



FAIR POLITICAL PRACTICES COMMISSION

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

(916) 322-5660 • Fax (916) 322-0886

July 20, 2015

Scott Bull  
[REDACTED]  
[REDACTED]

Re: Advisory Letter – Scott Bull, FPPC No. 13/876

Dear Mr. Bull:

The Enforcement Division of the Fair Political Practices Commission (the “Commission”) investigated allegations that you violated the conflict of interest prohibitions of the Political Reform Act (the “Act”)<sup>1</sup> as a result of your employment with the University of California Santa Barbara (“UCSB”) as an Associated Students Environmental Program Advisor, and your position as a paid consultant for Goleta Valley Beautiful. The Enforcement Division has decided to close its file on this matter without initiating an enforcement action. The basis for this decision follows.

Under the Act, no public official at any level of state or local government may make, participate in making, or in any way use or attempt to use his official position to influence a governmental decision in which he knows or has reason to know he has a financial interest.<sup>2</sup> A public official has a financial interest in a governmental decision if it is reasonably foreseeable that decision will have a material financial effect on a source of income to the official where the official has received \$500 or more over the previous 12 months from that source of income.<sup>3</sup>

Our investigation found that your duties as the Associated Students Environmental Program Advisor included advising the board of the Shoreline Preservation Fund/Coastal Fund (the “Coastal Fund Board”). The Coastal Fund Board, which was made up of UCSB students, provided grants to organizations to support environmental causes. Funding for the grants handed out by the Coastal Fund Board came from student tuition fees.

From 2006 through 2012, Goleta Valley Beautiful paid you \$100 per week for acting as a “volunteer coordinator” for the organization. Your duties as a volunteer coordinator consisted of recruiting student volunteers for Goleta Valley Beautiful. Goleta Valley Beautiful

<sup>1</sup> The Political Reform Act is contained in Government Code sections 81000 through 91014. The regulations of the Fair Political Practices Commission are contained in sections 18109 through 18997 of Title 2 of the California Code of Regulations.

<sup>2</sup> Section 87100.

<sup>3</sup> Section 87103, subd. (c).

received a number of grants from the Coastal Fund Board during the time you served as an advisor to the Coastal Fund Board and as a volunteer coordinator for Goleta Valley Beautiful. Specifically, in 2010 Goleta Valley Beautiful received grants totaling \$13,300 from the Coastal Fund. In 2011, it received \$17,610 in grants from the Coastal Fund Board, and in 2012 Goleta Valley Beautiful received another \$2,000 in grant money from the Coastal Fund Board. As a volunteer coordinator, Goleta Valley Beautiful paid you a total of \$2,900 in 2010, \$4,900 in 2011, and \$2,600 in 2012.

As an employee of UCSB you were a public official under the Act.<sup>4</sup> Because Goleta Valley Beautiful paid you thousands of dollars a year, it qualified as a source of income to you. It was reasonably foreseeable that the grants by the Coastal Fund Board to Goleta Valley Beautiful would have a material financial effect on Goleta Valley Beautiful since the grants provided Goleta Valley Beautiful with thousands of dollars for its projects.

But the Enforcement Division has concluded that the payments you received from Goleta Valley Beautiful did not result in a conflict of interest violation under the Act because we did not find sufficient evidence that you made a governmental decision or attempted to influence a governmental decision related to Goleta Valley Beautiful. The Coastal Fund Board was responsible for making decisions regarding grants and you, as the Environmental Program Advisor, did not have a vote or any decision-making authority over who received grants. Your role in processing the grants once approved by the Coastal Fund Board appeared to have been ministerial in nature and the investigation did not find any evidence that you attempted to influence any members of the Coastal Fund Board in matters concerning Goleta Valley Beautiful.

Even though we are closing our file in this matter, please be advised of the conflict of interest provisions of the Act in any future actions you may take as a government employee. You should take particular care in dealings with organization from which you receive income or are otherwise associated. If you need guidance regarding the Act's conflict of interest provisions, please contact the Commission's Technical Assistance Division at 1-866-275-3772, or visit our website at [www.fppc.ca.gov](http://www.fppc.ca.gov). If you have questions regarding this matter, please contact me at [REDACTED].

Sincerely,

[REDACTED]

Dave Bainbridge  
Senior Commission Counsel  
Enforcement Division

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<sup>4</sup> Section 82048