call. (Time: 5:07:23 p.m.)

Present – Chairperson Dorothy Leonard, Vice-Chairperson Albert Gaynor, Commissioners April Riel, Dorothy Smith, and Greg Vega.

Staff - Executive Director Charles Walker, Deputy City Attorney Rick Duvernay, Legal Assistant Steve Ross, Investigator Stacey Fulhorst, Executive Secretary DonnaLee McCalla.

Late arrival – Commissioner Charles La Bella arrived at 5:15 p.m.

Item-3: Reporting Results of Closed Session. (Time: 5:07:34 p.m.)

Meeting of January 9, 2003:

One action taken prior to the public meeting convening was reported out at the January 9th meeting. Upon reconvening into Closed Session at 7:00 p.m., the following were reported:

Case No. 2002-01

Motion: Approve a Settlement Agreement with Clear Channel Communications

Vote: Unanimous approval

Excused: Vega

Case No. 2002-43

Motion: Approve a Settlement Agreement with Ron Roberts.

Vote: Unanimous approval

Excused: Vega

Case No. 2002-51

Motion: Approve dismissal

Vote: Unanimously approval

Excused: Vega

Item-4: Approval of Commission Minutes.

(Time: 5:08:24 p.m.)

APPROVAL OF COMMISSION MINUTES OF THE MEETING OF JANUARY 9, 2003.

Motion/Second: Gaynor/Riel

Vote: Unanimous approval

Absent: La Bella

Abstained: Vega

For clarification purposes:

On Saturday, January 11, 2003, the Commission reported Commissioner Foster being excused. The Commission had not yet received a copy of Ms. Foster's letter of resignation. The Mayor's Office had a copy dated January 10, 2003; therefore, she had already resigned from the Commission. This will be specified in the meeting minutes for January 11, 2003.

Item-5: Non-Agenda Public Comment.

(Time: 5:09:28 p.m.)

None.

Item-6: Commissioner Comment.

(Time: 5:09:31 p.m.)

Chairperson Leonard informed the Commission (specified on the agenda) that the meeting scheduled for February 13, 2003 will be adjourned. The next meeting will be on Thursday, February 27, 2003.

A reminder that the Audit Procedures will be heard by the Rules Committee on Wednesday, January 29, 2003, Item 2, at 9:30 a.m. The Commission will only be presenting the Audit Procedures. The Rules Committee is not ready to review the Enforcement Procedures; this will be heard at a later time. Mr. Walker will be presenting the Annual Report.

Commissioner Smith reported that she will be absent from the February 27, 2003 meeting. She is being honored by the United Negro College Fund for community service.

Commissioner Gaynor commented that the Annual Report looks splendid, and suggested that next year's report be "respectfully submitted by the Ethics Commission by Charles Walker."

Chairperson Leonard informed Mr. Shapiro that the Annual Report will not be made public until January 29, 2003 at the Rules Committee meeting. Copies were sent to the Commissioners for review prior to it going public. Deputy City Attorney Duvernay responded to Mr. Shapiro that 1) it is not on the agenda; 2) it was sent to the commissioners for their information (draft form) in advance of a Rules Committee meeting; 3) it is being commented on during the Commissioner Comment portion; and 4) when the report is final for publication and distribution, at that time it will be distributed. The Commission was provided a draft copy, and under the Brown Act, you are not required to distribute preliminary or draft copies of materials.

Item-7: Executive Director Comment. (Time: 5:14:05 p.m.)

None.

Item-8: Deputy City Attorney Comment. (Time: 5:14:11 p.m.)

None.

Item-9: Proposed Election Campaign Control Ordinance [ECCO]. (Time: 5:14:15 p.m.)

On behalf of the ad-hoc ECCO subcommittee, Deputy City Attorney Rick Duvernay presented the report via PowerPoint presentation along with discussion:

In anticipation of moving forward with recommended changes to the Election Campaign Control Ordinance, the subcommittee reviewed some concepts for changes to the ordinance. The concepts were considered, fine-tuned, and are being brought forward to the Commission for comment and direction. The subcommittee would like to take the concepts and incorporate them into actual language that could be proposed as changes to ECCO, and return at a later time.

Chairperson Leonard added that the subcommittee needs direction on whether to move forward with these concepts at this time. Due to the elections starting up this

Summer, the clean-up to the ordinance will need to be completed by this summer so that the city is not in conflict with State law. It may be something that is done in two phases as opposed to one.

Listed are the three categories of the proposed changes:

1. Changes that need to be made to the ordinance to reconcile it with State law. This is due to changes that have occurred in State law, including Proposition 34.
2. Policy changes.
3. Clean-ups and fixes to the ordinance.

Mr. La Bella arrives to the meeting. (Time: 5:17:30 p.m.)

Speaker April Boling walked through the provisions that were recommended and presented her questions and comments.

Discussion of the timeline strategy was to appoint someone to the ad-hoc ECCO subcommittee, hold a meeting to develop more material to present to the public for comment, and develop another timeline.

Item 10: Ad-hoc ECCO Subcommittee. (Time: 7:30:47 p.m.)

Chairperson Leonard asked for volunteers to join the subcommittee due to Lisa Foster's departure from the Commission.

Commissioner La Bella volunteered and Commissioner Smith volunteered to be an alternate.

Staff will coordinate another workshop prior to the next scheduled committee meeting.

Item 11: Adjournment. (Time: 7:33:45 p.m.)

Prior to adjournment, Commissioner Vega asked if it is known when the Mayor or City Council is going to recommend someone to fill the Commission's vacancy. Chairperson Leonard reported that the memo has been distributed. Ms. Foster's resignation was effective January 10, 2003. Once the Mayor distributes the memo to the Councilmembers, they have 30 days to return a nomination to the Mayor. If nominations are received from all council members and the City Attorney prior to the

30 days, then the Mayor can proceed to appoint and docket it for Council action. It is anticipated that we will know who that individual is by the end of February, and whether they will be available for the next meeting.

Chairperson Dorothy Leonard adjourned the meeting.

Dorothy Leonard, Chairperson
Ethics Commission

DonnaLee McCalla, Executive Secretary
Ethics Commission

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