

BOARD OF ETHICS

Agenda

CITY COUNCIL-APPOINTED BOARDS & COMMISSIONS



Date: Wednesday, August 20, 2025
Time: 5:15 p.m.
Location: City Hall, Bldg. A, Executive Conference Room #103
276 Fourth Avenue, Chula Vista, CA

Board of Ethics Regular Meeting

In-Person Public Comments: Join us for the Board of Ethics meeting at the time and location specified on this agenda to make your comments. Each person will be allotted three minutes to address the Commission.

Electronic Public Comments: At www.chulavistaca.gov/boardmeetings, locate this meeting and click on the comment bubble icon. Select the item and click on "Leave Comment." The deadline to submit e-comments or any comments emailed to BOE@chulavistaca.gov will be noon on the day of the meeting.

Accessibility: *Individuals with disabilities are invited to request modifications or accommodations in order to access and/or participate in a Board of Ethics meeting by contacting the board staff at BOE@chulavistaca.gov (California Relay Service is available for the hearing impaired by dialing 711) at least forty-eight hours in advance of the meeting.*

1. CALL TO ORDER**2. ROLL CALL**

Board Members: Gersten, Salas, Torres, Velissaropoulos, Vice-Chair Hurst, and Chair Barragan.

3. PUBLIC COMMENTS

Persons may address the Board on any subject matter within the Board's jurisdiction that is not listed as an item on the agenda. State law generally prohibits the Board from discussing or taking action on any issue not included on the agenda, but, if appropriate, the Board may schedule the topic for future discussion or refer the matter to staff. If you wish to comment, please submit comments electronically at: www.chulavistaca.gov/boardmeetings or submit an electronic comment per the instructions on page one of this agenda.

4. ACTION ITEMS

The Item(s) listed in this section of the agenda will be considered individually by the Board and are expected to elicit discussion and deliberation. If you wish to comment on one of these items, you may do so at www.chulavistaca.gov/boardmeetings or submit an electronic comment per the instructions on page one of this agenda.

4.1 Approval of Meeting Minutes

4

Recommended Action:

Board to approve the minutes dated July 16, 2025.

4.2 Election of Chair and Vice Chair for Fiscal Year 2025 - 2026**Recommended Action:**

Nominate and elect Chair and Vice Chair for fiscal year 2025-26.

5. PRESENTATION

The following item(s) will be presentations given to the Board. Action on these item(s) is typically limited to the Board receiving the presentation and providing direction or feedback to staff, as appropriate. If you wish to speak on an item, please fill out a "Request to speak" form and submit it to the Secretary prior to the meeting or submit an electronic comment per the instructions on page one of this agenda.

5.1 Update from Lobbying Ordinance Ad Hoc Sub-Committee

Consists of Chair Isidro Barragan, Vice Chair Leslie Hurst, and Member Bobby Ray Salas.

5.2 Update from Ex Parte Communication Ad Hoc Sub-Committee

8

Consists of Member William Gersten, Member Jose Torres, and Member Bobby Ray Salas.

5.3 Update from Amendments to Code of Ethics Ad Hoc Sub-Committee

Consists of Vice Chair Leslie Hurst and Member Alexia Velissaropoulos.

5.4 Update from Campaign Contribution Enforcement Authority Selection Process Ad Hoc Sub-Committee

Consists of Member William Gersten, Member Bobby Ray Salas, and Member Alexia Velissaropoulos.

6. STAFF COMMENTS

7. CHAIR'S COMMENTS

8. BOARD MEMBERS' COMMENTS

9. ADJOURNMENT

to the regular meeting on September 17, 2025, at 5:15 p.m.

Materials provided to the Board of Ethics related to any open-session item on this agenda are available for public review by contacting the City Attorney's Office at BOE@chulavistaca.gov.

Sign up at www.chulavistaca.gov/residents/enotification to receive email notifications when agendas are published online.

