

From: **Fulhorst, Stacey** <[SFulhorst@sandiego.gov](mailto:SFulhorst@sandiego.gov)>  
Date: Wed, Jul 10, 2019, 3:44 PM  
Subject: RE: Ethics questions conversation.  
To: DAVID ALVAREZ <[david@causaconsulting.com](mailto:david@causaconsulting.com)>

Hi David,

The answers to your questions have some nuances so I have prepared the following overview that (hopefully) addresses your concerns and the fact/issues we discussed during our recent phone call:

- You may contact any City staff for the purpose of obtaining information, including information regarding the City's laws/rules/processes, as well as information regarding events that may have transpired in the past that are relevant to a client's matter. As long as you are contacting City staff for the purpose of obtaining information – as opposed to transmitting information that could be used by a City Official to make a decision – the contact is permissible because it is not “lobbying.” The key here is that information may only go one way during the meeting/contact.
- A contact made for the purpose of obtaining information would include a meeting (with or without your client) and a City Official during which the Official is asked what he/she expects from the client in order for the client's proposal to be approved. Naturally, this can be a fine line and we would encourage you to make clear to the meeting participants that the purpose is to obtain – not transmit – information about the matter.
- You may arrange a meeting for your clients with City Officials provided that the purpose of the meeting is not to influence a decision. In other words, you may arrange a meeting with a Councilmember if the purpose of the meeting is to ask the Councilmember for information about their expectations associated with the client's matter. You may not arrange a meeting – even if you are not present at the meeting – if the purpose of the meeting is to influence the Councilmember's decision or provide information that would be used by the Councilmember to make a decision.

- You may not respond to questions from a City Official if doing so would provide information that could be used by the Official to make a decision. Note that you may of course forward such inquiries to the client.

If you have any additional questions, or if you would like guidance concerning a specific client or circumstances, please contact me or Steve Ross at your convenience.

Stacey

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**From:** DAVID ALVAREZ <[david@causaconsulting.com](mailto:david@causaconsulting.com)>

**Sent:** Wednesday, July 10, 2019 1:44 PM

**To:** Fulhorst, Stacey <[SFulhorst@sandiego.gov](mailto:SFulhorst@sandiego.gov)>

**Subject:** Ethics questions conversation.

Hi Stacy!

Thanks again for all your support helping me understand and follow the Ethics Ordinance. I am following up on the conversation from Monday. Here are a few specific questions regarding and would appreciate your advice on how the Ethics Ordinance applies.

May I introduce the client to a Councilmember so long as in that interaction neither I or the client requests support for the action they are requesting? Essentially a "get to know you meeting" strictly focused on "this is who is behind this request and we want you to know who we are and that you can call upon us if you have any questions"

I think it's pretty clear that I may NOT introduce a client and their project to a Councilmember (or staff) to explain to that City official what action the client believes the City Council must take in order to accomplish the client's goal. But, you mentioned that I can support the client's work by requesting information from the Official such as clarification from the Councilmember (or staff) if they understand what to be the process is for a specific action to occur and I can ask ANY question on behalf of the client to get clarity on that process.

IN ADDITION, it sounded like I may ask the Official what they would like to see in the final outcome of a decision that impacts a client, so long as I never request support in exchange of facilitating their desires in that outcome?

I also understood that I am allowed to work with a Councilmember (or staff) to gather any information that is available regarding a client's requested action so long as that information would be made available to any other member of the public requesting that information, is this correct?

May I work with a Councilmember (or staff) to answer for them any questions they might have about how to move the Client's project/requested action forward for Council Consideration, or any questions they have in general relating to the client's request?

May I schedule a meeting between a Councilmember (or staff) and the Client where the Client will specifically be asking for support or how to gain support from the Councilmember as long as I am not present in the meeting?

I think this covers what we spoke about, but any other specifics you may recall would be appreciated.

Thank you again!

**DAVID ALVAREZ**

CEO & Chief Strategist

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