1	STACEY FULHORST, Executive Director			
2	City of San Diego Ethics Commission 1010 Second Avenue, Suite 1530			
3	San Diego, CA 92101 Telephone: (619) 533-3476			
4	Facsimile: (619) 535-5476			
5	Petitioner			
6				
7	BEFORE THE CITY OF SAN DIEGO			
8	ETHICS COMMISSION			
9				
10	In re the Matter of:) Case Nos.: 2008-29 and 2008-51		
11	PAUL JOHNSON,) STIPULATION, DECISION, AND) ORDER		
12	Respondent.			
13)		
14	STIPULATION			
15	THE PARTIES STIPULATE AS FOLLOWS:			
16	1. Petitioner Stacey Fulhorst is the Executive Director of the City of San Diego Ethics			
17	Commission [Ethics Commission]. The Ethics Commission is charged with a duty to administer,			
18	implement, and enforce local governmental ethics laws contained in the San Diego Municipal			
19	Code [SDMC] relating to, among other things, the filing of Statements of Economic Interests			
20	[SEIs] as required by the City's Ethics Ordinance.			
21	2. At all times mentioned herein, Paul Johnson was a member of the Historical			
22	Resources Board and a member of the Old Town San Diego Planned District Advisory Board.			
23	Johnson is referred to herein as "Respondent."			
24	3. This Stipulation will be submitted for consideration by the Ethics Commission at its			
25	next scheduled meeting, and the agreements contained herein are contingent upon the approval			
26	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 these cases by the
 Ethics Commission without the necessity of holding an administrative hearing to determine
 Respondent's liability.

4 5. Respondent understands and knowingly and voluntarily waives any and all 5 procedural rights under the SDMC, including, but not limited to, a determination of probable 6 cause, the issuance and receipt of an administrative complaint, the right to appear personally in 7 any administrative hearing held concerning these cases, the right to confront and cross-examine 8 witnesses testifying at a hearing, the right to subpoena witnesses to testify at a hearing, and the 9 right to have the Ethics Commission or an impartial hearing officer hear these cases. Respondent 10 agrees to hold the City of San Diego harmless from any and all claims or damages resulting from 11 the Commission's investigation or this stipulated agreement, or any matter reasonably related 12 thereto. Respondent further agrees that the terms of this Stipulation constitute compliance with 13 the provisions of SDMC section 26.0450 in that the Stipulation includes a recitation of facts, a 14 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
these cases to, cooperating with, or assisting any other law enforcement or government agency
with regard to these or any other related matters.

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.

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Summary of Law and Facts

8. As a member of the Old Town San Diego Planned District Advisory Board and
the Historical Resources Board, Respondent is a "Local Code Filer" as that term is defined by
SDMC section 27.3503, and is required to file SEIs in the time and manner set forth in SDMC
section 27.3510.

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1	9. SDMC section 27.3510 requires Local Code Filers to file an "assuming office"		
2	SEI within thirty calendar days of assuming office. In addition, SDMC section 27.3510 requires		
3	Local Code Filers to file an annual SEI on or before April 1 of each year, covering the period		
4	from January 1 through December 31 of the previous calendar year.		
5	10. Respondent assumed office as a member of the Historical Resources Board on		
6	February 11, 2008. Respondent did not file his assuming office SEI until July 15, 2008,		
7	approximately eighteen weeks late.		
8	11. Respondent did not file his annual SEI for calendar year 2007 as a member of the		
9	Old Town San Diego Planned District Advisory Board until July 15, 2008, approximately fifteen		
10	weeks late.		
11	Counts		
12	Counts 1 and 2 – Violations of SDMC section 27.3510		
13	12. Respondent failed to timely file an assuming office SEI as a member of the		
14	Historical Resources Board as required by SDMC section 27.3510. Despite the fact that his		
15	assuming office SEI was due on March 12, 2008 (thirty days after he assumed office),		
16	Respondent did not file it until July 15, 2008, approximately eighteen weeks late.		
17	13. Respondent failed to timely file an annual SEI for calendar year 2007 as a		
18	member of the Old Town San Diego Planned District Advisory Board, as required by SDMC		
19	section 27.3510. Despite the fact that his annual SEI was due on April 1, 2008, Respondent did		
20	not file it until July 15, 2008, approximately fifteen weeks late.		
21	Factors in Aggravation		
22	14. The City Clerk sent Respondent numerous letters regarding his filing		
23	responsibilities, both before and after the filing deadlines. Despite these efforts by the City Clerk,		
24	Respondent failed to timely file his SEIs.		
25	15. Respondent has a prior history of not timely filing SEIs. In particular, as a		
26	member of the Old Town San Diego Planned District Advisory Board, Respondent filed his 2005		
27	annual SEI on September 11, 2006, over five months after it was originally due. Respondent		
28	///		
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entered into a stipulation with the Ethics Commission on November 9, 2006, and paid a \$200	
fine associated with the late filing of his 2005 annual SEI.	
Conclusion	
16. Respondent agrees to pay a fine in the amount of \$1,000 for violating SDMC	
section 27.3510. This amount must be paid no later than September 5, 2008, by check or money	
order made payable to the City Treasurer. The submitted payment will be held pending	
Commission approval of this Stipulation and execution of the Decision and Order set forth	
below.	
DATED:	
STACEY FULHORST, Executive Director ETHICS COMMISSION, Petitioner	
DATED:	
PAUL JOHNSON, Respondent	
DECISION AND ORDER	
The Ethics Commission considered the above Stipulation at its meeting on,	
2008. The Ethics Commission hereby approves the Stipulation and orders that, in accordance	
with the Stipulation, Respondent pay a fine in the amount of \$1,000.	
DATED: Guillermo Cabrera, Chair	
SAN DIEGO ETHICS COMMISSION	
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