



FAIR POLITICAL PRACTICES COMMISSION

1102 Q St • Suite 3000 • Sacramento, CA 95811
(916) 322-5660 • Fax (916) 322-0886

April 3, 2018

First Class Mail

Gloria Olmos, individually, and o/b/o
Re-Elect Gloria Olmos for School Board 2013
Committee To Elect Gloria Olmos for South
El Monte City Council Member 2015
[REDACTED]

NOTICE OF INTENT TO ENTER DEFAULT DECISION AND ORDER

Re: FPPC No. 14/1263

**In the Matter of Gloria Olmos, Re-Elect Gloria Olmos for School Board 2013, and
Committee to Elect Gloria Olmos for South El Monte City Council Member 2015**

Dear Ms. Olmos:

Enclosed please find a copy of the Default Decision and Order, and accompanying Exhibit and attachments, for the above-referenced matter. The Fair Political Practices Commission (Commission) will consider these papers at its public meeting on **April 19, 2018**, and decide whether to impose an administrative penalty in the amount of Eighteen Thousand Dollars (\$18,000) against you.

You were previously served a Report in Support of a Finding of Probable Cause, commonly known as a Probable Cause Report, advising you of your right to request a probable cause conference or submit a written response to the probable cause report. You did not request a probable cause conference, nor did you submit anything in writing for the Commission's Hearing Officer to consider in his determination of probable cause.

Following the issuance of a Report in Support of a Finding of Probable Cause, the Commission's Hearing Officer found probable cause that you committed six violations of the Political Reform Act's campaign provisions. Thereafter, the Hearing Officer issued an Accusation against you on these violations. The Accusation was personally served on you on September 28, 2017. Under the law, you have therefore received adequate notice of these proceedings and the action filed against you. Under the Administrative Procedure Act, you were required to file your

Notices of Defense within 15 days after service of the Accusation. You failed to file the notice of defense forms. As such, your right to an administrative hearing on this matter has been forfeited, and you are in a default position.

You may, but you are not required to, provide a response brief, along with any supporting materials, no later than five calendar days before the Commission hearing at which the default is scheduled to be heard. Your response brief must be served on the Commission Assistant, at the above address.

At its public meeting on April 19, 2018, the Commission may impose an administrative penalty against you in the amount of \$25,000, the maximum penalty for the five violations.

Following the issuance of the default order and imposition of the administrative penalty, we will commence legal proceedings to collect this fine, which may include converting the Commission's order to a court judgment. Please be advised that administrative penalties for violations of the Political Reform Act cannot be discharged in bankruptcy proceedings.

This letter is your last opportunity to resolve this matter informally by way of a stipulated settlement, before the default proceedings are commenced. If we do not reach a resolution, the enclosed documents will be placed on the Commission's agenda for the April 19, 2018 meeting. Please contact me if you wish to enter into a negotiated settlement.

You may contact me directly at (916) 322-5772.

Sincerely,



Michael W. Hamilton
Commission Counsel
Enforcement Division

Enclosures

1 GALENA WEST
Chief of Enforcement
2 MICHAEL W. HAMILTON
Commission Counsel
3 **FAIR POLITICAL PRACTICES COMMISSION**
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6 Attorneys for Complainant

7
8 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
9 STATE OF CALIFORNIA

10
11 In the Matter of

) FPPC No. 14/1263
)
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)

12
13 GLORIA OLMOS, RE-ELECT
GLORIA OLMOS FOR SCHOOL
14 BOARD 2013, AND COMMITTEE
TO ELECT GLORIA OLMOS FOR
15 SOUTH EL MONTE CITY
16 COUNCIL MEMBER 2015,
)
)
)

DEFAULT DECISION AND ORDER

(Gov. Code §11503)

17
18 Respondents.

19 Complainant, the Enforcement Division of the Fair Political Practices Commission, hereby
20 submits this Default Decision and Order for consideration by the Fair Political Practices Commission at
21 its next regularly scheduled meeting.

22 Pursuant to the California Administrative Procedure Act (APA)¹ Respondents Gloria Olmos
23 (“Olmos”), Re-Elect Gloria Olmos for School Board 2013 (the “School Board Committee”) and
24 Committee to Elect Gloria Olmos for South El Monte City Council Member 2015 (the “City Council
25 Committee”), have been served with all of the documents necessary to conduct an administrative hearing
26 regarding the above-captioned matter, including the following:


27
28 ¹ The California Administrative Procedure Act, which governs administrative adjudications, is contained in sections 11370 through 11529 of the Government Code.

- 1 1. An Order Finding Probable Cause;
- 2 2. An Accusation;
- 3 3. A Notice of Defense (Two Copies);
- 4 4. A Statement to Respondent; and,
- 5 5. Copies of Sections 11506, 11507.5, 11507.6 and 11507.7 of the Government Code.

6 Government Code section 11506 provides that failure of a respondent to file a Notice of Defense
7 within fifteen days after being served with an Accusation shall constitute a waiver of respondent's right
8 to a hearing on the merits of the Accusation. The Statement to Respondent, served on Olmos, the School
9 Board Committee and the City Council Committee, explicitly stated that a Notice of Defense must be filed
10 in order to request a hearing. Olmos, the School Board Committee and the City Council Committee failed
11 to file Notices of Defense within 15 days of being served with an Accusation. Olmos, the School Board
12 Committee and the City Council Committee failed to file Notices of Defense by October 13, 2017.
13 Government Code Section 11520 provides that, if the respondent fails to file a Notice of Defense, the
14 Commission may take action, by way of a default, based upon the respondent's express admissions or
15 upon other evidence, and that affidavits may be used as evidence without any notice to the respondent.

16 Olmos, the School Board Committee and the City Council Committee violated the Political
17 Reform Act (Act)² as described in Exhibit 1, which is attached hereto and incorporated by reference as
18 though fully set forth herein. Exhibit 1 is a true and accurate summary of the law and evidence in this
19 matter. This Default Decision and Order is submitted to the Commission to obtain a final disposition of
20 this matter.

21
22 Dated: 3 April 18



Galena West, Chief of Enforcement
Fair Political Practices Commission

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28 ² The Political Reform Act is contained in Government Code §§ 81000 through 91014, and all statutory references are to this code. The regulations of the Fair Political Practices Commission are contained in §§ 18110 through 18997 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

1 **DECISION AND ORDER**

2 The Commission issues this Default Decision and Order and imposes an administrative penalty of
3 Ten Thousand Dollars (\$10,000) upon Respondents Olmos and the School Board Committee and Eight
4 Thousand Dollars (\$8,000) upon Respondents Olmos and the City Council Committee, payable to the
5 "General Fund of the State of California."

6 IT IS SO ORDERED, effective upon execution below by the Chair of the Fair Political Practices
7 Commission at Sacramento, California.