City of Chula Vista
Regular Board of Ethics Meeting
MINUTES

July 16, 2025, 5:15 p.m.
City Hall, Bldg. A, Executive Conference Room #103
276 Fourth Avenue, Chula Vista, CA

Present: Member Gersten, Member Salas, Member Torres, Member Velissaropoulos, Vice Chair Hurst, Chair Barragan

Also Present: City Attorney Verdugo, Board Secretary Montalvo

Minutes are prepared and ordered to correspond to the agenda.

1. CALL TO ORDER

A regular meeting of the Board of Ethics of the City of Chula Vista was called to order at 5:18 p.m.

2. ROLL CALL

Secretary Montalvo called the roll.

3. PUBLIC COMMENTS

Robert spoke of unethical issues at City Council.

4. ACTION ITEMS

4.1 Approval of Meeting Minutes

Moved by Member Torres

Seconded by Member Salas

Board to approve the minutes dated June 18, 2025.

The motion was carried by the following vote:

Yes (6): Member Gersten, Member Salas, Member Torres, Member Velissaropoulos, Vice Chair Hurst, and Chair Barragan

Result: Carried (6 to 0)

4.2 Written Communications

Moved by Member Torres

Seconded by Member Salas

Communication from Board Member Velissaropoulos requesting an excused absence from the June 18, 2025, Board of Ethics meeting.

The motion was carried by the following vote:

Yes (6): Member Gersten, Member Salas, Member Torres, Member Velissaropoulos, Vice Chair Hurst, and Chair Barragan

Result: Carried (6 to 0)

4.3 Discussion of the Annual Activities Report and Authorize the Chair to Work with Staff to Finalize and Submit

Member Gersten proposed edits.

Member Torres proposed edits.

Moved by Member Torres

Seconded by Member Gersten

To authorize the Chair to work with staff to include recommendations from the board, finalize, and submit the Annual Activities report.

The motion was carried by the following vote:

Yes (6): Member Gersten, Member Salas, Member Torres, Member Velissaropoulos, Vice Chair Hurst, and Chair Barragan

Result: Carried (6 to 0)

4.4 Discussion of the Campaign Contribution Enforcement Authority Selection Process Ad Hoc Sub-Committee next steps and Authorize the Ad Hoc Sub-Committee to Work with Staff to Proceed with Next Steps

City Attorney Verdugo shared this would be an opportunity to seek new qualified attorneys.

Member Ray Salas recommended changes.

2025-07-16 Board of Ethics Regular Meeting Minutes

Member Gersten recommended including the scope of work.

Moved by Member Gersten

Seconded by Member Velissaropoulos

To authorize the Campaign Contribution Enforcement Authority Selection Process Ad Hoc Sub-Committee to work with staff to finalize and post the job posting, select applicants, interview applicants, and bring back proposed applicants to the board for final approval vote.

The motion was carried by the following vote:

Yes (6): Member Gersten, Member Salas, Member Torres, Member Velissaropoulos, Vice Chair Hurst, and Chair Barragan

Result: Carried (6 to 0)

5. PRESENTATION

5.1 Update from Lobbying Ordinance Ad Hoc Sub-Committee

Chair Barragan shared that he will have a more complete document soon. The proposed ordinance will define a lobbyist, roles as defined. They will need help from the City Clerk to create a process for registration and quarterly updates.

Committee to submit draft to staff for review.

5.2 Update from Ex Parte Communication Ad Hoc Sub-Committee

Member Gersten needs more time to review.

5.3 Update from Amendments to Code of Ethics Ad Hoc Sub-Committee

Due to the loss of a member on the committee, both Vice Chair Hurst and Member Velissaropoulos have working drafts they need to merge.

Will present at the next meeting.

5.4 Update from Campaign Contribution Enforcement Authority Selection Process Ad Hoc Sub-Committee

6. STAFF COMMENTS

City Attorney Verdugo introduced attorney Elizabeth Pietanza from his office.

7. CHAIR'S COMMENTS

2025-07-16 Board of Ethics Regular Meeting Minutes

Chair Barragan thanked City Staff for all of their support and welcomed Elizabeth Pietanza from the City Attorney's Office.

