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## Item 4

### Action

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#### *Proposed Stipulations*

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**Executive Summary:** This item presents proposed stipulations in Case No. 2019-10, *In the Matter of Pacific Crest Consultants*; Case No. 2019-24, *In the Matter of Chris Parker*; and Case No. 2019-25, *In the Matter of John Parker*.

**Recommended Action:** Approve the proposed stipulations as presented.

**Authors:** Heather Holt, Executive Director  
Richard Platel, Director of Enforcement

**Presenters:** Richard Platel, Director of Enforcement  
Stephen Colon, Senior Investigator

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## ***Proposed Stipulations***

*In the Matter of Pacific Crest Consultants* (Case No. 2019-10)

*In the Matter of Chris Parker* (Case No. 2019-24)

*In the Matter of John Parker* (Case No. 2019-25)

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### **A. Introduction**

These three cases involve allegations of failing to register and report lobbying activities by Pacific Crest Consultants (Pacific Crest), Chris Parker (Chris), and John Parker (John). The three respondents, who declined to be represented by counsel, have each agreed to a proposed stipulation admitting the violations, and we recommend that the stipulations be approved. Copies of the stipulations, which provide additional details and represent the agreements between the parties, are provided in Attachments A, B, and C.

### **B. Law**

The Municipal Lobbying Ordinance (MLO) requires individuals and entities who qualify as lobbying entities to register with the Ethics Commission and to report their lobbying activities. Los Angeles Municipal Code (LAMC) §§ 48.01 *et seq.*

A lobbyist is an individual who is compensated to spend 30 or more hours in a consecutive three-month period engaged in lobbying activities that include at least one direct communication with a City employee for the purpose of attempting to influence municipal legislation on behalf of another person. LAMC § 48.02.

A lobbying firm is an entity that has a partner, owner, shareholder, officer, or employee who qualifies as a lobbyist and that receives or becomes entitled to receive at least \$1,000 in compensation during a consecutive three-month period for engaging in lobbying activities in an attempt to influence municipal legislation on behalf of another person. LAMC § 48.02.

Lobbying entities must register with the Ethics Commission within 10 days after the end of the calendar month in which they qualify as a lobbying entity. LAMC § 48.07(A). In addition to registering, all lobbying entities must also file quarterly disclosure reports for every calendar quarter during which they retain that status. LAMC § 48.08(A)(1). Quarterly reports by lobbying firms must identify, among other things, information about each client, a description of each City matter that the firm or its lobbyists attempted to influence, the total amount of payments received from each client, and total expenses incurred by the firm in connection with their attempts to influence City matters. LAMC §§ 48.08(C)(3),(7). Quarterly reports by lobbyists must include, among other things, each City agency that the lobbyist attempted to influence. LAMC § 48.08(B)(12).

The requirement that lobbying entities disclose their lobbying activities is borne out of the public's interest in identifying "interests which attempt to influence decisions of City government, as well as the means employed by those interests." LAMC § 48.01(B)(2). This transparency helps to ensure both the integrity of and the public's confidence in City government. Failure to report such activities circumvents these important goals.

## C. Facts

Pacific Crest is a land use consulting business that provides its clients with a variety of services, including those related to discretionary planning and zoning entitlements. Chris is Pacific Crest's chief executive officer, and John is its director of planning.

After receiving a complaint alleging that Pacific Crest had engaged in undisclosed lobbying activities, enforcement staff initiated an investigation. Pacific Crest provided documents and information detailing its activities during the relevant period. Based on that information, enforcement staff determined that Pacific Crest, Chris, and John had engaged in lobbying activities necessitating registration and reporting.

From the second quarter of 2017 through the fourth quarter of 2018, Pacific Crest received at least \$1,000 in compensation to represent the interests of its clients regarding City matters involving land use issues. Pacific Crest then compensated Chris and John to engage in at least 30 hours of lobbying activities in consecutive three-month periods on behalf of Pacific Crest clients. Pacific Crest, Chris, and John failed to register and report their activities as lobbying entities during the time period but have since registered and filed the required quarterly reports.

## D. Penalty

The maximum administrative penalty for a violation of the MLO is the greater of \$5,000 or three times the amount that was improperly reported, spent, or received. Los Angeles City Charter § 706(c)(3). In these cases, Pacific Crest and Chris each face a maximum penalty of up to \$45,000 (\$5,000 x 9 counts), and John faces a maximum penalty of up to \$40,000 (\$5,000 x 8 counts). We recommend resolving these cases by approving the stipulated penalties of \$22,500 each for Pacific Crest and Chris and \$20,000 for John.

