



THE CITY OF SAN DIEGO
PRESS RELEASE

Ethics Commission

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CONTACT:
Stacey Fulhorst
San Diego Ethics Commission
(619) 533-3476

**ETHICS COMMISSION ANNOUNCES SETTLEMENT
WITH CITY OFFICIALS CONCERNING
ECONOMIC INTEREST DISCLOSURE REQUIREMENTS**

At a public meeting today, the San Diego Ethics Commission announced that it has taken action to enforce the economic interest disclosure requirements set forth in the Ethics Ordinance. The Commission voted unanimously to approve settlement agreements with the following City Officials who have agreed to pay a fine in connection with the late filing of their 2005 annual Statements of Economic Interests:

- Arturo Castro, member of the Building Appeals & Advisory Board
- Gregory De Pena, member of the Centre City Advisory Committee
- Amy Gonyeau, member of the City Heights Project Area Committee
- Paul Johnson, member of the Old Town San Diego Planned District Design Review Board
- Michael Mueller, member of the College Community Project Area Committee
- James Smith, member of the Central Imperial Project Area Committee
- Richard Stegner, member of the City Heights Project Area Committee
- Judith St. Leger, member of the Wetlands Advisory Board
- Michael Witkin, member of the Centre City Advisory Committee
- Mary Zoeller, member of the San Diego Data Processing Corporation Board

The amount of the fines generally varied from \$100 to \$400, depending upon the City Official's prior history of non-compliance. Two officials agreed to pay higher fines, however, as a result of various

factors in aggravation. In particular, Michael Witkin agreed to pay an \$800 fine because he declined to participate in settlement negotiations until the Commission scheduled a hearing and served him with a Probable Cause Report and Draft Administrative Complaint. In addition, Mary Zoeller agreed to pay a \$1,500 fine because she has an extensive history of late filing, and because she was the subject of another enforcement action earlier this year that resulted in her paying a \$400 fine for the late filing of her 2004 annual Statement of Economic Interests. All of these settlement agreements were made by way of stipulations that can be viewed on the Commission's website at www.sandiego.gov/ethics.

The Ethics Ordinance requires all City Officials to file an annual Statement of Economic Interests disclosing certain financial interests, including investments, interests in real property, loans, gifts, and sources of income that could potentially present a conflict of interest when participating in municipal decisions. According to the Commission's Executive Director Stacey Fulhorst, "The disclosure of economic interests is one of the fundamental provisions of the Ethics Ordinance because it provides the transparency necessary to assure the public that City Officials are not influencing municipal decisions that could affect their personal economic interests." Annual Statements of Economic Interests are due on April 1 of each year. The City Clerk's Office contacts each filer well in advance of the filing deadline, and sends a follow-up notice if the Statement is not timely received.

Commission Chairwoman Dorothy Leonard commented that, although the Commission is mindful of the invaluable service provided by the members of the City's Boards and Commissions, the requirements regarding economic interest disclosure "cannot be ignored simply because these City Officials are volunteers." Chairwoman Leonard added that, with these enforcement actions, the Commission hopes to remind all City Officials that the timely filing of Statements of Economic Interests will be strictly enforced by the Commission.

Ethics Commission fines are paid to the City of San Diego's General Fund. The stipulated settlements approved by the Commission resolve all factual and legal issues without the necessity of holding an administrative hearing.

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