8. BOARD MEMBERS' COMMENTS

Vice Chair Hurst thanked everyone for being here.

Member Torres might be on vacation at the next meeting.

Member Gersten shared the Boards and Commissions appreciation is on next Wednesday and everyone should join.

9. ADJOURNMENT

The meeting was adjourned at 6:14 p.m.

Minutes prepared by: Sydnie Montalvo, Board Secretary

Sydnie Montalvo, Board Secretary

Purpose

Principles of fundamental fairness and due process of law require that city decision makers conduct quasi-judicial proceedings in an open, objective, and impartial manner, free of undue influence and the abuse of power and authority. Communications with parties outside of an official proceeding can lead to doubts about the fairness of the proceeding and the impartiality of the decision makers. Establishing a policy disfavoring such communications and providing for clear procedures regarding such communications when they do occur will promote impartial, fair and transparent decision-making.

Statement of policy

1. This policy applies to quasi-judicial proceedings. A quasi-judicial proceeding is a proceeding in which the decision affects the specific rights or interests of an individual or entity based on the decision makers' application of the governing law to specific facts. The existence of a statute or ordinance mandating notice and a hearing is an indication the proceeding is quasi-judicial. Examples of quasi-judicial proceedings are proceedings involving land use permits, license revocations, and nuisance abatements.
2. This policy does not apply to legislative acts. A legislative act involves the establishment of a regulation or policy to be applied in all future cases and the ways and means of accomplishing it. Legislative acts include the adoption of ordinances or land use plans, such as general plans or specific plans.
3. Parties appearing before the city for a quasi-judicial proceeding deserve to have their issues heard in an open, transparent and fair process.
4. Ex parte communications are substantive oral or written communications with a decision maker regarding a quasi-judicial proceeding which takes place outside of a noticed hearing on the matter. Ex parte communications can be written communications received by a decision maker, substantive conversations with a decision maker, or independent fact-finding by a decision maker, including site visits. Ex

parte communications may be received from a developer, a project proponent or opponent, or any other interested party.

5. Ex parte communications are disfavored and should be avoided whenever possible because they can bring into question the impartiality and fairness of the hearing process. This is especially true of ex parte communications that suggest a decision maker has assisted project proponents or opponents in formulating and advocating their positions.

6. For quasi-judicial proceedings involving land use decisions, independent site visits by a

decision maker may be useful for the decision-making process. In such cases, the site visit should be disclosed at the public hearing and, when possible, should not occur while

a project proponent, opponent, or other interested party is present. If a project proponent, opponent or other interested party is present during the site visit, the substance of any communications with the party during the site visit should also be disclosed at the public hearing.

7. When an ex parte communication does occur, information regarding the communication should be fully disclosed so that all interested parties are aware of the communication and have an opportunity to explain or rebut the information as necessary.

Procedure

1. This policy shall apply to the mayor, city council members, and members of all boards and commissions when serving as decision makers in any quasi-judicial proceeding.

2. The city clerk in conjunction with the city manager and city attorney will identify agenda

items involving quasi-judicial decisions on the agenda for the City Council or any board or commission.

3. The presiding officer at a public hearing involving a quasi-judicial decision will ask each other member of the decision-making body, if any, to disclose any ex parte communications prior to the time for receipt of public comment.
4. Disclosure of ex parte communications may be made verbally and should include the following information as applicable:
 - a. The type of communication, including whether any written or other materials were provided to the decision maker;
 - b. When and where the communication took place;
 - c. Who was involved in the communication with the decision maker; and
 - d. The substance of the information that was disclosed to the decision maker.
5. If a decision maker received any written or other materials as part of an ex parte communication, those materials should be provided to the City Clerk's Office and included in the record of the proceedings. If the materials are no longer available at the time of the hearing, the decision maker should provide the City Clerk's Office with a description of the materials received and an explanation of why they are no longer available to include in the record of the proceedings.
6. Ex parte contacts occurring after a public hearing is closed and before a final decision is rendered are prohibited because there is no opportunity for rebuttal.