We believe the recommended penalties are appropriate, given the relevant circumstances of the cases. *See* Los Angeles Administrative Code (LAAC) § 24.27(h)(2). In aggravation, the violations are serious. *See* LAAC § 24.27(h)(2)(A). Staff also notes that Pacific Crest, Chris, and John did not consult the Ethics Commission about how to comply with the laws. *See* LAAC § 24.27(h)(2)(C).

In mitigation, Pacific Crest, Chris, and John cooperated with the investigation, saved Ethics Commission resources by entering into stipulated settlements prior to the preparation of probable cause reports, and have registered and filed all required disclosure reports. They have no prior enforcement history with the Ethics Commission, and staff found no evidence of a deliberate violation or an intent to conceal or deceive. *See* LAAC §§ 24.27(h)(2)(B),(D)-(F).

The staff supports the recommended penalties, which are designed to promote the equitable treatment of similar respondents, encourage the early resolution of cases, and reflect the serious nature of the violations.

*Attachments:*

- A *Proposed stipulation in Case No. 2019-10 (Pacific Crest Consultants)*
- B *Proposed stipulation in Case No. 2019-24 (Chris Parker)*
- C *Proposed stipulation in Case No. 2019-25 (John Parker)*

RICHARD A. PLATEL, SBN 163455  
Director of Enforcement  
Los Angeles City Ethics Commission  
200 North Spring Street  
City Hall, 24th Floor  
Los Angeles CA 90012  
(213) 978-1960

Complainant

BEFORE THE LOS ANGELES CITY ETHICS COMMISSION

In the Matter of:

PACIFIC CREST CONSULTANTS,

Respondent.

Case No. 2019-10

**STIPULATION AND ORDER**

Richard A. Platel, Director of Enforcement of the Los Angeles City Ethics Commission (Ethics Commission), and Pacific Crest Consultants (respondent) agree to the following:

1. This stipulation will be submitted to the Ethics Commission members for consideration at their next meeting.
2. If approved by the Ethics Commission members, this stipulation and the accompanying order will be the final disposition of this matter with respect to the respondent.
3. The respondent understands and knowingly and voluntarily waives all procedural rights under Los Angeles City Charter (Charter) §§ 706 and 709 and Los Angeles Administrative Code §§ 24.26 and 24.27. These rights include but are not limited to receiving an accusation, having the Ethics Commission members or an impartial administrative law judge hear the matter, personally appearing at an administrative hearing, confronting and cross-examining witnesses testifying at a hearing, and subpoenaing witnesses to testify at a hearing.
4. The respondent understands and knowingly and voluntarily waives all rights to seek judicial review of any action by the Ethics Commission on this matter.
5. The exhibit that is attached and incorporated by reference is a true and accurate summary of the facts in this matter. The respondent violated City law as described in the Exhibit.
6. The respondent will pay a total penalty in the amount of **\$22,500**. The payment will be held by the Ethics Commission staff until the Ethics Commission members issue the

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STIPULATION AND ORDER  
Case No. 2019-10 (Pacific Crest Consultants)  
Page 1 of 3

order in this matter. The payment will be made in the form of a cashier's check made payable to the "General Fund of the City of Los Angeles."

7. If the Ethics Commission members refuse to accept this stipulation, it will become null and void. Within ten business days after the Ethics Commission meeting at which the stipulation is rejected, the Ethics Commission staff will return all payments tendered by the Respondent in connection with this stipulation.

8. If the Ethics Commission members reject the stipulation and a full evidentiary hearing becomes necessary, the stipulation and all references to it are inadmissible, and the Ethics Commission members, executive director, and staff will not be disqualified because of prior consideration of this stipulation.

DATED: 09-25-2019

  
RICHARD A. PLATEL  
Director of Enforcement  
Los Angeles City Ethics Commission  
Complainant

  
PACIFIC CREST CONSULTANTS  
Respondent

By: CHRIS PARKER, Chief Executive Officer

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STIPULATION AND ORDER  
Case No. 2019-10 (Pacific Crest Consultants)  
Page 2 of 3

**ORDER**

The Los Angeles City Ethics Commission considered the stipulation in Case No. 2019-10 at its meeting on October 22, 2019. The members of the Ethics Commission approved the stipulation and order Pacific Crest Consultants to pay a fine of **\$22,500** to the City of Los Angeles in accordance with the terms of the stipulation.

