**San Francisco
Ethics Commission**

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May 6, 2024

To: Members of the Ethics Commission

From: Jeffrey Zumwalt, Acting Director of Enforcement

Subject: **AGENDA ITEM 5: Discussion and Possible Action Regarding Proposed Stipulation,
              Decision and Order** *In the Matter of Luis Barahona* **(SFEC Complaint No. 23-588).**
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Summary

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

Action Requested

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

Following the request of the Commission at the last regularly scheduled meeting that all Proposed
Stipulations be placed on the Regular Calendar for possible discussion, this Stipulation appears on the
Regular Calendar for possible discussion and action. The Commission may approve the stipulation by
majority vote, or it may provide guidance to Commission Staff regarding the Proposed Stipulation. Enf.
Reg.§ 12(F).