

AGENDA ITEM 1
MATERIALS

BOARD OF ETHICS RESOLUTION NO. 2018-001

RESOLUTION OF THE CITY OF CHULA VISTA BOARD OF ETHICS (“BOE”) APPROVING AMENDMENTS TO THE BOE CAMPAIGN CONTRIBUTION ENFORCEMENT AUTHORITY SELECTION PROCESS POLICY

WHEREAS, Chula Vista Municipal Code (“CVMC”) section 2.52.140, subsections (C) and (D), assign to the Board of Ethics (“BOE”) the duty to solicit and select attorneys to serve (as part of a panel of attorneys) as the City’s Campaign Contribution Enforcement Authority (CVMC 2.52.140(B)); and

WHEREAS, CVMC section 2.52.170 authorizes Board and Commissions to create policies or procedures (by-laws) to implement the duty’s which they are assigned; and

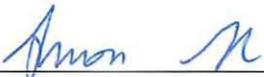
WHEREAS, the BOE, pursuant to CVMC section 2.52.170, created and adopted a “Campaign Contribution Enforcement Authority Selection Process Policy” (“Enforcement Authority Selection Policy”) to carry out its duty to select attorneys to serve (as part of a panel of attorneys (“Enforcement Panel”)) as the City’s Campaign Contribution Enforcement Authority; and

WHEREAS, the BOE desires to improve its Enforcement Authority Selection Policy to provide for the expeditious and efficient selection of attorneys to serve on the Enforcement Panel by: (1) permitting the BOE to establish an Ad Hoc Committee consisting of BOE members to interview Enforcement Authority applicants and to make recommendations to the full BOE to appoint to the Enforcement Panel the Ad Hoc Committee recommended Enforcement Authority applicants and (2) permitting the BOE to re-appoint prior election cycle Enforcement Authority Panel members to serve for a second term on the Enforcement Panel.

NOW, THEREFORE, BE IT RESOLVED that the City of Chula Vista Board of Ethics does approve, in substantial form, the amended “Campaign Contribution Enforcement Authority Selection Process Policy,” a copy of which is attached to this Resolution as Exhibit 1.

Presented by

Approved as to form by



Simon Silva
Deputy City Attorney



Simon Silva
Deputy City Attorney

EXHIBIT 1

AMENDED¹
BOARD OF ETHICS
Campaign Contribution Enforcement Authority Selection
Process Policy

Amendments to Chapter 2.52 (Campaign Contribution Ordinance) assigned to the Board of Ethics the role of selecting the Campaign Contribution Enforcement Authority Attorney (“Enforcement Authority Attorney”) to investigate and prosecute violations of that Chapter. This policy sets forth the procedures to be followed in the selection of a panel of attorneys to serve the Enforcement Authority Attorney. The procedures are as follows:

1. **[Development of Professional Criteria and Solicitation]** The City Attorney’s Office and the Board of Ethics shall work together to develop professional criteria to establish minimum qualifications to serve as an Enforcement Authority Attorney. Professional criteria may include, but are not limited to, the following:

- a. Member of the California Bar in good standing for a minimum of ten consecutive years;
- b. Experience in general municipal or public entity law;
- c. Experience in some criminal investigation or prosecution establishing an understanding of the role of investigator/prosecutor;
- d. Experience in civil litigation establishing an understanding of the rules of civil procedure and of the local courts;
- e. Experience in or advising elected officials in their capacity as public servants;
- f. Establishment of a local office or ability to provide services in San Diego County; and
- g. Reasonable fees structure to assure cost effective investigations and prosecutions.

The City Attorney’s Office, using the established professional criteria, would solicit applications from interested outside counsel by providing a public announcement for applications. The announcement and request for applications would be contained in the following: (1) The official City internet website; (2) the San Diego County Bar Association official publication; and (3) various legal periodicals and newspapers including the San Diego Daily Transcript and the Los Angeles Daily Reporter. In addition, direct referrals from members of the San Diego County Bar Association would be solicited.

2. **[Interview and Selection of Enforcement Authority Panel]** The list of attorney applicants (“candidates”) would be forwarded to the Board of Ethics for its independent consideration. From the list, the Board of Ethics may select those candidates it wishes to

¹ Amended by BOE on 1/10/18

interview for the final panel. Interview questions would be developed by the Board of Ethics and designed to identify those most qualified and independent. After interviews, to be conducted in public, the Board of Ethics would choose, in its sole discretion, at least three, and up to five attorneys for placement on the panel. The BOE would then conduct a random drawing to determine the assignment of attorneys to conduct investigations/prosecutions, forming a random assignment list ("Random Assignment List").

The Board of Ethics may conduct the aforementioned interviews either by the full BOE conducting the interviews or the BOE may appoint, from its members, an Ad Hoc committee to conduct the interviews and to make recommendations for appointment by the full BOE. In addition, in lieu of interviewing new candidates, the BOE may also reappoint the prior election cycle panel of attorneys (either the entire panel or a lesser number, but no less than three panel attorneys) for a second election cycle.

3. **[Assignment of Specific Panel Enforcement Attorney]** After formal establishment of the "Enforcement Authority Panel" by the Board of Ethics, the names of those attorneys on the panel would be forwarded to the City Attorney and the City Attorney would hire these attorneys to be on standby service. In the event of a complaint being received under the Campaign Contribution Ordinance, the City Attorney's Office would assign a specific panel attorney to investigate/prosecute the matter in accordance with the Random Assignment List. Per the Municipal Code, the City Attorney would not participate in the investigation or prosecution of the complaint by the selected panel attorney.

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BOARD OF ETHICS
Campaign Contribution Enforcement Authority Selection
Process Policy

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- e. Experience in or advising elected officials in their capacity as public servants;
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- g. Reasonable fees structure to assure cost effective investigations and prosecutions.

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AGENDA ITEM 2
MATERIALS

ORDER OF RESUMES

1. Bruce Bartram
2. Matthew Stephen Benson
3. Devaney, Pate, Morris, and Cameron
 - a. Leslie Devaney
 - b. Christina M. Cameron
4. Jill Edwards
5. Roger Geddes
6. Pamela Kleinkauf
7. Adam M. Ruben
8. Gary Schons
9. Alena Shamos

RESUME 1

The State Bar of California

Bruce Edward Bartram - #94825

Current Status: Active

This member is active and may practice law in California.

See below for more details.

Profile Information

The following information is from the official records of The State Bar of California.

Bar Number:	94825	Phone Number:	(949) 650-8682
Address:	2 Seaside Cir Newport Beach, CA 92663	Fax Number:	(949) 515-1589
Email:	b.bartram@verizon.net	Undergraduate School:	Univ of California Berkeley; Berkeley CA
County:	Orange	Law School:	McGeorge SOL Univ of the Pacific; CA
District:	District 4		
Sections:	Public Law		

Status History

Effective Date	Status Change
Present	Active
12/16/1980	Admitted to The State Bar of California

Actions Affecting Eligibility to Practice Law in California

Disciplinary and Related Actions

This member has no public record of discipline.

Administrative Actions

This member has no public record of administrative actions.

Simon Silva

From: Bruce Bartram <cpq1x8v0@verizon.net>
Sent: Tuesday, December 05, 2017 8:19 AM
To: Simon Silva
Subject: Enforcement Authority Attorney Position
Attachments: Resume 28.pdf

Chula Vista City Attorney's Office
Attn: Simon Silva, DCA
276 Fourth Avenue, Bldg. A
Chula Vista, CA 91910

Re: Enforcement Authority Attorney Position

Dear Mr. Silva:

Please accept this cover letter and resume as an expression of my interest in the Enforcement Authority Attorney Position advertised on the City of Chula Vista website.

I have an extensive public law background having served as Deputy City Attorney for the City of Anaheim for over 3 years and as Assistant City Attorney for the City of Rialto for over 6 years. My career experience ranges from the prosecution of State code and municipal ordinance misdemeanor crimes to the defense of public entities in civil litigation matters. I have served as Special Counsel representing public entities in the collection of delinquent special assessments in 1913/1915 Act Assessment District and Mello-Roos situations.

Additionally, I have served as counsel to a variety of municipal agencies including the cities of Bell Gardens, Lynwood, Vernon, Baldwin Park and Commerce providing legal advice and transactional services on regulatory and compliance issues mandated by Federal, State and municipal laws including open meetings laws (Brown Act), conflict of interests laws, the California Environmental Quality Act and the Public Records Act. I have prepared numerous city ordinances, resolutions, public works contracts, real estate development and disposition agreements, employment and vendor contracts and have advised on their legality. In addition, I have attended the meetings as counsel of a wide variety of municipal agencies including city councils, planning commissions, personnel boards and redevelopments agencies.

If there is additional information you need, please give me a call. I look forward to hearing from you.

Very truly yours,

Bruce Bartram

BRUCE E. BARTRAM
2 Seaside Circle
Newport Beach, CA 92663
Tel. (949) 650-8682
b.bartram@verizon.net

EDUCATION University of the Pacific McGeorge School of Law
Awarded Juris Doctor, May 1980

University of California-Berkeley, Berkeley, California
Awarded Bachelor of Arts in Economics, March 1977

Certification Member of the State Bar of California

EMPLOYMENT HISTORY

Associate/Contract Attorney: Law Offices of Eduardo Olivo, Industry, CA 2003-2017
Accepted opportunity with firm serving as Legal Counsel for the cities of Vernon and Commerce. Acted as legal advisor to various city agencies on land use, utilities regulation, public contracts, environmental law, redevelopment, employment law and other matters.

Associate Attorney: Trutanich - Michel, San Pedro, CA 2001-2002
Accepted opportunity with firm specializing in environmental and land use law, civil litigation including employment law, insurance coverage, personal injury, products liability and police misconduct. Duties included formulating complex case strategies, substantive and procedure motion practice, and all manner of pretrial proceedings as well as trial, writs, and appeals.

Attorney: Law Office of Bruce Bartram, Newport Beach, CA 1999-2001
Contract legal services handling, civil litigation, insurance defense and coverage matters.

Associate Attorney: Shan K. Thever & Associates, Los Angeles, CA 1999
Accepted opportunity with firm which served as City Attorney for cities of Bell Gardens and Lynwood. Acted as legal advisor rendering legal opinions, reviewing and preparing contracts, agreements, ordinances and resolutions and offered legal advice to various city agencies, commissions, boards, and departments on land use, redevelopment law and other matters.

Associate Attorney/Partner: Law Offices of Robert A. Owen, Rialto, CA 1991-1998
Served as Assistant City Attorney for the City of Rialto handling claims defense, civil litigation, acted as legal advisor to city agencies, boards and commissions on land use, employment law, environmental law, public contracts, construction law, code enforcement and the representation of public entities in the collection of delinquent special assessments.

Associate Attorney: Morton, Schlegel, Stone & Manning, Santa Ana, CA 1988-1991
Accepted opportunity with insurance defense firm specializing in personal injury, construction defect, business law, insurance coverage and bad faith matters. Held total case responsibility for all matters assigned.

Deputy City Attorney 1: City Attorney of Anaheim, Fullerton, CA 1985-1988
Served as Deputy City Attorney with duties involving the prosecution of State Code and municipal ordinance misdemeanor and infraction crimes. Duties included filing, trial preparation, law and motion, trial and appeals on criminal cases and advising law enforcement agencies on criminal law matters.

RESUME 2

The State Bar of California

Matthew Stephen Benson - #288442

Current Status: Active

This member is active and may practice law in California.

See below for more details.

Profile Information

The following information is from the official records of The State Bar of California.

Bar Number:	288442	Phone Number:	(619) 200-9792
Address:	US Navy Jag Corps 1330 Market St Apt 260 San Diego, CA 92101-7679	Fax Number:	(619) 200-9792
Email:	Not Available	Undergraduate School:	Point Loma Nazarene Univ; San Diego CA
County:	San Diego	Law School:	UCLA SOL; Los Angeles CA
District:	District 4		
Sections:	None		

Status History

Effective Date	Status Change
Present	Active
12/24/2012	Admitted to The State Bar of California

Actions Affecting Eligibility to Practice Law in California

Disciplinary and Related Actions

This member has no public record of discipline.

Administrative Actions

This member has no public record of administrative actions.

Matthew Stephen Benson
1330 Market Street
Apt. 260
San Diego, CA 92101
619-200-9792

December 3, 2017

Chula Vista City Attorney's Office
Attn: Simon Silva, DCA
276 Fourth Avenue, Bldg. A
Chula Vista, CA 91910

Re: Enforcement Authority Attorney (Contract)

Mr. Silva:

Thank you for considering my application for the position of Enforcement Authority Attorney for the City of Chula Vista City Attorney's Office. I believe I have the experience, character, and qualifications necessary to immediately contribute to your office. As a Navy Judge Advocate, I am a seasoned, dedicated attorney with a diverse skill-set. My experience, combined with my analytical skills and ability to work in high-pressure environments, make me an excellent candidate for this position.

For the past year two years, I served as the Legal Assistance Attorney for all of Naval Base Ventura County. I also served as the Special Assistant to the U.S. Attorney for the Central District, as well as the Staff Judge Advocate for Naval Base Ventura County. As a Special Assistant to the U.S. Attorney, I was tasked with prosecuting civilians charged with petty offenses subject to federal jurisdiction. As the Staff Judge Advocated for Naval Base Ventura County, I served as the advisory attorney to the O-6 installation Commanding Officer. My duties included briefing the Commanding Officer on issues ranging from environmental law to compliance with the Joint Ethics Regulation, to interacting with local and state agencies, to coordinating law enforcement efforts with NCIS. As the Legal Assistance Attorney for Naval Base Ventura County, I provided individualized legal services to service members and their spouses on issues including but not limited to trusts and estates, landlord tenant law, and consumer law. I delivered pre-deployment briefs to deploying units, advised commands on pre-deployment readiness, and provided services to retired veterans. Being one of only three attorneys stationed at Naval Base Ventura County, my command trusted me to work independently and with broad autonomy.