DATED: \_\_\_\_\_

\_\_\_\_\_  
Melinda Murray, President  
Los Angeles City Ethics Commission

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STIPULATION AND ORDER  
Case No. 2019-10 (Pacific Crest Consultants)  
Page 3 of 3

## **EXHIBIT**

### **I. INTRODUCTION**

This case arose from a whistleblower complaint. Pacific Crest Consultants (Pacific Crest), which chose not to be represented by legal counsel in this matter, admits that it violated City lobbying registration and disclosure requirements by failing to register as a lobbying firm and file quarterly disclosure reports from the second quarter of 2017 through the fourth quarter of 2018.

### **II. APPLICABLE LAW**

Lobbying in the City and the disclosure of lobbying activities is governed by the Municipal Lobbying Ordinance (Los Angeles Municipal Code (LAMC) §§ 48.01 *et seq.*).

A lobbying firm is an entity that receives or becomes entitled to receive at least \$1,000 in compensation for engaging in lobbying activities during a consecutive three-month period in an attempt to influence municipal legislation on behalf of another person and has a partner, owner, shareholder, officer, or employee who qualifies as a lobbyist. LAMC § 48.02. A lobbyist is an individual who is compensated to spend 30 or more hours in a consecutive three-month period engaged in lobbying activities that include at least one direct communication with a City official or employee for the purpose of attempting to influence municipal legislation on behalf of another person. *Id.*

Municipal legislation is, essentially, any substantive legislative or administrative matter, including permits and entitlements for use, that is proposed or pending before a City agency. *Id.* An attempt to influence can be promoting, supporting, opposing, or seeking to modify or delay action on municipal legislation by any means. *Id.*

A lobbying firm must register with the Ethics Commission within 10 days after the end of the calendar month in which a partner, owner, shareholder, officer, or employee qualifies as a lobbyist. LAMC § 48.07. In addition to registering, all lobbying firms must also file quarterly disclosure reports with the Ethics Commission for every calendar quarter during which they retain that status. LAMC § 48.08(A)(1). Quarterly reports by lobbying firms must identify, among other things, information about each client, a description of each item of municipal legislation that the firm or its lobbyists attempted to influence on behalf of their clients, the total amount of payments received from each client, and total expenses incurred by the firm in connection with their attempts to influence municipal legislation. LAMC §§ 48.08(C)(3)(7).

The requirement that lobbying entities disclose their lobbying activities is borne out of the public's "right to know the identity of interests which attempt to influence decisions of City government, as well as the means employed by those interests." LAMC § 48.01(B)(2). This transparency helps to ensure both the integrity of City government and the public's confidence. Failure to report such activities circumvents these important goals.

### **III. FACTS**

On November 20, 2018, Ethics Commission staff received a complaint alleging that Pacific Crest had engaged in unreported lobbying activities. Pacific Crest is a land use consulting business that provides its clients with, among other things, services related to discretionary planning and zoning entitlements. Pacific Crest has been owned and managed by Chris Parker (Parker) since June 1, 2017.

Pacific Crest was not registered with the Ethics Commission as a lobbying firm at the time of the complaint. Enforcement staff contacted Parker to request information necessary to assess whether any employees were engaged in lobbying activities. Parker provided staff with documents and information detailing Pacific Crest's activities during the relevant period and subsequently acknowledged that Pacific Crest and two of its employees should have registered and filed disclosure reports with the Ethics Commission.

Sworn information obtained during the investigation confirms that Pacific Crest and its employees engaged in lobbying activities necessitating registration and reporting. Pacific Crest qualified as a lobbying firm during the second quarter of 2017. The firm continued to engage in unregistered lobbying activity through the fourth quarter of 2018. From the second quarter of 2017 through the fourth quarter of 2018, Pacific Crest paid Chris Parker and John Parker to engage in lobbying activities and communicate with City officials to further the interests of its clients. During that time period, Pacific Crest received approximately \$44,277 from clients for lobbying activities.

Based on Pacific Crest's lobbying activity, the firm should have registered with the Ethics Commission by July 10, 2017, ten days after the end of the month in which it qualified as a lobbying firm in 2017, and should have done the same by February 10 of the following year. In addition, Pacific Crest should have timely filed quarterly reports disclosing its lobbying activity from April 1, 2017, through December 31, 2018. Pacific Crest neither registered nor filed the required quarterly disclosure reports until after Enforcement staff initiated the investigation.

### **IV. VIOLATIONS**

Pacific Crest admits that it violated City law as follows:

#### **COUNTS 1 – 2: FAILURE TO REGISTER**

**COUNT 1:** Pacific Crest violated LAMC § 48.07(A) by failing to register as a lobbying firm in 2017.

**COUNT 2:** Pacific Crest violated LAMC § 48.07(A) by failing to register as a lobbying firm in 2018.

**COUNTS 3 – 9:  
FAILURE TO FILE DISCLOSURE REPORTS**

COUNT 3: Pacific Crest violated LAMC § 48.08(C) by failing to file a quarterly disclosure report for the second quarter of 2017.

