

Gayathri Thaikkendiyil  
Acting Executive Director

Patrick Ford  
Director of Enforcement

San Francisco Ethics Commission  
25 Van Ness Avenue, Suite 220  
San Francisco, CA 94102  
(415) 252-3100

BEFORE THE SAN FRANCISCO  
ETHICS COMMISSION

In the Matter of	)	SFEC Complaint Nos. 1920-075
	)	
San Francisco Bicycle Coalition, San Francisco	)	
Bicycle Coalition Education Fund, Brian	)	
Wiedenmeier, and Janice Li	)	<b>STIPULATION, DECISION, AND ORDER</b>
	)	
Respondent.	)	
_____	)	

THE PARTIES STIPULATE AS FOLLOWS:

1. This Stipulation, Decision, and Order (Stipulation) is made and entered into by and between the San Francisco Bicycle Coalition (“Respondent Bicycle Coalition”), the San Francisco Bicycle Coalition Education Fund (“Respondent Education Fund”), former Bicycle Coalition Executive Director Brian Wiedenmeier (“Respondent Wiedenmeier”), former Bicycle Coalition Advocacy Director Janice Li (“Respondent Li”), and the San Francisco Ethics Commission (“the Commission”).

2. Respondents and the Commission agree to settle and resolve all factual and legal issues in this matter and to reach a final disposition without an administrative hearing. Respondents represent that Respondents have accurately furnished to the Commission all information and documents that are relevant to the conduct described in Exhibit A. Upon approval of this Stipulation and full performance of the terms outlined in this Stipulation, the Commission will take no future action against Respondents

regarding the violations of law described in Exhibit A, and this Stipulation shall constitute the complete resolution of all claims by the Commission against Respondents related to such violations. Respondents understand and knowingly and voluntarily waive all rights to judicial review of this Stipulation and any action taken by the Commission or its staff on this matter.

3. Respondents acknowledge responsibility for and agree to pay an administrative penalty as set forth in Exhibit A. Respondents agree that the administrative penalty set forth in Exhibit A is a reasonable administrative penalty.

4. Within ten business days of the Commission's approval of this Stipulation, Respondents shall either pay the settlement amount through the City's online payment portal or otherwise deliver to the following address the sum as set forth in Exhibit A in the form of a check or money order made payable to the "City and County of San Francisco":

San Francisco Ethics Commission  
Attn: Enforcement & Legal Affairs Division  
25 Van Ness Avenue, Suite 220  
San Francisco, CA 94102

5. If Respondents fail to comply with the terms of this Stipulation, then the Commission may reopen this matter and prosecute Respondents under Section C3.699-13 of the San Francisco Charter for any available relief.

6. Respondents understand, and hereby knowingly and voluntarily waive, any and all procedural rights under Section C3.699-13 of the San Francisco Charter and the Commission's Enforcement Regulations with respect to this matter. These include, but are not limited to, the right to appear personally at any administrative hearing held in this matter, to be represented by an attorney at Respondents' expense, to confront and cross-examine all witnesses testifying at the hearing and to subpoena witnesses to testify at the hearing.

7. Respondents understand and acknowledge that this Stipulation is not binding on any other government agency with the authority to enforce the San Francisco Campaign & Governmental

Conduct Code section 1.100 *et seq.*, and does not preclude the Commission or its staff from cooperating with or assisting any other government agency in its prosecution of Respondents for any allegations set forth in Exhibit A, or any other matters related to those violations of law set forth in Exhibit A.

8. This Stipulation is subject to the Commission's approval. In the event the Commission declines to approve this Stipulation, the Stipulation shall become null and void, except Paragraph 9, which shall survive.

9. In the event the Commission rejects this Stipulation, and further administrative proceedings before the Commission are necessary, Respondents agree that the Stipulation and all references to it are inadmissible. Respondents moreover agree not to challenge, dispute, or object to the participation of any member of the Commission or its staff in any necessary administrative proceeding for reasons stemming from his or her prior consideration of this Stipulation.

10. This Stipulation, along with the attached Exhibit A, reflects the entire agreement between the parties hereto and supersedes any and all prior negotiations, understandings, and agreements with respect to the transactions contemplated herein. This Stipulation may not be amended orally. Any amendment or modification to this Stipulation must be in writing duly executed by all parties and approved by the Commission at a regular or special meeting.

