



FAIR POLITICAL PRACTICES COMMISSION

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

(916) 322-5660 • Fax (916) 322-0886

July 9, 2013

Dr. Francisco Rico

REDACTED

Re: Warning Letter to Francisco Rico (FPPC Case No. 12/72)

Dear Dr. Rico:

The Fair Political Practices Commission (the "Commission") enforces the provisions of the Political Reform Act (the "Act").¹ As you know, the Commission's Enforcement Division has been investigating whether or not you committed certain violations of the Act in your capacity as Chairman of the Eden Township Healthcare District (the "District"). Specifically, we were concerned with the potential for a conflict of interest relative to your execution of the 2008 contract between the District and Eden Medical Center. Also, we were concerned with your failure to file a leaving office statement of economic interests when you left the District in 2008.

Our investigation revealed insufficient evidence of a violation of the Act's conflict of interest provisions in connection with the 2008 contract, but we did find that you violated the Act by failing to file a statement of economic interest when you left office in 2008. Please be advised that the Commission is closing its file on this matter with this warning letter as set forth below.

Section 87300 requires every agency to adopt and promulgate a Conflict of Interest Code—which shall have the force of law—and any violation of such a Conflict of Interest Code is a violation of the Act.

¹ The 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.

When you left the District in 2008, you were required by the District's Conflict of Interest Code to file a leaving office statement of economic interests within 30 days. Our investigation revealed that you filed an annual statement earlier that year, but you failed to file the required leaving office statement after you left the District. In mitigation, there is no history of prior violations of the Act by you, and you quickly filed the required statement when asked to do so by the Enforcement Division.

Although the Enforcement Division has decided to close this case with this warning letter, the information in this case will be retained and may be used against you should an enforcement action become necessary due to newly discovered information and/or failure to comply with the Act in the future. Failure to comply with the provisions of the Act in the future may result in monetary penalties of up to \$5,000 per violation.

Please note that our Legal Division and Technical Assistance Division can provide advice and assistance for issues which may arise in the future. You may contact either division by calling our toll-free number: 1-866-ASK-FPPC (1-866-275-3772). Also, you may refer to the FPPC website at www.fppc.ca.gov for current information.

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.

Your cooperation in ensuring that the requirements of the Act are consistently satisfied is greatly appreciated. Please feel free to contact me at (916) 322-5660 with any questions you may have regarding this letter.

Very truly yours,

REDACTED _____

Neal Bucknell
Senior Commission Counsel
Enforcement Division