COUNT 4: Pacific Crest violated LAMC § 48.08(C) by failing to file a quarterly disclosure report for the third quarter of 2017.

COUNT 5: Pacific Crest violated LAMC § 48.08(C) by failing to file a quarterly disclosure report for the fourth quarter of 2017.

COUNT 6: Pacific Crest violated LAMC § 48.08(C) by failing to file a quarterly disclosure report for the first quarter of 2018.

COUNT 7: Pacific Crest violated LAMC § 48.08(C) by failing to file a quarterly disclosure report for the second quarter of 2018.

COUNT 8: Pacific Crest violated LAMC § 48.08(C) by failing to file a quarterly disclosure report for the third quarter of 2018.

COUNT 9: Pacific Crest violated LAMC § 48.08(C) by failing to file a quarterly disclosure report for the fourth quarter of 2018.

**V. PENALTY**

Los Angeles City Charter § 706(c)(3) establishes the penalty formula for administrative actions taken by the Ethics Commission. The maximum penalty is the greater of \$5,000 per violation or three times the amount that was improperly reported, contributed, expended, given, or received. Based on the facts and counts in this case, Pacific Crest faces a penalty of up to \$45,000 (\$5,000 x 9 counts).

The Ethics Commission is required to consider all relevant circumstances before assessing penalties. Los Angeles Administrative Code (LAAC) § 24.27(h)(2). In considering the penalty in this case, Ethics Commission staff noted that Pacific Crest did not consult Ethics Commission staff about how to comply with the law. *See* LAAC § 24.27(h)(2)(C). Staff further noted, as an aggravating circumstance, that the violations in this case are serious. *See* LAAC § 24.27(h)(2)(A).

Enforcement staff also noted the following mitigating circumstances: (1) Pacific Crest cooperated with Ethics Commission staff and saved Ethics Commission resources by entering into this stipulated settlement at an early stage in the investigation, prior to the preparation of a probable cause report; (2) Pacific Crest has registered and filed all required disclosure reports; (3) Pacific Crest has no prior enforcement history with the Ethics Commission; and (4)

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EXHIBIT IN SUPPORT OF STIPULATION AND ORDER

Case No. 2019-10 (Pacific Crest Consultants)

Page 3 of 4

enforcement staff found no evidence of a deliberate violation or an intent to conceal or deceive. *See* LAAC §§ 24.27(h)(2)(B),(D-F).

Based on the specific facts and mitigating factors in this case, staff recommends resolving this case by imposing a \$22,500 penalty. The recommended penalty is intended to promote the equitable treatment of respondents, encourage the early resolution of violations, and reflect the serious nature of the violations.

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EXHIBIT IN SUPPORT OF STIPULATION AND ORDER  
Case No. 2019-10 (Pacific Crest Consultants)  
Page 4 of 4

RICHARD A. PLATEL, SBN 163455  
Director of Enforcement  
Los Angeles City Ethics Commission  
200 North Spring Street  
City Hall, 24th Floor  
Los Angeles CA 90012  
(213) 978-1960

Complainant

BEFORE THE LOS ANGELES CITY ETHICS COMMISSION

In the Matter of:

CHRIS PARKER,

Respondent.

Case No. 2019-24

**STIPULATION AND ORDER**

Richard A. Platel, Director of Enforcement of the Los Angeles City Ethics Commission (Ethics Commission), and Chris Parker (respondent) agree to the following:

1. This stipulation will be submitted to the Ethics Commission members for consideration at their next meeting.

2. If approved by the Ethics Commission members, this stipulation and the accompanying order will be the final disposition of this matter with respect to the respondent.

3. The respondent understands and knowingly and voluntarily waives all procedural rights under Los Angeles City Charter (Charter) §§ 706 and 709 and Los Angeles Administrative Code §§ 24.26 and 24.27. These rights include but are not limited to receiving an accusation, having the Ethics Commission members or an impartial administrative law judge hear the matter, personally appearing at an administrative hearing, confronting and cross-examining witnesses testifying at a hearing, and subpoenaing witnesses to testify at a hearing.

4. The respondent understands and knowingly and voluntarily waives all rights to seek judicial review of any action by the Ethics Commission on this matter.

5. The exhibit that is attached and incorporated by reference is a true and accurate summary of the facts in this matter. The respondent violated City law as described in the Exhibit.