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9 Dated: _____

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11 Joann Remke, Chair
12 Fair Political Practices Commission
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EXHIBIT 1

INTRODUCTION

Respondent Gloria Olmos (“Olmos”) is former member of the school board for the Valle Lindo Elementary School District located in Los Angeles County and currently serves as a member of the South El Monte City Council. Respondent Re-Elect Gloria Olmos for School Board 2013 (the “School Board Committee”) was Olmos’ controlled committee for school board. Respondent Committee To Elect Gloria Olmos for South El Monte City Council Member 2015 (the “City Council Committee”) is Olmos’ controlled committee for city council.

The Political Reform Act (the “Act”)¹ requires candidates and committees to file semi-annual campaign statements bi-annually. Olmos and the School Board Committee violated the Act by failing to file three semi-annual campaign statements.

Approximately two years after being re-elected to the school board, Olmos was elected to the South El Monte City Council. Olmos and the City Council Committee violated the Act by failing to do the following: accurately report campaign activity on the summary page, report expenditures and accrued expenses on campaign statements.

DEFAULT PROCEEDINGS UNDER THE ADMINISTRATIVE PROCEDURE ACT

When the Commission determines that there is probable cause for believing that the Act has been violated, it may hold a hearing to determine if a violation has occurred.² Notice of the hearing, and the hearing itself, must be conducted in accordance with the Administrative Procedure Act (the “APA”).³ A hearing to determine whether the Act has been violated is initiated by the filing of an accusation, which shall be a concise written statement of the charges, specifying the statutes and rules which the respondent is alleged to have violated.⁴

Included among the rights afforded a respondent under the APA, is the right to file the Notice of Defense with the Commission within 15 days after service of the accusation, by which the respondent may (1) request a hearing; (2) object to the accusation on the ground it does not state acts or omissions upon which the agency may proceed; (3) object to the form of the accusation on the ground that it is so indefinite or certain that the respondent cannot identify the transaction or prepare a defense; (4) admit the accusation in whole or in part; (5) present new matter by way of a defense; or (6) object to the accusation on the ground that, under the circumstances,

¹ The 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 (“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.

² Section 83116.

³ The California Administrative Procedure Act, which governs administrative adjudications, is contained in Sections 11370 through 11529 of the Government Code; Section 83116.

⁴ Section 11503.

compliance with a Commission regulation would result in a material violation of another department's regulation affecting substantive rights.⁵

The APA provides that a respondent's failure to file a Notice of Defense within 15 days after service of an accusation constitutes a waiver of the respondent's right to a hearing.⁶ Moreover, when a respondent fails to file a Notice of Defense, the Commission may take action based on the respondent's express admissions or upon other evidence and affidavits may be used as evidence without any notice to the respondent.⁷

PROCEDURAL REQUIREMENTS AND HISTORY

A. Initiation of the Administrative Action

The service of the probable cause hearing notice, as required by Section 83115.5, upon the person alleged to have violated starts the administrative action.⁸

A finding of probable cause may not be made by the Commission unless the person alleged to have violated the Act is 1) notified of the violation by service of process or registered mail with return receipt requested; 2) provided with a summary of the evidence; and 3) informed of his or her right to be present in person and represented by counsel at any proceeding of the Commission held for the purpose of considering whether probable cause exists for believing the person violated the Act.⁹ Additionally, the required notice to the alleged violator shall be deemed made on the date of service, the date the registered mail receipt is signed, or if the registered mail receipt is not signed, the date returned by the post office.¹⁰

No administrative action pursuant to Chapter 3 of the Act alleging a violation of any of the provisions of Act may be commenced more than five years after the date on which the violation occurred.¹¹

Documents supporting the procedural history are included in the attached Certification of Records ("Certification") filed herewith at Exhibit 1, A-1 through A-19, and incorporated herein by reference.

In accordance with Sections 83115.5 and 91000.5, the Enforcement Division initiated the administrative action against Olmos, the School Board Committee, and the City Council Committee in this matter by personally serving Olmos with a Report in Support of a Finding of Probable Cause (the "Report") (Certification, Exhibit A-1)¹² on June 13, 2017. (Certification, Exhibit A-2.) The administrative action commenced on June 13, 2017, and the five-year statute of limitations was effectively tolled on this date.

⁵ Section 11506, subdivision (a)(1)-(6).

⁶ Section 11506, subdivision (c).

⁷ Section 11520, subdivision (a).

⁸ Section 91000.5, subdivision (a).

⁹ Section 83115.5.

¹⁰ Section 83115.5.

¹¹ Section 91000.5.

¹² Section 83115.5.

As required by Section 83115.5, the packet served on Olmos, the School Board Committee, and the City Council Committee contained a cover letter and a memorandum describing probable cause proceedings, advising that Olmos had 21 days in which to request a probable cause conference and/or to file a written response to the Report. (Certification, Exhibit A-3.) Olmos neither requested a probable cause conference nor submitted a written response to the Report.

B. Ex Parte Request for a Finding of Probable Cause

Because Olmos failed to request a probable cause conference or submit a written response to the Report by the statutory deadline, the Enforcement Division submitted an Ex Parte Request for a Finding of Probable Cause and an Order that an Accusation Be Prepared and Served to the Hearing Officer of the Commission on August 9, 2017. (Certification, Exhibit A-4.)

On August 17, 2017, Hearing Officer Brian Lau, Senior Commission Counsel, Legal Division, issued a Finding of Probable Cause and an Order to Prepare and Serve an Accusation on Olmos, the School Board Committee, and the City Council Committee. (Certification, Exhibit A-5.)

C. The Issuance and Service of the Accusation

Under the Act, if the Hearing Officer makes a finding of probable cause, the Enforcement Division must prepare an accusation pursuant to Section 11503 of the APA, and have it served on the persons who are the subject of the probable cause finding.¹³

Section 11503 states:

A hearing to determine whether a right, authority, license, or privilege should be revoked, suspended, limited, or conditioned shall be initiated by filing an accusation or District Statement of Reduction in Force. The accusation or District Statement of Reduction in Force shall be a written statement of charges that shall set forth in ordinary and concise language the acts or omissions with which the respondent is charged, to the end that the respondent will be able to prepare his or her defense. It shall specify the statutes and rules that the respondent is alleged to have violated, but shall not consist merely of charges phrased in the language of those statutes and rules. The accusation or District Statement of Reduction in Force shall be verified unless made by a public officer acting in his or her official capacity or by an employee of the agency before which the proceeding is to be held. The verification may be on information and belief.

