## SAN DIEGO ETHICS COMMISSION STIPULATION DECISION AND ORDER STATEMENT OF ECONOMIC INTERESTS VIOLATION

Complainant, 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 Statement of Economic Interests filing violation(s) described herein.

violation(s) described	herein.			
RESPONDENT:	James Smith	CASE NO. 2006-2	7	
POSITION: PAC	Member			
DEPARTMENT/AG	GENCY: Central Imp	erial PAC		
SAN DIEGO MUNI	CIPAL CODE SECTION	ON(S) VIOLATED: 2	27.3510	
DESCRIPTION OF	VIOLATION: Failure	to timely file stateme	ent(s) of economic interests	
Statement 2005 Annual	<b>Reporting P</b> January 1, 2005 – De		<b>Due Date</b> April 3, 2006	
All statements listed	above have now been i	filed in conjunction w	ith reaching this settlement.	
MONETARY PENALTY: \$200		NUMBER	NUMBER OF COUNTS: 1	
STATEMENT BY R	<b>RESPONDENT(S):</b>			
and voluntarily request penalty specified above side of this form and v	st that the Ethics Commive. I acknowledge receipt voluntarily waive any arg. I have attached a chec	ission resolve this matte of the <i>Statement of Re</i> and all procedural rights	DMC] described above have occurred er by imposition of the monetary respondent's Rights on the reverse to contest this matter in an expanded to the City Treasurer in the	
Dated:		James Smith		
		James Simur		
STATEMENT BY E	EXECUTIVE DIRECT	OR:		
I have reviewed the al	bove Stipulation and rec	ommend its approval.		
Dated:		Stacey Fulhorst		
DECISION AND OI	RDER OF THE COMN	MISSION:		
Commission hereby a		and orders that, in acco	ing on, 2006. The Ethics ordance with the Stipulation,	
DATED:				
		Dorothy Leonard, C SAN DIEGO ETHI		

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

The complainant, Executive Director of the San Diego Ethics Commission, and Respondent(s), both identified by name on the front of this document, hereby agree that this Stipulation, 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 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 or 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 section 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 Ethics 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 City 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 on the face of this document. A check or money order in said amount, payable to the City Treasurer, is submitted herewith to be held pending Commission approval of this Stipulation and execution of the Decision and Order portion set forth above.