



FAIR POLITICAL PRACTICES COMMISSION

1500 S. STANISLA • SAN JOSE, CA 95128 • (408) 299-2388

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November 15, 2012

Mr. Gabriel Gonzalez
Friends of Gabriel Gonzalez

REDACTED

Mr. Eddy Olivares

REDACTED

Ms. Claudia Solano

REDACTED

Warning Letter Re: FPPC No. 10/0746; In the Matter of Gabriel Gonzalez, Friends of Gabriel Gonzalez, Claudia Solano, and Eddy Olivares

Dear Ms. Solano:

The Fair Political Practices Commission ("FPPC") enforces the provisions of the Political Reform Act ("Act"),¹ found in Government Code section 81000, et seq. The Enforcement Division of the FPPC received complaints against you, as well as Eddy Olivares and Claudia Solano, the treasurers of Friends of Gabriel Gonzalez, your controlled recipient committee (the "Committee").

The FPPC has completed its investigation of the facts in this case. The FPPC found that you failed to file campaign statements for the following period(s):

- January 1, 2009 through June 30, 2009 (Due July 31, 2009)
- July 1, 2009 through December 31, 2009 (Due February 2, 2010)
- January 1, 2010 through June 30, 2010 (Due August 2, 2010)
- October 1, 2010 through October 16., 2010 (Due October 21, 2010)
- October 17, 2010 through December 31, 2010 (Due January 31, 2011)
- January 1, 2011 through June 30, 2011 (Due August 1, 2011)
- July 1, 2011 through December 31, 2011 (Due January 31, 2012)
- January 1, 2012 through June 30, 2012 (Due July 31, 2012)

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.

Section 84200 of the Act provides that elected officers, candidates, and committees shall file semiannual campaign statements. In addition to the campaign statement required by Section 84200, candidates and committees shall file pre-election statement pursuant to 84200.5.

Your actions violated the Act because you failed to file the aforementioned campaign statement(s) by the specified deadlines. However, since you were the losing candidate in both the 2008 and 2010 election and there was a relatively low monetary value involved, we are closing your case with this warning letter. 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.

Although the FPPC is not seeking a penalty in the current matter, you are still required to immediately file all outstanding statements with the City of Watsonville and continue filing them until you officially terminate your committee. You will be responsible for any late filing fees assessed by your filing officer. (§ 91013.)

If your committee is no longer active, you may want to terminate your committee at this time as well. Failure to do so is a violation of the Act. Please be advised that after every filing deadline, your local filing officer will refer all non-filers to the Enforcement Division. Any future failure to file your campaign statements will automatically be brought to our attention.

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 any of these publications, or guidance regarding your obligations, please call the FPPC's Technical Assistance Division at (866) 275-3772 or visit our website at www.fppc.ca.gov.

Should you have any questions regarding this letter, contact Jamie Kuryllo at (916) 322-7050.

Sincerely,

REDACTED

Gary S. Winuk
Chief, Enforcement Division

cc: City of Watsonville; Manuel Bersamin

GSW:tfjk