



**Minutes for Meeting of
Thursday, March 8, 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, Karen Thomas-Stefano and Lee Biddle

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

Excused – Charles H. Dick, Jr.

Item-3: Approval of Commission Minutes

Approval of Ethics Commission Minutes of February 8, 2007

Motion: Approve

Moved/Seconded: Cabrera/Westfall

Vote: Unanimous

Abstained: Stefano

Excused: Dick

Item-4: Non-Agenda Public Comment

None

Item-5: Commissioner Comment

Commissioner Cabrera commended Director Fulhorst and staff for the presentations made to the City Council Rules Committee regarding the proposed changes to the Lobbying Ordinance. He commented on his brief meeting with Attorney Jim Sutton regarding Mr. Sutton's suggestions concerning the Ethics Commission's policies and procedures.

Chairwoman Leonard also commended the Commission staff on the Lobbying Ordinance as well as Director Fulhorst's communications with the Union-Tribune's editorial board. In addition, she thanked Union-Tribune staff reporter Craig Gustafson for the articles he published on the Lobbying Ordinance.

Item-6: Executive Director Comment

Lobbying Ordinance

Director Fulhorst reported that the City Council Rules Committee unanimously decided to forward the proposed changes to the Lobbying Ordinance to the full City Council. She advised there were two items that the Commission needs to report back on; one is to reconsider the definition of City Official with respect to identifying job titles in the Mayors Office; and the second is to consider limiting the number of boards and commissions whose members are included within the definition of City Official. She commented on the extensive participation by the Commission Chair and Vice-Chair in preparing for the presentation to the Rules Committee. She noted the importance of having them represent the Commission at these hearings on the Lobbying Ordinance and thanked all the Commission members for their efforts.

She commented on the Union-Tribune correction regarding incorrect information published in an editorial regarding proposed changes to the Lobbying Ordinance.

Personnel Matters

Director Fulhorst Introduced Maxine Brown-Williamson, the new Ethics Commission Investigator.

Item-7 General Counsel Comment

None

Item-8 Report from City Clerk Regarding On-Line Filing of Statements of Economic Interests

Director Fulhorst introduced City Clerk Liz Maland, Deputy Director Bonnie Stone, and Elections Analyst Denise Jenkins from the City Clerk's Office. She advised that

the City Clerk's Office has implemented an on-line system for filing Statements of Economic Interests [SEIs] and would provide a demonstration for the Commission.

City Clerk Liz Maland introduced Tom Diebert, the vendor's representative for NetFile. She commented that this will be the first year that online filing will be available, starting March 15, 2007. She pointed out that filing online is voluntary at this time. She noted that there will be various issues to work through during the first year. She advised that the matter of mandatory online filing will be addressed after City Clerk staff has worked with members of the City Attorney's staff and the Fair Political Practices Commission. She outlined the benefits of the NetFile system.

Ms. Jenkins provided a demonstration of the application. She pointed out that although SEIs can be filed on-line, a hard copy still needs to be sent to the City Clerk's Office with a "wet" signature. She commented that notices will be sent to filers notifying them of the on-line filing system.

Commissioner Cabrera asked if the signature requirement was mandated by the State.

Director Fulhorst responded that it was.

Ms. Maland discussed the possibility of having hard copy filings uploaded for on-line viewing. She also explained that filings viewed on the website would have the addresses and signatures redacted.

Director Fulhorst added that it is her understanding that the on-line system will allow filers to enter gift information throughout the year.

Chairwoman Leonard asked about the notices sent by the City Clerk's Office to SEI filers.

Ms. Jenkins explained the notification procedure followed by the City Clerk's Office. She added that it includes City board and commission liaisons.

Director Fulhorst pointed out that the City Clerk's Office has developed a training program for the liaisons to the City's boards and commissions.

Item-9: Adjournment to Closed Session

Chairwoman Leonard adjourned the meeting to Closed Session at approximately 5:35 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 5:55 p.m.

Reporting Results of Closed Session Meeting of March 8, 2007

Chairwoman Leonard reported the results of the Closed Session Meeting of March 8, 2007

Item 1: Conference with Legal Counsel (7 potential matters)

Case No. 2006-42 – In Re: Alleged Failure to Properly Disclose Economic Interests

No Reportable Action

Case No. 2006-59 – In Re: Alleged Failure to Pay Vendor Debt

No Reportable Action

Case No. 2006-62 – In Re: Gloria Tyler-Mallery - Alleged Failure to Timely File Campaign Statements

Motion: Order a Probable Cause Hearing and Authorize the issuance of a Probable Cause Report and Draft Administrative Complaint. Hearing scheduled for May 29, 2007 at 10:00 a.m.

Vote: Unanimous
Excused: Dick

Case No. 2006-67 – In Re: Matthew Moncayo - Alleged Failure to Timely File Campaign Statements

Motion: Order a Probable Cause Hearing and Authorize the issuance of a Probable Cause Report and Draft Administrative Complaint. Hearing scheduled for May 29, 2007 at 11:00 a.m.

Vote: Unanimous
Excused: Dick

Case No. 2006-66 – In Re: Tim Gomez – Alleged Failure to Timely File Campaign Statements

Motion: Approve Stipulation
Vote: Unanimous
Excused: Dick

Case No. 2006-70- In Re: Lincoln Pickard - Alleged Failure to Timely File Campaign Statements

Motion: Approve Stipulation
Vote: Unanimous
Excused: Dick

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

Motion: Approve Stipulation
Vote: Unanimous
Excused: Dick

Adjournment

The meeting adjourned at approximately 6:00 p.m.

Dorothy Leonard, Chairwoman
Ethics Commission

Kathy Hunt, Executive Secretary
Ethics Commission

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