FAIR POLITICAL PRACTICES COMMISSION
428 J Street • Suite 620 • Sacramento, CA 95814-2329
(916) 322-5660 • Fax (916) 322-0886

June 27, 2011

Kinde Durkee, Treasurer
Save Our City Sponsored by Montebello Residents for Honest Government Sponsored by Waste Disposal and Recycling
REDACTED

Warning Letter Re: FPPC No. 10/296, Save Our City Sponsored by Montebello Residents for Honest Government Sponsored by Waste Disposal and Recycling and Kinde Durkee, Treasurer

Dear Ms. Durkee:

The Fair Political Practices Commission ("FPPC") enforces the provisions of the Political Reform Act ("Act"),[1] found in Government Code section 81000, et seq. This letter is in response to a complaint filed against you by the County of Los Angeles that alleged you failed to file your committee's semiannual campaign disclosure statement covering the last half of 2009, due February 1, 2010.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that you failed to file your semiannual campaign disclosure statement by the February 1, 2010, deadline with the County of Los Angeles.

The Act requires that candidates and their committees file campaign statements at periodic intervals. Specifically the Act provides that elected officers, candidates, and committees shall file semiannual statements. (Section 84200.) Although in 2009 the committee Save Our City Sponsored by Montebello Residents for Honest Government Sponsored by Waste Disposal and Recycling became a "city" committee and began filing with the City of Montebello, Gov. Code

[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 84215, subdivision (g) states that "if a committee is required to file campaign statements required by Section 84200 or 84200.5 in places designated in subdivisions (a) to (d), inclusive, it shall continue to file these statements in those places, in addition to any other places required by this title, until the end of the calendar year." (G C § 84215(g).) Pursuant to this requirement, as treasurer for a former "county" committee that switched to being a city committee in 2009, you were required to continue filing with the County of Los Angeles until the end of the calendar year

Your action violated the Act because you failed to file the semiannual campaign statement by the specified deadline. However, because you quickly filed with the County of Los Angeles when you became aware of the requirement, 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.

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.

Although the FPPC is not seeking a penalty in the current matter, you are still responsible for any late filing fees assessed by your filing officer. (Section 91013.) The FPPC publishes forms and manuals to facilitate compliance with the provisions of the Act. If you need forms or a manual, or guidance regarding your obligations, please call the FPPC's Technical Assistance Division at 1-866-275-3772. Please also visit our website at www.fppc.ca.gov.

Please feel free to contact Adrianne Korchmaros at (916) 322-8241 with any questions you may have regarding this letter.

Sincerely,

REDACTED

Gary S. Winuk
Chief, Enforcement Division

GSW:AK:ak

cc: County of Los Angeles Registrar-Recorder via email