During my five years as a Navy Judge Advocate General, I was exposed to a collaborative and dynamic work environment. I had consistent contact with various state and federal government agencies, including the Consumer Financial Protection Bureau, the Naval Criminal Investigative Service, the Better Business Bureau, the California State Housing Authority, Ventura County Superior Court, and the Office of Ventura County, among others. My flexibility, team-spirit, and superior work product resulted in earning the Naval Legal Service Command Junior Officer of the Quarter for FY16 Q2. The experiences and ability to work collaboratively with many different organizations and individuals would allow me to immediately contribute to your office.

Prior to my current position, I completed the Navy JAG Corps' First Tour Judge Advocate program at Naval Station Mayport in Mayport, Florida. In that capacity, I was again relied upon to fulfill a variety of roles, working as a prosecutor, a defense attorney, a Legal Assistance Attorney, and as the Assistant Staff Judge Advocate for Naval Station Mayport. I drafted over two dozen criminal motions, argued over 40 administrative employment hearings on behalf of the government, where I prepared witnesses, provided opening statements and closing arguments, and conducted direct and cross examinations of witnesses. I was appointed the supervisor of my peers, immediately earning the respect of my Commanding Officer and far exceeding expectations of a junior attorney. These experiences strengthened my resolve to continue working as a government attorney.

As my resume reflects, I have worked hard to become a well-balanced, versatile attorney, and I am able to handle any legal task. Beyond the oral and written advocacy skills I have developed in federal and military courts, I will bring to your office the requisite judgment, work ethic, research skills, and ability to work collaboratively with others that is needed to successfully contribute. I have excelled in a multitude of complex legal situations and have shown the ability to provide prepared, thoughtful, analytical work product in high-pressure situations. I would very much like to continue this valuable work and join the demanding environment of your office.

On a personal note, it is particularly important to me to work here in San Diego. I am a 2007 graduate of Point Loma Nazarene University and I have recently moved back with the goal of remaining here permanently. I consider San Diego my home and value my position as a member of its community. As a Judge Advocate, government service is extremely important to me, and is why I am applying for this position. This consideration is even more meaningful when it is my local community that I would be honored to serve.

I believe I am prepared for this position and submit my resume for your consideration. If selected, I am confident I would be a strong asset to your office. Thank you for your time and consideration. I can be reached anytime via e-mail at mattbensonemail@gmail.com or on my cell phone at 619-200-9792.

Very respectfully,

A handwritten signature in black ink, appearing to read 'Matthew S. Benson', with a stylized, cursive script.

Matthew S. Benson

Matthew S. Benson

mattbensoemail@gmail.com

SUMMARY

- Versatile attorney with four years of professional experience litigating in federal and military courts, as well as advising the U.S. Navy's most senior leadership;
- Substantial experience as advisor, counselor, and advocate;
- Selected as the Navy Legal Service Command Officer of the Quarter for FY16 Q2 (out of hundreds of other junior Navy attorneys world-wide).

LEGAL EXPERIENCE

United States Navy Judge Advocate General Corps

Nov. 9, 2012 - Present

Lieutenant, TS/SCI Security Clearance

- **Legal Assistance Attorney, Ventura County, California**
 - Educated soon-to-deploy military units by delivering pre-deployment readiness presentations to as many as 800 personnel;
 - Conducted Command Financial Specialist Trainings;
 - Delivered legal services ranging from Estate Planning to Consumer Law.
- **Special Assistant to the United States Attorney for the Central District, Ventura, California**
 - Prosecuted federal misdemeanors within the federal jurisdiction of Naval Base Ventura County;
 - Supervised the contested bench trial of a misdemeanor driving offense.
- **Staff Judge Advocate, Naval Base Ventura County, California**
 - Served as acting legal advisor to the Commanding Officers of Naval Base Ventura County, Naval Weapons Station Seal Beach, and Navy Munitions Command West;
 - Advised senior leadership on issues including disposition of felony-level offenses, Joint Ethics Regulation (JER) compliance, and 4th Amendment Search and Seizure issues;
 - Advised the Naval Criminal Investigative Service (NCIS) Special Agent in Charge and NCIS deputy agents on investigative tactics, evidence preservation, and investigation report drafting;
 - Coordinated with military prosecutors to ensure expeditious case processing.
- **Prosecutor, Region Legal Service Office Southeast, Mayport, Florida**
 - Successfully handled, from investigation to sentencing, over 30 felony and misdemeanor cases including rape, aggravated sexual contact, child pornography, and drug distribution;
 - Lead prosecutor in two Article 32 proceedings that involved witness preparation and case disposition (akin to a Federal Grand Jury);
 - Effectively argued over 40 administrative employment hearings, delivering opening and closing arguments and conducting direct and cross examination of witnesses.
- **Defense Counsel, Region Legal Service Office Southeast, Mayport, Florida**
 - Represented more than 25 clients in administrative employment hearings;
 - Served as support counsel in over 10 contested felony level cases, including capital murder.

Law Offices of Allen G. Weinberg, Beverly Hills, CA

May 1, 2011 – June 25, 2012

Law Clerk

- Drafted statement of facts sections for appeals to the California 2nd District Court of Appeal;
- Analyzed and evaluated the merits of appealable issues for criminal defense clients.

Los Angeles Superior Court, Hon. J. Emilie Elias, Los Angeles, CA **May, 2010 – Sep. 1, 2010**
Judicial Extern

- Served as Legal Clerk in the Complex civil litigation division, preparing bench memos, drafting memoranda, and researching complex areas including class action certification.

ADDITIONAL PROFESSIONAL EXPERIENCE

Point Loma Nazarene University, San Diego, CA **July 1, 2008 – April 1, 2009**
Assistant Men's Basketball Coach

- Conducted scouting research, film breakdown of opponents, and coordinated practice plans;
- Sole administrator and supervisor of team strength and conditioning program.

BG Leitershofen/Stadtbergen, Augsburg, Germany **Sep. 1, 2007 – May 1, 2008**
Professional Basketball Player

EDUCATION

University of California Los Angeles School of Law **Jun. 1, 2012**
Juris Doctor, GPA: 3.1

- *Jones Day 2010 Moot Court Participant*
- *California Innocence Project Volunteer*
- *Skid Row Housing Clinic Volunteer*

Point Loma Nazarene University **July 1, 2007**
Bachelor of Arts; Business Administration; Summa Cum Laude

- Varsity Basketball: Academic All-American; All-American (Hon. Mention); Team Captain

BAR ADMISSIONS

- **California State Bar** **Dec. 24, 2012**
- **United States District Court (Southern District)** **Jan. 8, 2014**

OTHER RECOGNITION AND AWARDS

- Navy Legal Service Command Junior Officer of the Quarter for FY16 Q2;
- Served as Division Officer during Navy Training Pipeline (known as "Officer Development School");
- Selected as the Junior Officer in charge of all "First Tour Judge Advocates" while stationed in Mayport, FL;
- Served as Officer in Charge while stationed at Naval Base Ventura County;
- Taught comprehensive Joint Military Professional Education Course on Maritime Law (Oct. 2015).

RESUME 3

The State Bar of California

Leslie Erin Devaney - #115854

Current Status: Active

This member is active and may practice law in California.

See below for more details.

Profile Information

The following information is from the official records of The State Bar of California.

Bar Number:	115854	Phone Number:	(619) 354-5030
	Devaney Pate Morris & Cameron, LLP		
	402 W Broadway	Fax Number:	(619) 354-5035
Address:	Ste 1300		
	San Diego, CA 92101-8508		
	Map it		
Email:	ldevaney@dpmclaw.com		
County:	San Diego	Undergraduate School:	Univ of California San Diego; La Jolla CA
District:	District 4		
Sections:	Public Law	Law School:	Univ of San Diego SOL; San Diego CA

Status History

Effective Date	Status Change
Present	Active
12/3/1984	Admitted to The State Bar of California

Actions Affecting Eligibility to Practice Law in California

Disciplinary and Related Actions

This member has no public record of discipline.

Administrative Actions

This member has no public record of administrative actions.

[Return to the Attorney Search Results Page](#)

The State Bar of California

Christina Marie Cameron - #256843

Current Status: Active

This member is active and may practice law in California.

See below for more details.

Profile Information

The following information is from the official records of The State Bar of California.

Bar Number:	256843	Phone Number:	(619) 354-5024
	Devaney Pate Morris & Cameron, LLP		
	402 W Broadway	Fax Number:	(619) 354-5035
Address:	Ste 1300		
	San Diego, CA 92101-8508		
	Map it		
Email:	ccameron@dpmclaw.com		
County:	San Diego	Undergraduate School:	Univ of California San Diego; La Jolla CA
District:	District 4		
Sections:	Public Law	Law School:	California Western SOL; San Diego CA

Status History

Effective Date	Status Change
Present	Active
6/5/2008	Admitted to The State Bar of California

Actions Affecting Eligibility to Practice Law in California

Disciplinary and Related Actions

This member has no public record of discipline.

Administrative Actions

This member has no public record of administrative actions.

Attorney Provided Information

The information in this box was provided by the attorney and has not been verified or monitored. The State Bar does not recommend or endorse any attorney.

Practice Area(s):

Constitutional Law
Construction Law
Contracts
Election, Campaign & Political



Government
Government Contracts
Litigation
Real Estate
Zoning, Planning & Land Use

Other Language(s) Spoken by the Law Office Staff:

Spanish

Website:

<http://www.dpmclaw.com>

November 29, 2017

VIA EMAIL

Mr. Simon Silva
Deputy City Attorney
276 Fourth Avenue
Chula Vista, CA 91910

Re: *City of Chula Vista Campaign Contribution Enforcement Authority Attorney*

Dear Mr. Silva:

Thank you so much for your letter of November 27, 2017, and your invitation for my resubmittal to serve as a City of Chula Vista Campaign Contribution Enforcement Authority panel attorney.

I have been honored to serve as a panel attorney for the City of Chula Vista Campaign Contribution Enforcement Authority for the past 5 years. I have enclosed my and Christina Cameron's resumes for consideration of further service in this capacity.

Please let me know if you need anything further. Thank you very much.

Very truly yours,

DEVANEY PATE MORRIS & CAMERON, LLP


Leslie E. Devaney
Managing Partner

LED/mcl
Enclosure



LESLIE E. DEVANEY

PARTNER

San Diego

AREAS OF PRACTICE

Public Entity, Corporate and Municipal Law / Government Relations

As the current City Attorney of Del Mar and Murrieta, Ms. Devaney focuses her practice on the representation of government entities, including municipalities, public entities and non-profit organizations throughout Southern California. She also provides advice for private firms and individuals in employment, media relations and all areas of government procurement matters, including the preparation, submission, negotiation and performance of public bids, proposals and contracts. Ms. Devaney advises clients and trains public entities on AB 1234 Ethics.

Areas of Municipal/Public Entity Experience

City of San Diego – City Attorney’s Office – Criminal Division (1985 – 1986).

- Prosecuted misdemeanors
- 20+ Jury Trials

City of San Diego – City Attorney’s Office – Civil Division (1986 – 1992).

- Senior litigator handling complex litigation (dangerous condition and 1983 Civil Rights matters)
- 20+ Jury Trials

City of San Diego – City Attorney’s Office. Executive Assistant City Attorney in elected City Attorney’s administration (1996 – 2005).

- Sat with and advised the City Council, Rules Committee and Redevelopment Agency on Brown Act, Public Records Act, City Charter, policies, administrative regulations, Ethics Commission, Conflicts, Roberts Rules of Order, etc. Filled in for City Attorney on all City Attorney functions when needed and operationally ran the office of 150 attorneys and 350 total employees
- Prepared for, staged, and presented matters for the City Council’s Closed Sessions
- Supervised and advised on Elections, Employment, Public Contracting, Code Enforcement, Liability and Litigation, Real Property, and Public Safety units

- Code Enforcement: Criminal prosecution of misdemeanors including DUI's, assaults, resisting arrests

Judge Pro Tem/Arbitrator/Campaign for City Attorney (1986 – 1992).

- Judge Pro Tem (Superior Court) (1990 – 1992)
- Court Arbitrator (1989 – 1992)
- Campaigned and ran for San Diego City Attorney (2003 – 2004) and narrowly lost the election to Mike Aguirre by less than 0.5% of the electorate

American International Group (AIG). Senior In-House Litigator (1992-1996).

- Court Arbitrator (1992-1996)
- Defended high risk insureds in litigation

Cities of Murrieta and Del Mar. City Attorney (present).

- Advises on Open Government and Ethics (Brown Act, Public Records, AB1234), Campaign/Elections, Employment, Finance and Economic Development, Redevelopment, Municipal Services and Utilities, Public Contracting, Public Property, Regulating Businesses and Persons, Land Use, Environmental, Code Enforcement, and Liability and Litigation

City of Chula Vista. Special Counsel (2008 – present).

- Provides various advice and litigation support as needed

Chula Vista Board of Ethics. Special Counsel (2012 – present).

- Selected to the Special Counsel panel representing the Chula Vista Board of Ethics. The enforcement authority works with the City Attorney's Office to manage complaints of violations of the City's Code of Ethics. It conducts hearings and investigations of violations and renders advisory opinions, including for promulgation of new regulations. Board members are recommended by the presiding judge of the municipal court of the South Bay Judicial District

San Diego Convention Center Corporation. General Corporate Counsel (2012 – present).

- Serves as legal advisor to Corporation's board of directors and senior management on a wide range of legal matters related to the Corporation's business, including new business endeavors, corporate organization and governance, state and federal regulatory issues, and public entity laws, rules and regulations

City of Escondido. Special Counsel (2009 – 2012).

Escondido Independent Districting Commission Special Counsel. (October 2013 – 2014).

San Diego Ethics Commission. Associate General Counsel (2011 – present).

- Oversees advice regarding San Diego Ethics Campaign and Lobbying Laws, Brown Act and Public Records Act

San Diego Police Foundation. Trustee (2010 – 2015).

San Diego Public Library Foundation. Trustee (2012 – present).

Southeastern Economic Development Corporation. Corporate Counsel (2008 – 2013).

