



ETHICS SAN MATEO

DEDICATED TO TRUTH, TRANSPARENCY AND ETHICAL CONDUCT IN CITY GOVERNMENT

August 25, 2025

Board of Supervisors
San Mateo County
400 County Center
Redwood City, CA 94063

RE: August 26, 2025, San Mateo County Board of Supervisors meeting Consent Agenda Item #19

Dear Honorable President and Members of the Board of Supervisors:

Ethics San Mateo, a California Nonprofit Public Benefit Corporation, objects to the appointment of Adam Nugent to the San Mateo County Planning Commission. Our Board of Directors and members are outraged that Mr. Nugent is even being considered for the appointment, let alone that the appointment appears on the Consent Agenda.

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 issue-agnostic; we do not oppose or support any specific agenda, position, or issue. We are only focused on any unethical conduct in *how* and *what* influences are brought to bear on city officials, and any actions our elected and appointed public servants take in violation of standards of ethical conduct. We are a racially and economically diverse group of concerned residents of the city, and our members come from across the City of San Mateo

Since our founding in 2022, we have been vocal advocates for the adoption of a Code of Conduct for city council members and commissioners that are enforceable and carry consequences. Our city council recently adopted revisions to the Code of Conduct that contain those key elements. The County Board of Supervisors has also adopted rules for the conduct of County Supervisors, providing further evidence that cities and counties are recognizing that their residents deserve that ethical standards become part of their local governments. Supervisors, you've committed to maintaining high standards. Prove it is not an empty promise by not appointing Mr. Nugent to your Planning Commission.

Mr. Nugent, as you are aware, is a former City of San Mateo Planning Commissioner. Ethics San Mateo works diligently to investigate reported potential breaches of ethical standards, with a steadfast requirement that all information that we state as factual is verifiable. We present documentation and exhibits to substantiate and authenticate the information we present as facts.

We believe that one, or more, members of the Board of Supervisors may not have the verifiable facts regarding Mr. Nugent's conduct and subsequent failure to be reappointed, and may be distributing information that is patently false. We invite you to consider the following:

During his tenure, Ethics San Mateo became aware of two incidents where some very basic standards of ethical behavior may have been breached by then-Commissioner Nugent, and were associated with his duties as a public official or were a violation of law. We conducted detailed investigations into these incidents and found that Mr. Nugent had in fact committed acts that rose to the level of unethical behavior. The information gathered to make these determinations is in the public record of the City of San Mateo, or from published statements by Nugent and public officials. All information was carefully vetted.

The full details of both investigations were published and distributed by Ethics San Mateo, and can be found on our website, www.EthicsSanMateo.com.

Earlier this year, Nugent was not selected for reappointment to the City of San Mateo Planning Commission, as recommended by the selection committee conducting interviews for vacancies on the commission. I was personally present at the interviews, as were a number of other San Mateo residents. The interview committee was comprised of four San Mateo City Council members, the city manager and other staff. The only City Council member who was not on the committee was Lisa Diaz Nash.

After the candidate interviews were completed, Mr. Nugent's past behaviors, which were the subject of investigations by Ethics San Mateo, were openly discussed between the selection committee members. Nugent had only one committee member in support of his reappointment. This committee member reasoned only that it was in the interest of continuity in light of the number of shorter-term planning commissioners on the Planning Commission. The committee member clearly and succinctly stated that if it were not for that issue, they would not support Nugent's reappointment due to his ethics breaches.

The two incidents involving Mr. Nugent, which the committee discussed, were:

- 1) The removal of "Rob Newsom for Council" political campaign signs.
- 2) The unauthorized distribution (as a "cc") of an official City of San Mateo email to members of the State of California Housing and Community Development Department (HCD), detailing Mr. Nugent's opinions as to the adequacy of the city's Housing Element.

Newsom has stated to me that he has not received an apology from Mr. Nugent. In spite of this, Mayor Newsom stated during the candidate evaluation discussions that he was not going to use the theft of his campaign signs as part of his personal criteria for candidate selection. However, Newsom did state that the incident regarding the Housing Element and HCD was significant, and therefore he did not support Nugent's reappointment to the Planning Commission. The other voting members of the selection committee both declined to recommend Nugent for reappointment because of both the issues cited above.