Upon the filing of the accusation, the agency must 1) serve a copy thereof on the respondent as provided in Section 11505, subdivision (c); 2) include a post card or other form entitled Notice of Defense that, when signed by or on behalf of the respondent and returned to the agency, will acknowledge service of the accusation and constitute a notice of defense under Section 11506; 3) include (i) a statement that respondent may request a hearing by filing a notice of defense as

¹³ Regulation 18361.4, subdivision (e).

provided in Section 11506 within 15 days after service upon the respondent of the accusation, and that failure to do so will constitute a waiver of the respondent's right to a hearing, and (ii) copies of Sections 11507.5, 11507.6, and 11507.7.¹⁴ The APA also sets forth the language required in the accompanying statement to the respondent.¹⁵

The Accusation and accompanying information may be sent to the respondent by any means selected by the agency, but no order adversely affecting the rights of the respondent may be made by the agency in any case unless the respondent has been served personally or by registered mail as set forth in the APA.¹⁶

On September 19, 2017, the Commission's Chief of Enforcement, Galena West, issued an Accusation against Olmos, the School Board Committee, and the City Council Committee in this matter. (Certification, Exhibit A-6.) In accordance with Section 11505, the Accusation and accompanying information, consisting of a Statement to Respondent, two copies of a Notice of Defense Form, copies of Government Code Sections 11506, 11507.5, 11507.6, and 11507.7, were personally served on Olmos on September 28, 2017. (Certification, Exhibit A-7 and 8.)

Along with the Accusation, the Enforcement Division served Olmos with a "Statement to Respondent," which notified her that she could request a hearing on the merits and warned that, unless a Notice of Defense was filed within 15 days of service of the Accusation, she would be deemed to have waived the right to a hearing. (Certification, Exhibit A-8.) Olmos did not file a Notice of Defense within the statutory time period, which ended on October 13, 2017.

As a result, on April 3, 2018, the Enforcement Division sent a letter to Olmos advising that this matter would be submitted for a Default Decision and Order at the Commission's public meeting scheduled for April 19, 2018. (Certification, Exhibit A-19.) A copy of the Default Decision and Order, and this accompanying Exhibit 1 with attachments, was included with the letter.

SUMMARY OF THE LAW

The Act requires elected officials, candidates, and committees to file a semi-annual campaign statement each year by July 31 for the period ending June 30, and by January 31 for the period ending December 31.¹⁷

Under the Act, a committee must report on its campaign statements the total amount of contributions received during the reporting period, the total amount of contributions received during the reporting period from persons who have given \$100 or more, the total amount of contributions received during the reporting period from persons who have given less than \$100, the total amount of expenditures made during the period to persons who have received less than \$100, and in cases where persons have received more than \$100, the name, address, the amount of

¹⁴ Section 11505, subdivision (a).

¹⁵ Section 11505, subdivision (b).

¹⁶ Section 11505, subdivision (c).

¹⁷ Section 84200.

each expenditure, and a brief description of the consideration shall be reported on the committee's campaign statement.¹⁸

Under the Act, it is the duty of the candidate and the treasurer of a controlled committee to ensure that the committee complies with all the requirements of the Act concerning the receipt, expenditure, and reporting of funds.¹⁹ The candidate and treasurer may be held jointly and severally liable, along with the committee, for violations committed by the committee.²⁰

SUMMARY OF THE EVIDENCE

School Board Committee

On November 5, 2013, Olmos was re-elected to the school board of the Valle Lindo Elementary School District located in Los Angeles County. On the semi-annual statement covering the reporting period of October 20, 2013 – December 31, 2013, the School Board Committee disclosed that they had an ending cash balance of \$1,289.26. (Certification, Exhibit A-9.) The School Board Committee failed to timely file semi-annual campaign statement for the reporting periods of January 1, 2014 – June 30, 2014, due July 31, 2014, July 1, 2014 – December 31, 2014, due February 2, 2015, and January 1, 2015 – June 30, 2015, due July 31, 2015.

The School Board Committee failed to timely file a semi-annual campaign statement for the reporting period of January 1, 2014 – June 30, 2014, due July 31, 2014. Per the referral from the Los Angeles County Registrar-Recorder/County Clerk (the "Clerk"), the Clerk notified Olmos and the School Board Committee of the outstanding statement as follows: verbal notification was given on August 7, 2014, written notification was given on August 11, 2014, verbal notification was given again on August 21, 2014, and a final notice in writing was provided on September 11, 2014. (Certification, Exhibit A-10.) On October 3, 2014, the Enforcement Division received a referral from the Clerk's office regarding the statement due July 31, 2014. (Certification, Exhibit A-10.)

The School Board Committee failed to timely file a second semi-annual campaign statement for the reporting period of July 1, 2014 – December 31, 2014, due February 2, 2015. According to the Clerk, Olmos and the School Board Committee were notified about the outstanding statement as follows: written notification was given on February 6, 2015, verbal notification was provided on February 17, 2015, written notification was given again on February 25, 2015, and a final verbal notification was provided on March 10, 2015. (Certification, Exhibit A-11.) On March 16, 2015, the Enforcement Division received a referral for the statement due February 2, 2015. (Certification, Exhibit A-11.)

On June 22, 2015, the Enforcement Division notified Olmos and the School Board Committee in writing that they had failed to file semi-annual campaign statements for the periods of January 1, 2014 – June 30, 2014 and July 1, 2014 – December 31, 2014. (Certification, Exhibit A-12.)

¹⁸ Section 84211, subdivisions (a), (d), (f), (j), and (k).

¹⁹ Sections 81004, 84100, 84213, and Regulation 18427.

²⁰ Sections 83116.5 and 91006.

For the January 1, 2015 – June 30, 2015 reporting period, Olmos and the School Board Committee filed an officeholder and candidate statement short form (Form 470) instead of a standard semi-annual campaign statement (Form 460). (Certification, Exhibit A-13.) The Form 470 is to be filed by candidates that do not have controlled committees. The School Board Committee was never terminated. Therefore, Olmos and the School Board Committee were required to file the standard semi-annual campaign statement.

On or around July 14, 2015, Olmos was notified in writing by the Clerk's office that she had filed the wrong form and needed to file a Form 460. (Certification, Exhibit A-14.) Olmos failed to file a Form 460 for the January 1, 2015 – June 30, 2015 reporting period despite being informed of her obligation to do so.

City Council Committee

On November 3, 2015, Olmos was elected to the South El Monte City Council. (Certification, Exhibit A-15.) On the pre-election statement covering the reporting period of September 20, 2015 – October 17, 2015, the City Council Committee failed to include required information regarding its expenditures. The only information reported on the statement regarding expenditures was on the statement summary page. The statement did not include schedules D, E, and F, which would provide specific information regarding expenditures. (Certification, Exhibit A-16.) Further, the reporting of expenditures on the summary page was not accurate. The total amount of expenditures reported was \$5,340, but this exceeded the amount of money the campaign reported having in the City Council Committee's bank account during this reporting period, which was approximately \$2,627 (contributions received plus beginning cash balance). (Certification, Exhibit A-16.)

On the semi-annual statement covering the reporting period of October 18, 2015 – December 31, 2015, the City Council Committee reported making approximately \$4,918 in expenditures and acquiring \$1,700 in accrued expenses. (Certification, Exhibit A-17.) However, the City Council Committee did not report any details of the expenditures and accrued expenses on any of the applicable schedules of the campaign statement. (Certification, Exhibit A-17.)

