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Petitioner

BEFORE THE CITY OF SAN DIEGO

ETHICS COMMISSION

In re the Matter of:	)	Case No.: 2013-17
	)	
AMIR IRAVANI,	)	**STIPULATION, DECISION, AND ORDER**
	)	
Respondent.	)	
	)	
	)	

STIPULATION

THE PARTIES STIPULATE AS FOLLOWS:

1. Petitioner Stacey Fulhorst is the Executive Director of the City of San Diego Ethics Commission [Ethics Commission]. The Ethics Commission is charged with a duty to administer, implement, and enforce local governmental ethics laws contained in the San Diego Municipal Code [SDMC] relating to, among other things, the provisions of the City's Election Campaign Control Ordinance [ECCO].

2. At all times mentioned herein, Amir Iravani aka John Iravani was the owner of NK Towing and Roadside Services, Inc [NK Towing]. Mr. Iravani is referred to herein as "Respondent."

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

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4. This Stipulation resolves all factual and legal issues raised in this matter by the Ethics Commission concerning the Respondent's conduct without the necessity of holding an administrative hearing to determine Respondent's liability.

5. Respondent understands and knowingly and voluntarily waives any and all procedural rights under the 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 an impartial hearing officer hear this matter. Respondent agrees to hold the City of San Diego harmless from any and all claims or damages resulting from the Commission's investigation or this stipulated agreement, or any matter reasonably related thereto. Respondent further agrees that the terms of this Stipulation constitute compliance with the provisions of SDMC section 26.0450 in that the Stipulation includes a recitation of facts, a reference to each violation, and an order.

6. 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.

7. The parties agree that in the event the Ethics Commission refuses to accept this Stipulation, it shall become null and void. Respondent further agrees 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.

Summary of Law and Facts

8. ECCO requires City candidates to disclose contributions in the manner prescribed by state law to ensure that voters receive accurate information regarding the candidates' financial supporters. SDMC § 27.2930. In addition, ECCO imposes limits on contributions to City candidates in order to prevent the corruption and appearance of corruption that would

result if candidates for elective City office were permitted to accept large campaign contributions. At all times mentioned herein, the contribution limit for City candidates was $500 per election. SDMC § 27.2935.

9. In order to ensure that the true sources of campaign contributions are disclosed, and in order to prevent circumvention of the $500 contribution limit, ECCO prohibits any person from making a contribution in the name of another person, a practice commonly known as "campaign money laundering." SDMC § 27.2943.

10. Respondent made campaign contributions in the names of four NK Towing employees by asking them to each make a $500 contribution to the Bonnie Dumanis for Mayor 2012 committee [Dumanis Mayoral Committee] with the understanding that they would be reimbursed by Respondent. The employees agreed to this arrangement. The employees then made the requested contributions and each received $500 cash from Respondent. The Dumanis Mayoral Committee reported receiving these contributions as follows:

Date	Contributor	Amount
01/19/12	Michael Giusti	$500
01/19/12	Tabatha Mangiapane	$500
01/19/12	Crystal Williams	$500
03/06/12	Chris Colclcasure	$500

11. By making contributions in the names of the straw donors identified above in paragraph 10, Respondent concealed the fact that he made contributions totaling $2,000 to a City candidate, four times the contribution limit in effect at the time.

Counts

Counts 1 through 4 - Violations of SDMC section 27.2943

12. Respondent violated SDMC section 27.2943 by making four campaign contributions of $500 each between January and March of 2012 in the names of the NK Towing employees identified above in paragraph 10 to the Dumanis Mayoral Committee, while concealing himself as the true source of the contributions.

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Factors in Mitigation

13. Respondent cooperated with the Commission's investigation.

Conclusion

14. Respondent agrees to take necessary and prudent precautions to comply with all provisions of ECCO in the future.

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

16. Respondent agrees to pay a fine in the amount of $20,000 for violating SDMC section 27.2943. This amount must be paid no later than February 28, 2015, by check or money order made payable to the City Treasurer. Respondent acknowledges that if the fine is not timely paid in full, the Commission may refer the collection of the fine to the City Treasurer's Collection Division, which may pursue any or all available legal remedies to recover late penalties, interest, and costs, in addition to seeking the outstanding balance owed.

DATED:_____ [REDACTED]
_____
STACEY FULHORST, Executive Director
ETHICS COMMISSION, Petitioner

DATED:_____ [REDACTED]
_____
AMIR IRAVANI, Respondent

DECISION AND ORDER

The Ethics Commission considered the above Stipulation at its meeting on November 13, 2014. The Ethics Commission hereby approves the Stipulation and orders that, in accordance with the Stipulation, Respondent pay a fine in the amount of $20,000.

DATED:_____ [REDACTED]
_____
CLYDE FULLER, Vice Chair
SAN DIEGO ETHICS COMMISSION