6. The respondent will pay a total penalty in the amount of **\$22,500**. The payment will be held by the Ethics Commission staff until the Ethics Commission members issue the

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STIPULATION AND ORDER  
Case No. 2019-24 (Chris Parker)  
Page 1 of 3

order in this matter. The payment will be made in the form of a cashier's check payable to the "General Fund of the City of Los Angeles."

7. If the Ethics Commission members refuse to accept this stipulation, it will become null and void. Within ten business days after the Ethics Commission meeting at which the stipulation is rejected, the Ethics Commission staff will return all payments tendered by the Respondent in connection with this stipulation.

8. If the Ethics Commission members reject the stipulation and a full evidentiary hearing becomes necessary, the stipulation and all references to it are inadmissible, and the Ethics Commission members, executive director, and staff will not be disqualified because of prior consideration of this stipulation.

DATED: 09-25-2019

  
RICHARD A. PLATEL  
Director of Enforcement  
Los Angeles City Ethics Commission  
Complainant

DATED: 8/19/19

  
CHRIS PARKER  
Respondent

## **ORDER**

The Los Angeles City Ethics Commission considered the stipulation in Case No. 2019-24 at its meeting on October 22, 2019. The members of the Ethics Commission approved the stipulation and order Chris Parker to pay a fine of **\$22,500** to the City of Los Angeles in accordance with the terms of the stipulation.

DATED: \_\_\_\_\_

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Melinda Murray, President  
Los Angeles City Ethics Commission

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STIPULATION AND ORDER  
Case No. 2019-24 (Chris Parker)  
Page 3 of 3

## **EXHIBIT**

### **I. INTRODUCTION**

This case arose from a whistleblower complaint. Chris Parker (C. Parker), who chose not to be represented by legal counsel in this matter, admits that he violated City lobbying registration and disclosure requirements by failing to register as a lobbyist and file quarterly disclosure reports from the second quarter of 2017 through the fourth quarter of 2018.

### **II. APPLICABLE LAW**

Lobbying in the City and the disclosure of lobbying activities is governed by the Municipal Lobbying Ordinance (MLO) (Los Angeles Municipal Code (LAMC) §§ 48.01 *et seq.*).

A lobbyist is an individual who is compensated to spend 30 or more hours in a consecutive three-month period engaged in lobbying activities that include at least one direct communication with a City official or employee for the purpose of attempting to influence municipal legislation on behalf of another person. LAMC § 48.02. Municipal legislation is, essentially, any substantive legislative or administrative matter, including permits and entitlements for use, that is proposed or pending before a City agency. *Id.* An attempt to influence can be promoting, supporting, opposing, or seeking to modify or delay action on municipal legislation by any means. *Id.*

An individual who qualifies as a lobbyist must register with the Ethics Commission within 10 days after the end of the calendar month in which the individual qualifies as a lobbyist. LAMC § 48.07. In addition to registering, all lobbyists must also file quarterly disclosure reports with the Ethics Commission for every calendar quarter during which they retain that status. LAMC § 48.08(A)(1). Quarterly reports by lobbyists must include, among other things, each City agency that the lobbyist attempted to influence. LAMC § 48.08(B)(12).

The requirement that lobbying entities disclose their activities is borne out of the public's "right to know the identity of interests which attempt to influence decisions of City government, as well as the means employed by those interests." LAMC § 48.01(B)(2). This transparency helps to ensure both the integrity of City government and the public's confidence. Failure to report such activities circumvents these important goals.

### **III. FACTS**

On November 20, 2018, Ethics Commission staff received a complaint alleging that Pacific Crest Consultants (Pacific Crest) had engaged in unreported lobbying activities. Pacific Crest is a land use consulting business that provides its clients with, among other things, services related to discretionary planning and zoning entitlements. Pacific Crest is owned by C. Parker and his father, John. In addition to being Pacific Crest's Chief Executive Officer, C. Parker

handles all types of planning entitlements, including zone changes and variances, conditional use permits, and coastal development permits.

Neither Pacific Crest nor any of its employees were registered as lobbying entities with the Ethics Commission at the time of the complaint. Enforcement staff contacted Pacific Crest to request information necessary to assess whether any employees were engaged in lobbying activities. C. Parker provided staff with documents and information detailing the firm's activities during the relevant period and subsequently acknowledged that Pacific Crest and two of its employees should have registered and filed disclosure reports with the Ethics Commission.

Sworn information obtained during the investigation confirms that C. Parker engaged in lobbying activities necessitating registration and reporting. From the second quarter of 2017 through the fourth quarter of 2018, C. Parker was paid to engage in lobbying activities and to communicate with City officials to further the interests of Pacific Crest clients.

