

# ETHICS SAN MATEO

DEDICATED TO TRUTH, TRANSPARENCY AND ETHICAL CONDUCT IN CITY GOVERNMENT

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December 12, 2022

## Statement of Position

### Regarding Allegations of Unethical and/or Unlawful Appointment Influence

During the continuation of the December 5, 2022 regular City of San Mateo City Council meeting held on December 7, Council Member Lee stated she had received at least two separate communications, “Backdoor” offers, regarding her support for specific candidates for the now vacant seat on the city council. Paraphrased, she reported the offers were that if she supported a certain candidate, she would become Mayor. No further details were provided. Ethics San Mateo believes, if proven, these offers would be a serious breach of ethical standards on the part of the person or persons making the offer, and possibly be a violation of the Brown Act (as alleged by Lee) and of California Penal Code Section 58, a felony.

Ethics San Mateo’s purpose is to promote ethical conduct by our city government and leadership, those seeking leadership roles, and by businesses and organizations conducting transactions with or seeking to influence city government.

As our mission is to lead and support efforts by the residents of San Mateo to ensure our city is served according to the highest level of ethical standards and behavior, we are calling for the below actions to take place:

- The City Attorney immediately open an investigation into the allegations, with the purpose of ascertaining if there was a breach of codified ethical standards.
- The City Manager make a request to the San Mateo Police Department to open a criminal case investigation, supporting the need for such action with a transcript of Council Member Lee’s statements during the meeting on December 7<sup>th</sup>.
- Council Member Lee to provide full details, documentation, evidence, etc., of the incidents to both the Police Department and City Attorney.

Ethics San Mateo will attempt to follow the progress of the investigations, as allowed by the City Attorney, City Manager and Police Department. At this time, we will not conduct any independent research into this; because with the possibility that a felony has occurred in addition to a breach of ethical standards, we wish to avoid interfering with the formal Law Enforcement and City Attorney’s investigations.