

1 SHARON SPIVAK, Executive Director
City of San Diego Ethics Commission
2 451 A Street, Suite 1410
San Diego, CA 92101
3 Telephone: (619) 533-3476
4 Petitioner

5
6 **BEFORE THE CITY OF SAN DIEGO**
7 **ETHICS COMMISSION**

8 In re the Matter of:) Case No.: 2024-04
9)
10 LARRY TURNER,) **STIPULATION, DECISION, AND**
11 Respondents.) **ORDER**
12)
13)
14)

15 **STIPULATION**

16 **THE PARTIES STIPULATE:**

17 1. Petitioner Sharon Spivak is the Executive Director of the City of San Diego
18 Ethics Commission (the Commission). The Commission is charged with administering,
19 implementing, and enforcing local governmental ethics laws in the San Diego Municipal
20 Code (SDMC) relating to, among other things, the provisions of the Election Campaign
21 Control Ordinance (ECCO), SDMC section 27.2901, *et seq.*

22 2. Larry Turner (Turner) is, and was during all times mentioned herein, a
23 candidate for Mayor of San Diego in the 2024 election cycle. The Turner for Mayor 2024
24 committee (Committee) is a campaign committee registered with the state of California
25 (Identification No. 1463257) and established to support Turner's candidacy. Turner
26 controlled the Committee within the meaning of the California Political Reform Act,
27

1 California Government Code section 82016. Turner and the Committee are collectively
2 referred to as “Respondents.”

3 3. This Stipulation will be submitted for the Commission’s consideration at its
4 next scheduled meeting. The agreements outlined in this Stipulation are contingent
5 upon the Commission’s approval of the Stipulation and the accompanying Decision and
6 Order.

7 4. This Stipulation resolves all factual and legal issues raised in this matter by
8 the Commission without needing an administrative hearing to determine the
9 Respondents’ liability.

10 5. Respondents understand and knowingly and voluntarily waive any procedural
11 rights under the SDMC including, but not limited to: a determination of probable cause,
12 the issuance and receipt of an administrative complaint, the right to appear personally in
13 any administrative hearing held in this matter, the right to confront and cross-examine
14 witnesses testifying at the hearing, the right to subpoena witnesses to testify at the
15 hearing, and the right to have the Commission or an impartial hearing officer hear this
16 matter.

17 6. Respondents agree that the terms of this Stipulation constitute compliance
18 with SDMC section 26.0450 in that the Stipulation includes a recitation of facts, a
19 reference to each violation, and an order.

20 7. Respondents agree to hold the City of San Diego and the Ethics Commission
21 harmless from any claims or damages resulting from the Commission’s investigation,
22 this stipulated agreement, or any matter reasonably related to it.

23 8. Respondents acknowledge that this Stipulation is not binding upon any other
24 law enforcement or government agency and does not preclude the Commission from
25 referring this matter to, cooperating with, or assisting any other law enforcement or
26 government agency regarding this or any other related matter.

1 **Counts**

2 **Count 1 – Violation of SDMC section 27.2970**

3 15. Respondents violated SDMC section 27.2970 by paying for and
4 disseminating a campaign flyer supporting Turner’s candidacy for Mayor that did not
5 include the required “Ad paid for by” disclosure described in paragraph 12 of this
6 Stipulation.

7 **Count 2 – Violation of SDMC section 27.2930**

8 16. Respondents violated SDMC section 27.2930 by failing to disclose a
9 contribution of \$100 or more on a campaign statement as described in paragraph 14 of
10 this Stipulation.

11 **Factors in Mitigation**

12 17. Respondents fully cooperated with the Commission’s investigation.

13 **Conclusion**

14 18. Respondents agree to take necessary and prudent precautions to ensure
15 compliance with all provisions of the City’s Election Campaign Control Ordinance.

16 19. Respondents acknowledge that the Commission may impose increased
17 fines concerning future violations of the City’s Election Campaign Control laws.

18 20. Respondents agree to pay a fine in the amount of \$500 for violating SDMC
19 sections 27.2970 and 27.2930. This amount must be paid by check or money order
20 made payable to the City Treasurer by August 28, 2024. The payment will be held
21 pending Commission approval of this Stipulation and execution of the Decision and
22 Order portion set forth below.

23
24 DATED: _____ [REDACTED]
25 Sharon Spivak, Petitioner
26 SAN DIEGO ETHICS COMMISSION

26 [REDACTED]
27 DATED: _____
28 Larry Turner, Respondent

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DECISION AND ORDER

The Ethics Commission considered the above Stipulation at its meeting on September 12, 2024. The Ethics Commission hereby approves the Stipulation and orders that, per the Stipulation, the Respondents pay a fine in the amount of \$500.

DATED: _____ [REDACTED]
Paul Cooper, Chair
SAN DIEGO ETHICS COMMISSION