

1 STACEY FULHORST, Executive Director
2 City of San Diego Ethics Commission
3 450 B Street, Suite 780
4 San Diego, CA 92101
5 Telephone: (619) 533-3476

6 Petitioner

7 **BEFORE THE CITY OF SAN DIEGO**
8 **ETHICS COMMISSION**

9 In re the Matter of:) Case No.: 2019-10
10 KEVIN FAULCONER,)
11 Respondent.) **STIPULATION, DECISION, AND**
12) **ORDER**
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 provisions of the Ethics Ordinance, SDMC
20 section 27.3501, *et seq.*

21 2. At all times mentioned herein, Kevin Faulconer was the Mayor elected to represent
22 the City of San Diego. Mayor Faulconer is referred to herein as “Respondent.”

23 3. This Stipulation will be submitted for consideration by the Ethics Commission at its
24 next scheduled meeting, and the agreements contained herein are contingent upon the approval
25 of the Stipulation and the accompanying Decision and Order by the Ethics Commission.

26 4. This Stipulation resolves all factual and legal issues raised in this matter by the
27 Ethics Commission without the necessity of holding an administrative hearing to determine
28 Respondent’s liability.

1 majority of payments behested by Respondent were timely reported.

2 18. Respondent's staff filed the December 4, 2018, Form 803 prior to being contacted
3 by Ethics Commission staff.

4 **Conclusion**

5 19. Respondent agrees to take necessary and prudent precautions to ensure compliance
6 with all provisions of the Ethics Ordinance in the future.

7 20. Respondent acknowledges that the Ethics Commission may impose increased fines
8 in connection with any future violations of the City's ethics laws.

9 21. Respondent agrees to pay a fine in the amount of \$4,000 for violating SDMC
10 section 27.3515. This amount must be paid no later than August 2, 2019, by check or money
11 order payable to the City Treasurer. The submitted payment will be held pending Commission
12 approval of this Stipulation and execution of the Decision and Order portion set forth below.

13
14 [REDACTED]
15 DATED: _____
16 Stacey Fulhorst, Petitioner
SAN DIEGO ETHICS COMMISSION

17 [REDACTED]
18 DATED: _____
19 Kevin Faulconer, Respondent

20
21 **DECISION AND ORDER**

22 The Ethics Commission considered the above Stipulation at its meeting on August 8,
23 2019. The Ethics Commission hereby approves the Stipulation and orders that, in accordance
24 with the Stipulation, Respondent pay a fine in the amount of \$4,000.

25 [REDACTED]
26 DATED: _____
27 Sid Voorakkara, Chair
SAN DIEGO ETHICS COMMISSION