



**Minutes for Meeting of
Thursday, November 10, 2011**

Item 1: Call to Order

Commission Chair Fuller called the meeting to order at 5:05 p.m.

Item 2: Roll Call

Present – Commission Chair Clyde Fuller, Vice Chair William Howatt, Commissioners Deborah Cochran, Faye Detsky-Weil, and John O’Neill,

Excused: Commissioners Lee Biddle and Bud Wetzler

Staff – Executive Director Stacey Fulhorst, General Counsel Christina Cameron, Program Manager Steve Ross, Senior Investigator Lauri Davis, and Executive Secretary AvéMaria Perkins

Item 3: Approval of Commission Minutes

Approval of Ethics Commission Minutes of October 13, 2011

Motion: Approve
Moved/Seconded: Howatt/O’Neill
Vote: Carried Unanimously

Item 4: Non-Agenda Public Comment

None

Item 5: Commissioner Comment

None

Item 6: Executive Director Comment

Director Fulhorst reported on two issues:

- She explained that the FPPC is in the process of overhauling the state gift laws which will likely necessitate amendments to the City's Ethics Ordinance to ensure that the City's laws continue to parallel state law. She added that the attorney in charge of the state overhaul made a point of thanking Steve Ross for his valuable input and suggestions during a recent FPPC meeting.
- She reported that the City Clerk's office is working on implementing electronic filing for lobbyist registration forms and disclosure reports, and added that Steve Ross received a commendation from the City Clerk for his assistance.

Item 7: General Counsel Comment

None

Item 8: Adjourn to Closed Session.

Commission Chair Fuller adjourned the meeting to closed session at 5:10 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

Commission Chair Fuller called the meeting back into open session at approximately 5:45 p.m.

Reporting Results of Closed Session Meeting of October 13, 2011

Ms. Foster reported the results of the closed session meeting of November 10, 2011:

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

Case No. 2011-79 - In Re: Alleged Failure to Include Proper Disclosure on Campaign Advertisements

Motion:	Initiate Investigation
Vote:	Carried Unanimously
Excused:	Biddle/Wetzler

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

Case No. 2011-62 - In Re: Alleged Acceptance of Contribution in Excess of Limit and Contribution from Organization

No Reportable Action

Case No. 2011-67 - In Re: Alleged Failure to Include Proper Disclosure on Campaign Advertisements

No Reportable Action

Item-3: Conference with Legal Counsel (1 potential matter)

Case No. 2010-42 – Alleged Failure to Timely Amend Registration Forms

After stating for the record that they each personally heard or read the testimony and reviewed the evidence from the probable cause hearing, the Commissioners determined that there is probable cause to believe that the respondent may have violated a governmental ethics law and that the matter shall be heard at a public administrative hearing.

A summary of the allegations is as follows: The Commission found that probable cause exists as to 9 counts of violating the City's campaign laws specifically relating to the filing of campaign statements, the disclosure of campaign expenditures, the maintaining of campaign records, and the acceptance of contributions from non-individuals.

The Commission noted that the Respondent is presumed to be innocent unless and until such time that the allegations are proven to be a violation at the administrative hearing.

Motion: In connection with its probable cause determination, the Commission has authorized the issuance of a Final Administrative Complaint and directed the Executive Director to schedule an administrative hearing within 120 days.

Moved/Seconded: O'Neill/Howatt
Vote: Carried unanimously
Excused: Biddle/Wetzler

Adjournment

The meeting adjourned at approximately 5:55 p.m.

Clyde Fuller, Commission Chair
Ethics Commission

AveMaria Perkins, Executive Secretary
Ethics Commission

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