



**Agenda for the Meeting of  
Thursday, September 12, 2024  
5:00 p.m.**

**In-Person Meeting**

**Second Floor Conference Room  
451 A Street, San Diego, California 92101**

To access the meeting, enter the building from the main entrance in the courtyard behind 450 B Street, San Diego, California 92101. Let the security guard know you are there for the meeting, and they will swipe their badge in the elevator to grant you access to the second floor. For additional information, contact the Ethics Commission at (619) 533-3476.

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**REGULAR MEETING**

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**Item 1: Call to Order.**

**Item 2: Roll Call.**

**Item 3: Approval of Commission Minutes.**

Approval of Commission Minutes of Meeting of August 8, 2024.

▶ View back-up materials: [Minutes](#)

**Item 4: Non-Agenda Public Comment.**

**Item 5: Commissioner Comment.**

This portion of the agenda provides an opportunity for Commissioners to make announcements or comments.

**Item 6: Executive Director Comment.**

This portion of the agenda provides an opportunity for the Executive Director to make announcements or comments.

**Item 7: General Counsel Comment.**

This portion of the agenda provides an opportunity for the Commission's General Counsel to make announcements or comments.

**Item 8: Presentation of Final Audit Report Regarding the *San Diegans Against Discrimination, Opposing Measure D, sponsored by the Associated General Contractors of America San Diego Chapter, Inc.* Committee.**

Discussion and possible action regarding the Final Audit Report presented by staff concerning the audit of the *San Diegans Against Discrimination, Opposing Measure D, sponsored by the Associated General Contractors of America San Diego Chapter, Inc.* Committee.

► View back-up materials: [Final Audit Report](#)

**Item 9: Consideration of Municipal Code Language Related to Ethics Commission Fines**

This item is noticed for discussion and possible action. It follows the Commission's action on August 8, 2024 to advance proposed amendments to Municipal Code section 26.0440 to the City Attorney's office, so that an ordinance may be brought to the City Council for consideration.

The Executive Director will present updated draft language that adds a provision authorizing future adjustments to the \$15,000 limit based on changes to the Consumer Price Index.

► View back-up materials: (1) [Staff Memo re EC Fines](#); (2) [SDMC - Draft Strikeout](#)

**Item 10: Informational Item – Audit Program Training for Ethics Commission**

The Commission's Executive Director and Audit Program Manager will present training regarding the Commission's work on campaign committee audits, including discussion of relevant laws, processes, and duties of the Commission's auditor and the board in the Audit Program.

**Item 11: Informational Item – Legal and Procedural Training for Ethics Commission**

The Commission's Executive Director will provide training on the hierarchy of City laws governing the City of San Diego and how they affect the Ethics Commission.

**Item 12: Announcement of Closed Session Items / Adjourn to Closed Session.**

Items to be discussed in Closed Session are listed in the Closed Session portion of the Agenda. The Commission will hear any public comment on these items before it recesses the open session meeting to convene in Closed Session.

The Commission will reconvene into open session following the conclusion of Closed Session to report any action taken. A record of actions taken in Closed Session will also be posted on the Commission's website on Friday, September 13, 2024.

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**CLOSED SESSION**

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**Item 1: Conference with Legal Counsel**

Anticipated Litigation. Initiation of litigation pursuant to Government Code section 54956.9(d)(4). **(Case No. 2024-04)**

The Ethics Commission may meet in closed session to consider the settlement, dismissal, status of an investigation, or the issuance of a subpoena or Draft Administrative Complaint. Should the issuance of a Draft Administrative Complaint be authorized, the identity of the Respondent or Respondents will be available after a Draft Administrative Complaint is issued and the matter is noticed for discussion as pending litigation. The nature and details of the allegations will be available upon request only if and after a Final Administrative Complaint is issued.

**Item 2: Conference with Legal Counsel**

Anticipated Litigation. Initiation of litigation pursuant to Government Code section 54956.9(d)(4). **(1 potential matter - Case No. 2024-17)**

The Ethics Commission may meet in closed session to consider initiating a formal investigation, determining whether to pursue administrative remedies, or issuing a Draft Administrative Complaint against a person or persons for whom material findings of a violation of local ethics laws have been made in an Ethics Commission Final Audit Report. Should an investigation be authorized, the identity of the person or persons being investigated will be available upon request only if and after a Draft Administrative Complaint is issued. The nature and details of the allegations will be available upon request only if and after a Final Administrative Complaint is issued.

**Item 3: Conference with Legal Counsel**

Anticipated Litigation. Initiation of litigation pursuant to Government Code section 54956.9(d)(4). **(1 potential matter - Case No. 2024-18)**

The Ethics Commission may meet in closed session to consider initiating a formal investigation, determining whether to pursue administrative remedies, or issuing a Draft Administrative Complaint against a person or persons for whom material findings of a violation of local ethics laws have been made in an Ethics Commission Final Audit Report. Should an investigation be authorized, the identity of the person or persons being investigated will be available upon request only if and after a Draft Administrative Complaint is issued. The nature and details of the allegations will be available upon request only if and after a Final Administrative Complaint is issued.

**Item 4: Conference with Legal Counsel**

Anticipated Litigation. Initiation of litigation pursuant to Government Code section 54956.9(d)(4). **(1 potential matter - Case No. 2024-19)**

The Ethics Commission may meet in closed session to consider initiating a formal investigation, determining whether to pursue administrative remedies, or issuing a Draft Administrative Complaint against a person or persons alleged to have violated the City's governmental ethics laws. Should an investigation be authorized, the identity of the person or persons being investigated will be available upon request only if and after a Draft Administrative Complaint is issued. The nature and details of the allegations will be available upon request only if and after a Final Administrative Complaint is issued.

**INTERNET ACCESS TO COMMISSION AGENDA:** The Internet address is:  
<http://www.sandiego.gov/ethics>.

**REQUESTS FOR ACCESSIBILITY MODIFCATIONS OR ACCOMMODATIONS**

As required by the Americans with Disabilities Act, requests for agenda information to be made available in alternative formats, and any requests for disability-related modifications or accommodations that may be required to facilitate meeting participation, may be made by contacting the Ethics Commission. Please call (619) 533-3476 or email [ethicscommission@sandiego.gov](mailto:ethicscommission@sandiego.gov). This may include requests seeking alternatives to observing meetings and offering public comment as noted above. Requests for translation services or auxiliary aids may require different lead times, which may range from five business days to two weeks. Please contact the Ethics Commission as soon as possible to ensure availability. The Ethics Commission is committed to addressing requests promptly to maximize accessibility and public participation.

**COMMENT ON NON-AGENDA ITEMS:** This portion of the agenda provides an opportunity for members of the public to address the Commission on items of interest within the jurisdiction of the Commission. Comments are limited to no more than three minutes per speaker. Submit requests to speak to the Commission **prior** to the start of the meeting. Pursuant to the Ralph M. Brown Act, the Commission shall take no discussion or action, other than a referral, on any issue brought forth under “Non-Agenda Comment.”

**COMMENT ON AGENDA ITEMS:** When the Commission Chair has introduced the item on which you would like to comment, you will be asked to introduce yourself and provide your comments. Each speaker will have three minutes to speak. The Commission will take public comment on Closed Session items, if any, before adjourning to that meeting.

If you wish to submit written materials, please do so by sending an email to [ethicscommission@sandiego.gov](mailto:ethicscommission@sandiego.gov) no later than close of business on Wednesday, September 11, 2024. Materials submitted via e-mail by this deadline will be distributed to the Ethics Commissioners before the meeting.