- Advised regarding ongoing issues related to corporate activities, special counsel, contracting, indictments of prior president
- Advised on Open Government and Ethics (Brown Act, Public Records, AB 1234), Employment, Finance and Economic Development, Redevelopment, Public Contracting, Public Property, Regulating Businesses and Persons, Land Use, Environmental, and Liability and Litigation

Southwestern Community College District. Special Counsel (2010 – present).

- Provides advice on employment policy and media consultation as needed

Other Areas of Legal Practice

- Practice includes litigation, but mostly (90%) advisory/consulting work
- Assists both public and private clients in high profile ethics, press matters and strategy
- Teaches ethics to public entity clients
- Advises numerous corporate and private clients on various issues regarding public and public entities (MBE/WBE/DVBE certifications, bondings, employment, press, RFP/RFQ responses)
- Advises non-profit, public and private clients on best business practices, corporate organization, and governance
- Mediates matters upon request
- General and Corporate Counsel Work
- Media Relations and Consultation

EDUCATION

- University of California, San Diego, with honors, 1979
- University of San Diego, J.D., 1983

BAR ADMISSIONS

- California

HONORS / AFFILIATIONS

- AV Preeminent Peer Rating by Martindale-Hubbell in California
- 2013 Women Leaders in Law, American Lawyer Magazine
- Member, San Diego County Bar Association
- Member, Council on Governmental Ethics Laws (COGEL)
- California League of Cities
- San Diego Defense Lawyers
- Past President, City Attorney Association of San Diego County (CAASD)
- Past Riverside County Representative and alternate Executive Committee member to the California League's Legal Action Committee (LAC)
- Board member, San Diego Public Library Foundation



CHRISTINA M. CAMERON

PARTNER

San Diego

AREAS OF PRACTICE

Public Entity, Governmental Ethics, Municipal Law/Government Relations, Land Use/Real Estate, Employment, Public Works

Christina Cameron has more than 19 years' experience in local government and politics in the San Diego region, during which she served as chief of staff to two City Councilmembers as well as primary staff to three different San Diego City Council committees. She advises elected officials and public entity clients on the promulgation of regulations related to elections and ballot propositions, open meetings requirements, public records requests, governmental ethics, major land code updates, public works, real property transactions, and corporate governance; and has represented public entities in litigation matters. Ms. Cameron served as a staff consultant to city council committees related to land use and housing, rules and intergovernmental affairs, and the transition from "city manager" to "strong mayor" form of government.

Areas of Legal Expertise

Open Government and Ethics. (Brown Act, Public Records, and AB 1234). Ms. Cameron advises and provides in-person training to public officials regarding governmental ethics laws including economic disclosures and conflicts of interest. She advises large public entity clients regarding compliance with the Public Records Act and Ralph M. Brown Act and has litigated Brown Act compliance issues. She served on the drafting team for creation of the City of San Diego Ethics Ordinance and Ethics Commission (2001).

Campaign/Elections. Ms. Cameron analyzes proposed ballot initiatives and develops ballot language related to land use matters, taxation issues and charter amendments for both large and small municipalities, advises candidates on FPPC compliance and investigations, and enforces election and campaign laws in the City of San Diego.

Public Works/Construction. Ms. Cameron advises public entity clients regarding prevailing wage and public contracting laws including stop work actions and contract change orders. She reviews public works contracts and represents public entities in post-construction disputes including litigation.

Real Property/Redevelopment. Ms. Cameron has advised municipalities and redevelopment corporations regarding compliance with California Community Redevelopment Law. She has drafted

disposition development agreements, purchase and sale agreements, exclusive negotiating agreements, and affordable housing covenants. She has extensive experience with discretionary projects, voter- approved land use matters, affordable housing, inclusionary housing, and condominium conversion. She served as primary advisor to Coastal Commissioner Scott Peters from 2002 to 2006.

Employment Law: Ms. Cameron provides advice on employment and personnel issues including public employee employment contracts, pre- and post-termination procedures and performance reviews. She has experience related to wrongful termination litigation including FEHA and EEOC employment discrimination matters.

Current/Former Roles for Public Agency Clients

San Diego Workforce Partnership (2015 – present). General Counsel. Ms. Cameron advises on open government (Public Records Act and Brown Act) laws as well as state, local and federal laws that apply to this federally funded local job training program. She also assists in the legal aspects of this entity’s contractual relationships with multiple local governmental agencies.

San Diego Ethics Commission (2011 - present). General Counsel. Ms. Cameron advises on open government (Public Records Act and Brown Act) laws as well as municipal ethics, campaign, election and lobbying laws, and municipal code revisions. She conducts enforcement investigations, acts as petitioner in administrative enforcement actions, and represents the Commission in litigation matters.

Los Angeles City Ethics Commission (2013 - present). Special Counsel. Ms. Cameron advises on ethics issues arising out of the 2013 elections.

City of Murrieta (2008 - present). Deputy City Attorney. Ms. Cameron specializes in redevelopment, governmental ethics compliance, campaign and elections, development of Council policies, contract review and affordable housing

City of Del Mar (2009 - present). Deputy City Attorney. Ms. Cameron conducts contract review, advises on governmental ethics laws, Brown Act compliance and parking regulations

San Diego Convention Center Corporation (2012 - present) Deputy Corporate Counsel. Ms. Cameron advises on corporate governance, Brown Act and ethics compliance, contract matters, development of board policies, crisis communications, general corporate affairs and planning

San Diego Community College District (2008 - present). Ms. Cameron advises regarding Public Records Act requests, subpoena responses, First Amendment speech issues, public works and construction, and land use matters. In addition, she is involved in contract review and environmental (CEQA) and public works litigation

Southeastern Economic Development Corporation - redevelopment implementation (2009 – 2010). Deputy Corporate Counsel. Ms. Cameron advises on corporate governance, Brown Act and ethics compliance, retention and selection of outside counsel, redevelopment law, contract matters, development of board policies, crisis communications and planning

City of San Diego (1988-1992 and 1993-2008). Chief of Staff to Councilmembers Harry Mathis (1993-2000) and Scott Peters (2000-2009). Ms. Cameron was responsible for all aspects of political and policy development and strategy, including municipal budgeting. Committee Consultant to City Council Committees related to Rules, Open Government and Intergovernmental Relations, Land Use and Housing, and Strong Mayor Transition responsible for all aspects of policy development and Council

committee consideration as well as codification of voter-approved ballot measures. Senior staff member for Mayor Maureen O'Connor (1986-1992) overseeing media affairs and community outreach.

EDUCATION

- University of California, San Diego, B.A., 1988
- California Western School of Law, J.D., 2008

BAR ADMISSIONS

- California

HONORS / AFFILIATIONS

- Member, San Diego Defense Lawyers
- Member, San Diego County Bar Association
- Member, Council on Governmental Ethics Laws
- Member, San Diego Lawyers Club
- Member, Federal Bar Association San Diego

PUBLICATIONS

How *Citizens United* Affects State and Local Governments (MCLE Self Study Article) Public Law Journal, California Bar Association, Vol. 34, No. 4, Fall 2010.

RESUME 4

The State Bar of California

Jill Edwards - #134931

Current Status: Active

This member is active and may practice law in California.

See below for more details.

Profile Information

The following information is from the official records of The State Bar of California.

Bar Number:	134931	Phone Number:	(610) 248-0821
Address:	13563 Caminito Carmel Del Mar, CA 92014-3850	Fax Number:	Not Available
Email:	jmancinijd@gmail.com		
County:	San Diego	Undergraduate School:	Univ of Western Ontario; Canada
District:	District 4	Law School:	California Western SOL; San Diego CA
Sections:	None		

Status History

Effective Date	Status Change
Present	Active
10/6/2015	Active
6/4/2009	Inactive
7/1/2008	Not Eligible To Practice Law in CA
1/1/1997	Inactive
6/14/1988	Admitted to The State Bar of California

Actions Affecting Eligibility to Practice Law in California

Disciplinary and Related Actions

This member has no public record of discipline.

Administrative Actions

Effective Date	Description	Case Number	Resulting Status
7/1/2008	Suspended, failed to pay Bar membr. fees		Not Eligible To Practice Law in CA

JILL EDWARDS
Attorney at Law

4977 Lace Place
San Diego, CA 92101

610.248.0821
jedwardsjd1.com

Simon Silva, Esquire
Deputy City Attorney, Chula Vista
276 Fourth Avenue, Bldg. A
Chula Vista, CA 91910

November 30, 2017

RE: Enforcement Authority Attorney (Contract)

Dear Ms. Silva:

It is with great enthusiasm that I submit my resume for consideration regarding the current opening on your attorney panel. I believe that my training and experience has prepared me to offer you superior representation.

During my career I served for a total of approximately 16 years as a deputy district attorney, beginning my career in the San Diego District Attorney's Office. During my service as a deputy and assistant district attorney, I brought approximately 60 cases to trial and often participated in the investigation. In one matter I instituted a comprehensive investigation after one victim complained about a house contractor. As a result, this victim and approximately 25 similarly situated victims got restitution as the case was tried as criminal matter. This case set precedent as these matters had been rejected as criminal cases and litigated as civil matters, which effectively meant, the victims had no redress. In addition, I have conducted investigations on other matters including a complex financial contract-a Swaption and personnel complaints.

Throughout my seven years as an assistant solicitor I regularly advised elected and public officials in their official capacity. In addition, I served as the Solicitor to the Retirement Board and often stepped in as acting Solicitor for the Election Commission as well as other boards. As an assistant solicitor I represented the County in numerous lawsuits both as plaintiff and defendant.

I relocated with my family some years ago but always longed to return to San Diego. Recently I did return. It would be a great privilege to serve the beautiful city of Chula Vista.

Thank you. I hope to speak to you soon.

Best Regards,


Jill Edwards

JILL EDWARDS

4977 Lace Place
San Diego, CA 92102

Phone: 610.248.0821
Email: jedwardsjd1@gmail.com

PROFESSIONAL

California Bar Member
U.S. District Court, Southern District of California
Pennsylvania Supreme Court
U.S. District Court, Eastern District of Pennsylvania
Lawyers Club of San Diego Human Trafficking Collaborative
San Diego County Bar Association
Former President of Northampton County Naturalization Committee

PROFESSIONAL EXPERIENCE

JILL EDWARDS ATTORNEY AT LAW, SAN DIEGO CA/BETHLEHEM PA ATTORNEY, PRIVATE PRACTICE

2014 – Present

- Contract work criminal defense—jury trial—robbery/child endangerment.
- Employment law primary focus. Litigation through the administrative process on state claims. Successful outcome in litigation of Federal Civil Rights from pre-filing through Circuit Court.
- Recent trials include IRS tax and contract issues; Pennsylvania Public Utility's liability in negligence and strict products liability; mandamus action for retired deputy sheriff identification cards and attorney's fees
- Pro Bono representation of individuals without resources in area of tax/contract and criminal

COUNTY OF NORTHAMPTON, EASTON, PA ASSISTANT SOLICITOR

2007 – 2014

- Accepted the role as the first full time Assistant County Solicitor with a focus on employment law, finance, collections, Retirement Board/Pensions, procurement and litigation.
- Managed all matters related to employment law for the county workforce of over 2,000 employees rendering opinions, conducting personnel investigations, acting as Grievance Hearing Officer, and drafting contracts for employment and independent contractors.
- As Right to Know Officer responded to over 250 requests on behalf of the Executive Branch, preparing legal opinions for all denials.
- In circumstances involving special assignments or investigations employed sophisticated interviewing techniques, conducted extensive research, and applied expertise in the applicable law.
- Litigated cases from inception preparing all pleadings and following through to successful resolution.
- As the Retirement Board Solicitor wrote opinions on issues of first impression relating to pension law. Prepared and reviewed investment management agreements.
- Wrote opinions, drafted, and reviewed contracts relating to county procurement methods and processes.

- Redefined the role, increased the scope of duties performed, and representation provided by the Solicitor's Office. The resulting increase in efficiency and elimination of duplicated effort resulting in over a 1 million dollar savings to the county.
- Represented Northampton County in over 170 unemployment compensation hearings and in all employment matters at the administrative level to include over 30 EEOC proceedings
- Implemented an aggressive and unprecedented program to collect on millions of dollars in delinquent account receivables owed to the County Nursing Home for services provided. The program resulted in immediate collections exceeding \$120,000 and establishing a long term relationship with a firm which recovered over \$1,000,000 in outstanding debts.

JILL EDWARDS, ATTORNEY AT LAW, EASTON, PA
ATTORNEY, PRIVATE PRACTICE

2004 - 2007

- Offered services to the community advising and representing clients with various legal problems.
- Successfully assisted clients with issues dealing with family law, property rights, real estate purchases, and collection of debts.

NORTHAMPTON COUNTY, EASTON PA
ASSISTANT DISTRICT ATTORNEY

2001 - 2007

- Prepared and tried cases primarily referred from the White Collar Crimes Unit which included such cases as assault, burglary, theft and fraud.
- Volunteered to conduct trials from other units trying cases involving narcotics, assault and driving under the influence.
- Aggressively prosecuted assigned cases from the preliminary hearing through the final stages of disposition and appeals. Toronto Canada

SAN DIEGO COUNTY, SAN DIEGO, CA
DEPUTY DISTRICT ATTORNEY

1988 - 1997

- Prosecuted cases for both violent and non-violent crimes including major cases involving homicide, rape, and burglary from assignments through to appeals.
- Directed the Domestic Violence Unit from its inception at the South Bay branch office.
- Successfully tried over 50 cases to verdict.
- Prepared and conducted over 100 preliminary hearings.

EDUCATION

Juris Doctor, California Western School of Law, San Diego, CA
Bachelor of Arts, Music, Philosophy, University of Western Ontario, London, Ontario, Canada

LICENSES

FINRA Series 7 (Registered Representative)
FINRA Series 66 (Uniform Combined State Law)

LANGUAGES/VOLUNTEER

French and some Spanish
 Read/San Diego-Tutor Adults

RESUME 5

The State Bar of California

Roger A. Geddes - #110498

Current Status: Active

This member is active and may practice law in California.

See below for more details.

Profile Information

The following information is from the official records of The State Bar of California.