Summary of Contacts

Overall, Olmos was contacted at least 26 times regarding her duty to timely file campaign statements, as follows:

- On or around August 7, 2014, Olmos was given verbal notification from the Clerk.
- On or around August 11, 2014, Olmos was sent written notification from the Clerk.
- On or around August 21, 2014, Olmos was given verbal notification from the Clerk.
- On or around September 11, 2014, Olmos was sent written notification from the Clerk.
- On or around February 6, 2015, Olmos was sent written notification from the Clerk.
- On or around February 17, 2015, Olmos was given verbal notification from the Clerk.
- On or around February 25, 2015, Olmos was sent written notification from the Clerk.
- On or around March 10, 2015, Olmos was given verbal notification from the Clerk.

- On or around June 22, 2015, written notification from the Enforcement Division was sent to Olmos.
- On or around July 14, 2015, written notification from the Clerk was sent to Olmos.
- On June 13, 2017, Olmos was personally served with a probable cause report.
- On September 28, 2017, Olmos was personally served with an accusation.
- On October 20, 2017, a staff member of the Enforcement Division left a voicemail for Olmos. (Certification, Exhibit A-18)
- On November 17, 2017, a staff member of the Enforcement Division left a voicemail for Olmos. (Certification, Exhibit A-18.)
- On November 21, 2017, a staff member of the Enforcement Division called Olmos but was unable to leave a voicemail because the mail box was full. (Certification, Exhibit A-18.)
- On January 9, 2018, a staff member of the Enforcement Division sent Olmos an email to her city council email account to inform her a default would be submitted to the Commission in February and that she still had time to resolve this matter. (Certification, Exhibit A-18)
- On January 10, 2018, a staff member of the Enforcement Division left a voicemail for Olmos on her personal phone. (Certification, Exhibit A-18)
- On January 10, 2018, a staff member of the Enforcement Division sent Olmos an email to her personal email account to inform her a default would be submitted to the Commission in February and that she still had time to resolve this matter. (Certification, Exhibit A-18)
- On January 10, 2018, a staff member of the Enforcement Division left a message with a receptionist at Olmos' city council office to have her call him. (Certification, Exhibit A-18)
- On January 11, 2018, a staff member of the Enforcement Division left a message with the receptionist at Olmos' city council office. (Certification, Exhibit A-18)
- On January 11, 2018, a staff member of the Enforcement Division left a voicemail on Olmos' personal phone. (Certification, Exhibit A-18)
- On January 11, 2018, Olmos called back and agreed to file and amend her statements as needed. The staff member explained submission of the default would continue as planned until the matter was fully resolved. (Certification, Exhibit A-18)
- On March 23, 2018, a staff member of the Enforcement Division left a voicemail on Olmos' personal phone about the issues with her campaign filings. (Certification, Exhibit A-18)
- On March 23, 2018, a staff member of the Enforcement Division sent Olmos an email about the issues with her campaign filings. (Certification, Exhibit A-18)
- On March 27, 2018, a staff member of the Enforcement Division sent Olmos an email about the issues with her campaign filings. Olmos was informed that if she did not contact the Enforcement Division by Monday, April 2, 2018, a default order and judgment would be submitted at the Commission's next regularly scheduled hearing. (Certification, Exhibit A-18)
- On April 3, 2018, a staff member of the Enforcement Division left a voicemail informing Olmos that a default order and judgment would be submitted to the Commission at its next regularly scheduled meeting made contact with them regarding her filings. (Certification, Exhibit A-18)

As of April 3, 2018, Olmos has not filed her outstanding statements or amended her statements as required.

VIOLATIONS

Olmos, the School Board Committee, and the City Council Committee committed five violations of the Act, as follows:

COUNT 1

Failure to Timely File a Semi-Annual Campaign Statement

Olmos and the School Board Committee failed to timely file a semi-annual campaign statement covering the reporting period of January 1, 2014 –June 30, 2014, by the July 31, 2014 deadline, in violation Government Code section 84200, subdivision (a).

COUNT 2

Failure to Timely File a Semi-Annual Campaign Statement

Olmos and the School Board Committee failed to timely file a semi-annual campaign statement covering the reporting period of July 1, 2014 –December 31, 2014, by the February 2, 2015 deadline, in violation of Government Code section 84200, subdivision (a).

COUNT 3

Failure to Timely File a Semi-Annual Campaign Statement

Olmos and the School Board Committee failed to timely file a semi-annual campaign statement covering the reporting period of January 1, 2015 –June 30, 2015, by the July 31, 2015 deadline, in violation of Government Code section 84200, subdivision (a).

COUNT 4

Failure to Timely Report Expenditures

Olmos and the City Council Committee failed to timely and accurately report expenditures made, on the pre-election statement covering the reporting period of September 20, 2015 – October 17, 2015, in violation of Government Code section 84211, subdivisions (j) and (k)

COUNT 5

Failure to Timely Report Expenditures

Olmos and the City Council Committee failed to timely fully and accurately report expenditures and accrued expenses on the applicable schedules of the semi-annual statement

covering the reporting period of October 18, 2015 – December 31, 2015, in violation of Government Code section 84211, subdivisions (j) and (k).

CONCLUSION

This matter consists of five Counts of violating the Act, which carries a maximum administrative penalty of \$25,000.²¹

In determining the appropriate penalty for a particular violation of the Act, the Enforcement Division considers the typical treatment of a violation in the overall statutory scheme of the Act, with an emphasis on serving the purposes and intent of the Act. Additionally, the Enforcement Division considers the facts and circumstances of the violation in the context of the following factors set forth in Regulation 18361.5 subdivision (d)(1) through (6): (1) The seriousness of the violation; (2) The presence or absence of any intention to conceal, deceive or mislead; (3) Whether the violation was deliberate, negligent or inadvertent; (4) Whether the violator demonstrated good faith by consulting the Commission staff or any other governmental agency in a manner not constituting complete defense under Government Code section 83114(b); (5) Whether the violation was isolated or part of a pattern and whether the violator has a prior record of violations of the Political Reform Act or similar laws; and (6) Whether the violator, upon learning of a reporting violation, voluntarily filed amendments to provide full disclosure.

The Enforcement Division does not have any evidence indicating that Olmos, the School Board Committee, or the City Committee intentionally concealed information from the public. The violations appear to be the result of the candidate's negligence in fulfilling her filing and reporting obligations. Additionally, Olmos previously received a warning letter in FPPC Case No. 07/0422 for failing to file a semi-annual campaign statement.

A comparable case for failing to timely file semi-annual campaign statements recently approved by the Commission is:

In the Matter of Committee to Elect Marina Fraser, Marina Fraser, and Jackie M. Buckley; FPPC Case No. 16/140 (approved April 20, 2017), the Commission approved a default judgement against the respondents for failing to timely file semi-annual campaign statements in amount of \$4,000 per Count (8 Counts). Marina Fraser was a successful candidate for the Half Moon Bay City Council. In this matter, the Committee disclosed on the last statement it filed an ending cash balance of \$8,769.40. The Committee failed to file statements for 8 subsequent periods. The statements were not filed.

