# ETHICS COMMISSION RESOLUTION

## FINAL DECISION OF THE CITY OF SAN DIEGO ETHICS COMMISSION IN THE MATTER OF MARTI EMERALD, RESPONDENT; CASE NUMBER 2008-73

WHEREAS, the City of San Diego Ethics Commission [Commission] is charged with the duty to enforce local governmental ethics laws contained in the San Diego Municipal Code, including the City's Election Campaign Control Ordinance [ECCO]; and

WHEREAS, Petitioner Alison Adema [Petitioner] has presented charges against Respondent Marti Emerald [Respondent] for violating ECCO in connection with Respondent's candidacy for the Seventh District City Council seat in the City of San Diego in the 2008 election cycle; and

WHEREAS, at a public Administrative Hearing held on the 8th and 29th days of April, 2010, Respondent stipulated to two violation of ECCO (SDMC 27.2930); and

WHEREAS, at that public Administrative Hearing held on the 8th and 29th days of April 2010, the Commission (composed of Commissioners Lee Biddle, Clyde Fuller, Dorothy Leonard, Richard Valdez, and Larry Westfall) heard testimony and reviewed evidence relating to these violations, and thereafter deliberated with regard to the amount of the fine, if any, to be imposed against Respondent for such violations;

WHEREAS, the final decision of the Commission regarding the violations and the findings relating to the fine, if any, to be imposed against Respondent for those violations shall be expressed in writing in a separate Administrative Enforcement Order; NOW, THEREFORE,

BE IT RESOLVED, by the City of San Diego Ethics Commission that it makes the following findings with regard to whether or not Respondent violated ECCO:

| Counts (Final Administrative Complaint) | Yes | No | Vote |
|---|---|---|---|
| FAILURE TO TIMELY DISCLOSE ACCRUED EXPENSES; SDMC § 27.2930; 2 COUNTS | | | |
| (1) Failure to timely disclose the win bonus owed to KM Strategies in the amount of $10,000 on the campaign statement covering the period ending on December 31, 2008.<br>Fine: $1,500.00 | X | | Stipulated Fact<br>5 – 0 |
| (2) Failure to timely disclose the win bonus owed to Ross Communications in the amount of $40,000 on the campaign statement covering the period ending on December 31, 2008.<br>Fine: $1,500 | X | | Stipulated Fact<br>5 – 0 |

DATE: May 3, 2010

RICHARD VALDEZ, Chair
SAN DIEGO ETHICS COMMISSION