



**Minutes for Meeting of
Thursday, October 9, 2014**

Item 1: Call to Order

Commission Vice-Chair Fuller called the meeting to order at approximately 5:00 p.m.

Item 2: Roll Call

Present – Commission Vice-Chair Clyde Fuller, Commissioners Deborah Cochran, Faye Detsky-Weil, Alex Kreit, Andrew Poat, and Greg Zinser

Excused – Commission Chair John O’Neill

Staff – Executive Director Stacey Fulhorst, General Counsel Christina Cameron, Investigator Lauri Davis, Auditor Rosalba Gomez and Administrative Aide Jennifer Blasier

Item 3: Approval of Commission Minutes

Approval of Ethics Commission Minutes of August 14, 2014

Motion:	Approve
Moved/Seconded:	Poat/Zinser
Vote:	Carried Unanimously
Abstained:	Detsky-Weil
Excused:	O’Neill

Item 4: Non-Agenda Public Comment

None

Item 5: Commissioner Comment

None

Item 6: Executive Director Comment

Ms. Fulhorst summarized the staff advisory memo recently issued to the Mayor and City Council concerning the application of conflict of interest laws to the City's procurement of wireless services. She explained that the City's conflict laws pertaining to contracts, which are modeled on California Government Code section 1090, prohibit a legislative body from entering into a contract if one of the members of the body has a financial interest in the contract. The prohibition applies even if the conflicted member recuses from participating in the decision. As reflected in the memo, staff concluded that the City Council could not approve the procurement agreement because Councilmember Lightner's spouse works for a company that is a subsidiary of a wireless provider. Ms. Fulhorst explained that the prohibition does not apply to the Mayor or anyone working in the executive/operational branch of City government. Accordingly, City staff is currently working to identify alternative avenues to contract for wireless services that will not involve City Council approval.

Ms. Fulhorst reported that Program Manager Steve Ross has converted twelve years of case logs in Word format to a single database with enhanced functionality that enables staff to conduct searches, run reports, and generate statistics. She thanked Mr. Ross and Administrative Aide Jennifer Duarte, who input all the necessary information into the new database.

Item 7: General Counsel Comment

None

Item 8: Presentation of Final Audit Report Regarding the Ellis for Council 2012 Committee

Motion:	Accept Final Audit Report
Moved/Seconded:	Detsky-Weil/Cochran
Vote:	Carried Unanimously
Recused:	Poat
Excused:	O'Neill

Item 9: Staff Report Concerning Lobbying Activity in 2013

Motion:	Accept Staff Report
Moved/Seconded:	Zinser/Detsky-Weil
Vote:	Carried Unanimously
Excused:	Detsky-Weil

Item 10: Adjourn to Closed Session

Commission Vice-Chair Fuller adjourned the meeting to closed session at approximately 5:15 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 Vice-Chair Fuller called the meeting back into open session at approximately 5:55 p.m.

Reporting Results of Closed Session Meeting of October 9, 2014:

Ms. Cameron reported the results of the closed session meeting of October 9, 2014:

Item-1: Conference with Legal Counsel (14 potential matters)

Case No. 2014-37 through 41 - In Re: Registration as an Organization Lobbyist

No Reportable Action

Case No. 2014-42 - In Re: Registration as a Lobbying Firm

Motion: Initiate Investigation
Moved/Seconded: Detsky-Weil/Fuller
Vote: Carried Unanimously
Recused: Cochran
Excused: O'Neill

Case No. 2014-43 - In Re: Contribution Limits: Individual

Motion: Initiate Investigation
Moved/Seconded: Fuller/Detsky-Weil
Vote: Carried Unanimously
Recused: Poat
Excused: O'Neill

Case No. 2014-46 - In Re: Content of Campaign Statements

Motion: Initiate Investigation
Moved/Seconded: Zinser/Cochran
Vote: Carried Unanimously
Excused: O'Neill

Case No. 2014-47, 2014-48 and 2014-50 through 2014-52 - In Re: Reporting Campaign Contributions: Lobbying Firms and Organization Lobbyists

Motion: Initiate Investigation
Moved/Seconded: Cochran/Detsky-Weil
Vote: Carried Unanimously
Excused: O'Neill

**Case No. 2014-49 - In Re: Reporting Campaign Contributions:
Organization Lobbyist**

Motion: Dismiss
Moved/Seconded: Kreit/Fuller
Vote: Carried Unanimously
Excused: O'Neill

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

Case No. 2014-22 - In Re: Filing of Campaign Statements

Motion: Dismiss
Moved/Seconded: Poat/Kreit
Vote: Carried Unanimously
Excused: O'Neill

**Case No. 2014-34 - In Re: Filing of Campaign Statements; Content of
Campaign Statements**

No Reportable Action

The closed session meeting reconvened into open session at 5:55 p.m.

Adjournment

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

Clyde Fuller, Commission Vice-Chair
Ethics Commission

Jennifer Blasier, Administrative Aide
Ethics Commission

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