Bar Number:	110498	Phone Number:	(619) 522-6800
Address:	Law Offices of Roger A. Geddes 826 Orange Ave Ste 500 Coronado, CA 92118-2619	Fax Number:	(800) 726-5013
Email:	rgeddes@geddeslaw.com	Undergraduate School:	Carnegie Mellon Univ; Pittsburgh PA
County:	San Diego	Law School:	Univ of San Diego SOL; San Diego CA
District:	District 4		
Sections:	None		
Special Master	<i>Serving in:</i> San Diego county		

Status History

Effective Date	Status Change
Present	Active
12/12/1983	Admitted to The State Bar of California

Actions Affecting Eligibility to Practice Law in California

Disciplinary and Related Actions

This member has no public record of discipline.

Administrative Actions

This member has no public record of administrative actions.

<http://members.calbar.ca.gov/fal/Member/Detail/110498>

ROGER A. GEDDES
826 Orange Avenue, Suite 500
Coronado, California 92118
Telephone (619) 522-6800 · Facsimile (800) 726-5013
rgeddes@geddeslaw.com

November 30, 2017

Chula Vista City Attorney's Office
Attn: Simon Silva, DCA
276 Fourth Avenue, Bldg. A
Chula Vista, California 91910

(Via Email to ssilva@chulavistaca.gov)

re: Enforcement Authority Attorney (Contract Attorney)

Dear Mr. Silva:

It is with great interest and enthusiasm that I submit my resume for consideration to serve on the panel of attorneys who will act as the enforcement authority of the City of Chula Vista's Campaign Contribution Ordinance.

I believe I have all qualifications required to be a productive panel member. In the civil area, I have acquired extensive knowledge of civil procedure and court rules in my 30 years of experience as a civil litigator. Notably, I have become familiar with public entity law during that time because many of the cases I have litigated included a municipality or agency as a party.

With regard to my experience with court procedures, I have also served on the State Bar Committee on Administration of Justice and the Committee on Rules and Procedures of Court. Additionally, I have served as a pro tem judge for the Superior Court of California, County of San Diego, presiding over small claims and traffic cases.

In the area of criminal law, I have served as a Special Master for the State Bar of California since 2001. In that capacity, I have had the opportunity to interact with law enforcement and the District Attorney's Office in connection with search warrants served upon attorneys and physicians. This has given me direct experience and exposure to criminal investigations and prosecutions.

Lastly, I believe it could be of some benefit that I at one time served on the Board of Directors of a now-defunct Political Action Committee. In that role, I provided counsel on campaign contribution law and disclosure requirements.

I look forward to hearing from you to discuss this opportunity and my qualifications.

Sincerely,



Roger A. Geddes, Esq.

rg/SB

ROGER A. GEDDES, ESQ.

826 Orange Avenue, Suite 500

Coronado, California 92118

Telephone (619) 522-6800 · Facsimile (800) 726-5013

rgeddes@geddeslaw.com

PROFESSIONAL EXPERIENCE

LAW OFFICES OF ROGER A. GEDDES

Private Practice

1999 - 2017

Coronado, California

- Represent clients in all facets of litigation involving contract and business disputes, real estate, employment, securities regulation, and mergers and acquisitions
- Counsel management on regulatory compliance, intellectual property licensing and protection, securities and tax compliance, risk management, and employee relations
- Participate in the structuring and formation of companies, joint ventures, business start-ups, franchise arrangements, and real estate and asset acquisitions
- Negotiate and draft business contracts, intellectual property licenses, commercial leases, real estate agreements, franchise agreements, and employment agreements
- Act as general counsel for businesses on an ad hoc and as-needed basis performing a legal audit of operations and corporate governance

HOTEL DEL CORONADO CORPORATION

Vice President - Associate General Counsel

1986 - 1998

Coronado, California

- Handled all phases of litigation in-house including appeals, jury and court trials, arbitrations, and mediations relating to business and commercial disputes, risk management, labor and employment, insurance, and premises liability
- Reviewed, negotiated, and drafted business contracts, licenses, and leases
- Counseled business managers on legal compliance in all aspects of management
- Ensured regulatory compliance on federal, state, and local levels

SOUTHERN DISTRICT OF CALIFORNIA BANKRUPTCY COURT

Judicial Clerk

1984 - 1985

San Diego, California

- Clerk to Honorable Judge Louise Adler and the Honorable Judge Ross M. Pyle
- Reviewed submission for all calendar matters to provide recommended rulings in all phases of court proceedings including hearings and trials
- Drafted decisions, opinions, and legal memoranda for court
- Researched and drafted opinions for the United States Bankruptcy Appellate Panel of the Ninth Circuit Court of Appeals

EDUCATION

MASTER OF LAWS IN TAXATION (LL.M.) (1991) University of San Diego School of Law
JURIS DOCTOR (1983) San Diego, California
San Diego Law Review - Executive Editor
Publication: Comment, 19 San Diego Law Review 613 (1982)

BACHELOR OF SCIENCE (1977) Carnegie-Mellon University
Accounting and Management Science Pittsburgh, Pennsylvania

PROFESSIONAL AND COMMUNITY AFFILIATIONS

STATE BAR OF CALIFORNIA

Special Master	2001 - present
Arbitration Panel	2003 - present
Committee on Administration of Justice	1997 - 2001
Committee on Rules and Procedures of Court	1995 - 1997

SAN DIEGO COUNTY SUPERIOR COURT

Arbitration Panel	1995 - present
Pro Tempore Judge Panel	1992 - present

FINANCIAL INDUSTRY REGULATORY AUTHORITY (formerly NASD)

Arbitration Panel	2009 - present
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ARIZONA OFFICE OF ADMINISTRATIVE HEARINGS

Temporary Administrative Law Judge	2016 - present
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MARICOPA COUNTY SUPERIOR COURT

Judge Pro Tempore	2010 - present
Arbitration Panel	2009 - present

MAKE-A-WISH FOUNDATION

International Board of Directors	2007 - 2009
National Board of Directors	1994 - 2000
San Diego Chapter Board of Directors	1990 - 1997

LICENSES AND COURT ADMISSIONS

Licensed by the State Bar of California and the State Bar of Arizona
Supreme Court of California and Arizona
United States Court of Appeals for the Ninth Circuit
United States District Court of Arizona
United States District Court (Southern, Central, and Northern Districts of California)
United States Tax Court
California Real Estate Broker License

RESUME 6

The State Bar of California

Pamela Frances Kleinkauf - #158462

Current Status: Active

This member is active and may practice law in California.

See below for more details.

Profile Information

The following information is from the official records of The State Bar of California.

Bar Number:	158462	Phone Number:	(858) 675-1105
Address:	Law Offices of Pamela Kleinkauf 16776 Bernardo Center Dr Ste 203 San Diego, CA 92128-2559	Fax Number:	(858) 487-1044
Email:	pklaw@pamkleinkauf.com	Undergraduate School:	San Diego State Univ; San Diego CA
County:	San Diego	Law School:	National Univ SOL; San Diego CA
District:	District 4		
Sections:	Business Law		

Status History

Effective Date	Status Change
Present	Active
6/8/1992	Admitted to The State Bar of California

Actions Affecting Eligibility to Practice Law in California

Disciplinary and Related Actions

This member has no public record of discipline.

Administrative Actions

This member has no public record of administrative actions.

Attorney Provided Information

The information in this box was provided by the attorney and has not been verified or monitored. The State Bar does not recommend or endorse any attorney.



Practice Area(s):

Bankruptcy
Business Law
Contracts
Real Estate
Trusts & Estates

Wills & Probate

Website:

<http://www.pamelakleinkauf.com>

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LAW OFFICES OF PAMELA KLENKAUF
16776 Bernardo Center Drive Suite 203
San Diego, CA 92128
858-675-1105

December 7, 2017

Chula Vista City Attorney's Office
Attn: Simon Silva, DCA
276 Fourth Avenue Building A
Chula Vista, CA 91910

Re: Campaign Contribution panel

Dear Mr. Silva:

I am interested in serving on the campaign contribution panel for the City of Chula Vista. My background includes 25 years as a practicing attorney in various areas of civil litigation. I have worked on many complex litigation cases involving government issues.

For the last three years, I have taught civil litigation to second year law students. I believe my diverse background would be an asset to service on the panel.

Thank you again for your consideration of my background.

Sincerely,



PFK:mc

Enclosures

PAMELA KLEINKAUF, ESQ.
16776 Bernardo Center Drive Suite 203
San Diego, CA 92128
760-580-7683 cell
858-675-1105 work
pklaw@pamkleinkauf.com
www.pamelakleinkauf.com

WORK EXPERIENCE:

- 1993 - Present Law Offices of Pamela Kleinkauf. Manager of law firm specializing in business, civil litigation, real estate and bankruptcy matters for corporate and individual clients.
- 2015 - Present Alliant University/San Diego Law School. Adjunct professor teaching civil procedure course
- 1995-1996, 2008 – 2010 - Present University of California at San Diego. Adjunct Instructor teaching bankruptcy law, business law and civil law courses to paralegal students.
- 2004 – 2005 Fidelity National Title Insurance Company. Vice President and Associate Counsel. Insurance defense and litigation work involving real property, easements and title work.
- 1993 – 1998 San Diego State University. Professor instructing paralegal Courses in business law, corporations, civil litigation and real estate courses. Served on advisory panel for Paralegal extension program.
- 1992 – Present Palomar College. Professor instructing paralegal students and political science courses. Served on paralegal program advisory board.
- 1993 – 1994 West Publishing Company. Editor for college textbooks.
- 1990 – 1993 Law Offices of Basie and Fritz. Research and writing for family law, personal injury, real estate and civil litigation clients.

EDUCATION:

- J.D. National University
- M.A. University of San Diego
International Relations
- B.A. San Diego State University

Political Science

ORGANIZATIONS: San Diego North County Bar Association, past service on U.S. bankruptcy Mediation panel for the Southern District of California Judge pro tem service for San Diego County court system. Past service as business and civil mediator for San Diego county court system.

CURRENT CALIFORNIA NOTARY COMMISSION

RESUME 7

The State Bar of California

Adam Mark Ruben - #200996

Current Status: Active

This member is active and may practice law in California.

See below for more details.

Profile Information

The following information is from the official records of The State Bar of California.

Bar Number:	200996	Phone Number:	(619) 708-5093
Address:	Law Ofc Adam M Ruben 934 23rd St San Diego, CA 92102-1914	Fax Number:	(619) 232-8271
Email:	amr124@sdcocmail.com	Undergraduate School:	Medaille Coll; Buffalo NY
County:	San Diego	Law School:	State Univ of New York SOL; Buffalo NY
District:	District 4		
Sections:	None		

Status History

Effective Date	Status Change
Present	Active
6/3/1999	Admitted to The State Bar of California

Actions Affecting Eligibility to Practice Law in California

Disciplinary and Related Actions

Effective Date	Description	Case Number	Resulting Status
1/20/2011	Discipline, probation; no actual susp.	09-O-13446	

Administrative Actions

This member has no public record of administrative actions.

Copies of official attorney discipline records are [available upon request](#).

State Bar Court Cases

[documents](#)

[available upon request](#)

[opinions designated for publication](#)

[State Bar Court Reporter](#)

<http://apps.statebarcourt.ca.gov/dockets.aspx>

Effective Date	Case Number	Description
1/20/2011	09-O-13446	Stipulation [PDF] [HTML]

California Bar Journal Discipline Summaries

Summary of California Bar Journal Discipline Summaries. Discipline Summaries are not official records. Not all discipline actions have summaries. Copies of official attorney discipline records are [available upon request](#).

January 20, 2011

ADAM MARK RUBEN [#200996], 42, of San Diego was suspended for 90 days, stayed, placed on two years of probation and was ordered to take the MPRE within one year. The order took effect Jan. 20, 2011.

Ruben stipulated that he failed to maintain client funds in a trust account. Because he did not keep an accurate record of transactions, the account was overdrawn and Ruben took his fees without realizing one check was outstanding.

In mitigation, he had no prior discipline record and he took the bar's client trust accounting class.

ADAM M. RUBEN
934 23rd Street
San Diego, CA 92102
619/708-5093 / Adamrubenlaw@cox.net

EDUCATION

UNIVERSITY OF BUFFALO SCHOOL OF LAW, Buffalo, NY
Juris Doctorate, May 1996

MBA PROGRAM AT SAN DIEGO STATE UNIVERSITY
Masters of Business Administration, June 2012

MEDAILLE COLLEGE, Buffalo, NY
Bachelor of Science, Liberal Studies, May 1993

CANISIUS COLLEGE, Buffalo, NY
Associate of Arts, May 1991

BAR MEMBERSHIP New York (1997) #596681; California (1999) #200996

EXPERIENCE

LAW OFFICE OF ADAM M. RUBEN, San Diego, CA
Solo Practitioner/Attorney. May 2001-Present
General practice of both criminal and civil law in both federal and state courts.

SELTZER CAPLAN McMAHON VITEK, San Diego, CA
Attorney. June 2000-May 2001
White-collar criminal defense and general civil litigation. Extensive research and writing of criminal litigation at the pre-trial level. Specific white-collar cases included tax fraud, mail fraud, bank fraud, and embezzlement at both the federal and state level. Civil research and writing on contract law, injunctions and TRO's.

FEDERAL DEFENDERS OF SAN DIEGO, INC., San Diego, CA
Paralegal & Attorney. August 1996-June 2000
All aspects of criminal litigation at the trial and appellate levels, including motions, briefs and trial practice. Significant accomplishments include drafting a successful Ninth Circuit Court of Appeals brief on behalf of a state court judge charged with conspiracy, mail fraud and RICO violations in a multi-defendant case resulting in a partially overturned conviction and affirming the cross-appeal of the sentence; co-chaired a trial resulting in a hung jury for a client charged with extortion; co-chaired a bank robbery trial; a jury trial that resulted in an acquittal for a client charged with alien smuggling; a jury trial for a client charged with drug smuggling; and writing numerous Ninth Circuit Court of Appeals briefs and *writs of certiorari* to the United States Supreme Court. Responsibilities also included creating and maintaining a computerized appellate brief bank.