Regarding Counts 1 and 2, the circumstances regarding the School Board's unfiled statements are similar to *Fraser*. First, Olmos was a successful candidate for school board of the Valley Lindo Elementary School District. Second, the amount of activity is similar. Third, the School Board Committee has not filed the outstanding statements. Based on the similarity of the circumstances, a penalty of \$4,000 per Count is recommended for Counts 1 – 2.

²¹ Section 83116, subdivision (c).

Regarding Count 3, all of the factors discussed for Counts 1 and 2 are the same with the exception that the School Board Committee filed a 470 for this reporting period providing some disclosure unlike in *Marina Fraser* where there was no disclosure. However, the School Board Committee still did not file the required semi-annual campaign statement. Based on the mitigating factor, a penalty of \$2,000 is recommended for Count 3.

A comparable case for failing to timely report campaign activity that was recently approved by the Commission is:

In the Matter of Sonny Dhaliwal, Sonny Dhaliwal for City Council 2010, and Sarabjit Dhaliwal FPPC Case No. 12/086 (approved June 19, 2014), the Commission approved a default judgement in the amount of \$4,000 per Count (4 Counts) for the respondent's failure to report receiving \$4,600 over 5 reporting periods.

The failure of the City Council Committee to timely and accurately report expenditures denied the public information regarding where it was spending money like *Dhaliwal*. Therefore, a penalty of \$4,000 per Count is recommended for Counts 4 and 5.

PROPOSED PENALTY

After considering the factors of Regulation 18361.5 and the penalties imposed in prior cases, it is recommended the following penalties are imposed against Olmos, the School Board Committee, and the City Council Committee: a penalty of \$10,000 against Olmos and the School Board Committee for Counts 1 – 3 and penalty of \$8,000 against Olmos and the City Council Committee for Counts 4 and 5.



**DECLARATION OF CUSTODIAN OF RECORDS
CALIFORNIA FAIR POLITICAL PRACTICES COMMISSION
Enforcement Division**

CERTIFICATION OF RECORDS

The undersigned declares and certifies as follows:


1. I am employed as an Associate Governmental Program Analyst by the California Fair Political Practices Commission (Commission). My business address is: California Fair Political Practices Commission, 1102 Q Street, Suite 3000, Sacramento, CA 95811.
2. I am a duly authorized custodian of the records maintained by the Commission in the Enforcement Division. As such, I am authorized to certify copies of those records as being true and correct copies of the original business records which are in the custody of the Commission.
3. I have reviewed documents maintained in *FPPC Case No. 14/1263; Gloria Olmos, Re-Elect Gloria Olmos for School Board 2013, and Committee to Elect Gloria Olmos for South El Monte City Council Member 2015*, and have caused copies to be made of documents contained therein. I certify that the copies attached hereto are true and correct copies of the documents prepared in the normal course of business and which are contained in files maintained by the Commission. The attached documents are as follows:

- EXHIBIT A-1: Report in Support of a Finding of Probable Cause, dated May 8, 2017
- EXHIBIT A-2: Proof of Service on June 13, 2017, for the Report in Support of a Finding of Probable Cause and applicable statutes and regulations, dated June 28, 2017
- EXHIBIT A-3: Cover letter to the respondents, dated May 8, 2017, regarding the Report in Support of a Finding of Probable Cause, memorandum describing Probable Cause Proceedings, and applicable statutes and regulations
- EXHIBIT A-4: Ex Parte Request for a Finding of Probable Cause and an Order that an Accusation Be Prepared and Served, dated August 9, 2017
- EXHIBIT A-5: Finding of Probable Cause and Order to Prepare and Serve an Accusation, dated August 17, 2017

- EXHIBIT A-6: Accusation, dated September 19, 2017
- EXHIBIT A-7: Statement to the Respondents, Notices of Defense, applicable statutes, and Proof of Service for Accusation and accompanying documents
- EXHIBIT A-8: Proof of Service on September 28, 2017, regarding Accusation and accompanying documents from process server, dated September 29, 2017
- EXHIBIT A-9: Cover pages and summary page of semi-annual statement covering the reporting period of October 20, 2013 – December 31, 2013, filed on February 6, 2014
- EXHIBIT A-10: Notifications and referral to the Enforcement Division from the Los Angeles County Registrar Recorder/County Clerk pertaining to the reporting period of January 1, 2014 – June 30, 2014
- EXHIBIT A-11: Notifications and referral to the Enforcement Division from the Los Angeles County Registrar Recorder/County Clerk pertaining to the reporting period of July 1, 2014 – December 31, 2014
- EXHIBIT A-12: Notification from the Enforcement Division to Olmos and the School Board Committee pertaining to the unfiled statements for the reporting period of January 1, 2014 – June 30, 2014 and July 1, 2014 – December 31, 2014
- EXHIBIT A-13: Officeholder and Candidate Statement Short Form (Form 470) filed on July 15, 2015
- EXHIBIT A-14: Notification from the Los Angeles County Registrar Recorder/County Clerk pertaining unfiled semi-annual statement covering the reporting period of January 1, 2015 – June 30, 2015
- EXHIBIT A-15: Election results for the South El Monte City Council Election
- EXHIBIT A-16: Pre-Election statement covering the reporting period of September 20, 2015 – October 17, 2015, filed on October 22, 2015
- EXHIBIT A-17: Semi-Annual statement covering the reporting period of October 18, 2015 – December 31, 2015, filed on February 1, 2016
- EXHIBIT A-18: Declaration of Michael W. Hamilton in support of Default Decision and Order

EXHIBIT A-19: Letter sent to Olmos regarding intent to Enter into Default Decision and Order,
dated April 3, 2018

I declare under penalty of perjury under the laws of the State of California that the foregoing is
true and correct. Executed on April 3, 2018, at Sacramento, California.



Dominika Wojenska
Associate Governmental Program Analyst,
Enforcement Division
Fair Political Practices Commission

Exhibit A-1

DEFAULT DECISION AND ORDER FPPC NO. 14/1263

1 GALENA WEST
Chief of Enforcement
2 MICHAEL W. HAMILTON
Commission Counsel
3 **FAIR POLITICAL PRACTICES COMMISSION**
428 J Street, Suite 620
4 Sacramento, CA 95814
Telephone: (916) 322-5772
5 Facsimile: (916) 322-1932

6 Attorneys for Complainant
Enforcement Division of the Fair Political Practices Commission
7

8
9 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
10 STATE OF CALIFORNIA

11 In the Matter of

12
13 GLORIA OLMOS, RE-ELECT GLORIA
14 OLMOS FOR SCHOOL BOARD 2013,
AND ELECT GLORIA OLMOS FOR
15 SOUTH EL MONTE CITY COUNCIL
MEMBER 2015,

16
17 Respondents.
18
19

) FPPC No. 14/1263
)
)
)

) **REPORT IN SUPPORT OF A FINDING OF
PROBABLE CAUSE**

) Conference Date: TBA
) Conference Time: TBA
) Conference Location: Commission Offices
428 J Street, Suite 620
Sacramento, CA 95814
)
)
)

20 **INTRODUCTION**

21 Respondent Gloria Olmos ("Olmos") was re-elected to the Valle Lindo Elementary School District
22 in 2013. Respondent Re-Elect Gloria Olmos for School Board 2013 (the "School Board Committee") is
23 her candidate controlled committee. Olmos served as the treasurer of the School Board Committee. The
24 Political Reform Act (the "Act")¹ requires candidates and committees to file semi-annual campaign
25

26 ¹ The Political Reform Act is contained in Government 81000 through 91014. The regulations of the Fair Political are
27 contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations.