C. Parker's lobbying activities met the registration threshold during the second quarter of 2017 and during the first quarter of 2018. Accordingly, C. Parker should have registered as a lobbyist with the Ethics Commission by July 10, 2017, ten days after the end of the month in which he qualified in 2017, and should have done the same by February 10 of the following year. In addition, he should have timely filed quarterly reports disclosing his lobbying activity from April 1, 2017, through December 31, 2018. C. Parker neither registered nor filed the required quarterly disclosure reports until after enforcement staff initiated the investigation.

#### **IV. VIOLATIONS**

C. Parker admits that he violated City law as follows:

##### **COUNTS 1 – 2: FAILURE TO REGISTER**

COUNT 1: C. Parker violated LAMC § 48.07(A) by failing to register as a lobbyist in 2017.

COUNT 2: C. Parker violated LAMC § 48.07(A) by failing to register as a lobbyist in 2018.

##### **COUNTS 3 – 9: FAILURE TO FILE DISCLOSURE REPORTS**

COUNT 3: C. Parker violated LAMC § 48.08(B) by failing to file a quarterly disclosure report for the second quarter of 2017.

COUNT 4: C. Parker violated LAMC § 48.08(B) by failing to file a quarterly disclosure report for the third quarter of 2017.

COUNT 5: C. Parker violated LAMC § 48.08(B) by failing to file a quarterly disclosure report for the fourth quarter of 2017.

COUNT 6: C. Parker violated LAMC § 48.08(B) by failing to file a quarterly disclosure report for the first quarter of 2018.

COUNT 7: C. Parker violated LAMC § 48.08(B) by failing to file a quarterly disclosure report for the second quarter of 2018.

COUNT 8: C. Parker violated LAMC § 48.08(B) by failing to file a quarterly disclosure report for the third quarter of 2018.

COUNT 9: C. Parker violated LAMC § 48.08(B) by failing to file a quarterly disclosure report for the fourth quarter of 2018.

## V. PENALTY

Los Angeles City Charter § 706(c)(3) establishes the penalty formula for administrative actions taken by the Ethics Commission. The maximum penalty is the greater of \$5,000 for each violation or three times the amount that was improperly reported, contributed, spent, given, or received. Based on the facts and counts in this case, C. Parker faces a penalty of up to \$45,000 (\$5,000 x 9 counts).

The Ethics Commission is required to consider all relevant circumstances before assessing penalties. Los Angeles Administrative Code (LAAC) § 24.27(h)(2). In considering the penalty in this case, Ethics Commission staff noted that C. Parker did not consult Ethics Commission staff about how to comply with the law *See LAAC § 24.27(h)(2)(C)*. Staff further noted, as an aggravating circumstance, that the violations in this case are serious. *See LAAC § 24.27(h)(2)(A)*.

Enforcement staff also noted the following mitigating circumstances: (1) C. Parker cooperated with Ethics Commission staff and saved Ethics Commission resources by entering into this stipulated settlement at an early stage in the investigation, prior to the preparation of a probable cause report; (2) C. Parker has registered and filed all required disclosure reports; (3) C. Parker has no prior enforcement history with the Ethics Commission; and (4) enforcement staff found no evidence of a deliberate violation or an intent to conceal or deceive. *See LAAC §§ 24.27(h)(2)(B),(D-F)*.

Based on the specific facts and mitigating factors in this case, staff recommends resolving this case by imposing a \$22,500 penalty. The recommended penalty is intended to promote the equitable treatment of respondents, encourage the early resolution of violations, and reflect the serious nature of the violations.

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### EXHIBIT IN SUPPORT OF STIPULATION AND ORDER

Case No. 2019-24 (Chris Parker)

Page 3 of 3

RICHARD A. PLATEL, SBN 163455  
Director of Enforcement  
Los Angeles City Ethics Commission  
200 North Spring Street  
City Hall, 24th Floor  
Los Angeles CA 90012  
(213) 978-1960

Complainant

BEFORE THE LOS ANGELES CITY ETHICS COMMISSION

In the Matter of:

JOHN PARKER,

Respondent.

Case No. 2019-25

**STIPULATION AND ORDER**

Richard A. Platel, Director of Enforcement of the Los Angeles City Ethics Commission (Ethics Commission), and John Parker (respondent) agree to the following:

1. This stipulation will be submitted to the Ethics Commission members for consideration at their next meeting.

2. If approved by the Ethics Commission members, this stipulation and the accompanying order will be the final disposition of this matter with respect to the respondent.

