



THE CITY OF SAN DIEGO
PRESS RELEASE

Ethics Commission

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CONTACT:
Stacey Fulhorst
San Diego Ethics Commission
(619) 533-3476

**ETHICS COMMISSION ANNOUNCES SETTLEMENT
WITH PUBLIC SOLUTIONS CONCERNING
VIOLATIONS OF LOBBYING LAWS**

Stacey Fulhorst, Executive Director of the City of San Diego Ethics Commission, announced today the Commission's approval of a stipulated settlement agreement with Public Solutions, a registered lobbying firm owned and operated by Mitchell Berner. Public Solutions has agreed to pay a fine of \$4,500 for failing to timely file three quarterly disclosure reports in 2008 and 2009.

Despite repeated reminders by the City Clerk and the Ethics Commission staff, Public Solutions did not file its quarterly disclosure reports until November 5, 2009, the day before the Ethics Commission conducted a Probable Cause Hearing on the matter. Although the disclosure reports ultimately filed indicate that Public Solutions did not engage in any lobbying activities during the reporting periods, Ms. Fulhorst observed that Mr. Berner had been an extremely active lobbyist in San Diego for many years, and the public had no way of knowing the extent of his lobbying until he filed the late quarterly disclosure reports. Ms. Fulhorst also noted that Mr. Berner has been a registered lobbyist in the City since 2001, and is therefore very familiar with the quarterly filing deadlines.

Ms. Fulhorst explained that Mr. Berner did not respond to the Commission staff's efforts to settle the matter until today, the day the Commission was scheduled to make a probable cause

determination. Commission Chairman, Richard Valdez, commented that the Commission was disappointed that the settlement was not effected earlier and that the Commission had to expend its limited resources preparing for and conducting the Probable Cause Hearing.

Ethics Commission fines are paid to the City of San Diego's General Fund. The stipulated settlements approved by the Commission resolve all factual and legal issues without the necessity of holding an administrative hearing.

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