1 statements bi-annually. Olmos and the School Board Committee violated the Act by failing to file three
2 semi-annual campaign statements.

3 Approximately two years later, Olmos was elected to the South El Monte City Council.
4 Respondent the Committee to Elect Gloria Olmos for South El Monte City Council Member 2015 (the
5 "City Council Committee") was Olmos' controlled committee. Olmos and the City Council Committee
6 violated the Act by failing to report the following: the total amount of contributions received, the
7 expenditures made by the City Council Committee, the City Council Committee's accrued expenses, and
8 a late contribution received by the City Council Committee.

9 SUMMARY OF THE LAW

10 All legal references and discussions of law pertain to the Act's provisions as they existed at the
11 time of the violations.

12 Jurisdiction

13 The Fair Political Practices Commission (the "Commission") has administrative jurisdiction to
14 enforce the provisions of the Act.²

15 Probable Cause Proceedings

16 Prior to the Enforcement Division commencing an administrative action, the General Counsel of
17 the Commission or her designee (the "hearing officer"), must make a finding that there is probable cause
18 to believe the respondent has violated the Act.³ After a finding of probable cause, the Commission may
19 hold a noticed hearing in accordance with the Administrative Procedure Act⁴ to determine whether
20 violations occurred, and levy an administrative penalty of up to \$5,000 for each violation.⁵

21 ///

22 ///

23 ///

24
25 ² § 83116.

26 ³ § 83115.5, and Reg. 18361 and 18361.4.

27 ⁴ § 11500, et seq.

28 ⁵ § 83116, and Reg. 18361.4, subdivision. (e).

1 Standard for Finding Probable Cause

2 To make a finding of probable cause, the hearing officer must be presented with sufficient
3 evidence to lead a person of ordinary caution and prudence to believe, or entertain a strong suspicion,
4 that a respondent committed or caused a violation.⁶

5 Need for Liberal Construction and Vigorous Enforcement of the Political Reform Act

6 When enacting the Political Reform Act, the people of the state of California found and declared
7 that previous laws regulating political practices suffered from inadequate enforcement by state and local
8 authorities.⁷ To that end, the Act must be liberally construed to achieve its purposes.⁸

9 Semi-Annual Campaign Statements

10 The Act requires elected officials, candidates, and committees to file a semi-annual campaign
11 statement each year by July 31 for the period ending June 30, and by January 31 for the period ending
12 December 31.⁹

13 Late In Kind Contributions

14 The Act requires each candidate or committee that receives a late in kind contribution to file a 24-
15 hour report within 48 hours of the time the contribution is received.¹⁰

16 Contents of a Campaign Statement

17 Under the Act, a committee must report on its campaign statements the total amount of
18 contributions received during the reporting period, the total amount of contributions received during the
19 reporting period from persons who have given \$100 or more, the total amount of contributions received
20 during the reporting period from person who have given less than \$100, the total amount of expenditures
21 made during the period to persons who have received less than \$100, and in cases where persons have
22

23
24
25 ⁶ Reg. 18361.4, subdivision, (e).

⁷ § 81001, subd., (h).

⁸ § 81003.

⁹ § 84200.

¹⁰ § 84203.3, subd. (b).

1 received more than \$100, the name, address, the amount of each expenditure, and a brief description of
2 the consideration shall be reported on the committee's campaign statement.¹¹

3 Candidate and Treasurer Liability

4 Under the Act, it is the duty of the candidate and the treasurer of a controlled committee to ensure
5 that the committee complies with all the requirements of the Act concerning the receipt, expenditure, and
6 reporting of funds.¹² The candidate and treasurer may be held jointly and severally liable, along with the
7 committee, for violations committed by the committee.¹³

8 **SUMMARY OF THE EVIDENCE**

9 School Board Committee

10 On November 5, 2013, Olmos was re-elected to the school board of the Valle Lindo Elementary
11 School District located in Los Angeles County. The last semi-annual campaign statement filed by Olmos
12 and the School Board Committee on February 6, 2014, disclosed an ending cash balance of \$1,289.26.

13 Olmos and the School Board Committee failed to timely file a semi-annual campaign statement
14 for the reporting period January 1, 2014 – June 30, 2014, due July 31, 2014. The Los Angeles County
15 Registrar-Recorder/County Clerk (the "Clerk") sent Olmos and the School Board Committee two written
16 notifications, dated August 11, 2014 and September 11, 2014. According to the call report from the
17 Clerk's office, the Clerk also provided Olmos and the School Board Committee with verbal notifications
18 on August 7, 2014 and August 21, 2014. On October 3, 2014, the Enforcement Division received a
19 referral from the Clerk's Office regarding the statement due July 31, 2014.

20 Olmos and the School Board Committee failed to timely file a second semi-annual campaign
21 statement for the reporting period of July 1, 2014 – December 31, 2014, due February 2, 2015. On
22 February 6, 2015 and February 25, 2015, the Clerk sent Olmos and the School Board Committee two
23 written notifications regarding the outstanding statements. According to the call report from the Clerk's
24 office, the Clerk also gave Olmos and the School Board Committee two verbal notifications on February
25

26 ¹¹ § 84211, subd. (a), (d), (f), (j), and (k).

27 ¹² §§ 81004, 84100 84213, and Regulation 18427.

28 ¹³ §§ 83116.5 and 91006.

1 17, 2015 and March 10, 2015. On March 16, 2015, the Enforcement Division received a referral for the
2 statement due February 2, 2015. On June 22, 2015, the Enforcement Division notified Olmos and the
3 School Board Committee in writing that they had failed to file semi-annual campaign statements
4 for the periods of January 1, 2014 – June 30, 2014 and July 1, 2014 – December 31, 2014.

5 For the January 1, 2015 – June 30, 2015 reporting period, Olmos filed an officeholder and
6 candidate statement short form (Form 470) instead of a standard semi-annual campaign statement. On or
7 around July 14, 2015, Olmos was notified in writing by the Clerk's office that she had filed the wrong
8 form and needed to file standard semi-annual campaign statement. Candidates and officeholders who
9 have an open committee are not permitted to file the Form 470 because it does not contain any information
10 about contributions received or expenditures made and requires the public official to sign under penalty
11 of perjury that they will not raise or spend more than \$2,000 for the entire calendar year, which would
12 cause them to be required to file as a recipient committee. The Enforcement Division learned that Olmos
13 and the School Board Committee had not filed the standard semi-annual campaign statement during a
14 phone conversation with the Clerk's office.