11. This Stipulation shall be construed under, and interpreted in accordance with, the laws of the State of California. If any provision of the Stipulation is found to be unenforceable, the remaining provisions shall remain valid and enforceable.

12. The parties hereto may sign different copies of this Stipulation, which will be deemed to have the same effect as though all parties had signed the same document.

Dated: 08-09-2023 | 10:06:05 PDT \_\_\_\_\_

DocuSigned by:  
*Gayathri Thaikkendiyil*  
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GAYATHRI THAIKKENDIYIL, ACTING EXECUTIVE DIRECTOR  
SAN FRANCISCO ETHICS COMMISSION

Dated: 08-08-2023 | 13:18:02 PDT \_\_\_\_\_

DocuSigned by:  
*Janelle Wong*  
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JANELLE WONG, ON BEHALF OF THE SAN FRANCISCO  
BICYCLE COALITION AND THE SAN FRANCISCO BICYCLE COALITION  
EDUCATION FUND

Dated: 08-07-2023 | 12:59:44 PDT \_\_\_\_\_

DocuSigned by:  
*Brian Wiedenmeier*  
E9F00006946A4D4...

BRIAN WIEDENMEIER, FORMER EXECUTIVE DIRECTOR OF THE  
SAN FRANCISCO BICYCLE COALITION

Dated: 08-08-2023 | 14:13:28 PDT \_\_\_\_\_

DocuSigned by:  
*Janice Li*  
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JANICE LI, FORMER ADVOCACY DIRECTOR OF THE SAN FRANCISCO BICYCLE  
COALITION

**DECISION AND ORDER**

The foregoing Stipulation of the parties in the matter of “San Francisco Bicycle Coalition, San Francisco Bicycle Coalition Education Fund, Brian Wiedenmeier, and Janice Li SFEC Case No. 1920-075,” 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: \_\_\_\_\_

\_\_\_\_\_

YVONNE LEE, CHAIRPERSON  
SAN FRANCISCO ETHICS COMMISSION

# Exhibit A

## I. Introduction

Respondent Bicycle Coalition is a 501(c)(4) non-profit organization whose stated mission is to “transform San Francisco’s streets and neighborhoods into more livable and safe places by promoting the bicycle for everyday transportation,” including through advocacy and enacting public policies that integrate new mobility technologies into San Francisco’s transportation network. Respondent Bicycle Coalition has a related entity, Respondent Education Fund which is a 501(c)(3) organization whose stated mission is “to provide education, training and services for San Francisco Bay Area residents who commute by bicycle or ride bicycles recreationally.”

Respondent Wiedenmeier and Respondent Li are both former employees of Respondent Bicycle Coalition. Both Respondents Wiedenmeier and Li periodically engaged in contacts with City officials. Respondents Wiedenmeier and Li had a sufficient number of contacts to qualify as contact lobbyists in 2017 on behalf of Respondent Bicycle Coalition. However, Respondents Wiedenmeier and Li failed to register with the San Francisco Ethics Commission as required. Respondents Li and Wiedenmeier then continued to make additional lobbying contacts while unregistered and also failed to file monthly reports publicly disclosing their lobbying activity. See S.F. Campaign & Governmental Conduct Code § 2.110(c) (hereinafter “SF C&GCC”).

Respondent Education Fund also violated state and City campaign finance law when the organization solicited political contributions from its members to oppose Proposition J on the November 8, 2022, ballot and failed to timely register and report as a political committee. See SF C&GCC § 1.106; Cal. Gov’t Code § 84222; 2 CCR § 18422.

## II. Applicable Law

### Lobbying

The City’s Lobbyist Ordinance within the San Francisco Campaign and Governmental Conduct Code (SF C&GCC) requires lobbyists to register with the Commission within five business days of qualifying as a lobbyist. SF C&GCC § 2.110(a). After qualifying, lobbyists must register before making any additional contacts with an officer of the City and County of San Francisco. *Id.*

The Lobbyist Ordinance defines “lobbyist” to mean either “a contact lobbyist or expenditure lobbyist.” SF C&GCC § 2.105.

