



**Minutes for Meeting of
Thursday, March 8, 2018**

Item 1: Call to Order

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

Item 2: Roll Call

Present – Commission Chair Deborah Cochran, and Commissioners Bill Baber, Fred Kosmo, Alex Kreit, Joe Leventhal, and Dave Potter

Absent – Commission Vice Chair Sid Voorakkara

Staff – Executive Director Stacey Fulhorst, General Counsel Christina Cameron, Education Program Manager Stephen Ross, Investigative Program Manager Kristina Gagné, Audit Program Manager Rosalba Gomez, and Program Coordinator Victoria Velasquez

Item 3: Approval of Commission Minutes of February 8, 2018

Motion:	Approve Minutes
Moved/Seconded:	Potter/Kosmo
Vote:	Carried Unanimously
Absent:	Voorakkara

Item 4: Non-Agenda Public Comment

None

Item 5: Commissioner Comment

None

Item 6: Executive Director Comment

Ms. Fulhorst provided an update regarding the Commission’s new office space at 450 B Street. In addition, she reported that she had excellent attendance at a recent candidate training for the 2018 primary election because Ms. Velasquez reached out to all of the candidates via e-mail and telephone and strongly encouraged them to attend.

Item 7: General Counsel Comment

None

Item 8: Presentation of Final Audit Report Regarding Barbara Bry for City Council District 1 2016

In response to a request from Commissioner Kosmo, Ms. Gomez provided a brief explanation of the audit process.

Motion:	Accept Audit Report
Moved/Seconded:	Baber/Kosmo
Vote:	Carried Unanimously
Absent:	Voorakkara

Item 9: Presentation of Final Audit Report Regarding Vote Yes on C, with major funding by Chargers Football Company, LLC

Motion:	Accept Audit Report
Moved/Seconded:	Potter/Baber
Vote:	Carried Unanimously
Absent:	Voorakkara

Item 10: Proposed Amendments to Election Campaign Control Ordinance

John Nienstedt with Competitive Edge provided public comment concerning the impact of advertising disclaimer requirements on surveys conducted by professional pollsters.

In response to Mr. Nienstedt’s comments, Ms. Fulhorst explained that the proposed amendments to ECCO would eliminate the current definition of “mass telephone communications” which includes polling and would rely on the state’s definition instead. According to state law, calls made to 500 or more households for the purpose of supporting or opposing a candidate must include a “paid for by” disclosure. She explained that it would be up to the Commission to evaluate the facts and determine whether a particular call was made for purposes of advocacy.

In addition to the laws governing telephone calls, Ms. Fulhorst pointed out that the rules governing electioneering communications would require any communication, including a telephone poll, conducted within 90 days of an election to include a “paid for by” disclosure if it mentions a City candidate. Ms. Fulhorst invited Mr. Neinstedt to communicate with Commission staff concerning possible amendments he might like to propose to the electioneering communication rules.

Commissioner Kosmo asked if a polling call to 450 people would require a disclosure under the new state law and Ms. Fulhorst confirmed that it would not because it would fall under the 500-call threshold.

Commissioner Baber asked about the timeline for implementation of the proposed amendments. Ms. Fulhorst explained that the City Council Rules Committee will consider the proposed amendments in April; if approved, they will be submitted to the full City Council in late April or early May, concurrent with a review by the City Attorney’s Office. Following a second reading two weeks later and then a 30 day waiting period, the new laws should go into effect in mid-June, which is ideal timing for the November general election.

Motion:	Approve Proposed Amendments
Moved/Seconded:	Baber/Kosmo
Vote:	Carried Unanimously
Absent:	Voorakkara

Item 11: Adjourn to Closed Session

Commission Chair Cochran adjourned the meeting to closed session at approximately 5:35 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

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

Reporting Results of Closed Session Meeting of March 8, 2018

Ms. Cameron reported the results of the closed session meeting of March 8, 2018:

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

Case No. 2018-04 – Solicitation of Contributions from City Employees

Motion: Authorize Investigation
Moved/Seconded: Baber/Potter
Vote: Carried Unanimously
Absent: Voorakkara
Recused: Leventhal

Adjournment

The meeting adjourned at approximately 5:50 p.m.

[REDACTED]

Deborah Cochran, Chair
Ethics Commission

[REDACTED]

Victoria Velasquez, Program Coordinator
Ethics Commission

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

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