15 To date, Olmos has not filed the School Board Committee's semi-annual campaign statements
16 with the Clerk.

17 City Council Committee

18 On November 5, 2015, Olmos filed an amended statement of organization with the Secretary of
19 State's Office that renamed the School Board as the City Council Committee. Olmos then treated the
20 City Council Committee as her candidate controlled committee for the city council election. Olmos and
21 the City Council Committee failed to properly report campaign expenditures and contributions on the
22 committee's campaign statements. On the pre-election statement covering the reporting period of
23 September 20, 2015 – October 17, 2015, Olmos and the City Council Committee reported on the
24 summary page making approximately \$5,340 in expenditures and acquiring \$3,700 in accrued expenses.
25 However, Olmos and the City Council Committee did not report any details of the expenditures and
26 accrued expenses on any applicable schedule of the campaign statement. Additionally, the expenditures
27

1 Olmos and the City Council Committee report making during this period exceed both the beginning cash
2 balance and the contributions received during this period.

3 On the semi-annual statement covering the reporting period of October 18, 2015 – December 31,
4 2015, Olmos and the City Council Committee report making approximately \$4,918 in expenditures and
5 acquiring \$1,700 in accrued expenses. However, Olmos and the City Council Committee do not report
6 any details of the expenditures and accrued expenses on any of the applicable schedules of the campaign
7 statement. Additionally, the expenditures Olmos and the City Council Committee report making during
8 this period exceed both the beginning cash balance and the contributions received during this period.

9 On October 30, 2015, a committee by the name Grow Elect filed a 24-hour report to disclose
10 making two in kind contributions totaling approximately \$4,175 to the City Council Committee. Olmos
11 and the City Council Committee did not file a 24-hour report to disclose receiving these contributions.

12 VIOLATIONS

13 Count 1: Failure to File a Semi-Annual Campaign Statement

14 Olmos and the School Board Committee failed to timely file a semi-annual campaign statement
15 for the January 1, 2014 through June 30, 2014 reporting period by the July 31, 2014, deadline in violation
16 of section 84200, subdivision (a).

17 Count 2: Failure to File a Semi-Annual Campaign Statement

18 Olmos and the School Board Committee failed to timely file a semi-annual campaign statement
19 for the July 1, 2014 through December 31, 2014 reporting period by the February 2, 2015 deadline, in
20 violation of section 84200, subdivision (a).

21 Count 3: Failure to File a Semi-Annual Campaign Statement

22 Olmos and the School Board Committee failed to timely file a semi-annual campaign statement
23 for the January 1, 2015 through June 30, 2015 reporting period by July 31, 2015 deadline, in violation of
24 section 84200, subdivision (a).

25 ///

26 ///

1 Count 4: Contents of a Campaign Statement

2 Olmos and the City Council Committee failed to report expenditures, accrued expenses, and the
3 total amount of contributions received during the pre-election statement covering the reporting period of
4 September 20, 2015 – October 17, 2015, in violation of Government Code section 84211, subdivisions
5 (a), (j), and (k).

6 Count 5: Contents of a Campaign Statement

7 Olmos and the City Council Committee failed to report expenditures, accrued expenses, and the
8 total amount of contributions received during the semi-annual reporting period of October 18, 2015 –
9 December 31, 2015, in violation of Government Code section 84211, subdivisions (a), (j), and (k).

10 Count 6: Failure to timely file a 24-hour Report

11 Olmos and the City Council Committee failed to timely file a 24-hour report within 48 hours of
12 receiving a in kind contribution of \$1,000 or more, in violation of Government Code sections 84203,
13 subdivision (a) and 84203.3, subdivision (b).

14 **EXCULPATORY AND MITIGATING INFORMATION**

15 At this time, no exculpatory or mitigating factors are known.

16 ///

17 ///

18 ///

1 **CONCLUSION**

2 Probable cause exists to believe that Olmos and the School Board Committee committed three
3 violations of the Act as set forth above in Counts 1-3. Additionally, probable cause exists to believe that
4 Olmos and the City Council Committee committed three violations of the Act as set forth above in Counts
5 4-6. The Enforcement Division respectfully requests an order finding probable cause pursuant to Section
6 83115.5 and Regulation 18361.4.

7
8 Dated: 5/8/17

Respectfully Submitted,

9 **FAIR POLITICAL PRACTICES COMMISSION**
10 Galena West
11 Chief of Enforcement

12 

13 By: Michael W. Hamilton
14 Commission Counsel
15 Enforcement Division

Exhibit A-2

ATTORNEY OR PARTY WITHOUT ATTORNEY: GALENA WEST FAIR POLITICAL PRACTICES COMMISSION 428 J. STREET STE 620 SACRAMENTO, CA 95814 TELEPHONE NO.: (916) 322-5660 FAX NO.: (916) 322-1932 ATTORNEY FOR:	FOR COURT USE ONLY
FAIR POLITICAL PRACTICES COMMISSION, COUNTY OF SACRAMENTO STREET ADDRESS: 428 J STREET, SUITE 620 MAILING ADDRESS: 428 J STREET, SUITE 620 CITY AND ZIP CODE: SACRAMENTO, 95814 BRANCH NAME:	
RE: FPPC 14/1263: THE PEOPLE RESPONDENT: GLORIA OLMOS, RE-ELECT GLORIA OLMOS FOR SCHOOL BOARD 2013, AND ELECT GLORIA OLMOS FOR SOUTH MONTE CITY COUNCIL MEMBER 2015	CASE NUMBER: FPPC 14/1263
PROOF OF SERVICE OF SUMMONS	Ref. No. or File No.:

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of:
 - f. other (specify documents):
REPORT IN SUPPORT OF A FINDING OF PROBABLE CAUSE; PROBABLE CAUSE FACT SHEET;
3. a. Party served:
GLORIA OLMOS
4. Address where the party was served:
1415 N SANTA ANITA, S. EL MONTE, CA 91733
5. I served the party
 - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party on 6/13/2017 at 6:30 pm
6. The "Notice to the Person Served" (on the summons) was completed as follows:
 - a. as an individual defendant.
7. Person who served papers
 - a. Name: Carlos Abrego
Firm: C.A. PROCESS SERVICE
 - b. Address: 14800 Rinaldi St #24, Mission Hills, CA 91345
 - c. Telephone number: (800) 331-1072
 - d. The fee for the service was: \$105.00
 - e. I am:
 - (3) a registered California process server:
 - (i) owner
 - (ii) Registration No.: 6456
 - (iii) County: Los Angeles

