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2 City of San Diego Ethics Commission
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7 Petitioner

8 **BEFORE THE CITY OF SAN DIEGO**
9 **ETHICS COMMISSION**

10 In re the Matter of:) Case No.: 2016-16
11)
12) **STIPULATION, DECISION, AND**
13) **ORDER**
14)
15)
16) Respondent.
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29 **STIPULATION**

30 **THE PARTIES STIPULATE AS FOLLOWS:**

31 1. Petitioner Stacey Fulhorst is the Executive Director of the City of San Diego Ethics
32 Commission [Ethics Commission]. The Ethics Commission is charged with a duty to administer,
33 implement, and enforce local governmental ethics laws contained in the San Diego Municipal
34 Code [SDMC] relating to, among other things, the provisions of the Municipal Lobbying
35 Ordinance, SDMC section 27.4001, *et seq.*

36 2. At all times mentioned herein, San Diego-Imperial Counties Labor Council, AFL-
37 CIO [Labor Council] was an organization lobbyist registered with the Office of the City Clerk.
38 The Labor Council is referred to herein as “Respondent.”

39 3. This Stipulation will be submitted for consideration by the Ethics Commission at its
40 next scheduled meeting, and the agreements contained herein are contingent upon the approval of
41 the Stipulation and the accompanying Decision and Order by the Ethics Commission.

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1 9. On January 30, 2015, Respondent registered as an organization lobbyist for the 2015
2 calendar year with the Office of the City Clerk.

3 10. On February 2, 2016, Respondent filed a disclosure report covering the period from
4 October 1 through December 31, 2015, that did not include the three contributions its lobbyists
5 made to City candidates totaling \$1,300 during the reporting period. On May 19, 2016, in
6 response to a request from Commission staff, Respondent filed an amended quarterly report to
7 disclose these contributions.

8 **Counts**

9 **Counts 1 and 2 - Violation of SDMC section 27.4017**

10 11. Respondent failed to disclose all of the information required by SDMC section
11 27.4017 when it filed its 2015 fourth quarter report on February 2, 2016. In particular, as
12 described above in Paragraph 10, Respondent failed to disclose the campaign contributions made
13 by its lobbyists to City candidates.

14 **Factors in Aggravation**

15 12. Respondent was the subject of a previous Commission enforcement action involving
16 several violations of the City's lobbying laws, including the failure to disclose campaign
17 contributions made by its compensated owners, officers, and lobbyists. Respondent paid a \$3,000
18 fine in that case. Subsequent to that enforcement action, Respondent received an additional
19 warning letter concerning its failure to disclose all of the campaign contributions made by its
20 compensated owners, officers, and lobbyists.

21 **Factors in Mitigation**

22 13. Respondent fully cooperated with the Commission's investigation.

23 **Conclusion**

24 14. Respondent agrees to take necessary and prudent precautions to ensure compliance
25 with all provisions of the City's Lobbying Ordinance in the future.

26 15. Respondent acknowledges that the Ethics Commission may impose increased fines
27 in connection with any future violations of the City's lobbying laws.

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