The links to Ethics San Mateo's Statements of Position, and attachments, on the two issues, are found here:

<https://ethicssanmateo.com/wp-content/uploads/2023/07/11-11-2022-ESM-SOP-Planning-Commissioner-Nugent.pdf>

<https://ethicssanmateo.com/wp-content/uploads/2024/01/SOP-2024-1-Conflicts-of-Interest-Activism-and-Standards-for-Ethical-Conduct-Attachment-%E2%80%93-Housing-Plan-Commissioner-Comments.pdf>

Briefly, we found that:

Regarding the Newsom campaign sign removal:

- As to the location on State/Caltrans property along the highway and proximity to the highway, **the sign also had to be visible from the highway**. The misinformation being released has excluded this required element of the violation. It is NOT likely that the sign could have been seen from the highway, the surface of which is well above where the sign was placed. It is a moot point as to whether it was or was not improperly placed because of the next fact.
- If a sign is unlawfully placed on Caltrans property, the law states that Caltrans is the agency responsible for removal. There is no provision for a private person or city commissioner to move, remove or seize the sign in any fashion. Please note that this kind of vigilante act is akin to a private person, upon seeing a car parked on a public street where they believe parking is a violation of law, seizing the car and moving it anywhere. Just attempt to use that excuse to the police.
- Nugent admitted to taking the sign. This is in the public record.
- Granted, Mayor Newsom did not press charges. That does not, however, make the potential criminal culpability or ethical breach go away. The police don't write crime reports unless they have probable cause to believe a crime occurred, and they don't identify a suspect if they don't have some level of proof. Nugent publicly admitted to the act.
- Although many consider political sign stealing as just a routine election cycle nuisance crime, we maintain that if committed by a public official, it is abhorrent. It may rise to the level of a crime of "moral turpitude", which would cause a city commissioner to forfeit their office if convicted, per the City Charter.

- No discussion about “diversity” was discussed as to why Nugent lacked enough support. In fact, one of the two open San Mateo Planning Commissioner seats was filled by a male. Any statement that Nugent was not selected in the interest of “diversity” is a red herring, and untrue.

Regarding the unauthorized distribution of the email to HCD:

- Documents are in the public record that inarguably provide proof that Nugent sent information to HCD.
- Mr. Nugent generated an extensive PowerPoint presentation with details of why, in his opinion, the Housing Element was deficient.
- The subject email and attached evaluation by Mr. Nugent contain information which could have, and may have, caused financial harm to the City of San Mateo.
- The subject email was sent on April 27, 2022. The City Council had approved for public comment the Draft Housing Element dated April 6. The email below undermined Council’s decision.

The documentation is extensive and is linked above. Other issues are discussed in the Statement of Position, and below is the referenced email:

From: Adam Nugent
Sent: Wednesday, April 27, 2022 9:56 PM
To: Manira Sandhir; Zachary Dahl
Cc: Eloiza Murillo-Garcia; HousingElements@hcd.ca.gov
Subject: San Mateo Planning Commission Input - Draft Housing Element - Apr 26
Attachments: Planning Commission Input - Draft Housing Element - Adam Nugent - April 26.pdf

Hi Manira and Zach,

Thank you, again, for your team's hard work on the City of San Mateo's Draft Housing Element. It is a massive undertaking!

Here are my notes and consolidated input from last night's Planning Commission review of the Draft Housing Element. I spent a few hours following the meeting getting as much of the discussion topics I commented on during the meeting incorporated into my notes as possible.

I hope the additional detail and clarifying elements in these notes prove useful to the team.

Best,
Adam

Adam Nugent, PLA

Planning Commissioner, City of San Mateo

anugent@cityofsanmateo.org

The residents of San Mateo County deserve to be served by public officials that maintain the highest level of ethics standards. When political hijinks, bias, and personal ambition get in the way of good governance, the essential requirement of trust is lost.

Please do not allow someone who has failed to maintain the ethical standards of City of San Mateo leadership to become a stain on the County of San Mateo.

David Cohen
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cc: ESM Board and Membership
San Mateo City Council

