



FAIR POLITICAL PRACTICES COMMISSION

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August 15, 2014

Maria C. Bolanos, Treasurer
Sandoval for City Council 2012 (1350619)



Warning Letter Re: FPPC Case No. 140858; Jesus L. Sandoval / Sandoval for City Council 2012

Dear Ms. Bolanos:

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 an audit report referred to us by the Franchise Tax Board. The audit covered the period January 1, 2012 through December 31, 2012. A copy of the audit report is enclosed for your information.

The audit found the following violations of the Act: 1) campaign expenditures totaling \$2,362 were not processed through the Committee's designated campaign bank account; 2) some expenditures were not reported on the campaign statements; 3) two expenditures of \$100 or more totaling \$700 were made with cash withdrawn from the campaign bank account; and 4) invoices and/or receipts were not maintained in support of expenditures. Section 85201 of the Act requires that all contributions be deposited into the campaign bank account and expenditures be made from the campaign bank account. Section 84300 of the Act states that no expenditure of \$100 or more shall be made in cash. Section 84211 of the Act requires that all contributions and expenditures be included in the campaign statements; Sections 82015 and 82025, respectively, define contributions and expenditures. Section 84104 of the Act makes it the duty of each candidate and treasurer to maintain detailed records to establish that campaign statements were properly filed; regulation 18401 details the specific records required for receipts and expenditures. Since the overall activity of the committee was small, and the candidate and the committee do not have a history of violations of the Act, we have decided to close this case 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 you with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the FPPC. 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 Program Specialist Robert Perna with any questions you may have regarding this letter.

Sincerely,

A solid black rectangular box redacting the signature of Gary S. Winuk.

Gary S. Winuk
Chief, Enforcement Division

Enclosure