



## ***Special Code of Ethics Revision Committee – Board of Representatives***

Benjamin Lee, Chair

J.R. McMullen, Vice Chair

# **Committee Report**

**Date:** Monday, July 19, 2021  
**Time:** 7:00 p.m.  
**Place:** *This meeting was held remotely.*

The Code of Ethics Revision Committee met as indicated above. In attendance were Chair Lee, Vice Chair McMullen and Committee Member Reps. Curtis, Fedeli, Miller, Morson, Sherwood, Stella and Zelinsky. Also present was Rep. de la Cruz.

Chair Lee called the meeting to order at 7:02 p.m.

| <b>Item No.</b>              | <b>Description</b>   | <b>Committee Action</b>   |
|------------------------------|--|---|
| 1. <a href="#">COE30.005</a> | ORDINANCE for publication; Amending <a href="#">Chapter 19</a> of the Code of Ordinances, Code of Ethics<br>08/05/20 – Submitted by Rep. Lee<br>09/01/20 – Held by Committee, as amended, 9-0-0<br>09/23/20 – Held by Committee, as amended, 9-0-0<br>10/27/20 – Held by Committee, as amended, 8-0-0<br>12/01/20 – Held by Committee, as amended, 9-0-0<br>12/21/20 – Held by Committee, as amended, 9-0-0<br>02/04/21 – Held by Committee, as amended, 9-0-0<br>02/18/21 – Held by Committee, as amended, 9-0-0<br>04/08/21 – Held by Committee, as amended, 9-0-0<br>06/02/21 – Held by Committee, 9-0-0<br>06/17/21 – Held by Committee, as amended, 7-0-0 | <b>Approved by Committee for publication in full, as amended, 9-0-0</b> |

Committee members discussed the recent [legal opinion](#) concluding that delegating the power to decide whether there has been a violation of the Code of Ethics to an independent arbitrator is not permitted. Committee members discussed possibly using an external arbitrator or referee judge in place of the investigating committee. It was discussed whether to add this language as a separate item after holding a public hearing and approval of the current proposed changes.

A motion to amend Section 19-14.D.3(d)i. as follows:

- (i) submit a written report [detailing each finding of probable cause and the evidence supporting such finding](#) to the Chairperson of the Board of Ethics [who shall](#) ~~to~~ initiate public hearings.

was made, seconded, and approved by a vote of 9-0-0 (Reps. Lee, McMullen, Curtis, Fedeli, Miller, Morson, Sherwood, Stella and Zelinsky in favor).

A motion to approve Item No. 1 for publication was made, seconded, and approved by a vote of 9-0-0 (Reps. Lee, McMullen, Curtis, Fedeli, Miller, Morson, Sherwood, Stella and Zelinsky in favor).

A motion to recommend that Item No. 1 be published in full, rather than in summary form, was made, seconded, and approved by a vote of 9-0-0 (Reps. Lee, McMullen, Curtis, Fedeli, Miller, Morson, Sherwood, Stella and Zelinsky in favor).

Chair Lee adjourned the meeting at 7:55 p.m.

Respectfully submitted,  
Benjamin Lee, Chair

This meeting is on [video](#).