



## FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 670 • Sacramento, CA 95814-2329

(916) 322-5600 • Fax (916) 322-0886

September 6, 2012

Timothy Flynn

**REDACTED**

**RE: Advisory Letter  
FPPC No. 12/505; Timothy Flynn**

Dear Mr. Flynn:

The Fair Political Practices Commission ("Commission") enforces the provisions of the Political Reform Act (the "Act").<sup>1</sup> As you are aware, the Commission initiated an investigation regarding the allegation that you may have violated the gift disclosure provisions of the Act. After a review of your annual Statements of Economic Interests and other information, the Enforcement Division has determined that there is insufficient evidence to find that you violated the Act in this particular circumstance. Therefore, we have decided to close this matter with an Advisory letter.

Our investigation revealed that you failed to disclose dinners received from a developer and a bond underwriter who did business within your jurisdiction while you had full disclosure of your economic interests due to your service as a member of the Oxnard City Council in 2005 and 2006. You then reported these meals on the appropriate Statement of Economic Interests in August, 2012, in response to a request from the Enforcement Division. Since these violations fall outside of the statute of limitations for prosecution, the Enforcement Division has decided to close this matter with this Advisory letter.

An express purpose of the Act, as set forth in Section 81002, subdivision (c), is to ensure that the assets and income of public officials, that may be materially affected by their official actions, be disclosed, so that conflicts of interests may be avoided. Under the Act, every person who holds an office specified in Section 87200, which includes mayors and members of city councils, shall, each year at a time specified by Commission regulations, file an annual SEI disclosing his investments, his interests in real property and all sources of income, including gifts received of \$50 or more from a single source, who may foreseeably

---

<sup>1</sup> 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.

be affected materially by any decision made or participated in by the city councilmember by virtue of his position. (Section 87203.) "Income" is defined, in part, as a payment received, including but not limited to any salary, wage, or gift, including any gift of food or beverage. (Section 82030, subd. (a).)

Your failure to comply with the provisions of the Act in the future may result in an enforcement action against you, including monetary penalties of up to \$5,000 for each violation.

The FPPC publishes forms and manuals to facilitate compliance with the provisions of the Act. If you need forms or manuals, or guidance regarding your obligations, please call the FPPC's Technical Assistance Division at 1-866-275-3772. You can also visit our website at [www.fppc.ca.gov](http://www.fppc.ca.gov). Contact me at (916) 322-5796 with any questions you may have regarding this letter.

Sincerely,

**REDACTED**

Galena West  
Senior Commission Counsel  
Enforcement Division