An individual who makes five or more contacts a month with City and County of San Francisco officers on behalf of his or her employer is a “contact lobbyist.” SF C&GCC § 2.105.

The Lobbyist Ordinance defines a “contact” as “any communication, oral or written, including communication made through an agent, associate, or employee, for the purpose of influencing local legislative or administrative action.” SF C&GCC § 2.106(a).

“Local legislative or administrative action’ includes, but is not limited to, the drafting, introduction, consideration, modification, enactment, defeat, approval, veto, granting or denial by any

officer of the City and County of any resolution, motion, appeal, application, petition, nomination, ordinance, amendment, approval, referral, permit, license, entitlement to use or contract.” *Id.* § 2.105.

The Lobbyist Ordinance defines “Officer of the City and County” to mean any officer identified in section 3.203 of the Campaign & Governmental Conduct Code. *Id.* In turn, Section 3.203 defines “officer” to mean “any person holding City elective office; any member of a board or commission required by Article III, Chapter 1 of this Code to file statements of economic interests; any person appointed as the chief executive officer under any such board or commission; the head of each City department; the Controller; and the City Administrator.” That section further defines “City elective officer” to include, “the office of Mayor, Member of the Board of Supervisors, City Attorney, District Attorney, Treasurer, Sheriff, Assessor and Public Defender.”

Organizations are permitted by the Commission to register and file contact lobbyist disclosures on behalf of the individual contact lobbyists employed by those businesses, firms, or organizations. SF C&GCC § 2.110(e).

Upon registration, and annually thereafter, each lobbyist must pay a registration fee of \$500. SF C&GCC § 2.110(f)(1). If the lobbyist fails to pay the annual fee, which is due on February 1, the lobbyist’s registration automatically terminates. SF C&GCC § 2.110(f)(2).

Also at registration, a contact lobbyist is required to disclose each agency that the contact lobbyist has attempted, will attempt, or may attempt to influence on behalf of any client. SF C&GCC § 2.115(b)(1).

By the 15th day of every month, lobbyists are required to publicly disclose to the Ethics Commission the lobbying activity they conducted during the prior calendar month. SF C&GCC § 2.110(c). Required disclosures include information about individuals or organizations who paid for the lobbying; lobbying contacts made; payments received for lobbyist services; “activity expenses” (including consulting fees and gifts); and political contributions of \$100 or more made or delivered. *Id.* To determine the amount of reportable economic consideration received or expected by a lobbyist from his or her employer in a given month for lobbyist services, the lobbyist must multiply their salary, plus any bonuses or other incentive compensation not directly related to the lobbyist services, received or expected in that month by the percentage of their time spent performing lobbyist services in that month. S.F. Ethics Comm’n Regulation § 2.110-3.

A contact lobbyist is required to complete a lobbyist training session offered by the Ethics Commission within one year of the lobbyist’s initial registration. SF C&GCC § 2.116(a).

A lobbyist’s employer shall be jointly and severally liable for all violations of the Lobbyist Ordinance committed by the lobbyist in connection with acts or omissions undertaken on behalf of that employer. SF C&GCC § 2.145(e)(2).

An administrative action alleging a violation of the Lobbyist Ordinance must be brought no more than four years from the date that the events constituting the basis of the complaint were discovered by the Commission. SF C&GCC § 2.150(b).

## Campaign Finance

SF C&GCC section 1.106 incorporates the California Government Code (Cal. Gov't Code) commencing at Section 81000.

Government Code section 84222(a) defines a multipurpose organization as “an organization described in Sections 501(c)(3) to 501(c)(10), inclusive, of the Internal Revenue Code and that is exempt from taxation under Section 501(a) of the Internal Revenue Code, a federal or out-of-state political organization, a trade association, a professional association, a civic organization, a religious organization, a fraternal society, an educational institution, or any other association or group of persons acting in concert, that is operating for purposes other than making contributions or expenditures.”

The Government Code defines a committee as any person or combination of persons who directly or indirectly does any of the following:

- a) Receives contributions totaling one thousand dollars (\$2,000) or more in a calendar year;
- b) Makes independent expenditures totaling one thousand dollars (\$1,000) or more in a calendar year; or
- c) Makes contributions totaling ten thousand dollars (\$10,000) or more in a calendar year to or at the behest of candidates or committees.

