



**Minutes for Meeting of
Thursday, January 10, 2008**

Item-1: Call to Order

Chairman Cabrera called the meeting to order at 5:00 p.m.

Item-2: Roll Call

Present – Chairman Guillermo Cabrera, Vice-Chair Lee Biddle, Commissioners Clyde Fuller, Krishna Haney, Dorothy Leonard, Richard Valdez (Arrived 5:05 p.m.) and Larry Westfall

Staff – Executive Director Stacey Fulhorst, General Counsel Alison Adema, 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 13, 2007

Motion: Approve
Moved/Seconded: Westfall/Fuller
Vote: Carried Unanimously
Excused: Valdez

Item-4: Non-Agenda Public Comment

None

Item-5: Commissioner Comment

None

Item-6: Executive Director Comment

None

Item-7: General Counsel Comment

None

Item-8: Presentation by City Attorney's Office Concerning Recall Elections

Director Fulhorst introduced Head Deputy City Attorney Catherine Bradley. She advised that the Ethics Commission staff had assisted the City Attorney's staff in drafting proposed changes to the City's campaign laws concerning recall elections. She noted that the Commission needed to indicate their approval for the changes in order for the City Attorney to forward the amendments to the City Council for approval. She advised that the draft changes would amend the laws to clarify that the City's contribution limits apply to the signature gathering phase of recall elections.

Chairman Cabrera asked if there will be evidence presented at the City Council hearing that will support the need for contribution limits.

Ms. Bradley responded that an expert will testify at the Council meeting to explain how the appearance of corruption can occur during recall elections. She added that the draft ordinance may be forwarded to the Council Rules Committee prior to being heard by the full City Council.

Director Fulhorst commented that the Ethics Commission staff had also gathered evidence that supported the application of contribution limits to recall elections.

Motion: Support Proposed Changes to the City's Election Campaign Control Ordinance

Moved/Seconded: Leonard/Fuller

Motion carried by the following vote: 6 to 1 (Westfall voting nay)

Item- 9: Proposed Amendments to Election Campaign Control Ordinance

Chairman Cabrera recommended that staff prepare a memorandum for the next meeting that will include all the matters that were addressed at recent Commission meetings in connection with proposed changes to the Election Campaign Control Ordinance. He indicated that the Commission will provide direction to staff at the next meeting in order for staff to begin drafting changes to the ordinance. He noted that there was a listing of City fines distributed by staff in connection with the Commission's consideration of public campaign financing at previous meetings.

Director Fulhorst commented that staff will provide a memo that summarizes all the information considered by the Commission and will also include questions that will need to be answered if the Commission decides to pursue a particular amendment.

Item-10: Adjournment to Closed Session

Chairman Cabrera adjourned the meeting to Closed Session at approximately 5:08 p.m. He 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

Chairman Cabrera called the meeting back into open session at approximately 5:20 p.m.

Reporting Results of Closed Session Meeting of January 10, 2008

Chairman Cabrera reported the results of the Closed Session Meeting of January 10, 2008

Item 1: Conference with Legal Counsel (1 potential matter)

Case No. 2008-02 - In Re: Alleged Failure to File Lobbying Disclosure Report

Motion: Recuse Commissioner Valdez

Vote: Carried Unanimously

Abstained: Valdez

Motion: Initiate Investigation

Vote: Carried Unanimously

Recused: Valdez

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

One matter withdrawn

Case No. 2007-40 – In Re: Alleged Failure to File Lobbying Disclosure Report

Motion: Dismiss

Vote: Carried Unanimously

Item 3: Personnel Matter – Evaluation of Performance

No Reportable Action

Adjournment

The meeting adjourned at approximately 5:18 p.m.

Guillermo Cabrera, Commission Chair
Ethics Commission

Kathy Hunt, Executive Secretary
Ethics Commission

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