NEW YORK SUPREME COURT, Buffalo, NY
Law Clerk to the Hon. Barbara Howe. January-April 1996
Research and writing memoranda of law on a variety of civil and criminal issues.

GARVEY & GARVEY, Buffalo, NY
Law Clerk. October 1992-May 1996
Research and writing motions, appeals and assisting with trials. Representative cases include cases arising under state and federal law in the areas of medical malpractice, personal injury, real estate and contracts.

FEDERAL PUBLIC DEFENDERS OFFICE, Buffalo, NY

Law Clerk. April 1995-May 1996

Research and writing motions and appeals. Co-chaired a six week trial in federal district court involving allegations of conspiracy and bank fraud relating to a debt-elimination scheme. Co-chaired jury trial in a mail fraud case.

LAW OFFICES OF JOEL L. DANIELS, ESQ., Buffalo, NY

Law Clerk. August 1995-May 1996

Research and writing motions and appeals in state and federal court cases, including drafting a successful motion for grand jury immunity on behalf of Jennifer McVeigh, the sister of Timothy McVeigh convicted in the Oklahoma City bombing case. Researched and co-wrote Second Circuit appeal of an attorney convicted of filing false statements. Researched and co-wrote state appeal of Writ of Prohibition challenging the authority of the New York State Attorney General to prosecute a local murder case.

PUBLICATIONS

NEWSLETTER, Federal Defenders of San Diego, Inc. (8/96-9/99).

Author and co-editor of a monthly publication with nationwide circulation to all federal public defender offices and subscribers in the field of criminal law. Publication summarizes all United States Supreme Court and Ninth Circuit Court of Appeals cases addressing criminal constitutional law and substantive criminal law issues.

RE-OCCURRING PRETRIAL AND TRIAL ISSUES, Federal Defenders of San Diego, Inc.

Author of indexed article of Supreme Court and Ninth Circuit decisions regarding re-occurring trial issues for easy reference during trial. Publication summarizes discovery topics, motions in limine, evidentiary issues, jury selection, opening statements, cross-examination, direct examination, closing argument, jury instructions and juror misconduct.

RULE 901: AUTHENTICATION AND IDENTIFICATION, Federal Defenders of San Diego, Inc. Author of indexed article to assist trial attorney in understanding the concepts of identification and authentication of various items of evidence as well as providing a quick reference to the specific federal rules and their interpretation by case law and treaty.

DEFENDING A FEDERAL CRIMINAL CASE, Federal Defenders of San Diego, Inc.

Co-authored and editor of chapters 10 (Major Provisions of the Federal Rules of Evidence) and 12 (Common Federal Offenses and Issues), 1998 edition. Co-authored evidence chapter (Ch. 10) and Representing The Federal Grand Jury Witness (Ch. 2), for the 2000 edition. Publication has nationwide circulation bi-annually.

BUILDING AND ZONING MORATORIA: LEGITIMATE OR PRETEXTUAL?, New York Property Law Journal, Spring 1996. Analysis of building and zoning moratoria. Issues address when a moratorium that denied building applications on a developer's property became a governmental "taking," and under what circumstances a moratorium is tied to a legitimate public purpose.

Court Admissions

- Supreme Court of New York, Appellate Division, Fourth Judicial Department, 1997 (Sworn in by the Hon. M. Delores Denman)
- Supreme Court of California, 1999
- U.S. Court of Appeals, Ninth Circuit, 1999
- U.S. District Court, Southern District of California, 1999
- U.S. District Court, Eastern District of California, 2007
- U.S. District Court, Western District of New York, 2009

Pro Hac Vice Admissions – Admitted on a case-by-case basis in other jurisdictions:

- U.S. District Court, Northern District of Illinois, Eastern Division 2002
- U.S. District Court, Southern District of Texas, Houston Division, 2002
- U.S. District Court, Northern District of Washington, Seattle Division, 2008
- U.S. District Court, Northern District of Georgia, Atlanta Division, 2014

A sampling of cases as solo practitioner where the outcome was a success:

- Client charged with domestic violence, false imprisonment and making criminal threats, jury verdict of not guilty (Case No.: S180361, San Diego County).
- Client charged with manufacturing a controlled substance and possession of marijuana for sale, sentenced to probation, no custody and fine (Case No.: CS278720, San Diego County).
- Client charged with possession of marijuana for sale (374 pounds) and allowing place to store a controlled substance, sentenced to simple possession – less than 28.5 grams – time served and prevented client from being deported (Case No.: CD238103), San Diego County).
- Client charged with alien smuggling from Mexico to San Diego, jury verdict of not guilty in federal court (Case No.: 99-CR-1265).
- Client with prior strike (robbery with firearm) charged with possession for sale of a controlled substance with a firearm enhancement, possession of marijuana for sale, possession of firearm by a felon, sentenced to strike being stricken (Case No.: CD258515, San Diego County).
- Client charged with grand theft by employer, altering entries in records and using personal identity of another in the amount of \$90,000.00, sentenced to 10 days of public work service and restitution of \$35.00 per month (Case No.: SCD250393, San Diego County).
- Client charged with selling controlled substance (one half pound of cocaine), sentenced to probation, no custody and a fine (Case No.: SCD182542, San Diego County).

- Client charged with willful cruelty to an elder with great bodily injury, sentenced to a misdemeanor, no custody and 5 days of public work service (Case No.: CN 350577, San Diego County).
- Client charged with a felony for carrying a dagger, stopped for wearing gang colors, case dismissed as illegal search and seizure (Case No.: CS202234, San Diego County).
- Client charged with domestic violence, reduced to disturbing the peace with an anger management course (Case No.: C249989, San Diego County)
- Client served with domestic violence restraining order, case dismissed (Case No.: EV24269, San Diego County).
- Client charged with conspiracy to distribute marijuana, more than 100 kilograms, sentenced to 1 year (Case No.: U.S.D.C Western District of Washington, 05-0406FDB-002).
- Passenger bus seized by U.S. Customs because of containing marijuana at San Ysidro border crossing, upon petition for remission, vehicle returned to owner (Case No.: 2004 2504 002279).
- Client charged with possession for sale of marijuana, cultivating and theft of electricity; sentenced to felony summary probation, reduced to misdemeanor after 3 years, no jail, no work furlough, no public work service (Case No.: SEC 363191, San Diego County, 2016).

References available upon request.

RESUME 8

The State Bar of California

Gary William Schons - #72556

Current Status: Active

This member is active and may practice law in California.

See below for more details.

Profile Information

The following information is from the official records of The State Bar of California.

Bar Number:	72556	Phone Number:	(619) 525-1348
Address:	Best Best & Krieger 655 W Broadway Ste 1500 San Diego, CA 92101	Fax Number:	(619) 233-6118
Email:	gary.schons@bbklaw.com	Undergraduate School:	Univ of San Diego; San Diego CA
County:	San Diego	Law School:	Univ of San Diego SOL; San Diego CA
District:	District 4		
Sections:	Public Law		

Status History

Effective Date	Status Change
Present	Active
12/22/1976	Admitted to The State Bar of California

Actions Affecting Eligibility to Practice Law in California

Disciplinary and Related Actions

This member has no public record of discipline.

Administrative Actions

This member has no public record of administrative actions.

<http://members.calbar.ca.gov/fal/Member/Detail/72556>



Indian Wells
(760) 568-2611

Irvine
(949) 263-2600

Los Angeles
(213) 617-8100

Ontario
(909) 989-8584

BEST BEST & KRIEGER
ATTORNEYS AT LAW

655 West Broadway, 15th Floor, San Diego, CA 92101
Phone: (619) 525-1300 | Fax: (619) 233-6118 | www.bbklaw.com

Riverside
(951) 686-1450

Sacramento
(916) 325-4000

Walnut Creek
(925) 977-3300

Washington, DC
(202) 785-0600

Gary W. Schons
(619) 525-1348
gary.schons@bbklaw.com
File No. 93939.0020E

December 11, 2017

VIA EMAIL - SSilva@chulavistaca.gov

Simon Silva, Esq.
Deputy City Attorney
City of Chula Vista
City Attorney's Office

Re: Campaign Contribution Ordinance Enforcement Authority Panel

Dear Mr. Silva:

I am writing to provide an application for consideration for selection to serve on the City's Campaign Contribution Ordinance Enforcement Authority.

I have been a member in good standing of the California State Bar since December 22, 1976.

I served for 35 years in the Criminal Division of the California Attorney General's Office, including 20 years as the Senior Assistant Attorney General heading the office's Criminal Division in San Diego. During that time I was involved in numerous public integrity investigations and prosecutions, including cases related to campaign activities, contributions and reporting. I have extensive experience in leading both civil ("watch dog") and criminal indicting grand juries and present training to grand juries in southern California. I served as an informal advisor to the City of San Diego Ethics Commission which enforces that city's campaign ordinances and I encourage you to contact the Commission's Executive Director Stacy Fulhorst at sfulhorst@sandiego.gov. After retiring from the Attorney General's Office I served for nearly three years as Senior Advisor for Law and Policy to the San Diego County District Attorney and was involved in and advised on numerous public integrity matters and cases in that office.

I joined Best Best & Krieger in 2014 where I serve as head of the firm's Public Policy and Ethics Compliance Group. In this capacity nearly all of my practice is focused on public integrity laws such as the Political Reform Act, Government Code section 1090, the Brown Act and the Public Records Act. This work ranges from training to advisory to investigations to litigation and appellate work, all related to the firm's over 200 public agency clients, including cities, districts and joint powers authorities. I am a certified AB 1234 trainer and have presented and trained on public integrity issues statewide, including for the California District Attorneys Association, and for the International Association of Municipal Lawyers. I have had numerous

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Gary W. Schons

Of Counsel

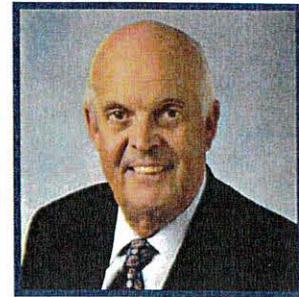
✉ GARY.SCHONS@BBKLAW.COM

Tel: (619) 525-1348

655 West Broadway,
15th Floor
San Diego, CA 92101

Office (619) 525-1300

Fax (619) 233-6118



At a Glance

Gary heads the Government Policy & Public Integrity practice.

He served as trial counsel for the Commission on Judicial Performance.

Gary is an active member of the California District Attorneys Association, lecturing and authoring articles for the association.

Profile

As head of Best Best & Krieger's Government Policy & Public Integrity practice, Gary W. Schons counsels public agencies, officials and private businesses who wish to promote public confidence in their decision-making processes by ensuring that official conduct is above reproach. The group's goals are to:

- Provide comprehensive and strategic compliance solutions to public officials, individuals and corporations seeking to conform their conduct to standards, best practices, laws and regulations
- Advise and represent clients on public integrity issues involving governmental and political practices
- Inform clients of relevant federal, state and local legislation, including those relating to the Political Reform Act and the Public Records Act

Prior to joining BB&K, Gary served as deputy district attorney and senior advisor for Law & Policy in the San Diego County District Attorney's Office. In this role, he advised the District Attorney and her executive staff on legal, public integrity, legislative and policy issues and provided legal assistance to all 300 deputy district attorneys in the office.

Areas of Focus

Practices

[Government Policy & Public Integrity](#)

[Municipal Law](#)

[Public Agency Litigation](#)

[Public Safety](#)

[Special Districts](#)

Industries

[Municipal](#)

[Special Districts](#)

From 2010-2016, Gary served as trial counsel for the Commission on Judicial Performance. He was responsible for conducting all formal proceedings initiated by the Commission to impose discipline on judges and other judicial officers in California.

From 1976-2011, Gary was a member of the Criminal Division of the California Attorney General's Office in San Diego. During his career there, he served as deputy attorney general in the Appeals, Writs & Trial Section, in the Special Prosecutions Unit and as head of the Asset Forfeiture and Money Laundering Unit, which he established. Gary was cross-designated as a special assistant United States Attorney in the Central and Southern districts of California. In 1991, the Attorney General promoted Gary to senior assistant attorney general and head of the Criminal Division in San Diego. In that role, he supervised 75 deputy attorneys general who handled felony appeals and habeas corpus and trial matters, including numerous public integrity-related prosecutions. The office handled some 1,500 cases annually and was responsible for more than 200 death penalty appeals.

Gary is an active member of the California District Attorneys Association, lecturing and authoring articles for the association. He is also active in the San Diego County Bar Association, where he served on the Judicial Elections Evaluation and Legal Ethics committees. Gary is a long time member of the University of San Diego School of Law Board of Visitors and past president of the Law Alumni Association. He is admitted to practice law in the State of California.

Gary is married to Judy Hagar Schons, a San Diego native. They live in the Talmadge neighborhood of the City. Gary was raised in West Covina where he attended Bishop Amat High School, before moving to San Diego for college. Gary is an avid cook and diner and contributes a column to the local newspaper on dining. He also enjoys golf and sailing.

Education

- University of San Diego School of Law, J.D.