Cal. Gov't Code § 82013.

Government Code section 84222(c) provides that a multipurpose organization constitutes a recipient committee under state law, and is thus subject to all reporting requirements that apply to recipient committees, if, among other things, “[t]he multipurpose organization accepts payments from donors in an amount equal to or greater than [\$2,000] subject to a condition, agreement, or understanding with the donor that all or a portion of the payments may be used for making contributions or expenditures.”

Government Code section 84101(a) outlines a committee’s initial filing requirements and states, “A committee that is a committee by virtue of subdivision (a) of Section 82013 shall file a statement of organization . . . within 10 days after the committee has qualified as a committee.”

Government Code section 84200(a) requires a committee to file semi-annual campaign statements “each year no later than July 31 for the period ending June 30, and no later than January 31 for the period ending December 31.” In addition to the campaign disclosure requirements of the Government Code, SF C&GCC section 1.135(a) requires a county general purpose committee to file pre-election campaign statements “if it makes contributions or independent expenditures totaling five hundred dollars (\$500) or more during the period covered by the pre-election statements.” SF C&GCC section 1.135(b)(2) defines the timing of the pre-election statements for even-numbered years as follows:

- A. For the period ending 45 days before the election, the statement shall be filed no later than 40 days before the election;
- B. For the period ending 17 days before the election, the statement shall be filed no later than 12 days before the election; and



- C. For the period ending six days before the election, the statement shall be filed no later than four days before the election.

### III. Summary of Material Facts

#### Lobbying

Respondent Li joined Respondent Bicycle Coalition's and Respondent Education Fund's staff in October 2013 as a Community Organizer and served as Advocacy Director from December 2015 until she left both organizations in January 2022. Respondent Wiedenmeier joined Respondent Bicycle Coalition's and Respondent Education Fund's staffs as Development Director in May 2014 and served as Executive Director of both entities from July 2016 until he left in June 2021.

Respondent Wiedenmeier qualified as a contact lobbyist in January 2017 and Respondent Li qualified as a contact lobbyist in April 2017, both by making five or more lobbying contacts in a single month with City officers on behalf of Respondent Bicycle Coalition. Both Respondents Wiedenmeier and Li continued to contact City officers for the purpose of influencing local legislative or administrative action through 2021. These contacts are summarized in Table 1.

**Table 1 – Summary of Lobbying Contacts by Respondents Wiedenmeier and Li**

Year	Respondent Wiedenmeier			Respondent Li		
	Month Qualified	Total Reportable Contacts Made This Year	Total Reportable Payments Received This Year	Month Qualified	Total Reportable Contacts Made This Year	Total Reportable Payments Received This Year
2017	January	62	\$263.16	April	48	\$384.14
2018	-	24	\$288.83	-	47	\$408.66
2019	-	17	\$115.53	-	21	\$122.61
2020	-	50	\$301.67	-	47	\$294.24
2021	-	17	\$211.81	-	56	\$936.93
<b>Total</b>		170	\$1,181.00	<b>Total</b>	219	\$2,146.58

Respondents Wiedenmeier and Li failed to register with the Commission as contact lobbyists, which is required within five business days of qualifying, and prior to making any additional contacts. Respondents Wiedenmeier and Li also failed to file monthly lobbyist reports to publicly disclose their lobbying activity on behalf of Respondent Bicycle Coalition as required.

Respondents Wiedenmeier and Li's unreported lobbying activity included contacts with members of the Board of Supervisors and various department heads on matters such as the Slow Streets Program, the implementation of Proposition D, the nomination of candidates for appointment to various City boards and commissions, Proposition K funds requests, a City Charter Amendment to transfer SFMTA's parking jurisdiction to the Livable Streets Commission, a car-free JFK Drive, and an ordinance for City rental vehicles.

As part of the resolution of this enforcement matter, and in the interest of public transparency, Respondent Bicycle Coalition registered Respondents Wiedenmeier and Li and filed monthly reports

covering the reporting periods from 2017 through 2021. Respondent Bicycle Coalition hired a professional compliance firm to ensure that all potential contacts were disclosed.

