



FAIR POLITICAL PRACTICES COMMISSION

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

(916) 322-5660 • Fax (916) 322-0886

May 11, 2012

Mr. Mark Cibula
Attorney at Law
o/b/o Mr. Rodney Lindsay

REDACTED

RE: Warning Letter Re: FPPC No. 12/228 ✓
Sworn Complaint against Rodney Lindsay

Dear Mr. Cibula:

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 complaint filed against your client that alleged violations of the Act. We are closing this matter with a warning letter.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that your client failed to disclose income he received for his position as executive director with the Local Indians for Education ("LIFE") Center and income he received from his DBA, Lindsay's Wholesale Retail.

Under the Act, public officials who are designated in section 87200 are required to disclose all sources of income on their Statement of Economic Interest, Form 700. (Section 87207.) Your client's actions violated the Act, because as a city council member, he was required to disclose the income he received from LIFE and his DBA on his statement of economic interest, and failed to do so. However, because the amendments disclosing his income from LIFE were filed prior to the receipt of the sworn complaint, and the fact that he is no longer holding public office, we are closing this matter with a warning letter.

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.

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 your client with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Fair Political Practices Commission. If your client wishes to avail himself of these proceedings by requesting that his 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.

The FPPC publishes forms and manuals to facilitate compliance with the provisions of the Act. If your client needs forms or a manual, or guidance regarding his obligations, please call the FPPC's Technical Assistance Division at 1-866-275-3772. Please also visit our website at www.fppc.ca.gov.

Please feel free to contact Teri Rindahl at 916.327.2018 with any questions you may have regarding this letter.

Sincerely,

REDACTED



Gary S. Winuk
Chief, Enforcement Division

GSW/tr

cc: Mr. Randal Faulkner