



# San Francisco Ethics Commission

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October 4, 2021

To: Members of the Ethics Commission

From: Eric Willett, Senior Investigator and Streamlined Program Administrator

Subject: **AGENDA ITEM 5: Proposed SARP Stipulation, Decision and Order**

- ***In the Matter of Brigitte Davila (SFEC Complaint No. 1819-034/035 and 2122-012).***

## Summary

This memorandum provides information regarding the Proposed SARP Stipulation appearing in this agenda item and what the Commission may do next regarding this Proposed SARP Stipulation.

## Action Requested

The Commission may approve the Proposed SARP Stipulation by majority vote, or it may provide guidance to Commission Staff regarding the Proposed SARP Stipulation.

## Regulatory Background

Pursuant to the Commission's Enforcement Regulations, the Executive Director may enter negotiations with a respondent at any time to resolve the factual and legal allegations in a complaint by way of a stipulated order (*i.e.* a negotiated settlement). Enf. Reg. § 12(A). The Regulations require that the stipulated order set forth the pertinent facts and may include an agreement as to anything that could be ordered by the Commission under its authority pursuant to Charter section C3.699-13. *Id.*

Immediately after the Executive Director enters a stipulated order with a respondent, the Executive Director must inform the Commission of the proposed stipulation. Enf. Reg. § 12(E). Thereafter, any member of the Commission may request that the stipulated order be reviewed in public session by the full panel of the Commission during its next meeting. *Id.*

This proposed stipulation was reached pursuant to the Commission's [Streamlined Administrative Resolution Program](#). Here, Commissioner Bush requested that the attached Proposed SARP Stipulation be reviewed in public session by the full panel of the Commission during its next meeting. The Commission may therefore discuss this item, and it may either approve the Proposed SARP Stipulation by majority vote or provide guidance to Commission Staff regarding the Proposed SARP Stipulation. Enf. Reg. § 12(F).

Members of the public may comment on the Proposed SARP Stipulation.

1 LeeAnn Pelham  
Executive Director  
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Senior Investigative Analyst  
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4 San Francisco Ethics Commission  
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6

7 BEFORE THE SAN FRANCISCO  
8 ETHICS COMMISSION

9 In the Matter of ) SFEC Complaint Nos. 1819-034/035 and 2122-012  
10 BRIGITTE DAVILA, )  
11 Respondents. ) **Streamlined Administrative Resolution Program**  
12 ) **STIPULATION, DECISION, AND ORDER**  
13 )  
14 )

15 THE PARTIES STIPULATE AS FOLLOWS:

16 1. This Streamlined Administrative Resolution Program Stipulation, Decision, and Order  
17 (Stipulation) is made and entered into by and between Brigitte Davila (“Respondent”) and the San  
18 Francisco Ethics Commission (the Commission).

19 2. Respondent and the Commission agrees to settle and resolve all factual and legal issues  
20 in this matter and to reach a final disposition through the Commission’s Streamlined Administrative  
21 Resolution Program and without an administrative hearing. Upon approval of this Stipulation and full  
22 performance of the terms outlined in this Stipulation, the Commission will take no future action against  
23 Respondent, and this Streamlined Stipulation shall constitute the complete resolution of all claims by  
24 the Commission against Respondent related to the violations of law described in Exhibit A. Respondent  
25 understands and knowingly and voluntarily waives all rights to judicial review of this Streamlined  
26 Stipulation and any action taken by the Commission or its staff on this matter.  
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09-28-2021 | 16:00:17 PDT  
Dated: \_\_\_\_\_

DocuSigned by:  
*LeeAnn Pelham*  
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LEEANN PELHAM, EXECUTIVE DIRECTOR  
SAN FRANCISCO ETHICS COMMISSION

09-28-2021 | 15:47:38 PDT  
Dated: \_\_\_\_\_

DocuSigned by:  
*Brigitte Davila*  
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BRIGITTE DAVILA

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**DECISION AND ORDER**

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The foregoing Stipulation of the parties in the matter of "Brigitte Davila, SFEC Complaint Nos. 1819-034/035 & 2122-012," including the attached Exhibit A, is hereby accepted as the final Decision and Order of the San Francisco Ethics Commission, effective upon execution below by the Chairperson.

IT IS SO ORDERED.

Dated: \_\_\_\_\_

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YVONNE LEE, ACTING CHAIRPERSON  
SAN FRANCISCO ETHICS COMMISSION

**Exhibit A**

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**Description of Respondent:** Brigitte Davila assumed office as a Member of the Board of Trustees for the San Francisco Community College District in January 2015.

**Description of Violation:** Brigitte Davila filed four Forms 700 after their respective deadlines in violation of SF C&GCC section 3.1-102(a):

1. Davila filed her assuming office Form 700 on October 11, 2018, which is more than 30 days after she assumed office in January of 2015;
2. Davila filed her annual Form 700 for 2015 on June 15, 2018, which was beyond the 2016 due date;
3. Davila filed her annual Form 700 for 2016 on October 11, 2018, which is beyond the 2017 due date;
4. Davila filed her annual Form 700 for 2017 on June 15, 2018, which is beyond the April 2, 2018, due date.

Brigitte Davila came into compliance with her Form 700 filing obligations prior to first contact by the Enforcement Division, has timely filed her annual Forms 700 for the three years since her late filings, and Staff found no prohibited financial interests among the interests that she disclosed on her late filings.

**Specific Eligibility Requirements:** Brigitte Davila must sign and return this stipulated agreement within 90 days of contact by the Commission’s Enforcement Division.

**Specific Financial Penalty Modifiers:**

- \$2,000 if the stipulation is signed and returned by September 28, 2021.
- \$2,800 if the stipulation is signed and returned by October 28, 2021.
- \$3,600 if the stipulation is signed and returned by November 27, 2021.