#### Campaign Finance

On July 14, 2022, Respondent Education Fund sent an email to its membership with the subject, "About that ballot measure." The body of the email stated that, "there will likely be a measure on the November ballot that wants to bring cars back to JFK, all of Golden Gate Park, and the Great Highway – permanently" and that "[w]e're raising money right now to fund our campaign to ensure this ballot measure does not pass." The donate button in this email was linked to the SFBC Education Fund donation page. The ballot measure in question was Proposition I, which appeared on the November 8, 2022 ballot and would have affected the permitted uses of certain City streets.

By July 14, 2022, the Respondent Education Fund had received a total of \$5,680.50 from this email, with no individual contribution totaling \$100 or more. These donations were political contributions because they were solicited and received for the express purpose of campaigning against a City ballot measure, therefore Respondent Education Fund qualified as a committee on July 14, 2022.

On September 20, 2022, Access for All, the political committee supporting Proposition I and opposing Proposition J on the November 2022 San Francisco Ballot, publicly complained that Respondent Education Fund was operating as a political committee but had failed to register and report as such. After learning of the Complaint, Respondent Education Fund filed a Statement of Organization (Form 410) on October 2, 2022, to register itself as a political committee.

On September 29, 2022, the First Pre-Election Campaign Statement (Form 460) was due for the period July 1, 2022, through September 24, 2022. However, Respondent Education Fund had still not registered as a committee at that time and also failed to file the Form 460 by this deadline. Respondent Education Fund ultimately filed its campaign statement for this period on October 4, 2022. Respondent Education Fund reported that it received \$5,680 in un-itemized contributions and that it made a \$265 expenditure for web services during this reporting period, representing the cost of the email solicitation that it had sent.

On October 27, 2022, the Second Pre-Election Form 460 was due for the period September 25, 2022, through October 22, 2022. Respondent Education Fund timely filed this Form 460 on October 26, 2022 and reported that it returned \$5,415 in contributions.

On October 27, 2022, Respondent Education Fund filed a Form 410 to report that it was had terminated as a committee on October 22, 2022.

#### **IV. Conclusions of Law**

The conduct at issue in this matter pertains to violations of the Lobbyist Ordinance and Campaign Finance Reform Ordinance of the San Francisco Campaign & Governmental Conduct Code. The Commission's investigation identified, and Respondents acknowledge responsibility for, the following violations of the City law:

**Counts 1 and 2**

**Failure to register as a lobbyist within five days of qualifying as a lobbyist as required under City law in violation of SF C&GCC section 2.110(a).**

**Count 1:** Respondent Wiedenmeier failed to register as a contact lobbyist as required by SF C&GCC section 2.110(a) within five days of making five or more contacts on behalf of Respondent Bicycle Coalition with City and County of San Francisco officers in January 2017.

**Count 2:** Respondent Li failed to register as a contact lobbyist as required by SF C&GCC section 2.110(a) within five days of making five or more contacts on behalf of Respondent Bicycle Coalition with City and County of San Francisco officers in April 2017.

**Counts 3 through 12**

**Failure to file monthly public disclosure reports of lobbying activities as required during the period Respondents qualified as lobbyists in violation of SF C&GCC section 2.110(c).**

**Count 3:** Respondent Wiedenmeier failed to file monthly lobbyist reports and publicly disclose 62 contacts and \$263.16 in total payments, as required by SF C&GCC section 2.110(c) during the time he qualified as a contact lobbyist on behalf of his employer in 2017.

**Count 4:** Respondent Wiedenmeier failed to file monthly lobbyist reports and publicly disclose 24 contacts and \$288.83 in total payments in 2018, as required by SF C&GCC section 2.110(c).

**Count 5:** Respondent Wiedenmeier failed to file monthly lobbyist reports and publicly disclose 17 contacts and \$115.53 in total payments in 2019, as required by SF C&GCC section 2.110(c).

**Count 6:** Respondent Wiedenmeier failed to file monthly lobbyist reports and publicly disclose 50 contacts and \$301.67 in total payments in 2020, as required by SF C&GCC section 2.110(c).

**Count 7:** Respondent Wiedenmeier failed to file monthly lobbyist reports and publicly disclose 17 contacts and \$211.81 in total payments in 2021, as required by SF C&GCC section 2.110(c).

