



**Minutes for Meeting of
Thursday, February 12, 2004**

Item-1: Call to Order.

Chairwoman Dorothy Smith called the meeting to order at 5:00 p.m.

Item-2: Roll Call.

Present – Chairwoman Dorothy Smith, Commissioners Charles H. Dick, Jr., Dorothy Leonard, Karen Thomas-Stefano, Greg Vega, and Larry W. Westfall.

Staff – Executive Director Stacey Fulhorst, Deputy City Attorney Rick Duvernay, Deputy City Attorney Dave James, Legal Assistant Steve Ross, Investigator Lauri Davis, Executive Secretary Janet MacFarlane.

Excused – Commissioner April Riel

Item-3: Reporting Results of Closed Session.

Chairwoman Smith reported the results of the Closed Session Meeting of January 22, 2004.

Item 1: Conference with Legal Counsel (2 Potential Matters)

Case No. 2004-01
Case No. 2004-02

Motion: Initiate Investigation
Moved/Seconded: Dick/Vega
Vote: Unanimous
Excused: Leonard, Riel, Thomas-Stefano

Item 2: Conference with Legal Counsel (18 Potential Matters)

Case No. 2003-32

Case No. 2003-38
Case No. 2003-41
Case No. 2003-47
Case No. 2003-52
Case No. 2003-53
Case No. 2003-58
Case No. 2003-60

Case No. 2003-61
Case No. 2003-62
Case No. 2003-63
Case No. 2003-64
Case No. 2003-66

Motion: Dismiss
Moved/Seconded: Vega/Dick
Vote: Unanimous
Excused: Leonard, Riel, Thomas-Stefano

Case No. 2003-34

Motion: Dismiss
Moved/Seconded: Dick/Vega
Vote: Unanimous
Excused: Leonard, Riel, Thomas-Stefano

Case No. 2003-59
Case No. 2003-65

Motion: Dismiss
Moved/Seconded: Westfall/Vega
Vote: Unanimous
Excused: Leonard, Riel, Thomas-Stefano

Case No. 2003-48

Motion: Order a Probable Cause Hearing and authorize the issuance of a Probable Cause Report and Draft Administrative Complaint
Moved/Seconded: Dick/Vega
Vote: Unanimous
Excused: Leonard, Riel, Thomas-Stefano

Item-4: Approval of Commission Minutes.

APPROVAL OF COMMISSION MINUTES OF DECEMBER 11, 2003, AND JANUARY 22, 2004.

Motion: Approve minutes of December 11, 2003

Moved/Seconded: Leonard/Vega

Vote: Unanimous

Abstained: Westfall

Excused: Riel

Motion: Approve minutes of January 22, 2004

Moved/Seconded: Dick/Vega

Vote: Unanimous

Abstained: Leonard, Stefano

Excused: Riel

Item-5: Non-Agenda Public Comment.

None.

Item-6: Commissioner Comment.

None.

Item-7: Executive Director Comment.

Executive Director Stacey Fulhorst reported the following:

1. Progress of obtaining additional office space for Financial Investigator
2. Interviews for Financial Investigator position are scheduled for Tuesday, February 17, 2004. Commissioners Riel and Westfall will be participating in the interview process.
3. Ethics training had been provided to the staff of San Diego Data Processing Corporation on February 2, 2004. Commissioner Westfall attended the training.
4. Ethics training will be scheduled in April 2004 for new, unclassified City employees and for those who did not attend previous training sessions. These training sessions will be scheduled biannually.

Item-8: Deputy City Attorney Comment.

None.

Item 9: Proposed Revision to Ethics Commission Operating Policies.

Stacey Fulhorst reviewed the proposed changes to the Commission's operating policies.

Motion: Approve proposed changes to Operating Policy as amended to retain subsection L on page 4.

Moved/Seconded: Leonard/Dick

Vote: Unanimous

Excused: Riel

Item 10: Status Report on ECCO Revisions Considered at Rules Committee Meeting of Wednesday, January 21, 2004.

Shirley Imber, representing the League of Women Voters, spoke in support of the ECCO revisions.

Steve Ross reviewed the modified ECCO revisions modified at the direction of the Rules Committee.

April Boling recommended a number of modifications to the proposed ECCO revisions. She suggested that state law be adopted with modification.

Stacey Fulhorst reviewed the city's current and recommended revisions to ECCO with state law.

By consensus, the Commission continued this item to February 26, 2004, for further discussion and action.

Item 11: Adjournment to Closed Session

Chairwoman Dorothy Smith adjourned the meeting to Closed Session at 7:15 p.m. She stated if the Commission took any action that must be reported pursuant to the Brown Act, the Commission would reconvene into Open Session to report on that action.

Item 12: Reconvene to Report Closed Session Action

The Commission reconvened at 8:15 p.m.

Reporting Results of Closed Session.

Chairwoman Smith reported that the Commission had approved a Stipulation, Decision and Order with Leslie Sanguinetti in final settlement of Case No. 2003-48, and copies of the Stipulation are available to the public.

Item 14: Adjournment

The Commission meeting adjourned at 8:20 p.m.

Dorothy L. Smith, Chairwoman
Ethics Commission

Janet MacFarlane, Executive Secretary
Ethics Commission

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