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

October 14, 2009

Josie Gonzales
Josie Gonzales for Supervisor

REDACTED

**Warning Letter Re: FPPC No. 04/438, Josie Gonzales**

Dear Ms. Gonzales:

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 a complaint filed against you that alleged that you, as the treasurer of Josie Gonzales for Supervisor, failed to report sub-vendor expenditures in January and February of 2004.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that you failed to report sub-vendor expenditures for the following three campaign reporting periods: 1) January 1 through January 17, 2004; 2) January 18 through February 14, 2004; and 3) July 1 through September 30, 2004.

The Act provides that sub-vendor expenditures over $500 are prohibited unless reported by the candidate or committee. Specifically the Act provides that "no expenditure of five hundred dollars ($500) or more shall be made, other than overhead or normal operating expenses, by an agent or independent contractor, including, but not limited to, an advertising agency, on behalf of or for the benefit of any candidate or committee unless it is reported by the candidate or committee as if the expenditure were made directly by the candidate or committee. " (Section 84303)

You violated the Act by failing to report several sub-vendor expenditures. You failed to report sub-vendor expenditures for the January 1 through January 17, 2004, campaign period, in violation of Section 84303. You also failed to report sub-vendor expenditures for the January 18 through February 14,

---

[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.

2004, campaign period, in violation of Section 84303. You also failed to report sub-vendor expenditures for the July 1 through September 30, 2004, campaign period, in violation of Section 84303.

This letter serves as a written warning. Enforcement actions are not available for these violations at this point due to the time limitation on enforcement actions set forth in section 91000.5 of the Act. 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.

Please feel free to contact me with any questions you may have regarding this letter.

Sincerely,

REDACTED

Gary Winuk
Chief, Enforcement Division