Memberships

- California District Attorneys Association
- San Diego County Bar Association
- University of San Diego School of Law Board of Visitors
- Law Alumni Association, past president

Awards

- The Best Lawyers in America®, Ethics and Professional Responsibility Law, 2017-2018
- *San Diego Magazine* Top Lawyer, 2015
- Martindale-Hubbell® AV Preeminent™ Rated
- California District Attorney's Association, William E. James Award
- San Diego Chief of Police, commanding Officer's Citation
- University of San Diego School of Law, Distinguished Alumni Award & Honorary Order of the Coif
- National College of District Attorney's, Lecturer of Merit

Authorships

LEGAL ALERTS | DEC 11, 2017

First Amendment Rights of California Public Agencies Affirmed by Appellate Court

Anti-SLAPP Motion Successful in Dispute

LEGAL ALERTS | DEC 5, 2017

Government Actions are Not Protected Speech Under California Anti-SLAPP Law

Appellate Opinion Stems from Disputed Construction Permits

LEGAL ALERTS | SEP 11, 2017

Ban on Officers Discussing K9 Program Violated First Amendment

Ninth Circuit Decision on Nevada State Highway Patrol Prior Restraint Case

LEGAL ALERTS | AUG 31, 2017

Automated License Plate Scans Data May Be Disclosed

California Supreme Court Finds Public Record Exemptions Do Not Apply

LEGAL ALERTS | AUG 21, 2017

PRA Request Compliance May Not Shield from Attorney's Fees

California Appellate Court Orders City to Pay

LEGAL ALERTS | JUL 18, 2017

Calif. AG Says SB 415 Applies to Charter Cities and Local School Districts Governed by Charter Cities

LEGAL ALERTS | JUL 11, 2017

Independent Contractors & Consultants Can be Subject to Conflict of Interest Laws

California Supreme Court Sets New Precedent for GC Section 1090

LEGAL ALERTS | MAR 2, 2017

E-Communications on Private Accounts May Be Subject to Disclosure Under the California Public Records Act

State Supreme Court Opinion Impacts Public Agencies

LEGAL ALERTS | DEC 29, 2016

Legal Invoices to Public Agencies in California May Be Exempt from Disclosure

The California Supreme Court Tackles Public Records vs. Attorney-Client Privilege

AUTHORED ARTICLES & PUBLICATIONS | DEC 22, 2016

Professionalism Manual

California District Attorneys Association

LEGAL ALERTS | DEC 9, 2016

Are Private E-mails & Text Messages “Public Records?”

Decision Expected Soon from California Supreme Court

LEGAL ALERTS | AUG 22, 2016

Public Agency Not Subject to 60-Day Limit

California Appellate Court Finds Contract Void Under Government Code Section 1090

LEGAL ALERTS | AUG 11, 2016

Appellate Court “SLAPP”s Residents in Culver City Upset Over Parking Restriction Changes

City Did Not Violate Brown Act

LEGAL ALERTS | AUG 10, 2016

California Supreme Court Curbs Responses to Anti-SLAPP Motions

Elected Officials' Free Speech Rights Analyzed

LEGAL ALERTS | JUL 21, 2016

California Appellate Court Holds Police Video of Arrest Not Protected Under "Pitchess"

Only a Record Generated as Part of an Internal Investigation is Protected by Pitchess

AUTHORED ARTICLES & PUBLICATIONS | JUN 29, 2016

Public Safety Technologies: Big Brother and the Fourth Amendment

BB&K Attorney Gary Schons Examines the Intersection of Technology, Law and Public Safety for Municipal Lawyer Magazine

AUTHORED ARTICLES & PUBLICATIONS | JUN 28, 2016

High Court Clarifies "Official Act" in Former Gov. Bob McDonnell Decision

BB&K Attorney Gary Schons Discusses Decision's Implications for Public Officials in PublicCEO

LEGAL ALERTS | JUN 21, 2016

California Supreme Court Clarifies Who is Liable for Prosecution for Misuse of Public Funds

Determining If Someone is "Charged" with Fiscal Responsibility is Key

LEGAL ALERTS | JUN 3, 2016

City Slapped Down on anti-SLAPP Claim

Details of a Potential NFL Deal for Carson Not of Public Interest, Court Says

LEGAL ALERTS | JUN 2, 2016

Court Clarifies the "Cease & Desist" Requirement Prior to Initiating Brown Act Litigation

City's Loss Illustrates Risks of Litigating Open Meeting Law Violation Claims

AUTHORED ARTICLES & PUBLICATIONS | APR 14, 2016

Body-Worn Cameras, the Prosecutor, and the Question

of Public Access

BB&K Attorney Gary Schons Examines Police Body Cameras From a Variety of Angles for the California District Attorneys Association's Prosecutor's Brief

LEGAL ALERTS | APR 6, 2016

U.S. Supreme Court Holds States and Localities May Continue to Draw Voting Districts Based on Total Population

Total Population, However, May Not Be the Only Standard Upon Which Voting Areas Can Be Based

LEGAL ALERTS | FEB 11, 2016

California Court Interprets Stockton's Term Limit Non-Cumulatively to Allow Repeat Runners

Case Illustrates Why How a Measure is Worded Matters

LEGAL ALERTS | FEB 1, 2016

City Ordinance Banning New Outdoor Billboards, but Authorizing Relocated Ones, Upheld by California Court

Authorizing Relocated Ones Upheld by Court; Constitutional Challenges Rejected; Injunction Order to Remove Billboard Affirmed

LEGAL ALERTS | DEC 29, 2015

New California Law Enforcement Reporting Requirements for Officer-Involved Shootings and Use of Force

Attorney General Hopes Data Will Promote Transparency

LEGAL ALERTS | DEC 23, 2015

California Appellate Court Holds Unruh Act Does Not Apply to Legislative Action

Decision Comes in Short-Term Rental Ordinance Litigation

LEGAL ALERTS | DEC 22, 2015

California Appellate Court Clarifies Proper Amount of Evidence Required to Support Restitution Order

Question Considered in Graffiti Abatement Case

LEGAL ALERTS | AUG 19, 2015

Federal Appeals Court Questions State Senator's Order to Remove a Dissident from the Senate Building

Removal Order Could Have Violated the First Amendment

LEGAL ALERTS | AUG 5, 2015

Attorney-Privileged Documents Mistakenly Released Under PRA Still Exempt

California Appellate Court Rules in Case Likely to be Decided by State Supreme Court

LEGAL ALERTS | JUL 10, 2015

Anti-Discrimination Housing Laws Tackled by U.S. Supreme Court

Public Agencies May Face Litigation, but Court-Imposed Safeguards to Limit Liability

LEGAL ALERTS | JUL 9, 2015

California Supreme Court Holds Prosecutors Must File Pitchess Motions to Examine Police Personnel Records

Law Enforcement Agencies Should Seek Guidance When Prosecutors Ask to Review Officer-Witness Files

LEGAL ALERTS | JUN 23, 2015

Hotels Need Not Provide Guest Registry to Law Enforcement

U.S. Supreme Court Strikes Down Los Angeles City Ordinance Requiring Hotel Operators to Provide Guest Register Records to Police Officers on Demand

AUTHORED ARTICLES & PUBLICATIONS | APR 23, 2015

Closed Session Final Decision and Vote Details Must Be Publicly Reported at the Same Public Meeting

BB&K Attorneys Gary Schons and Tori Hester Explore Open Meeting Laws in California Special District Magazine

LEGAL ALERTS | APR 16, 2015

Water District Case Clarifies California Public Records Act Exemption for Utility Customers

"Customer" Includes a Business or Corporation, Judge Rules

LEGAL ALERTS | APR 15, 2015

Attorney Billing Invoices Privileged From Disclosure Under PRA

California Court of Appeal Rules Attorney-Client Privilege Exemption Covers Billing Invoices

LEGAL ALERTS | MAR 31, 2015

Ninth Circuit to Rehear Second Amendment Case

Case Challenges San Diego County Sheriff's Policy on Issuance of Concealed Carry Permits

LEGAL ALERTS | MAR 23, 2015

Ninth Circuit Draws Clear Distinction Between California's Meeting Disruption Statutes

Skid Row Demonstration Disrupts a Neighborhood "Walk," But Police Make an Arrest for the Wrong Violation

LEGAL ALERTS | MAR 16, 2015

California Supreme Court to Hear PRA Case on Inadvertent or Accidental Disclosure of Privileged Records

Case Involves Attorney-Client Privileged Documents Released During Litigation

LEGAL ALERTS | DEC 12, 2014

Accidental Disclosure Waives Privilege Under Public Records Act

Court of Appeal Says Privilege Removed Under PRA By Inadvertent Disclosure of Privileged Documents

LEGAL ALERTS | NOV 20, 2014

It Is Now a Crime to Help a Public Official Make a Contract that Holds Personal Financial Interest

California Legislature Expands Government Code Section 1090 Liability to Those Who Aid and Abet

LEGAL ALERTS | NOV 12, 2014

New Groundwater Legislation Update: Comments Recommended Regarding Groundwater Basin Prioritization

Public Agencies Wishing to Dispute Basin Prioritization or Boundaries Should Submit Comments As Soon As Possible

LEGAL ALERTS | OCT 28, 2014

California Attorney General Offers Guidance on Scope of Government Code Section 1090

Pair of Recent Opinions Clarifies Conflict-of-Interest Statute

LEGAL ALERTS | OCT 27, 2014

Use of School Grounds for Campaign and Election Activities

The Education Code and the Courts Have Established Rules and Regulations for Campuses

LEGAL ALERTS | OCT 20, 2014

FPPC Goes on Offense to Identify and Fine Gift Reporting Failures

"Pro-Active" Approach Already Resulted in Fines for Public Officials

LEGAL ALERTS | SEP 23, 2014

Getting "Schooled" by the FPPC

AB 1234 Ethics Training Can Safeguard School Officials from FPPC Reporting Violations

LEGAL ALERTS | SEP 15, 2014

State Controller Rolls Out an Open Data Website on Local Government Finances

New Website Promotes Government Transparency

- ["Appellate Court Endorses FPPC's "Reasonably Foreseeable" Test for PRA Conflicts Analysis,"](#) *BBKnowledge*, Aug. 2, 2017
- ["Independent Contractors & Consultants Acting on Government Contracts May be Subject to Conflict of Interest Laws"](#) *PublicCEO*, July 26, 2017 (via *BBKnowledge*)
- ["Prosecutor Rule Edit Reflects Concerns,"](#) *Daily Journal*, May 4, 2017
- ["Grading the Revised Special Prosecutor Rule,"](#) *Daily Journal*, July 20, 2017

- "Special Responsibilities of a Prosecutor (Rule 3.8)," *Daily Journal*, April 25, 2017
- "'Honorably Retired' for California Police Officer Defined by Court," *BBKnowledge*, March 30, 2017
- "San Jose PRA Decision: Q&A," *BBKnowledge*, March 27, 2017
- "Is a Private Email a Public Record? Context Matters!," *BBKnowledge*, March 6, 2017
- "Public Records Stay Public, Even in Private," *Daily Journal*, March 6, 2017
- "The Ethics Advisor: Good Governance Floats on a Sea of Integrity" *SoCalLatinos*, Jan. 3, 2017 (via *BBKnowledge*)
- "Reducing Cyber Vulnerability and Keeping Online Voter Registration Data Safe," *BBKnowledge*, Oct. 6, 2016
- "Giving Employees Time Off to Vote," *BBKnowledge*, Oct. 5, 2016
- "FPPC Initiates its Political Reform Act Revision Project," *BBKnowledge*, Aug. 5, 2016
- "High Court Clarifies 'Official Act' in Former Gov. Bob McDonnell Decision," *BBKnowledge*, June 27, 2016
- "FPPC Amends Regulations for Conflict of Interest Codes," *BBKnowledge*, May 2, 2016
- "Body-Worn Cameras, the Prosecutor, and the Question of Public Access," California District Attorneys Association's *Prosecutor's Brief*, April 2016
- "California Appellate Court Addresses Release of City Attorney's Private E-mails," *BBKnowledge*, Nov. 16, 2015
- "The Meaning of 'Malfeasance in Office' and the Lifetime Ban to Holding Office it Carries," *BBKnowledge*, Nov. 10, 2015
- "Attorney-Client Privilege Not Waived in Mistaken Records Release, California Appellate Court Finds" *PublicCEO*, Oct. 20, 2015 (via *BBKnowledge*)
- "Who Has Access to Police Camera Footage?" *Daily Journal*, Oct. 9, 2015
- "Even Pre-Litigation Is Not a Contact Sport," San Diego County Bar Association's *For the Record*, July 17, 2015
- "Public Entity May Seek to Recover All Proceeds Derived From a Tainted Contract," *BBKnowledge*, Feb. 11, 2015
- "FPPC Has Record Year for Enforcement Actions," *BBKnowledge*, Jan. 7, 2015
- "Bribery Is Not a Free Speech Right, Judge Says," *BBKnowledge*, Dec. 3, 2014
- "Appearance and Perception of a Conflict of Interest: Whose View?," *BBKnowledge*, Dec. 18, 2014
- "Privacy and Fourth Amendment Issues Among Legal Concerns for Law Enforcement Use of Body-Worn Cameras," *BBKnowledge*, Oct. 8, 2014
- "Police Officer Body Worn Cameras: The Future is Now" *PublicCEO*, Sept. 29, 2015 (via *BBKnowledge*)
- "Privacy and Police Body-Worn Cameras," *Daily Journal*, Sept. 24, 2014
- "Conflict Law Doesn't Apply to UC Faculty," *Daily Journal*, Sept. 8, 2014

RESUME 9

The State Bar of California

Alena Shamos - #216548

Current Status: Active

This member is active and may practice law in California.

See below for more details.

Profile Information

The following information is from the official records of The State Bar of California.

Bar Number: 216548

LOUNSBERY FERGUSON ALTONA & PEAK, LLP

960 Canterbury Pl

Address:

Ste 300

Escondido, CA 92025-3870

[Map it](#)

Email:

aso@lfap.com

County:

San Diego

District:

District 4

Sections:

Litigation

Public Law

Phone Number:

(760) 743-1201

Fax Number:

(760) 743-9926

Undergraduate School:

San Diego State Univ; San Diego CA

Law School:

Univ of San Diego SOL; San Diego CA

Status History

Effective Date

Present

12/4/2001

Status Change

Active

Admitted to The State Bar of California

Actions Affecting Eligibility to Practice Law in California

Disciplinary and Related Actions

This member has no public record of discipline.

Administrative Actions

This member has no public record of administrative actions.

