

SAN DIEGO ETHICS COMMISSION
STIPULATION DECISION AND ORDER
Lobbyist Campaign Disclosure Violation(s)
(Streamlined Program)

Petitioner, Executive Director of the San Diego Ethics Commission, and Respondent hereby agree that this Stipulation will be presented to the Commission at its next regularly scheduled meeting, or as soon thereafter as the matter can be heard, as a final disposition of the lobbyist disclosure violation(s) described herein.

RESPONDENT: H.G. Fenton Company

CASE NO.: 2017-08

TYPE OF LOBBYIST: Organization Lobbyist

SAN DIEGO MUNICIPAL CODE SECTION(S) VIOLATED: SDMC § 27.4017

DESCRIPTION OF VIOLATION: Failure to timely disclose all campaign contributions made by the organization lobbyist or any of its owners, compensated officers, or lobbyists, or any of its sponsored committees on one or more quarterly reports.

QUARTERLY REPORT/S UNDER REVIEW: 4th Quarter 2016

AMENDMENTS FILED: Respondent has now filed all necessary amendments in conjunction with reaching this settlement.

MONETARY PENALTY: \$500

STATEMENT BY RESPONDENT(S):

I acknowledge that the violation(s) of the San Diego Municipal Code described above have occurred and voluntarily request that the Ethics Commission resolve this matter by imposition of the monetary penalty specified above. I acknowledge receipt of the *Statement of Respondent's Rights* and voluntarily waive any and all procedural rights to contest this matter in an administrative hearing. I have attached a check or money order made payable to the City Treasurer in the amount of the penalty described above.

[REDACTED]

Dated: _____

Michael Neal, President & CEO

STATEMENT BY EXECUTIVE DIRECTOR:

I have reviewed the above Stipulation and recommend its approval.

[REDACTED]

Dated: _____

Stacey Fulhorst, Executive Director

DECISION AND ORDER OF THE COMMISSION:

The Ethics Commission considered the above Stipulation at its meeting on May 11, 2017. The Ethics Commission hereby approves the Stipulation and orders that, in accordance with the Stipulation, Respondent pay a fine in the amount of \$500.

[REDACTED]

Dated: _____

Clyde Fuller, Chair
SAN DIEGO ETHICS COMMISSION

***SAN DIEGO ETHICS COMMISSION
STATEMENT OF RESPONDENT'S RIGHTS***

The Petitioner, Executive Director of the San Diego Ethics Commission, and Respondent(s), both identified by name on the Stipulation and Decision and Order, hereby agree that this Stipulation and Decision and Order will be submitted for consideration by the Ethics Commission at its next regularly scheduled meeting.

The parties agree to enter into this Stipulation to resolve all factual and legal issues raised in this matter by the Ethics Commission without the necessity of holding an administrative hearing to determine the liability of each Respondent named herein.

Each Respondent understands and knowingly and voluntarily waives any and all procedural rights under the San Diego Municipal Code (SDMC) including, but not limited to, a determination of probable cause, the issuance and receipt of an administrative complaint, the right to appear personally in any administrative hearing held in this matter, the right to confront and cross-examine witnesses testifying at the hearing, the right to subpoena witnesses to testify at the hearing, and the right to have the Ethics Commission or a volunteer hearing officer hear this matter.

Each Respondent agrees to hold the City of San Diego harmless from any and all claims or damages resulting from the Commission's investigation, this stipulated agreement, or any matter reasonably related thereto. Each Respondent further agrees that the terms of this Stipulation constitute compliance with the provisions of SDMC § 26.0450 in that the Stipulation includes a recitation of facts, a reference to each violation, and an order.

It is further stipulated and agreed that each Respondent has violated the Municipal Lobbying Ordinance as described herein.

Each Respondent acknowledges that this Stipulation is not binding upon any other law enforcement or government agency and does not preclude the Ethics Commission from referring this matter to, cooperating with, or assisting any other law enforcement or government agency with regard to this or any other related matter.

The parties agree that in the event the Ethics Commission refuses to accept this Stipulation, it shall become null and void. Respondents further agree that in the event the Ethics Commission rejects the Stipulation and a full evidentiary hearing before the Ethics Commission becomes necessary, no member of the Ethics Commission or its staff shall be disqualified because of prior consideration of this Stipulation.

Each Respondent agrees to pay a fine in the amount specified in the Stipulation and Decision and Order. Respondent will submit a check or money order in said amount, payable to the City Treasurer, with the Stipulation and Decision and Order pending Commission approval of this Stipulation and execution of the Decision and Order. Each Respondent agrees to take necessary and prudent precautions to ensure compliance with all provisions of the City's lobbying laws in the future, and acknowledges that the Ethics Commission may impose increased fines in connection with any future violations of the City's lobbying laws.