FAIR POLITICAL PRACTICES COMMISSION
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January 9, 2014

Concerned Citizens for Tyack, Etcheverry and Meier
for NOR Municipal Water District Board 2012
Aimee Davey, Treasurer

REDACTED

Ray Etcheverry

Dennis Meier

REDACTED

REDACTED

Jim Tyack

Oildale Mutual Water Company

REDACTED

REDACTED

Re: Closure Letter
FPPC No. 12/879: Concerned Citizens for Tyack, Etcheverry and Meier for NOR Municipal Water District Board 2012; Jim Tyack; Ray Etcheverry; Dennis Meier; Aimee Davey (Treasurer); Oildale Mutual Water Company

Dear Concerned Citizens for Tyack, Etcheverry and Meier for NOR Municipal Water District Board 2012; Ms. Davey; Mr. Tyack; Mr. Etcheverry; Mr. Meier; and Oildale Mutual Water Company:

The Fair Political Practices Commission (the "Commission") enforces the provisions of the Political Reform Act.

Summary of Complaints Received by the Commission:

In October 2012, the Commission received a complaint alleging that Concerned Citizens for Tyack, Etcheverry and Meier for NOR Municipal Water District Board 2012 (Citizens Committee) failed to disclose expenditures and/or non-monetary contributions from Oildale Mutual Water Company (OMWC) and/or Providence Consulting. The complaint also alleged that OMWC paid Providence Consulting to produce OMWC newsletters and to run the campaigns of Tyack, Etcheverry and Meier for NOR Municipal Water District Board.

Also in October 2012, the Commission received a complaint alleging that Oildale Mutual Water Company (OMWC) should have filed a major donor statement for the reporting period of 01/01 – 06/30/2012. The complaint specifically alleged that Respondent OMWC gave $10,000 or more in non-monetary contributions to three candidates (Tyack, Etcheverry and Meier) running for North of the River (NOR) Municipal Water District Board in the November 2012 election prior to July 2012, by paying a P/R firm to run the campaign for the three candidates running for the NOR Municipal Water District Board, including creating and sending OMWC newsletters, and creating and maintaining a facebook page.

Complaint #1: Concerned Citizens for Tyack, Etcheverry and Meier for NOR Municipal Water District Board 2012; Jim Tyack; Ray Etcheverry; Dennis Meier; Aimee Davey (Treasurer):

The evidence obtained during our investigation showed that in early July 2012, Jim Tyack, Ray Etcheverry and Dennis Meier directly hired Providence Strategic Consulting to run their joint campaign for North of the River Municipal Water District Board, and Citizens Committee was created. Citizens Committee filed its original statement of organization on July 16, 2012, and qualified as a committee under the Act on July 13, 2012[1], having received a $5,000 contribution from OMWC on that date.

Additionally, Citizens Committee timely filed required campaign statements, and appears to have properly disclosed all contributions received and expenditures made during the applicable reporting periods. OMWC newsletters to shareholders and other affiliated individuals, and OMWC monthly bills to customers were not contributions under the Act, and thus Citizens Committee was not required to disclose these in its campaign statements. Further, both Citizens Committee and OMWC timely disclosed OMWC making a non-monetary contribution to Citizens Committee on 10/29/2012 of 3 hours of employee time –@$45/hr.

Complaint #2: Oildale Mutual Water Company:

Our investigation revealed no evidence that OMWC paid a P/R firm to run the campaign for the three candidates running for the NOR Municipal Water District Board, including creating and sending OMWC newsletters, and creating and maintaining a facebook page. The evidence obtained showed that the candidates, Jim Tyack, Ray Etcheverry and Dennis Meier, directly hired Providence Strategic Consulting to run their joint campaign.

Additionally, the evidence obtained showed that OMWC gave contributions to Citizens Committee only during the reporting period of July 1 through December 31, 2012. OMWC disclosed these contributions properly and timely filed its major donor statement for the reporting period of July 1 through December 31, 2012.

Conclusion:

Therefore, after a full investigation, the Enforcement Division has found insufficient evidence to find a violation of the Act, and we have closed our file in this matter.

If you have any questions regarding this matter, please feel free to contact me at 916-322-5660.

Sincerely

REDACTED

Angela W. Brereton
Senior Commission Counsel
Enforcement Division

[1] In its statement of organization, Citizens Committee incorrectly identified the date of qualification as July 2, 2012.