

1 STACEY FULHORST, Executive Director  
2 City of San Diego Ethics Commission  
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7 Petitioner

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

10 In re the Matter of: ) Case No.: No. 2004-11  
11 )  
12 KATHLEEN MCINTOSH, ) **STIPULATION, DECISION AND**  
13 ) **ORDER**  
14 Respondent. )  
15 )  
16 )  
17 )

18 **THE PARTIES STIPULATE AS FOLLOWS:**

19 1. Petitioner Stacey Fulhorst is the Executive Director of the City of San Diego  
20 Ethics Commission [Ethics Commission]. The Ethics Commission is charged with a duty to  
21 administer, implement, and enforce local governmental ethics laws contained in the San Diego  
22 Municipal Code [SDMC] relating to, among other things, the filing of lobbyist disclosure reports  
23 as required by the City's Municipal Lobbying Ordinance.

24 2. Respondent Kathleen McIntosh [Respondent] is a self-employed lobbyist.  
25 Respondent has been periodically registered as a lobbyist with the Office of the City Clerk since  
26 January of 2001.

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

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1 11. Following the investigation, Petitioner concluded that the Respondent failed to  
2 timely file her lobbyist disclosure report for the fourth quarter of 2003.

3 **COUNT 1**

4 **[Violation of SDMC Sections 27.4015 and 27.4016]**

5 12. Respondent failed to timely file her lobbyist disclosure report for the fourth quarter  
6 of 2003. SDMC sections 27.4015 and 27.4016 require registered lobbyists to file quarterly  
7 disclosure reports with the City Clerk no later than the last day of the months of April, July,  
8 October, and January. Respondent filed her fourth quarter disclosure report on March 25, 2004,  
9 fifty-two days late.

10 **AGREEMENT**

11 13. Respondent agrees to take necessary and prudent precautions to ensure compliance  
12 with all provisions of the Municipal Lobbying Ordinance in the future.

13 **FACTORS IN AGGRAVATION**

14 14. City Clerk staff wrote to Respondent on December 16, 2003, reminding her that the  
15 fourth quarter disclosure report was due by January 31, 2004. City Clerk staff sent a second  
16 letter to Respondent on February 13, 2004, advising Respondent that the fourth quarter  
17 disclosure report was late, and asking her to file the report before March 15, 2004. Despite  
18 repeated reminders and warnings by City Clerk staff, Respondent did not file her report until  
19 March 25, 2004, more than fifty days after it was originally due.

20 15. This is not the first time that Respondent has failed to timely file a quarterly  
21 disclosure report. Respondent was nineteen days late filing her disclosure report for the second  
22 quarter of 2003.

23 **CONCLUSION**

24 16. Respondent shall pay a fine in the amount of \$500 for violating SDMC sections  
25 27.4015 and 27.4016 (Count 1). This amount shall be paid no later than June 18, 2004.

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