3. The respondent understands and knowingly and voluntarily waives all procedural rights under Los Angeles City Charter (Charter) §§ 706 and 709 and Los Angeles Administrative Code §§ 24.26 and 24.27. These rights include but are not limited to receiving an accusation, having the Ethics Commission members or an impartial administrative law judge hear the matter, personally appearing at an administrative hearing, confronting and cross-examining witnesses testifying at a hearing, and subpoenaing witnesses to testify at a hearing.

4. The respondent understands and knowingly and voluntarily waives all rights to seek judicial review of any action by the Ethics Commission on this matter.

5. The exhibit that is attached and incorporated by reference is a true and accurate summary of the facts in this matter. The respondent violated City law as described in the Exhibit.

6. The respondent will pay a total penalty in the amount of **\$20,000**. The payment will be held by the Ethics Commission staff until the Ethics Commission members issue the

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STIPULATION AND ORDER  
Case No. 2019-25 (John Parker)  
Page 1 of 3

order in this matter. The payment will be made in the form of a cashier's check payable to the "General Fund of the City of Los Angeles."

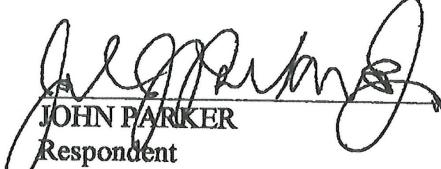
7. If the Ethics Commission members refuse to accept this stipulation, it will become null and void. Within ten business days after the Ethics Commission meeting at which the stipulation is rejected, the Ethics Commission staff will return all payments tendered by the Respondent in connection with this stipulation.

8. If the Ethics Commission members reject the stipulation and a full evidentiary hearing becomes necessary, the stipulation and all references to it are inadmissible, and the Ethics Commission members, executive director, and staff will not be disqualified because of prior consideration of this stipulation.

DATED: 09-25-2019

  
RICHARD A. PLATEL  
Director of Enforcement  
Los Angeles City Ethics Commission  
Complainant

DATED: 8/19/19

  
JOHN PARKER  
Respondent

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STIPULATION AND ORDER  
Case No. 2019-25 (John Parker)  
Page 2 of 3

**ORDER**

The Los Angeles City Ethics Commission considered the stipulation in Case No. 2019-25 at its meeting on October 22, 2019. The members of the Ethics Commission approved the stipulation and order John Parker to pay a fine of **\$20,000** to the City of Los Angeles in accordance with the terms of the stipulation.

DATED: \_\_\_\_\_

\_\_\_\_\_  
Melinda Murray, President  
Los Angeles City Ethics Commission

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STIPULATION AND ORDER  
Case No. 2019-25 (John Parker)  
Page 3 of 3

## **EXHIBIT**

### **I. INTRODUCTION**

This case arose from a whistleblower complaint. John Parker (J. Parker), who chose not to be represented by legal counsel in this matter, admits that he violated City lobbying registration and disclosure requirements by failing to register as a lobbyist and file quarterly disclosure reports from the third quarter of 2017 through the fourth quarter of 2018.

### **II. APPLICABLE LAW**

Lobbying in the City and the disclosure of lobbying activities is governed by the Municipal Lobbying Ordinance (MLO) (Los Angeles Municipal Code (LAMC) §§ 48.01 *et seq.*).

A lobbyist is an individual who is compensated to spend 30 or more hours in a consecutive three-month period engaged in lobbying activities that include at least one direct communication with a City official or employee for the purpose of attempting to influence municipal legislation on behalf of another person. LAMC § 48.02. Municipal legislation is, essentially, any substantive legislative or administrative matter, including permits and entitlements for use, that is proposed or pending before a City agency. *Id.* An attempt to influence can be promoting, supporting, opposing, or seeking to modify or delay action on municipal legislation by any means. *Id.*

An individual who qualifies as a lobbyist must register with the Ethics Commission within 10 days after the end of the calendar month in which the individual qualifies as a lobbyist. LAMC § 48.07. In addition to registering, all lobbyists must also file quarterly disclosure reports with the Ethics Commission for every calendar quarter during which they retain that status. LAMC § 48.08(A)(1). Quarterly reports by lobbyists must include, among other things, each City agency that the lobbyist attempted to influence. LAMC § 48.08(B)(12).

The requirement that lobbying entities disclose their activities is borne out of the public's "right to know the identity of interests which attempt to influence decisions of City government, as well as the means employed by those interests." LAMC § 48.01(B)(2). This transparency helps to ensure both the integrity of City government and the public's confidence. Failure to report such activities circumvents these important goals.

