



**Minutes for the Meeting of  
Thursday, January 9, 2025**

**Item 1: Call to Order.**

The Commission Chair called the meeting to order at 5:00 p.m.

**Item 2: Roll Call.**

**Present** – Commission Chair Paul Cooper, Vice Chair Jimmie Slack, and Commissioners Hon. Laura W. Halgren, James Hauser, Tom Lincoln, Caridad Sanchez, and Deval Zaveri

**Staff** – Executive Director Sharon Spivak, General Counsel Christina Cameron, Audit Program Manager Rosalba Gomez, Investigative Program Manager Kristina Gagné, Legislative Program Manager Megan Curran, Education Program Manager Ryan O'Connor, Program Manager of Administration and Training Victoria Velasquez, and Incoming Executive Director Bryn Kirvin

**Item 3: Approval of Commission Minutes of November 14, 2024**

Motion:	Approve Minutes
Moved/Seconded:	Slack/Halgren
Vote:	6-0
Abstained:	Hauser

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

None.

**Item 5: Commissioner Comment**

Commissioner Slack wished everyone a Happy New Year, and Commissioner Lincoln welcomed Incoming Executive Director Bryn Kirvin.

## Item 6: Executive Director Comment

The Executive Director provided the following report:

Onboarding of next Executive Director: Ms. Spivak noted that the overlap period to train her successor, Bryn Kirvin, began Tuesday, January 7 when Ms. Kirvin started her City employment. Ms. Kirvin's position is called "Incoming Executive Director." She noted that Ms. Kirvin begins her work at an exceptionally busy time for the office. Among other things, staff will be teaching 11 ethics law classes to elected officials and unclassified employees in the next two months.

Budget update: Ms. Spivak discussed the Mayor's request that the Commission propose reductions of 20% of the department's \$1.8 million budget for the next fiscal year. She discussed the City's dire budget situation, following voters' rejection of a City sales tax measure.

She noted that she and Audit Program Manager Rosalba Gomez have been working through the holidays on intensive and detailed work related to the Commission's budget, working with other City departments. She thanked Ms. Gomez for her help with this work on tough deadlines.

Ms. Spivak noted that she had told the following to City management about the Commission's budget:

- The requested 20% cut is not possible without eliminating mandated programs and laying off staff. The Commission has six employees, with one person per core program and an Executive Director who works across all programs. Each program is mandated by the Charter and/or Municipal Code. In fact, 87% of the Commission's budget funds personnel and fringe; 9% funds the Contracts budget, which includes fees and costs for required outside counsel and any hearing costs; and the remainder is almost entirely nondiscretionary (the department's share of IT services, for example).
- Measure D, which adds Charter section 41.3, was just approved by voters in November 2024 with 72% of the vote. It states that the Commission is to receive "sufficient" funding for its programs. Ms. Spivak sent a memorandum to City management that underscores the impact of this ballot measure – and the fact that no cuts of the magnitude sought can be made without eliminating legally mandated programs and laying off staff.
- In discussions with the City Clerk's Office, Ms. Spivak proposed a review and analysis of lobbyist registration fees. The Commission is mandated to provide education and enforcement to the City's registered lobbyists but does not receive any money or credit from the fees for this work.

- The budget situation and accompanying hiring freeze will require the Commission to put on hold any requests to expand the staff to include jurisdiction for classified employees who file Forms 700, or to add a needed Deputy Director position.
- The “overlap” temporary position currently occupied by the Incoming Executive Director is a one-time position. As it does not carry forward, this saves 6% in next year’s budget (approximately \$118,000).
- Our only “discretionary” funding comes in how much we spend in the Contracts budget that is allocated to cover our outside counsel and any hearing costs. This amount has been steadily cut over the years and the IBA has noted in the ballot materials that it is not fully funded now.

Ms. Spivak noted there are many steps ahead in the process for creating the FY26 budget and she will keep Commissioners informed. She will be retiring before the process is complete but will be training Ms. Kirvin on budget matters.

Office space: Ms. Spivak noted that the Mayor is reviewing all of the City’s downtown leases for office space for its employees. This includes the Commission’s lease. She has requested that the Commission be given budget “credit” for any cost savings that may occur if the Commission has to downsize or move. She noted that the Commission cannot be housed with other City employees because of its enforcement work, nor can it send its confidential files to central storage but must maintain them separately. This affects where the Commission can be housed.

COGEL: She noted that the Commission’s four staff members who are attorneys and its outside counsel just returned from the annual COGEL conference. She noted the critical and useful legal training they receive there. Ms. Spivak was a panelist for two sessions, including one focused on challenges facing small government ethics agencies, and one on succession planning.

**Item 7: General Counsel Comment**

None

**Item 8: Measure D: Policies for Reporting and Action on Pending Enforcement Matters.**

The Executive Director provided the Commission with a proposed draft of a monthly reporting document for public transparency. Commissioner Lincoln indicated that he wanted additional details on why complaints are dismissed beyond what the proposed form was going to provide. Commissioner Hलगren noted that the proposed draft mirrors what the Oakland Ethics Commission does. She also pointed out that Commissioner Lincoln was requesting more information than what any of the other Ethics Commissions provide. General

Counsel Cameron noted that the Commission must keep an investigation confidential until a probable cause determination is made, unlike the Oakland Ethics Commission. Commission Chair Cooper requested a brief synopsis of the cases that are being opened in closed session.

In response to Commissioner Lincoln's question about why the Commission does not receive details about dismissed cases, Ms. Gagné explained that staff has never provided details for cases not opened because most of them are not within the Commission's jurisdiction, and it would be very time-consuming to explain each one. Ms. Cameron mentioned that the preliminary review of a complaint was never presented to the Commission in the past.

Commissioner Hauser proposed a subcommittee to review dismissed cases once per quarter versus the current practice of once per year by the Chair and Vice Chair. Ms. Cameron cautioned that there may be potential Brown Act issues with having a subcommittee regularly review dismissed cases. Commission Chair Cooper replied that they should keep it to the Chair and Vice Chair. Commissioners Halgren and Zaveri liked Commissioner Hauser's idea of a quarterly review by the Chair and Vice Chair.

Motion: Adopt the policy for open session reporting with the amendment to include a quarterly review of the dismissed complaints and the proposed closed session reporting form.  
Moved/Seconded: Lincoln/Halgren  
Vote: Carried Unanimously

**Item 9: Measure D: Updates to the San Diego Municipal Code.**

The Executive Director presented an overview of the proposed Municipal Code Amendments following the passing of Measure D. She mentioned that some of the updates were general housekeeping of the existing language and that the next step is for staff to do a full draft of the changes and present them to the Commission.

Motion: Staff will continue working on a draft of proposed amendments to the Municipal Code based on Measure D  
Moved/Seconded: Lincoln/Zaveri  
Vote: Carried Unanimously

**Item 10: Informational Item: Discussion of February 2025 Meeting.**

The Executive Director provided an overview of what to expect at the next meeting. She mentioned that it would be a workshop for the Commissioners.

**Item 11: Adjournment.**

The meeting concluded at 6:44 p.m.

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Paul Cooper, Chair  
Ethics Commission

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Victoria Velasquez, Program Manager  
Ethics Commission

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

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