FAIR POLITICAL PRACTICES COMMISSION
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July 26, 2011

Amanda Beck, Esq.
Gagen, McCoy, McMahon, Koss, Markowitz & Raines
o/b/o James Moranville
REDACTED

RE: No Action Letter
FPPC No. 11/466; James Moranville

Dear Ms. Beck:

The Fair Political Practices Commission ("Commission") enforces the provisions of the Political Reform Act (the "Act")[1] found in Government Code Section 81000, and following. As you may be aware, the Commission was investigating whether your client was in violation of the conflict of interest provisions of the Act.

The Enforcement Division concluded that because the Oxnard School District is a government agency, as defined at Section 82041, the salary and benefits paid by the district to district employees would not be considered "income" under Section 82030, subdivision (b)(2). This government salary exception excludes, in relevant part, salary from a local government agency from the definition of "income." Further, Regulation 18232, subdivision (a), in relevant part, defines "salary" from a local agency to mean any and all payments made by a government agency to a public official, or accrued to the benefit of the public official, as consideration for the public official's services to the government agency." Therefore, since the Supplemental Employee Retirement Plan would not be considered income, the Commission has found no violation of the Act in this matter.

[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.

If you have question regarding this matter, please contact me at (916)324-8787.

Sincerely

REDACTED

Bridgette Castillo
Commission Counsel
Enforcement Division