



**Minutes for Meeting of
Thursday, April 14, 2016**

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 and Commissioners Deborah Cochran, Alex Kreit, Dave Potter, Sid Voorakkara, and Greg Zinser

Absent – Bill Baber

Staff – Executive Director Stacey Fulhorst, General Counsel Christina Cameron, Deputy Executive Director Tracy Morales, Program Manager Steve Ross, and Investigative Program Manager Lauri Davis

Item 3: Approval of Commission Minutes of March 10, 2016

Motion:	Approve Minutes
Moved/Seconded:	Potter/Zinser
Vote:	Carried Unanimously
Absent:	Baber

Item 4: Non-Agenda Public Comment

None

Item 5: Administrative Hearing: In the Matter of Advantage Towing Company, Inc., and Ayman Arekat (Case No. 2013-15); Deliberation of the Commission

The Commission's General Counsel explained the procedures for the Commission's deliberations as well as the legal standards associated with the burden and standard of proof. Each Commissioner affirmed that he or she personally heard or read the testimony and reviewed the exhibits admitted into evidence at the hearing. Pursuant to San Diego Municipal Code section 26.0436(e), the hearing was recorded.

The Petitioner and Respondent's counsel each presented oral arguments in connection with the allegations in the Final Administrative Complaint, the evidence presented by the parties at the Administrative Hearing on February 22, 23, and 24, 2016, and the Proposed Administrative Enforcement Order issued by the Administrative Law Judge [ALJ] on March 15, 2016. Following deliberations, the Commissioners made the following determinations:

Motion: Accept the Proposed Decision of the ALJ Regarding the Finding of Violations on Counts 1 through 12, 14, and 15
Moved/Seconded: Voorakkara/Kreit
Vote: Carried Unanimously
Absent: Baber

Motion: Accept the Proposed Decision of the ALJ Regarding the Finding of a Violation on Count 13
Moved/Seconded: Fuller/Potter
Vote: Carried Unanimously
Absent: Baber

Motion: Accept the Proposed Decision of the ALJ Regarding the Finding of Violations on Counts 16 through 30
Moved/Seconded: Potter/Voorakkara
Vote: Carried Unanimously
Absent: Baber

Motion: Accept the Proposed Decision of the ALJ Regarding the Finding of Violations on Counts 31 and 32
Moved/Seconded: Fuller/Potter
Vote: Carried Unanimously
Absent: Baber

Motion: Impose a Fine of \$4,000 per Violation for Counts 1 through 32, for a Total Fine of \$128,000
Moved/Seconded: Fuller/Zinser
Vote: 5-1 (Kreit voted nay)
Absent: Baber

Motion: Allow Respondents to Pay the Fine over a Period not to Exceed Twelve Months
Moved/Seconded: Cochran/Zinser
Vote: Carried Unanimously
Absent: Baber

Motion: Order Respondents to Cease and Desist from Violating the City's Campaign Laws, and Order that the Hearing Constitutes a Public Reprimand
Moved/Seconded: Fuller/Potter
Vote: 5-1 (Kreit voted nay)
Absent: Baber

Item 6: Adjourn to Closed Session

Vice-Chair Fuller adjourned the meeting to closed session at approximately 6:50 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

Vice Chair Fuller called the meeting back into open session at approximately 7:00 p.m.

Reporting Results of Closed Session Meeting of April 14, 2016

Ms. Cameron reported the results of the closed session meeting of April 14, 2016:

Item-1: Conference with Legal Counsel (2 potential matters)

Case No. 2016-05 – Solicitation of City Employees

Motion: Authorize Investigation
Moved/Seconded: Fuller/Cochran
Vote: Carried Unanimously
Absent: Baber

Motion: Expand Investigation to Include Campaign Advertisements
Moved/Seconded: Fuller/Cochran
Vote: Carried Unanimously
Recused: Voorakkara
Absent: Baber

Case No. 2016-07 – Contributions in the Name of Another

Motion: Dismiss
Moved/Seconded: Voorakkara/Zinser
Vote: 5-1 (Fuller voted nay)
Absent: Baber

Adjournment

The meeting adjourned at approximately 7:05 p.m.

[Redacted]

[Redacted]

Deborah Cochran, Commissioner
Ethics Commission

Stacey Fulhorst, Executive Director
Ethics Commission

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