**LOUNSBERY FERGUSON
ALTONA & PEAK LLP**

ESCONDIDO AND SAN DIEGO

960 Canterbury Place, Suite 300
Escondido, California 92025-3870
Telephone (760) 743-1201
Facsimile (760) 743-9926
www.LFAP.com

JOHN W. WITT, RETIRED

David W. Ferguson
Partner

Phone: 760-743-1201
Email: DWF@LFAP.com

December 14, 2017

Simon Silva, Deputy City Attorney
City of Chula Vista
276 Fourth Avenue
Chula Vista, CA 91910
ssilva@chulavista.gov

Re: Chula Vista Board of Ethics-Campaign Contribution Enforcement Authority Attorney

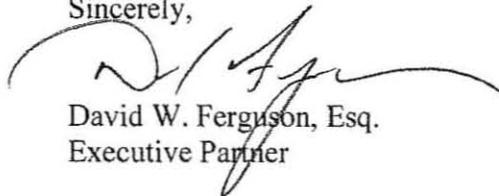
Dear Mr. Silva:

Lounsbery Ferguson Altona & Peak is pleased to present this proposal in response to the posted notice for the contract position of Enforcement Authority Attorney. Alena Shamos will provide services as needed by the City for any investigation and related legal action regarding violations of the City's Campaign Contribution ordinance.

Ms. Shamos has over 16 years' experience as an attorney with a significant portion of her practice in the public-sector field, including election law, the Brown Act and the Political Reform Act. She has represented the cities of Chula Vista, San Marcos, Lemon Grove, Imperial Beach, National City, Vista and Carlsbad in various capacities.

Ms. Shamos' current billing rate is \$285. Ms. Shamos is available to meet with you and the panel to discuss this opportunity. The contact number is listed above, or you can reach Ms. Shamos via email at aso@lfap.com.

Sincerely,



David W. Ferguson, Esq.
Executive Partner

Attachment

DESCRIPTION OF SERVICES TO BE PROVIDED

- Attend all regular and special meetings of the Enforcement Authority Panel;
- Research, prepare and/or review of those documents related to the conduct of investigations of complaints of violations of Chapter 2.52 of the Chula Vista Municipal Code;
- Prepare and prosecute any civil actions necessary pursuant to Chapter 2.52.140 of the Chula Vista Municipal Code, including enforcement through administrative proceedings and assistance to the City's code compliance officer;
- Provide Political Reform Act conflict of interest advice and assistance in seeking advice from the Fair Political Practices Commission.

FEES

Hourly Fee Schedule

Services to be rendered on an as-needed basis.

Chula Vista would compensate the firm on an hourly basis by written agreement for hours over and above the retainer amount. Compensation for services would be as follows:

<u>Staff</u>	<u>Hourly Rate</u>
Alena Shamos	\$285.00
Associate Attorneys	\$200.00
Paralegal	\$95.00

Billing for travel time and expenses would not apply to travel between the offices of LFAP and Chula Vista.

The firm bills for attorneys and paralegals in 1/10th hour increments and does not charge for secretarial or routine administrative costs. Fees include all routine word processing, secretarial and office costs associated with the provision of legal services. Reimbursement of costs advanced by the firm on behalf of Chula Vista, as well as other expenses, will be billed in addition to the amount billed for fees – these include actual expenses away from our office on Chula Vista business, long distance telephone charges, black and white photocopy charges at the rate of \$.20 per page and color photocopies at the rate of \$1.00 per page, and any costs of producing or reproducing photographs, documents, and other items necessary for legal representation.

As public agency attorneys, we are mindful of the fiscal constraints such agencies face. As such, we make every attempt to keep our costs and expenses as reasonable as possible. We realize that no billing arrangement is perfect and, therefore, are willing to discuss Chula Vista's specific needs.

ALENA SHAMOS

Ms. Shamos joined Lounsbery Ferguson Altona & Peak LLP in 2004. Her civil litigation practice includes writ practice, appellate practice, municipal litigation, election law, redevelopment dissolution, California Public Records Act litigation, environmental litigation (CEQA and NEPA), Government Tort Liability, constitutional challenges, real estate and business litigation, partition and quiet title actions, unlawful detainer, contract disputes, tort disputes and construction defect litigation. Ms. Shamos represents government entities, businesses and individuals.

In 1997 Ms. Shamos earned a Bachelor of the Arts from San Diego State University in International Business. Ms. Shamos received her Juris Doctor degree from University of San Diego School of Law in 2001 and was admitted to the California State Bar later that year.

Ms. Shamos is an active member of the State Bar of California and admitted to practice before the United States District Court for the Southern District of California. Ms. Shamos is a member of the State Bar of California and the State Bar's Public Law Section. She is also a member of the State Bar's Public Law Section and the Litigation and Appellate Law Sections of the San Diego County Bar Association. Ms. Shamos is fluent in Russian and speaks Spanish

Ms. Shamos participated as a reviewer for the 2016 and 2017 Editions of the California Municipal Law Handbook. Her recent publications include, "New Rules on Demurring and Conferring in 2016 (San Diego Attorney Journal and Orange County Attorney Journal, May 2016).

Published Appellate Opinions:

Moore v. City of Lemon Grove (2015) 237 Cal.App.4th 363

Boling, et. al. v. Public Employment Relations Board (2017)10 Cal.App.5th 853

ALENA SHAMOS, ATTORNEY AT LAW

LOUNSBERY FERGUSON ALTONA & PEAK
960 CANTERBURY PLACE, SUITE 300
ESCONDIDO, CALIFORNIA
TELEPHONE: (760) 743-1201
FACSIMILE: (760) 743-9926
ASO@LFAP.COM

BAR ADMISSIONS:

- California State Bar No. 216548. Active member, admitted 2001
- Admitted to practice before the United States District Court, Southern and Central Districts

EDUCATION:

- Juris Doctor, University of San Diego School of Law, May 2001
- Bachelor of the Arts in International Business (Spanish), San Diego State University, December 1997

PROFESSIONAL EXPERIENCE:

ASSOCIATE | LOUNSBERY, FERGUSON, ALTONA & PEAK, LLP | 2004-PRESENT

- Experience representing public entities, private individuals and businesses.
- Deputy City Attorney for Cities of San Marcos and Lemon Grove.
- Advise Cities on election issues, conflict of interest, Brown Act and other general governmental issues.
- Significant experience drafting and arguing complex motions, including summary judgment, demurrers/motions to strike, bifurcation, intervention, consolidation (and consolidation to transfer to other courts) compelling discovery, dismissal, enforcement of settlement and vexatious litigant motions.
- Prosecute and defend Writ actions on behalf of, and against, various local public agencies involving redevelopment dissolution legislation, constitutional challenges to state legislation, election actions (prosecuting and defending challenges to language in ballot materials, including the impartial analysis, ballot title and ballot question on a compressed pre-election timeline), Proposition 218, CEQA, *Quo Warranto* and the Public Records Act.
- Prepare briefs, amicus letters, motions and writs for submittal to the California Court of Appeal, and present oral argument, in actions involving constitutional challenges to state legislation, *Quo Warranto*, constitutional rights of government entities, government officials and individuals, Proposition 218, pension reform, PERB, initiative rights and election challenges.
- Litigate, arbitrate and mediate cases involving a wide range of issues including breach of contract, receiverships, tort, quiet title, adverse possession, real estate non-disclosure, unlawful detainer, misrepresentation, trespass and injunctive relief. Coordinate discovery plans and conduct depositions as well as written discovery, including meeting, conferring and compelling responses.

- Lead in coordinating efforts, drafting pleadings and briefs, and negotiating with opposing parties in cases involving large numbers of parties and complex issues. Recent example: *The Affordable Housing Coalition of San Diego County, v. Tracy Sandoval, In Her Official Capacity as Auditor and Controller of the County of San Diego, et al.*, Sacramento Superior Court Case No. 34-2012-80001158-CU-WM-GDS.
- Direct litigation team, including junior associates, paralegals and legal assistants.

ASSOCIATE | MAZZARELLA DUNWOODY & CALDARELLI | 2002-2004

- Prosecuted and defended complex business and real estate litigation, as well as actions and investigations involving the Political Reform Act.

LAW CLERK | WHITE & BRIGHT | 2000-2001

- Researched legal issues, reviewed documents and drafted pleadings, memoranda and discovery.

INTERN | OFFICE OF THE PUBLIC DEFENDER - COUNTY OF SAN DIEGO | 1999

- Researched legal issues and drafted memoranda, reviewed documents, assisted in arraignment and defendant interviews.

PUBLISHED CALIFORNIA COURT OF APPEAL DECISIONS:

- *Moore v. City of Lemon Grove* (2015) 237 Cal.App.4th 363
- *City of El Centro v. Lanier* (2016) 245 Cal.App.4th 1494
- *Boling, et. al. v. Public Employment Relations Board* (2017)10 Cal.App.5th 853

PUBLICATIONS:

- League of California Cities, Cal. Municipal Law Handbook (2016 and 2017) - Reviewer
- "Demurring, Conferring and Amending – Everything Changed in 2016" (Attorney Journal, San Diego, Volume 153; Attorney Journal, Orange County, Volume 122, April 29, 2016)
- "Juror Misconduct – If You Can't Say it in Person, You Can't Type it on Facebook or Twitter" (North County Lawyer, October 2011)

MEMBERSHIPS:

- State Bar of California, Public Law Section
- San Diego County Bar Association, Litigation and Appellate Law Sections
- San Diego Inn of Court – 2012-2013

OTHER:

- Proficient in Spanish and Russian
- California Real Estate Broker's License No. 01515923, since 2005

PROPOSED INTERVIEW QUESTIONS

Introductions:

You will be asked tens questions. Please keep in mind that we have thirty (30) minutes for this interview.

1. Describe your general experience as an attorney?
2. Describe your firm, in terms of size, support staff, areas of practice?
3. Describe your legal experience in ethics laws, in terms of advice, investigation, and enforcement?
4. Describe your legal experience in campaign contribution laws? In terms of advice, investigation, and enforcement?
5. Describe your experience in conducting investigations? Role, Type? Number?
6. Describe your trial and/or administrative hearing experience? Role, Type, Number?

7. The cases you may be required to investigate may be considered “High Profile” given that they involve elected officials and persons running for public office, have you had any experience in matters involving “High Profile” matters? Role? Type? Number?

8. Have you been a candidate for elected office? If so, were you charged with any campaign contribution type violations? Have you served in any capacity in handling the funds (campaign contributions) for any person running for elected office?

9. Do you see any conflicts you or your firm may have based on any type of relationship with current elected officials running for re-election or persons running for election in this election cycle?

10. Why do you want this assignment? Is there any other information you would like to consider?

Chapter 2.52**CAMPAIGN CONTRIBUTIONS***

Sections:

2.52.010	Purpose and intent.
2.52.020	Interpretation of this chapter.
2.52.030	Definitions.
2.52.040	Campaign contribution limits.
2.52.050	Loans.
2.52.060	Notice regarding personal funds.
2.52.070	Campaign contribution account.
2.52.090	Return of prohibited contributions.
2.52.100	Written solicitations by candidates.
2.52.120	Contributions for legal defense.
2.52.130	Duties of City Clerk.
2.52.140	Enforcement.
2.52.150	Penalties.
2.52.160	Severability.

* Prior legislation: Ords. 2298, 2334, 2391, 2434, 2581, 2654, 2661, 2769, 2849 and 2955.

2.52.010 Purpose and intent.

This chapter is intended to supplement the Political Reform Act of 1974 (California Government Code Sections 81000, et seq.) (the "PRA"), and the implementing regulations adopted by the Fair Political Practices Commission (the "FPPC") (see California Code of Regulations, Title 2, Division 6, Sections 18110 through 18997). All local candidates should be aware that they must comply with this chapter, as well as the PRA and the FPPC regulations, when participating in a local election campaign.

Sections 81013 and 85703(a) of the PRA authorize the City Council to adopt contribution limitations and prohibitions applicable to elections for local elective office. In enacting this chapter, the City Council finds and declares that moderate monetary contributions to political campaigns are a legitimate form of participation in the American political process. It is the policy of this City to protect the integrity of the electoral process, and to serve the best interests of the citizens of this City by regulating campaign finance.

Inherent in the high cost of election campaigning is the problem of improper influence, real or potential, exercised by campaign contributors over elected officials. It is the purpose and intent of the City Council in enacting this chapter:

A. To preserve an orderly political forum in which individuals may express themselves effectively;

B. To place realistic and enforceable limits on the amounts of money that may be contributed to political campaigns in City elections;

C. To prevent corruption and avoid the appearance of corruption by regulating campaign contributions to candidates for local elective office;

D. To provide full and fair enforcement of all the provisions of this chapter; and

E. To encourage candidate adherence to election regulations by making them easier to understand. (Ord. 3179 § 1, 2011; Ord. 3086 § 1, 2007).

2.52.020 Interpretation of this chapter.

A. The terms and phrases in this chapter shall have the same definitions given to them in the PRA (see California Government Code Sections 82000 through 82054) and the FPPC regulations, unless otherwise specified in this chapter.

B. The terms of this chapter are applicable to any contribution made to a candidate or candidate-controlled committee whether used by the candidate to finance a current campaign or to pay debts incurred in prior campaigns.

C. Revisions to this chapter take effect on February 10, 2011, and are applicable to all contributions received by candidates seeking City elective office in any election which takes place after that date. (Ord. 3179 § 1, 2011; Ord. 3086 § 1, 2007).

2.52.030 Definitions.

A. "Agent" means a person who acts on behalf or at the behest of any other person or accepts a contribution on behalf of a candidate. If an individual acting as an agent is also acting as an employee or member of a law, architectural, engineering or consulting firm, or a similar entity or corporation, both the entity or corporation and the individual are "agents."

B. "At the behest" means made under the control or at the direction of, in cooperation, consultation, coordination, or concert with, at the request or suggestion of, or with the express prior consent of.

C. "Campaign contribution account" is that account in which all contributions or loans made to the candidate shall be deposited as required by Government Code Section 85201.

D. "Campaign statement" means the campaign statement required by the PRA (see California Government Code Sections 84200, et seq.).

E. "Candidate" means any individual seeking any City elective office, the candidate's campaign committee, committee(s) controlled by the candidate, and agents of the candidate.

F. "City elective office" means the offices held by the Mayor, members of the City Council, or the City Attorney. The "same City elective office," as that term is used in this chapter, means the specific Council seat numbered one, two, three, or four or the specific seat held by the Mayor as defined by Charter Section 300(C), or the specific seat held by the City Attorney.

G. "Contribution" is defined in a manner identical with the definition found in Government Code Section 82015, contained within the Political Reform Act, and any related provisions in the California Code of Regulations.