### **III. FACTS**

On November 20, 2018, Ethics Commission staff received a complaint alleging that Pacific Crest Consultants (Pacific Crest) had engaged in unreported lobbying activities. Pacific Crest is a land use consulting business that provides its clients with, among other things, services related to discretionary planning and zoning entitlements. Pacific Crest is owned by J. Parker and his son, Chris. In addition to being Pacific Crest's Director of Planning, J. Parker advises and

represents clients and prepares filings for a wide variety of discretionary land use entitlements including, but not limited to, conditional use permits, variances, zone changes, and subdivisions.

Neither Pacific Crest nor any of its employees were registered as lobbying entities with the Ethics Commission at the time of the complaint. Enforcement staff contacted Pacific Crest to request information necessary to assess whether any employees were engaged in lobbying activities. Pacific Crest provided staff with documents and information detailing the firm's activities during the relevant period and subsequently acknowledged that Pacific Crest and two of its employees should have registered and filed disclosure reports with the Ethics Commission.

Sworn information obtained during the investigation confirms that J. Parker engaged in lobbying activities necessitating registration and reporting. From the third quarter of 2017 through the fourth quarter of 2018, J. Parker was paid to engage in lobbying activities and to communicate with City officials to further the interests of Pacific Crest clients.

J. Parker's lobbying activities met the registration threshold during the third quarter of 2017 and during the first quarter of 2018. Accordingly, J. Parker should have registered as a lobbyist with the Ethics Commission by October 10, 2017, ten days after the end of the month in which he qualified in 2017, and should have done the same by April 10 of 2018. In addition, he should have timely filed quarterly reports disclosing his lobbying activity from July 1, 2017, through December 31, 2018. J. Parker neither registered nor filed the required quarterly disclosure reports until after enforcement staff initiated the investigation.

#### **IV. VIOLATIONS**

J. Parker admits that he violated City law as follows:

##### **COUNTS 1 – 2: FAILURE TO REGISTER**

COUNT 1: J. Parker violated LAMC § 48.07(A) by failing to register as a lobbyist in 2017.

COUNT 2: J. Parker violated LAMC § 48.07(A) by failing to register as a lobbyist in 2018.

##### **COUNTS 3 – 8: FAILURE TO FILE DISCLOSURE REPORTS**

COUNT 3: J. Parker violated LAMC § 48.08(B) by failing to file a quarterly disclosure report for the third quarter of 2017.

COUNT 4: J. Parker violated LAMC § 48.08(B) by failing to file a quarterly disclosure report for the fourth quarter of 2017.

COUNT 5: J. Parker violated LAMC § 48.08(B) by failing to file a quarterly disclosure report for the first quarter of 2018.

COUNT 6: J. Parker violated LAMC § 48.08(B) by failing to file a quarterly disclosure report for the second quarter of 2018.

COUNT 7: J. Parker violated LAMC § 48.08(B) by failing to file a quarterly disclosure report for the third quarter of 2018.

COUNT 8: J. Parker violated LAMC § 48.08(B) by failing to file a quarterly disclosure report for the fourth quarter of 2018.

## V. PENALTY

Los Angeles City Charter § 706(c)(3) establishes the penalty formula for administrative actions taken by the Ethics Commission. The maximum penalty is the greater of \$5,000 for each violation or three times the amount that was improperly reported, contributed, spent, given, or received. Based on the facts and counts in this case, J. Parker faces a penalty of up to \$40,000 (\$5,000 x 8 counts).

The Ethics Commission is required to consider all relevant circumstances before assessing penalties. Los Angeles Administrative Code (LAAC) § 24.27(h)(2). In considering the penalty in this case, Ethics Commission staff noted that J. Parker did not consult Ethics Commission staff about how to comply with the law *See LAAC § 24.27(h)(2)(C)*. Staff further noted, as an aggravating circumstance, that the violations in this case are serious. *See LAAC § 24.27(h)(2)(A)*.

Enforcement staff also noted the following mitigating circumstances: (1) J. Parker cooperated with Ethics Commission staff and saved Ethics Commission resources by entering into this stipulated settlement at an early stage in the investigation, prior to the preparation of a probable cause report; (2) J. Parker has registered and filed all required disclosure reports; (3) J. Parker has no prior enforcement history with the Ethics Commission; and (4) enforcement staff found no evidence of a deliberate violation or an intent to conceal or deceive. *See LAAC §§ 24.27(h)(2)(B),(D-F)*.

Based on the specific facts and mitigating factors in this case, staff recommends resolving this case by imposing a \$20,000 penalty. The recommended penalty is intended to promote the equitable treatment of respondents, encourage the early resolution of violations, and reflect the serious nature of the violations.

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### EXHIBIT IN SUPPORT OF STIPULATION AND ORDER

Case No. 2019-25 (John Parker)

Page 3 of 3