



**Minutes for Meeting of
Thursday, July 12, 2007**

Item-1: Call to Order

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

Item-2: Roll Call

Present – Chairwoman Leonard, Vice Chair Gil Cabrera, Commissioners Lee Biddle, Clyde Fuller, Krishna Haney, Richard Valdez, and Larry Westfall.

Staff – Executive Director Stacey Fulhorst, Attorney Tad Parzen, Program Manager Steve Ross, Senior Investigator Lauri Davis, and Executive Secretary Katherine Hunt

Item-3: Swearing-in of New Commissioners

City Clerk Elizabeth Maland administered the oath of office to newly appointed Commissioners Clyde Fuller, Krishna Haney, Richard Valdez and reappointed Commissioner Larry Westfall.

Item-4: Approval of Commission Minutes

Approval of Ethics Commission Minutes of June 14, 2007

Motion: Approve
Moved/Seconded: Cabrera/Biddle
Vote: Carried Unanimously
Abstained: Fuller, Haney, Valdez

Item-5: Non-Agenda Public Comment

None

Item-6: Commissioner Comment

Chairwoman Leonard welcomed newly appointed commissioners Clyde Fuller, Krishna Haney, and Richard Valdez. She provided a brief description of Commissioner responsibilities.

The new Commissioners introduced themselves and commented regarding their backgrounds.

Chairwoman Leonard introduced Tad Parzen and explained that he was serving as the Commission's attorney during Cristie McGuire's absence.

Item-7: Executive Director Comment

Director Fulhorst welcomed the new Commissioners and added that she looked forward to working with them.

The following matters were reported:

CANDIDATE TRAINING

Staff provided a candidate training session for the June 2008 primary election on July 11, and a second training is scheduled for September. Staff will provide ongoing training as needed.

ETHICS TRAINING

Ethics training for City Officials is scheduled for July 19. Another session is scheduled in October.

Item-8: General Counsel Comment

None

Item-9: Election of Chair and Vice Chair

Motion: Nominate Gil Cabrera for Commission Chair and Lee Biddle for Vice-Chair
Moved/Seconded: Westfall/Fuller
Vote: Carried Unanimously

Commissioner Biddle commended Commissioner Cabrera on his contribution to the Commission while serving as Vice-Chair.

Item-10: Presentation of Final Audit Report Regarding the Deborah Berger for City Attorney 2004 Committee

Director Fulhorst advised that Commission Auditor Francisco Murillo was out ill and that the usual practice is for the Commission's Auditor to submit the Final Audit Report to the Commission. She provided a brief explanation concerning the Commission's audit procedures.

Senior Investigator Lauri Davis reported that there were no material findings for this audit.

Commissioner Westfall commented that lately there have been an increased number of audits completed without any material findings. He asked if this was because campaign treasurers were better informed.

Senior Investigator Lauri Davis responded that it may be because of increased education efforts by staff and information disseminated to local treasurers during the course of previous audits.

Motion: Accept Report
Moved/Seconded: Westfall/Cabrera
Vote: Carried Unanimously

Item-11: Proposed Amendments to the California Political Reform Act

Director Fulhorst provided an update on State Assembly Bills 1441 and 1430.

Assembly Bill 1441

She explained that this proposed amendment to the Political Reform Act will allow local candidates to establish and maintain legal defense funds separate from their campaign committee accounts. She advised that this bill was sponsored by the City of San Diego, and reported that recent amendments made in the Senate will necessitate that the bill be returned to the Assembly for approval before it is forwarded to the Governor. Ms. Fulhorst explained that the Senate amendments relate to formatting and do not affect the substance of the bill.

Assembly Bill 1430

She explained that this bill concerns communications between organizations and their members. In particular, the bill aims to preclude local jurisdictions from imposing contribution limits or other types of regulations on payments made by organizations to communicate with their members. She noted that the Ethics Commission previously decided to oppose this legislation, and that she and Commission Chair Dorothy Leonard testified in opposition before a Senate Committee in Sacramento. She commented that several other groups also testified

in opposition. She advised that the bill passed in Committee by a four to one vote, and is scheduled to move to the full Senate in the near future.

Item-12: Adjournment to Closed Session

Chairwoman Leonard adjourned the meeting to Closed Session at approximately 5:21 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

Newly-elected Commission Chair Cabrera called the meeting back into open session at approximately 6:05 p.m.

Reporting Results of Closed Session Meeting of July 12, 2007

Chairman Cabrera reported the results of the Closed Session Meeting of July 12, 2007.

Item 1: Conference with Legal Counsel (26 potential matters)

One Item Withdrawn

Cases 2007-44 through 2007-53, 2007-55 through 2007-68 – In Re: Alleged Failure to File Statement of Economic Interests

Motion: Initiate Investigation

Vote: Carried Unanimously

Case No. 2007-70 – In Re: Alleged Failure to File Lobbyists Quarterly Reports and Improper Reporting of Lobbying Activity

Motion: Recuse Commissioner Biddle

Vote: Carried Unanimously

Abstained: Biddle

Motion: Initiate Investigation

Vote: Carried Unanimously

Item 2: Conference with Legal Counsel (3 potential matters)

One Item Withdrawn

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

No Reportable Action

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

No Reportable Action

Adjournment

The meeting adjourned at approximately 6:10 p.m.

Dorothy Leonard, Commission Chair
Ethics Commission

Kathy Hunt, Executive Secretary
Ethics Commission

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