

1 JOHN ST. CROIX  
2 Executive Director  
3 SAN FRANCISCO ETHICS COMMISSION  
4 25 Van Ness Avenue, Suite 220  
5 San Francisco, CA 94102  
6 415-252-3100

7 Complainant

BEFORE THE SAN FRANCISCO  
ETHICS COMMISSION

8 In the Matter of

Ethics Complaint No. 16-080516

9 BAYVIEW COMMITTEE FOR )  
10 AFFORDABLE HOUSING, A COMMITTEE )  
11 FORMED TO SUPPORT MEASURE F )

**STIPULATION, DECISION  
AND ORDER**

12 and )

13 DOUG COMSTOCK, Treasurer, )

14 Respondents. )

15 THE PARTIES STIPULATE AS FOLLOWS:

16 1. This Stipulation, Decision and Order (“Stipulation”) is made and entered into by and  
17 between Bayview Committee for Affordable Housing, a Committee Formed to Support Measure F  
18 (Identification Number 1303906), and Treasurer Doug Comstock (“Respondents”) and the San  
19 Francisco Ethics Commission (“the Commission”).

20 2. Respondents and the Commission agree to settle and resolve all factual and legal  
21 issues in this matter and to reach a final disposition without an administrative hearing to determine  
22 Respondents’ liability.

23 3. Respondents agree to pay a settlement in the amount of one hundred dollars  
24 (\$100.00) for a violation of California Government Code section 84102(e), as incorporated into San  
25 Francisco Campaign & Governmental Conduct Code section 1.106.

1           4.       Within ten (10) business days after the Commission approves this Stipulation,  
2 Respondents shall deliver one hundred dollars (\$100.00) to the Commission.

3           5.       Respondents understand, and hereby knowingly and voluntarily waive, any and all  
4 procedural rights under Section C3.699-13 of the San Francisco Charter and the Commission's  
5 Regulations for Investigations and Enforcement Proceedings with respect to this matter.

6           6.       Respondents understand and acknowledge that this Stipulation is not binding on any  
7 other government agency with the authority to enforce either California Government Code section  
8 84102(e) or San Francisco Campaign & Governmental Conduct Code section 1.106, and does not  
9 preclude the Commission or its staff from cooperating with or assisting any other government  
10 agency with regard to the complaint, or any other matter related to it.

11           7.       This Stipulation is subject to approval by the Commission. In the event the  
12 Commission declines to approve this Stipulation, it shall become null and void.

13           8.       In the event the Commission rejects the Stipulation and a full evidentiary hearing  
14 before the Commission becomes necessary, the parties agree that no member of the Commission  
15 shall be disqualified because of his or her prior consideration of this Stipulation.

16           9.       This Stipulation, along with the attached Exhibit A, reflects the entire agreement  
17 between the parties hereto and supersedes any and all prior negotiations, understandings, and  
18 agreements with respect to the transactions contemplated herein. This Stipulation may not be  
19 amended orally. Any amendment or modification to this Stipulation must be in writing duly  
20 executed by all parties.  
21

22           10.      This Stipulation shall be construed under, and interpreted in accordance with, the  
23 laws of the State of California. If any provision of the Stipulation is found to be unenforceable, the  
24 remaining provisions shall remain valid and enforceable.  
25



**DECISION AND ORDER**

The foregoing Stipulation of the parties in the matter of “Bayview Committee for Affordable Housing, a Committee Formed to Support Measure F, and Doug Comstock, Treasurer, Ethics Complaint Number 16-080516,” including the attached exhibit, 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: \_\_\_\_\_

SUSAN HARRIMAN, Chairperson  
San Francisco Ethics Commission

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

**EXHIBIT A**

**Factual Background**

1. On February 4, 2008, Respondents filed California Fair Political Practices Commission (“FPPC”) Form 410, statement of organization, establishing a ballot measure committee, “Bayview Committee for Affordable Housing, a Committee Formed to Support Measure F” (“the Committee”).

2. Respondents formed the Committee to support Proposition F in the June 3, 2008 election.

3. Respondent’s FPPC Form 410 did not list Supervisor Chris Daly as a controlling officeholder of the Committee.

4. On July 7, 2008, Respondents filed an amended FPPC Form 410 correctly identifying Supervisor Chris Daly as the Committee’s controlling officeholder.

**Applicable Law**

5. A “controlled committee” is a committee whose actions or decisions are significantly influenced by a candidate or officeholder. Cal. Gov. Code § 82016(a); S.F. C&GC § 1.106.

6. FPPC Form 410 requires committees to identify controlling candidates or officeholders, if any. Cal. Gov. Code § 84102(e); S.F. C&GC § 1.106.

7. Committees, including treasurers, are responsible for complying with the above-referenced laws and may be held liable for any violations of these laws. Cal. Gov. Code § 91006; S.F. C&GC §§ 1.106, 1.170(g).

