



FAIR POLITICAL PRACTICES COMMISSION

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

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May 21, 2014

Rossana Mitchell
Dan Stueve, Treasurer
Rossana Mitchell for City Council 2013

REDACTED

RE: Warning Letter
FPPC Case No. 13/919; Rossana Mitchell for City Council 2013; Rossana Mitchell; and Dan Stueve, Treasurer

Dear Ms. Mitchell and Mr. Stueve:

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. As you both may be aware, the FPPC received a complaint against Ms. Mitchell alleging Rossana Mitchell for City Council 2013 ("Committee") sent telephone calls ("robocalls") on behalf of the Committee and failed to have the proper disclaimer language required by Government Code section 84310. The Commission has decided to close this case with this warning letter.

The FPPC has completed its investigation of the facts in this case. The FPPC has found no violation of the robocall disclaimer requirements as alleged in the complaint. However, during the course of the investigation, the FPPC found that the Committee failed to timely file the Semi-Annual Campaign Statement for the reporting period February 17, 2013, through June 30, 2013, by the July 31, 2013 deadline, in violation of Government Code section 84200. Based on the fact that you and the Committee have no

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.

prior enforcement history, have cooperated with the investigation and filed the required campaign statement, the FPPC is closing this case with this Warning Letter.

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.

The FPPC publishes forms and manuals to facilitate compliance with the provisions of the Act. If you need forms or a manual, or guidance regarding your 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 me at (916)324-8787 with any questions you may have regarding this letter.

Sincerely

REDACTED

Bridgette Castillo
Senior Commission Counsel
Enforcement Division