**Count 8:** Respondent Li failed to file monthly lobbyist reports and publicly disclose 48 contacts and \$384.14 in total payments, as required by SF C&GCC section 2.110(c) during the time she qualified as a contact lobbyist on behalf of her employer in 2017.

**Count 9:** Respondent Li failed to file monthly lobbyist reports and publicly disclose 47 contacts and \$408.66 in total payments in 2018, as required by SF C&GCC section 2.110(c).

**Count 10:** Respondent Li failed to file monthly lobbyist reports and publicly disclose 21 contacts and \$122.61 in total payments in 2019, as required by SF C&GCC section 2.110(c).

**Count 11:** Respondent Li failed to file monthly lobbyist reports and publicly disclose 47 contacts and \$294.24 in total payments in 2020, as required by SF C&GCC section 2.110(c).

**Count 12:** Respondent Li failed to file monthly lobbyist reports and publicly disclose 56 contacts and \$936.93 in total payments in 2021, as required by SF C&GCC section 2.110(c).

### **Count 13**

#### **Failure to timely file campaign disclosure forms as required in violation of SF C&GCC section 1.106.**

**Count 13:** Respondent Education Fund failed to timely file campaign disclosure forms, as required by SF C&GCC sections 1.106 and 1.135(b)(2) and Cal. Gov't Code sections 84101(a) and 84200(a) during the time the SFBC Education Fund was qualified and required to report as a committee. This count comprises multiple campaign finance law violations that all relate to Respondent Education Fund's political activities in connection with the November 8, 2022 election. These are the failure to timely form a political committee by filing a Form 410 and failure to timely file the first pre-election campaign statement by filing a Form 460.

#### **V. Penalty Assessment**

This matter consists of twelve counts of undisclosed lobbying activity conducted by Respondents Li and Wiedenmeier as officers and employees of Respondent Bicycle Coalition over a period of roughly five years that identified 389 unreported lobbying contacts made with the purpose of attempting to influence City decision making. Additionally, this matter consists of one count of Respondent Education Fund failing to timely file campaign disclosure forms to report political activity that occurred in connection with the November 8, 2022 election.

The San Francisco Charter authorizes the Commission to assess up to \$5,000 for each violation, or three times the amount which the respondents failed to report properly or unlawfully contributed. S.F. City Charter § C3.699-13(c); *see also* SF C&GCC § 2.145(c).

#### **Lobbying Violations**

Pursuant to its Enforcement Regulations, when determining penalties, the Ethics Commission considers all of the relevant circumstances surrounding the case, including but not limited to: (1) the severity of the violation; (2) the presence or absence of any intention to conceal, deceive, or mislead; (3) whether the violation was willful; (4) whether the violation was an isolated incident or part of a pattern; (5) whether the respondent has a prior record of violations of law; (6) the degree to which the respondent cooperated with the investigation and demonstrated a willingness to remedy any violations; and (7) the respondent's ability to pay. Enf. Reg. § 9(D).

The failure of Respondent Bicycle Coalition to ensure that its employees registered and reported as lobbyists is extensive. Respondents Li and Wiedenmeier did not register as lobbyists when they qualified as such, which thus failed to inform the public that they would potentially be making lobbying contacts with various City officers on behalf of Respondent Bicycle Coalition. They also failed to publicly disclose their lobbying activity each month over multiple years, which included almost 400 separate lobbying contacts.

It was the purpose and intent of the City's lobbyist laws to impose reasonable registration and disclosure requirements on lobbyists in order to provide for basic transparency and to protect public confidence in governmental processes. In this instance, because Respondents Li and Wiedenmeier failed to register and disclose their lobbyist activity for more than four years, they deprived the public of important information about the existence and scope of Respondent Bicycle Coalition's lobbying activities during that period.

There are several factors in mitigation. First, Respondent Bicycle Coalition is a nonprofit with limited resources at its disposal to track all activity that would bring it under the City's Lobbyist Ordinance. Related, Respondent Bicycle Coalition noted that it was genuinely confused about how local lobbyist registration and reporting requirements applied to its operations, including whether it qualified for an exemption to the City's lobbying laws. While this is not a defense to lobbying violations, when paired with the fact that the Ethics Commission found no evidence of any effort to conceal the improper activity, it becomes a mitigating factor. Finally, though the number of contacts is high, Respondents Li and Wiedenmeier spent a small portion of their time on lobbying activities, resulting in a small proportion of their respective salaries being devoted toward unreported lobbying activities.

