



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329

(916) 322-5660 • Fax (916) 322-0886

March 13, 2015

Lynette Gibson-McElhaney
Committee to Elect Lynette
Gibson-McElhaney for Council



Brigitte Cook
Committee to Elect Lynette
Gibson-McElhaney for Council



Warning Letter Re: FPPC No. 14/1299; Committee to Elect Lynette Gibson-McElhaney for Council; Lynette Gibson-McElhaney; Brigitte Cook, Treasurer, Respondent(s)

Dear Ms. Gibson-McElhaney and Ms. Cook:

The Fair Political Practices Commission (the “FPPC”) enforces the provisions of the Political Reform Act (the “Act”),¹ found in Government Code section 81000, et seq. This letter is in response to a sworn complaint and a non-filer referral from the Oakland City Clerk that alleged you failed to file semi-annual campaign disclosure statements.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that you and your committee failed to file your semi-annual campaign statement due July 31, 2014 in a timely manner.

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

The Act requires that candidates and their committees file semi-annual and pre-election campaign statements at periodic intervals. (Section 84200/84200.7.)

Your actions violated the Act because you failed to file your 2014 semi-annual campaign statement for the period January 1, 2014 through June 30, 2014 by the July 31, 2014 deadline. However, since that statement has now been filed and since you paid the City of Oakland a substantial penalty for that late filed statement, we are closing our file on this matter.

This letter serves as a written warning. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future will result in monetary penalties of up to \$5,000 for each violation.

A warning letter is an FPPC case resolution without administrative prosecution or fine. However, the warning letter resolution does not provide you with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Fair Political Practices Commission. If you wish to avail yourself of these proceedings by requesting that your case proceed with prosecution rather than a warning, please notify us within ten (10) days from the date of this letter. Upon this notification, the FPPC will rescind this warning letter and proceed with administrative prosecution of this case. If we do not receive such notification, this warning letter will be posted on the FPPC's website ten (10) days from the date of this letter.

Please feel free to contact me with any questions you may have regarding this letter.

Sincerely,

A black rectangular redaction box covering the signature of Galena West.

Galena West, Acting Chief
Enforcement Division

GW/jt

cc: City Clerk, City of Oakland
Barbara Tengeri