H. "Enforcement authority," under this chapter, means that special counsel appointed by the City Attorney pursuant to CVMC 2.52.140.

I. "General election" is that election identified by Charter Section 900, which is combined with the state primary election.

J. "Organization" means a proprietorship, labor union, firm, partnership, joint venture, syndicate, business, trust, company, corporation, association, or committee, including a political action committee. "Organization" does not include political party committees, as that term is defined in California Government Code Section 85205.

K. "Person" means a natural individual.

L. "Political Reform Act" means the California Political Reform Act of 1974, as amended, found at Government Code Section 81000, et seq., and includes regulations adopted by the Fair Political Practices Commission.

M. "Single election contest" means either a general or special election.

N. "Special election" is as defined in Charter Section 901. (Ord. 3179 § 1, 2011; Ord. 3086 § 1, 2007).

2.52.040 Campaign contribution limits.

A. No person, other than a candidate, shall make a contribution in excess of \$300.00 to a candidate for a single election contest. No candidate shall solicit or accept a contribution in excess of \$300.00 from a person for a single election contest. A candidate may receive up to \$300.00 from a person in each of the general and special elections. The contribution limit in this subsection shall be adjusted biannually pursuant to subsection (D) of this section.

B. No political party committee, as that term is defined in California Government Code Section 85205, shall make a contribution in excess of \$1,000 to a candidate for a single election contest. No candidate shall solicit or accept a contribution

in excess of \$1,000 from a political party committee for a single election contest. A candidate may receive up to \$1,000 from a political party committee in each of the general and special elections. The contribution limit in this subsection shall be adjusted biannually pursuant to subsection (D) of this section.

C. No organization shall make a contribution to any candidate or candidate-controlled campaign committee. This chapter shall not apply to contributions made to a committee that is organized solely for the purpose of supporting or opposing the qualification for the ballot or adoption of one or more City measures. All contributions made by a person whose contribution activity is financed, maintained or controlled by an organization or any other person shall be deemed to be made by that organization or other person. If the contribution is deemed made by an organization, it is prohibited.

D. The contribution limits set forth in this section shall be adjusted every odd-numbered year, starting in 2013. The City Clerk shall adjust the contribution limits to reflect any changes in the Consumer Price Index for the San Diego area for the two-year period ending on December 31st of the previous year. Adjustments shall be rounded to the nearest \$10.00. The City Clerk shall publish a public notice of any adjustments by March 1st of each odd-numbered year, or as soon after as practicable, following the Bureau of Labor Statistics' release of the applicable Consumer Price Index data. The adjustments shall go into effect as soon as the public notice is published but shall apply only to elections held in subsequent years. The adjustments shall not be construed to raise the contribution limits applicable to past elections or to special elections held in the same year that the limits are adjusted.

E. No person shall make a contribution to any candidate and no such candidate shall accept from any person such a contribution sooner than 11 months preceding a single election contest.

F. A contribution for an election may be accepted by a candidate after the date of the election only to the extent that the contribution does not exceed net debts outstanding from the election, and the contribution does not otherwise exceed the applicable contribution limit for that election.

G. A candidate may not solicit or accept contributions for a special election prior to the holding of the general election for that office.

H. A candidate may carry over contributions raised in connection with one election for City elective office to pay campaign expenditures

incurred in connection with a subsequent election for the same City elective office.

I. The contribution limitations of this section are not limitations on expenditures and shall not be construed to limit the expenditures by any candidate, person or committee. (Ord. 3179 § 1, 2011; Ord. 3086 § 1, 2007).

2.52.050 Loans.

A. A candidate shall not personally loan to his or her campaign funds, with the intent to receive repayment of those funds, an aggregate amount in excess of \$5,000 for a single election contest.

B. A loan or extension of credit shall be considered a contribution from the maker of the loan or extender of credit and shall be subject to the contribution limit of \$300.00 per person, pursuant to CVMC 2.52.040. The \$300.00 contribution limit does not apply to loans made to a candidate for the purpose of a campaign by himself or herself or by a commercial lending institution in the lender's regular course of business on terms available to members of the general public for which the candidate is personally liable. (Ord. 3179 § 1, 2011; Ord. 3086 § 1, 2007).

2.52.060 Notice regarding personal funds.

If a candidate spends or contributes personal funds of more than \$5,000 aggregate, in connection with a campaign for a single election contest, a candidate shall do all of the following:

A. Prior to spending or contributing the personal funds, the candidate shall provide written notice of the candidate's intent to spend or contribute more than \$5,000 of personal funds to the City Clerk and all opponent candidates. The notice shall be delivered personally or sent by registered mail to the last known address of the opponent candidates as shown in the records of the City Clerk and shall specify the amount of personal funds intended to be expended or contributed. The notice shall also provide the date the personal funds shall be deposited into the candidate's campaign contribution account, as required by CVMC 2.52.070. Separate notice is also required for every separate deposit of personal funds of any amount that is a contribution from a candidate to his or her campaign once the candidate has spent or contributed more than \$5,000 in personal funds in connection with the campaign for a single election contest.

B. The required notice shall be given no later than 21 days prior to the election, unless the expenditure or contribution occurs during the 21 days preceding the election, in which case the required

notice shall be provided 24 hours prior to deposit into the candidate's campaign contribution account. (Ord. 3179 § 1, 2011; Ord. 3086 § 1, 2007).

2.52.070 Campaign contribution account.

The campaign contribution account required by Government Code Section 85201(a) shall be established at a financial institution located in San Diego County. (Ord. 3179 § 1, 2011; Ord. 3086 § 1, 2007).

2.52.090 Return of prohibited contributions.

If a contribution is tendered and would be in violation of this chapter, it shall be returned by the candidate to the contributor within 60 days of receipt by the candidate. (Ord. 3179 § 1, 2011; Ord. 3086 § 1, 2007).

2.52.100 Written solicitations by candidates.

Any candidate making a written solicitation for a contribution for his or her campaign for City elective office shall include the following written notice in no less than six point type on each such solicitation:

NOTICE

The City of Chula Vista Municipal Code limits contributions to campaigns for City elective office to three hundred dollars per person.*

*The dollar amount to be included in this notice shall be amended biannually to reflect any CPI adjustment to the contribution limit made pursuant to CVMC 2.52.040(D). (Ord. 3179 § 1, 2011; Ord. 3086 § 1, 2007).

2.52.120 Contributions for legal defense.

Notwithstanding anything contained herein to the contrary, a payment to or for the benefit of a Councilmember, Mayor, or candidate made and used for the express purpose of offsetting costs already incurred by that Councilmember, Mayor, or candidate in the defense of a criminal or administrative prosecutorial action against said Councilmember, Mayor, or candidate and not made or used for the purpose of aiding in the election of said Councilmember, Mayor, or candidate, and not made within (before or after) 100 days of an election in which the Councilmember, Mayor, or candidate is competing for a seat or office, shall not be deemed to be a contribution for the purposes of this

subject to the review or control of the City Attorney or City Council.

I. The special counsel, serving as the enforcement authority, may investigate and may institute legal action to prevent further violations. If the allegation contained in the complaint is also a violation of state law, the special counsel shall not investigate but, rather, shall forward the complaint to the Fair Political Practices Commission, or other appropriate state agency.

J. Criminal prosecution for violations of this chapter must be commenced within one year after the date on which the violation occurred.

K. Civil prosecution for violation of this chapter must be commenced within four years after the date on which the violation occurred. No administrative action alleging a violation of any of the provisions of this chapter shall be commenced more than four years after the date on which the violation occurred. If the person alleged to have violated a provision of this chapter engages in the fraudulent concealment of his or her acts or identity, the four-year period for civil and administrative actions shall be tolled for the period of concealment. For purposes of this subdivision, "fraudulent concealment" means the person knows of material facts related to his or her duties under this chapter and knowingly conceals them in performing or omitting to perform those duties, for the purpose of defrauding the public of information to which it is entitled under this title.

L. Special counsel, serving as the enforcement authority, shall be immune to liability for enforcement of this chapter.

M. If the enforcement authority or District Attorney determines that no violation occurred, the enforcement authority shall review the complaint and, if necessary, conduct further investigation to determine if there is probable cause to find that the complainant committed perjury. If such probable cause exists, the enforcement authority shall forward the complaint to the District Attorney for prosecution for perjury. (Ord. 3179 § 1, 2011; Ord. 3086 § 1, 2007).

2.52.150 Penalties.

A. Any person who knowingly or willfully violates any provision of this chapter; who knowingly or willfully causes, solicits, advises, or participates with any other person to violate any provision of this chapter; or who knowingly or willfully aids and abets any other person in the violation of this chapter shall be guilty of a misdemeanor.

B.1. Any person who negligently violates any provision of this chapter shall be liable in a civil or administrative action brought by the enforcement authority for an amount not more than \$500.00 per violation, and shall be required to correct the violation.

2. Any person who intentionally violates any provision of this chapter, causes any other person to violate any provision of this chapter, or intentionally files a false complaint under this chapter shall be liable in a civil administrative action brought by the enforcement authority for a maximum of \$1,000 per violation, or per false complaint filed.

3. Any amounts paid pursuant to this section shall be used to offset the costs of enforcing this chapter.

4. If it is determined by the District Attorney that the complainant committed perjury in filing the complaint, the complainant may be liable, in addition to any criminal penalties, for damages in the amount of fees, costs and other amounts suffered or incurred as a result of, or arising out of the filing of, such complaint.

C. This section shall apply only to persons who have filing or reporting obligations under this chapter or the Political Reform Act, or who are compensated for services involving the planning, organization, or directing of any activity regulated or required by this chapter or the Political Reform Act, or anyone who is determined by the District Attorney to have committed perjury in filing a complaint under this chapter.

D. Whether or not a violation is inadvertent, negligent, or deliberate, and the presence or absence of good faith, shall be considered in applying the remedies and sanctions of this chapter. Further, in determining the amount of civil liability, the court may take into account the seriousness of the violation and the degree of culpability of the defendant. If a judgment is entered, the funds recovered shall be deposited into the City's general fund. (Ord. 3179 § 1, 2011; Ord. 3086 § 1, 2007).

2.52.160 Severability.

If any provision of this chapter, or the application of any such provision to any person or circumstances, shall be held invalid, the remainder of this chapter to the extent it can be given effect, or the application of those provisions to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby, and to this end the provisions of this chapter are severable. (Ord. 3179 § 1, 2011; Ord. 3086 § 1, 2007).

chapter. (Ord. 3179 § 1, 2011; Ord. 3086 § 1, 2007).

2.52.130 Duties of City Clerk.

In addition to other duties required of the City Clerk under the terms of this chapter and the City Charter, the Clerk shall:

A. Supply appropriate forms and manuals prescribed by the California Fair Political Practices Commission. These forms and manuals shall be furnished to all candidates and committees, and to all other persons required to report.

B. Determine whether required documents have been filed and, if so, whether they conform on their face with the requirements of state law.

C. Notify promptly all persons and known committees who have failed to file a document in the form and at the time required by state law.

D. Report alleged violations of this chapter filed pursuant to CVMC 2.52.140(E) and applicable state law to the enforcement authority.

E. Compile and maintain a current list of all statements or parts of statements filed with the City Clerk's office pertaining to each candidate and each measure.

F. Cooperate with the enforcement authority in the performance of the duties of the enforcement authority as prescribed in this chapter and applicable state laws. (Ord. 3179 § 1, 2011; Ord. 3086 § 1, 2007).

2.52.140 Enforcement.

A. The City Attorney shall not act as the enforcement authority as to alleged violations of this chapter, but shall defend the constitutionality and legality of this chapter in any civil proceeding in which the City or the City Council is a party.

B. The enforcement authority, as defined by this chapter, or the District Attorney shall investigate or prosecute alleged violations of this chapter.

C. The Board of Ethics shall solicit proposals from attorneys in accordance with Section 503 of the City Charter and Chapter 2.56 CVMC to act as the enforcement authority 11 months prior to a general election.

D. The Board of Ethics shall appoint a panel of no less than three attorneys to act as the enforcement authority. These attorneys shall be compensated by the City for work performed pursuant to this chapter. Should the appointment of additional special counsel become necessary or appropriate, the Board of Ethics shall appoint such additional special counsel as may be required. A single member of the special counsel panel will be assigned to

each case. Assignments will be made on a rotating basis.

E. Complaints of violations of this chapter shall be: in writing; sworn under penalty of perjury by the complainant, who shall be a resident of the City; accompanied by proof that the complainant is a resident of the City; and submitted to the City Clerk. The complaint shall state a full recitation of all facts that are alleged to constitute a violation of this chapter. If a complaint does not comply with these requirements, the City Clerk shall return the complaint to the complainant, with an explanation as to why it is insufficient for filing.

F. The City Clerk shall forward the complaint to the enforcement authority within five working days of receipt for a probable cause determination. If no probable cause is determined to exist, the complaint shall be dismissed summarily and interested parties shall be notified of the dismissal in writing. The enforcement authority shall make a probable cause determination within 30 calendar days of receiving the complaint.

G. If probable cause is determined to exist, the enforcement authority shall notify the City Attorney. If the enforcement authority determines that probable cause exists to find that there was a knowing or willful violation of this chapter, the City Attorney shall forward the complaint to the District Attorney for further handling. If the enforcement authority determines that probable cause exists to find that there was a negligent violation of this chapter, the City Attorney shall forward the complaint to the special counsel who is next in the rotation of panel counsel to act as the enforcement authority and take further investigatory and procedural steps necessary to resolve the matter. However, if the City Attorney is the subject of the complaint, the duties of the City Attorney under this section shall be handled by the City Clerk.

H. Violations of this chapter that are forwarded to the District Attorney for handling shall not be subject to further action by the enforcement authority. Violations of this chapter that are not forwarded to the District Attorney for handling but, rather, are forwarded to the next panel counsel for further investigation pursuant to subsection (G) of this section may be pursued by the enforcement authority either through a civil or administrative action. The enforcement authority may also commence and prosecute any necessary administrative proceedings or civil litigation to compel compliance with this chapter. No enforcement of prosecution or action by the enforcement authority shall be