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

November 5, 2009

Mr. Clifton Woods, Treasurer
Citizens for Redevelopment of Gardena

REDACTED

**Warning Letter Re: FPPC No. 04/609, Citizens for Redevelopment of Gardena**

Dear Mr. Woods:

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 alleging that the Citizens for Redevelopment of Gardena violated sections 84200.7(b)(1), 84211(e), 84211(k) and 84102(a) of the Act, specifically in relation to late submitted filings, incorrectly stated cash balances, lack of expenditure detail, and failure to file as a sponsored committee of the Normandy Club.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found the Committee failed to submit required campaign filings in a timely manner. One filing listed an incorrect ending cash balance. Two filings did not contain required detail concerning expenditures. The FPPC found no evidence that you were required to file as a sponsored committee.

The Act provides that failing to timely file required campaign statements is prohibited. Specifically, section 84200.7(b)(1) of the Act requires preelection statements for the November election period to be filed as follows: "For the period ending September 30, a statement [must] be filed no later than October 5."

The Act further provides that ending cash balances must be included on campaign statements. Specifically, section 84211(e) states that campaign statements are required to include "[t]he balance of cash and cash equivalents on hand at the beginning and the end of the period covered by the campaign statement."

[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 18109 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.

Additionally, the Act specifies that recipients of expenditures in excess of $100 must be identified. Specifically, section 84211(k) states that campaign statements are required to include information "[f]or each person to whom an expenditure of one hundred dollars ($100) or more has been made during the period covered by the campaign statement." Section 84211(k)(1) through section 84211(k)(4) provide that required information includes the recipient's full name and street address, the amount of each expenditure, and a description of the consideration given in exchange for the expenditure.

As referenced earlier, the complaint against you alleges that you were required, but failed, to file as a sponsored committee of the Normandy Club. Section 84102(a) of the Act states that, "[i]n the case of a sponsored committee, the name of the committee shall include the name of its sponsor." Section 82048.7(b)(1) defines a committee to be a sponsored committee if "the committee receives 80 percent or more of its contributions from the [sponsoring] person or its members, officers, employees, or shareholders."

Your actions violated the Act because you failed to file in a timely manner. You failed to accurately report your ending cash balance. Further, you failed to report required expenditure information. There is no evidence that you were required to file as a sponsored committee.

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 with 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