



**Minutes for Meeting of
Thursday, May 12, 2016**

Item 1: Call to Order

Commissioner Cochran called the meeting to order at approximately 5:00 p.m.

Item 2: Roll Call

Present – Commissioners Bill Baber (arrived at 5:20 p.m.), Deborah Cochran, Alex Kreit, Dave Potter, Sid Voorakkara, and Greg Zinser

Absent – Clyde Fuller

Staff – Executive Director Stacey Fulhorst, General Counsel Christina Cameron, Program Manager Steve Ross, and Audit Program Manager Auditor Rosalba Gomez

Item 3: Approval of Commission Minutes of April 14, 2016

Motion:	Approve Minutes
Moved/Seconded:	Potter/Voorakkara
Vote:	Carried Unanimously
Absent:	Baber, Fuller

Item 4: Non-Agenda Public Comment

None

Item 5: Commissioner Comment

For the benefit of the newer Commissioners, Commissioner Cochran explained the process surrounding the election of Commission officers. The Municipal Code states that the Commission will elect a Chair at the June meeting, who will begin his/her term as Chair at the July meeting. It's the Commission's practice for the current Chair to appoint two other Commissioners to serve as members of an ad hoc nominating subcommittee at the May meeting. This subcommittee then makes recommendations for both the Chair and Vice Chair at the June meeting. Commissioner Cochran noted that, although this is the Commission's

established process, it does not preclude other Commissioners from making nominations at the June meeting.

Commissioner Cochran reported that Commission Vice Chair Fuller has asked Commissioners Potter and Zinser to serve on the nominating subcommittee, and the Commission can expect to receive their recommendations at next month's meeting.

Item 6: Executive Director Comment

None

Item 7: General Counsel Comment

None

Item 8: Presentation of Final Audit Report Regarding Mitz Lee for City Council 2014

Ms. Fulhorst reminded the Commissioners that audit reports with no material findings are presented to them for acceptance during the open session portion of Commission meetings. She added that the Commission's Audit Program Manager, Rosalba Gomez, is present to answer questions.

Motion:	Accept Final Audit Report
Moved/Seconded:	Voorakkara/Zinser
Vote:	Carried Unanimously
Absent:	Baber, Fuller

Item 9: Staff Report Concerning Lobbying Activity in 2015

Ms. Fulhorst presented the annual staff report concerning lobbying and related activity disclosed by lobbying firms and organization lobbyists during the 2015 calendar year. She noted that the report was submitted as an informational item.

Item 10: Discussion and Possible Action Concerning Proposed Amendments to the City's Campaign Laws

Commissioner Voorakkara reminded the Commissioners that Commission Vice Chair Fuller previously formed an ad hoc subcommittee to review local campaign laws with a view toward identifying specific provisions that might benefit from harmonization with corresponding state laws. He reported that the subcommittee members (Commissioners Baber, Kreit, and Voorakkara) held a series of meetings with Commission staff and a public workshop at the downtown library which resulted in the recommendations outlined in the memo that was part of the meeting backup materials.

According to Commissioner Voorakkara, there were two issues considered by the subcommittee that were ultimately not included in the package of recommendations: advertising disclosures and polling calls. He explained that the subcommittee decided to hold off on recommending changes to local advertising disclosure rules until the FPPC completes

its pending review of state laws. With respect to polling, he reported that two local polling firms were asked to submit criteria for distinguishing between scientific polls and persuasion polls, but failed to do so within the time allotted. He added that both of these issues will be taken up by Commission staff during quarterly roundtable discussions with the FPPC and other local agencies, and may be brought back to the Commission at a future date.

Commissioner Kreit advised the Commission that the subcommittee reviewed other aspects of the City's campaign laws but ultimately decided that there was a sound policy rationale for maintaining these laws. With respect to the proposed extension of the pre-election fundraising time period, Commissioner Kreit reported that the stakeholders who participated in the process were very supportive of the extending the pre-election fundraising period.

Commissioner Cochran stated that she is generally reluctant to remove a disclosure requirement and she asked what specific information would not be available to the public as a result of the subcommittee's proposal to eliminate the third pre-election filing requirement for primarily formed committees. Ms. Fulhorst explained that contributions of \$100 or more must be disclosed on the third pre-election filing; however, in light of the 24-hour filing requirement for contributions of \$1,000 or more, the only information that would not be disclosed would be contributions between \$100 and \$999 made during the reporting period (which covers the period starting 16 days before an election and ending 6 days before an election). She noted that, because primarily formed committees are not subject to contribution limits, they tend not to receive contributions under \$1,000. Moreover, a review of the third pre-election disclosure reports previously filed by primarily formed committees revealed that they consistently had no information to disclose.

Commissioner Cochran noted that the Commissioners were supportive of the recommendations made by the subcommittee, and she asked staff to prepare draft amendments to the Municipal Code reflecting these proposals for consideration at the June Commission meeting.

Item 11: Adjourn to Closed Session

Commissioner Cochran adjourned the meeting to closed session at approximately 5:30 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

Commissioner Cochran called the meeting back into open session at approximately 6:15 p.m.

Reporting Results of Closed Session Meeting of May 12, 2016

Ms. Cameron reported the results of the closed session meeting of May 12, 2016:

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

Case No. 2016-08 – Contributions from Organizations

Motion: Authorize Investigation
Moved/Seconded: Voorakkara/Potter
Vote: Carried Unanimously
Absent: Fuller

Case No. 2016-09 – Misuse of City Position or Resources

Motion: Dismiss
Moved/Seconded: Zinser/Potter
Vote: Carried Unanimously
Absent: Fuller

**Case Nos. 2016-10 – 2016-18 – Reporting Campaign Contributions:
Lobbying Firms and Organization Lobbyists**

Motion: Authorize Investigation
Moved/Seconded: Potter/Kreit
Vote: Carried Unanimously
Absent: Fuller

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

Case No. 2016-04 – Filing Deadline for Quarterly Disclosure Report

Motion: Approve Stipulation
Moved/Seconded: Cochran/Potter
Vote: Carried Unanimously
Absent: Fuller

Case No. 2016-05 – Solicitation of City Employees

Motion: Dismiss
Moved/Seconded: Baber/Potter
Vote: Carried Unanimously
Absent: Fuller
Recused: Voorakkara

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

Presentation of Final Audit Report Regarding the Audit of Fletcher for Mayor 2012

Motion: Accept Final Audit Report
Moved/Seconded: Voorakkara/Cochran
Vote: Carried Unanimously
Absent: Fuller

Presentation of Final Audit Report Regarding the Audit of David Alvarez for Mayor 2013

Motion: Accept Final Audit Report
Moved/Seconded: Kreit/Zinser
Vote: Carried Unanimously
Absent: Fuller

Adjournment

The meeting adjourned at approximately 6:20 p.m.

[Redacted]

Deborah Cochran, Commissioner
Ethics Commission

[Redacted]

Stacey Fulhorst, Executive Director
Ethics Commission

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

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