



**Minutes for Meeting of
Thursday, January 11, 2007**

Item-1: Call to Order

Chairwoman Leonard called the meeting to order at 5:00 p.m.

Item-2: Roll Call

Present – Chairwoman Dorothy Leonard, Vice-Chair Gil Cabrera, Commissioners Larry Westfall, Charles H. Dick, Jr., Gil Cabrera, Karen Thomas-Stefano and Lee Biddle

Staff – Executive Director Stacey Fulhorst, General Counsel Cristie C. McGuire, Program Manager, Steve Ross, Senior Investigator, Lauri Davis and Executive Secretary Katherine Hunt

Item-3: Approval of Commission Minutes

Approval of Ethics Commission Minutes of December 14, 2006

Motion: Approve
Moved/Seconded: Dick/Westfall
Vote: Unanimous
Abstained: Stefano

Item-4: Non-Agenda Public Comment

Melvin Shapiro commented on campaign reports with regard to independent expenditure committees that spend money on local elections.

In response to Mr. Shapiro, Director Fulhorst explained that state general purpose recipient committees aren't required to file campaign statements with the City because state law prohibits local jurisdictions from imposing additional filing

requirements on state committees. She added that the campaign statements are available on the state's online system.

Ms. McGuire concurred with the Director's statement with regard to the state law prohibition on local jurisdictions imposing additional filing requirements.

Item-5: Commissioner Comment

None

Item-6: Executive Director Comment

Director Fulhorst reported that the proposed amendments to the Lobbying Ordinance are scheduled for the February 28, 2007, Rules Committee meeting. She explained that the February 28 date will allow time for the Commission to consider a new issue concerning the disclosure of City contracts by lobbyists at the February 8 Commission meeting.

Item-7 General Counsel Comment

None

Item-8 Proposed Amendments to the Municipal Lobbying Ordinance

Director Fulhorst commented on the proposed change to section 27.4050 concerning the ability of the Commission to demand and receive records related to lobbying activities. She noted that the provision includes a reference to the California Business and Professions Code in connection with records that may be subject to the attorney-client privilege. In addition, she pointed out that the City's campaign laws include a similar provision.

Motion: Amend Section 27.4050
Moved/Seconded: Cabrera/Biddle
Vote: Unanimous

Item-9: Adoption of Legislative Calendar for Calendar Year 2007

Director Fulhorst reported that the proposed Legislative Calendar was prepared at the suggestion of the Commission Chair to correspond to a calendar year rather than a fiscal year.

Motion: Approve Legislative Calendar for Calendar Year 2007
Moved/Seconded: Stefano/Biddle
Vote: Unanimous

Item-10 Adjournment to Closed Session

Chairwoman Leonard adjourned the meeting to Closed Session at approximately 5:16 p.m. She stated the Commission would reconvene into Open Session following the conclusion of Closed Session in order to report any action taken during the closed session portion of the meeting.

Reconvene to Open Session

Chairwoman Leonard called the meeting back into open session at approximately 6:50 p.m.

Reporting Results of Closed Session Meeting of January 11, 2007

Chairwoman Leonard reported the results of the Closed Session Meeting of January 11, 2007:

Item 1: Conference with Legal Counsel (8 potential matters)

Case No. 2006-78 – In Re: Alleged Failure to File Statement of Economic Interests

Motion: Recuse Commissioners Dick and Cabrera
Vote: Unanimous
Abstained: Dick/Cabrera

Motion: Initiate Investigation
Vote: Unanimous
Recused: Dick/Cabrera

Case No. 2007-01 – In Re: Alleged Failure to Register as a Lobbyist

Motion: Recuse Commissioner Cabrera
Vote: Unanimous
Abstained: Cabrera

Motion: Initiate Investigation
Vote: 4 nays; 1 yea (Stefano)
Recused: Cabrera

Case No. 2007-02 – In Re: Alleged Failure to Disqualify from a Municipal Decision Affecting Economic Interests

Motion: Recuse Commissioner Dick
Vote: Unanimous
Abstained: Dick

Motion: Initiate Investigation

Vote: Unanimous

Recused: Dick

Case No. 2007-03 – In Re: Alleged Failure to Disqualify from a Municipal Decision Affecting Economic Interests

Motion: Initiate Investigation

Vote: Unanimous

Case No. 2007-04 – In Re: Alleged Failure to File Lobbyists Quarterly Disclosure Report

Motion: Initiate Investigation

Vote: Unanimous

Case No. 2007-05 – In Re: Alleged Failure to File Lobbyists Quarterly Disclosure Report

Motion: Initiate Investigation

Vote: Unanimous

Case No. 2007-06 – In Re: Alleged Failure to File Lobbyists Quarterly Disclosure Report

Motion: Initiate Investigation

Vote: Unanimous

Case No. 2007-07 – In Re: Alleged Failure to File Lobbyists Quarterly Disclosure Report

Motion: Initiate Investigation

Vote: Unanimous

Item 2: Conference with Legal Counsel (4 potential matters)

One Item Withdrawn

Case No. 2006-61 – In Re: Alleged Retaliation for Reporting Illegal Activity

No Reportable Action

Case No. 2005-69 – In Re: Alleged Failure to Timely Pay Campaign Vendors

No Reportable Action

Case No. 2006-16 – In Re: Alleged Contribution in Excess of Limit

No Reportable Action

Item 3: Personnel Matter – Evaluation of Performance

Motion: increase Executive Director Salary to \$105,000

Vote: Unanimous

Motion: authorize \$3,000 exceptional performance bonus for Executive Director

Vote: Unanimous

Adjournment

The meeting adjourned at approximately 6:55 p.m.

Dorothy Leonard, Chairwoman
Ethics Commission

Kathy Hunt, Executive Secretary
Ethics Commission

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