Additionally, Respondents Bicycle Coalition, Education Fund, Wiedenmeier, and Li have fully cooperated with the Ethics Commission's investigation and filed all outstanding lobbyist reports. None of the respondents have a history of prior enforcement matters with the Commission. Respondent Bicycle Coalition has committed to ensuring that its employees register and report in the future, if required to do so.

On balance, the respondents' lobbying violations are extensive because of the duration of the noncompliance and large number of contacts that went unreported. However, the nature of Respondent's activities, the relatively small amount spent on lobbying, and its response to the Commission's investigation provide meaningful mitigation. Thus, a penalty of \$1,000 for each failure to register as a lobbyist, and \$75 for each of the 111 missing monthly lobbyist reports, is appropriate. This would result in total penalties for Respondents' lobbying violations of \$10,325.

#### Campaign Finance Violations

Because Respondent Bicycle Coalition did not timely comply with registration and reporting requirements that apply to political committees, the public and other committees were deprived of transparency into when and how money is raised and spent to influence the outcome of political contests in the City. Campaign finance disclosure laws exist to ensure that this transparency exists.

However, Respondent Education Fund's level of political activity remained low over the period in question; Respondent Education Fund only raised \$5,680.50 and only spent \$265.50, and subsequently refunded all of that money after learning of the complaint. Respondent Education Fund's violations were the subject of a public complaint that brought them to Respondents' attention, after which it subsequently came into compliance with any registration and reporting requirements prior to the election, which served to mitigate any harm that was caused. There is no indication of any intention to conceal, deceive, or mislead, and the campaign finance violation appears to have been inadvertent. On balance, Respondent's campaign finance violation is not severe. A penalty of \$1,000 for the campaign finance reporting violations is appropriate to resolve this matter.

In balancing the totality of factors described above, considering prior analogous enforcement cases resolved by the Commission, and to promote a future deterrent effect, the parties agree to resolve this matter as outlined below:

**Count 1:** Respondents Wiedenmeier and Bicycle Coalition—Failure to register as a lobbyist: **\$1,000**

**Count 2:** Respondents Li and Bicycle Coalition—Failure to register as a lobbyist: **\$1,000**

- Count 3:** Respondents Wiedenmeier and Bicycle Coalition—Failure to file 12 monthly lobbyist reports (2017): **\$900**
- Count 4:** Respondents Wiedenmeier and Bicycle Coalition—Failure to file 12 monthly lobbyist reports (2018): **\$900**
- Count 5:** Respondents Wiedenmeier and Bicycle Coalition—Failure to file 12 monthly lobbyist reports (2019): **\$900**
- Count 6:** Respondents Wiedenmeier and Bicycle Coalition—Failure to file 12 monthly lobbyist reports (2020): **\$900**
- Count 7:** Respondents Wiedenmeier and Bicycle Coalition—Failure to file 6 monthly lobbyist reports (2021): **\$450**
- Count 8:** Respondents Li and Bicycle Coalition—Failure to file 9 monthly lobbyist reports (2017): **\$675**
- Count 9:** Respondents Li and Bicycle Coalition—Failure to file 12 monthly lobbyist reports (2018): **\$900**
- Count 10:** Respondents Li and Bicycle Coalition—Failure to file 12 monthly lobbyist reports (2019): **\$900**
- Count 11:** Respondents Li and Bicycle Coalition—Failure to file 12 monthly lobbyist reports (2020): **\$900**
- Count 12:** Respondents Li and Bicycle Coalition—Failure to file 12 monthly lobbyist reports (2021): **\$900**
- Count 13:** Respondent Education Fund—Failure to timely register and report as a political committee: **\$1,000**

**Total Penalties**

**Respondent Education Fund: \$1,000**

**Respondents Bicycle Coalition and Wiedenmeier: \$5,050**

**Respondents Bicycle Coalition and Li: \$5,275**