BEFORE THE CITY OF SAN DIEGO 
ETHICS COMMISSION

In re the Matter of: 

RAUL A. CAMPILLO, 

Respondent. 

Case Nos.: 2023-20 

STIPULATION, DECISION, AND ORDER

STIPULATION

THE PARTIES STIPULATE:

1. Petitioner Sharon Spivak is the Executive Director of the City of San Diego Ethics Commission (Ethics Commission). The Ethics Commission is charged with administering, implementing, and enforcing local governmental ethics laws in the San Diego Municipal Code (SDMC), including the Election Campaign Control Ordinance (ECCO), SDMC sections 27.2901 to 27.2991.

2. At all times referenced in this Stipulation, Raul A. Campillo (the Councilmember) was a candidate for, or had been elected to, the District 7 seat on the San Diego City Council.

3. At all times referenced in this Stipulation, Raul Campillo for City Council District 7 2020 (Committee) was a campaign committee registered with the State of California (Identification No. 1415303) and established to support Campillo’s candidacy in the 2020 election cycle. At all relevant times, the Councilmember controlled the
Committee within the meaning of the California Political Reform Act, California Government Code section 82016. The Councilmember and Committee will collectively be referred to herein as “Respondent.”

4. This Stipulation will be submitted to the Ethics Commission for consideration at its next meeting. The agreements in this Stipulation are contingent upon the Ethics Commission’s approval of the Stipulation and the accompanying Decision and Order.

5. This Stipulation resolves all factual and legal issues raised in this matter by the Ethics Commission without the need for an administrative hearing to determine the Respondent’s liability.

6. 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.

7. Respondent 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.

8. Respondent agrees to hold the City of San Diego and the Ethics Commission harmless from all claims or damages resulting from the Commission’s investigation, this stipulated agreement, or any matter reasonably related to it.

9. Respondent acknowledges that this Stipulation is not binding upon any other law enforcement or government agency and does not preclude the Ethics Commission from cooperating with or assisting any other law enforcement or government agency regarding this or any other related matter.
10. The parties agree that if the Ethics Commission refuses to accept this Stipulation, it shall become null and void. Respondent further agrees that if the Ethics Commission rejects the Stipulation and a full evidentiary hearing before it becomes necessary, no member of the Ethics Commission or its staff shall be disqualified because of their prior consideration of this Stipulation.

**Summary of Law and Facts**

11. The Committee was a candidate campaign committee controlled by the Councilmember to support his candidacy during the 2020 City of San Diego election cycle. ECCO includes provisions regulating candidate-controlled campaign committees. As the party controlling the Committee, the Respondent was required to comply with ECCO provisions that govern the Committee.

12. SDMC section 27.2916 requires every controlled committee that accepts contributions to establish *one* campaign checking account at a bank or other financial institution with an office or branch in California. (SDMC § 27.2916(a), emphasis added).


14. SDMC section 27.2930 requires candidates and committees to file campaign statements in the time and manner required by state law.

15. California Government Code section 84211(c) requires committees to disclose and itemize contributions of $100 or more that the committee received during a campaign statement period. Respondent received the following contributions that were not disclosed on any campaign statements:

A. A $250 contribution made by Honora Smith on November 7, 2019;
B. A $600 contribution made by Farhad Farjood on June 28, 2020;
C. A $200 contribution made by Eduardo Luna on August 17, 2020;
D. A $100 contribution made by Andy Kopp on September 19, 2020;
E. A $600 contribution made by Masis Kevorkian on October 5, 2020;
and

16. California Government Code section 84303(a) requires all expenditures of $500 or more made on behalf of or for the benefit of a committee by an agent (subvendor payments) to be reported as if they were made directly by the candidate or committee.

17. Respondent failed to report seventeen subvendor payments totaling $35,000 that two Committee consultants made for campaign literature and digital advertisements. The subvendor for the campaign literature for the purchase of stamps was the United States Postal Service. The subvendor for the digital advertisements was Facebook, Inc., for the purchase of advertising space.

Counts

Count 1 – Violation of SDMC Section 27.2916

18. Respondent violated SDMC section 27.2916 by simultaneously maintaining and using two campaign checking accounts between December 5, 2019, and November 10, 2020, as described in paragraph 13.

Counts 2 and 3 – Violations of SDMC Section 27.2930

19. Respondent violated SDMC section 27.2930 by failing to disclose and itemize six contributions of $100 or more received during a campaign statement period, as described in paragraph 15.

20. Respondent violated SDMC section 27.2930 by failing to report seventeen expenditures of $500 or more by Committee agents, as described in paragraph 17.

Factors in Mitigation

21. Respondent fully cooperated with the Ethics Commission investigation.

22. The Councilmember, a first-time candidate for elective office in the City of
San Diego, hired and relied on a professional treasurer to timely file accurate and complete campaign statements and disclosure schedules on behalf of the Committee. The Councilmember himself identified the contributions listed in paragraph 15 during the audit and notified the Ethics Commission of their omission from the Respondent’s campaign statements as prepared by the professional treasurer.

23. Respondent opened two campaign checking accounts instead of maintaining a check register to track and segregate primary election versus general election contributions. The investigation found no intent to conceal campaign activity.

Factors in Aggravation

24. On October 25, 2019, the Councilmember was informed by Ethics Commission staff about subvendor disclosure requirements.

Conclusion

25. Respondent agrees to take necessary and prudent precautions to ensure compliance with all provisions of ECCO in the future.

26. Respondent acknowledges that the Ethics Commission may impose increased fines concerning any future violations of the City’s campaign laws.

27. Respondent agrees to pay a fine in the amount of $2,200 for three violations of the SDMC. Respondent will provide the Ethics Commission with a $2,200 check or money order payable to the City Treasurer on or before January 5, 2024. The submitted payment will be held pending Ethics Commission approval of this Stipulation and the execution of the Decision and Order portion set forth below.

DATED: __________________ [REDACTED]

Sharon Spivak, Petitioner
SAN DIEGO ETHICS COMMISSION

DATED: __________________ [REDACTED]

Raul A. Campillo, Controlling Officeholder
RAUL CAMPILLO FOR CITY COUNCIL DISTRICT 7 2020
DECISION AND ORDER

The Ethics Commission considered the above Stipulation at its January 11, 2024 meeting. The Ethics Commission hereby approves the Stipulation and orders that, in accordance with the Stipulation, the Respondent pay a fine of $2,200.

DATED: __________________    ______________________________

[REDACTED]

Caridad Sanchez, Chair
SAN DIEGO ETHICS COMMISSION