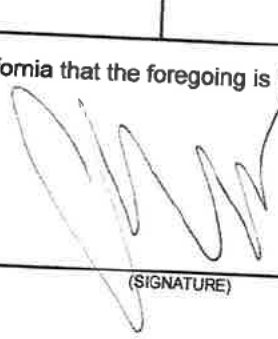
RE: FPPC 14/1263: THE PEOPLE	CASE NUMBER:
RESPONDENT: GLORIA OLMOS, RE-ELECT GLORIA OLMOS FOR SCHOOL BOARD 2013, AND ELECT GLORIA OLMOS FOR SOUTH MONTE CITY COUNCIL MEMBER 2015	FPPC 14/1263

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 6/28/17

Carlos Abrego

(NAME OF PERSON WHO SERVED PAPERS)



(SIGNATURE)

Exhibit A-3



FAIR POLITICAL PRACTICES COMMISSION

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

May 8, 2017

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Gloria Olmos
[REDACTED]

In the Matter of Gloria Olmos, Re-Elect Gloria Olmos For School Board 2013, and Elect Gloria Olmos for South El Monte City Council Member 2015; FPPC No. 14/1263

Dear Ms. Olmos:

The Enforcement Division of the Fair Political Practices Commission is proceeding with an administrative action against you for your failure to comply with the filing and disclosure provisions of the Political Reform Act (the "Act"), as described in our previous correspondence dated June 22, 2015. The enclosed Report in Support of a Finding of Probable Cause (the "Report") contains a summary of the alleged violations and the relevant law and evidence.

You have the right to file a written response to the Report. That response may contain any information you think is relevant and that you wish to bring to the attention of the Commission's Hearing Officer. In your response, please indicate whether you would like the Hearing Officer to make a determination of probable cause based on the written materials alone (the Report and your response) or request a conference, during which you may orally present your case to the Hearing Officer. Probable cause conferences are held in our office which is located at 428 J Street, Ste. 620, Sacramento, CA 95814. You may appear at the conference in person or by telephone and you are entitled to be represented by counsel. *If you wish to submit a written response or request a probable cause conference, it must be filed with the Commission Assistant at the address listed above within 21 days from the date of service of this letter.*

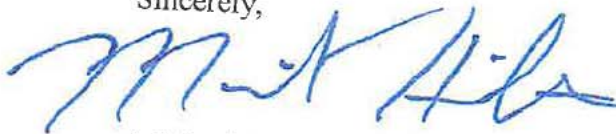
Please note that probable cause conferences are not settlement conferences. The sole purpose of a probable cause conference is to determine whether there is probable cause to believe that the Act was violated. However, settlement discussions are encouraged by the Commission and may take place at any time except during a probable cause conference. *If you are interested in reaching a settlement in this matter, please contact Michael Hamilton at (916) 322-5772 or mhamilton@fppc.ca.gov.*

Finally, you have the right to request discovery of the evidence in possession of, and relied upon by, the Enforcement Division. *This request must also be filed with the Commission Assistant within 21 days from the date of service of this letter.* Should you request discovery, the Enforcement Division will provide the evidence by service of process or certified mail. From the date you are served with the evidence, you would have an additional 21 days to file a written response to the Report, just as described above.

Should you take no action within 21 days from the date of service of this letter, your rights to respond and to request a conference are automatically waived and the Enforcement Division will independently pursue the issuance of an accusation.

For your convenience, I have enclosed a fact sheet on probable cause proceedings and copies of the most relevant statutes and regulations.

Sincerely,



Michael W. Hamilton
Commission Counsel
Enforcement Division

Enclosures (3)

PROBABLE CAUSE FACT SHEET

INTRODUCTION

The Fair Political Practices Commission is required by law to determine whether probable cause exists to believe that the Political Reform Act (the "Act") was violated before a public administrative accusation may be issued.

The probable cause proceedings before the Fair Political Practices Commission are unique, and most respondents and their attorneys are unfamiliar with them. Therefore, we have prepared this summary to acquaint you with the process.

THE LAW

Government Code sections 83115.5 and 83116 set forth the basic requirement that a finding of probable cause be made in a "private" proceeding before a public accusation is issued and a public hearing conducted in accordance with the Administrative Procedure Act.

The Commission has promulgated regulations further defining the probable cause procedure and delegating to the General Counsel (the "Hearing Officer" for purposes of these proceedings) the authority to preside over such proceedings and decide probable cause. A copy of these statutes and regulations are attached for your convenience.

In summary, the statutes and regulations entitle you to the following:

- a) A written probable cause report containing a summary of the law alleged to have been violated, and a summary of the evidence, including any exculpatory and mitigating information and any other relevant material and arguments;
- b) The opportunity to request discovery, respond in writing, and to request a probable cause conference within 21 days of service of the probable cause report;
- c) If the Commission met to consider whether a civil lawsuit should be filed in this matter, a copy of any staff memoranda submitted to the Commission and a transcript of staff discussions with the Commission at any such meeting; and
- d) If a timely request was made, a non-public conference with the General Counsel and the Enforcement Division staff to consider whether or not probable cause exists to believe the Act was violated.

THE PROCEDURE

Probable Cause Report

Administrative enforcement proceedings are commenced with the service, by registered or certified mail or in person, of a probable cause report. The report will contain a summary of the law and the evidence, including any exculpatory and mitigating information of which the staff has knowledge and any other relevant material and arguments. It is filed with the Hearing Officer.

Discovery

Within 21 calendar days following the service of the probable cause report, you may request discovery of the evidence in the possession of the Enforcement Division. This is not a right to full discovery of the Enforcement Division file, but to the evidence relied upon by the Division along with any exculpatory or mitigating evidence¹.

This request must be sent by registered or certified mail to the Commission Assistant.

Response to Probable Cause Report

Within 21 calendar days following the service of the probable cause report (or, if you timely requested discovery, within 21 calendar days from the service of the evidence) you may submit a response to the Report. By regulation, the written response may contain, "... a summary of evidence, legal arguments, and any mitigating or exculpatory information." (Cal. Code Regs., tit. 2, § 18361.4, subd. (c).)

You must file your response with the Commission Assistant and provide a copy, by service of process or registered or certified mail with return receipt requested, to all other proposed respondents listed in the probable cause report.

Staff Reply

Within 10 calendar days following the date the response was filed with the Commission Assistant, Commission staff may submit any evidence or argument in rebuttal. You will be served with a copy of any such reply.

Probable Cause Conference

Probable cause conferences are held at the offices of the Fair Political Practices Commission, which is located at 428 J Street, Ste. 620, Sacramento, CA 95814. You may appear at the conference in person or by telephone. The proceedings are not public unless all proposed respondents agree to open the conference to the public. Otherwise, the probable cause report, any written responses, and the probable cause conference itself are confidential.

Unless the probable cause conference is public, the only persons who may attend are the staff of the Commission, any proposed respondent and his or her attorney or representative, and, at the discretion of the Hearing Officer, witnesses.

The Hearing Officer may, but need not, permit testimony from witnesses. Probable cause conferences are less formal than court proceedings. The rules of evidence do not apply. The conferences will be recorded and a copy of the recording will be provided upon request.

Since it has the burden of proof, the Enforcement Division is permitted to open and close the conference presentations. The Hearing Officer may also hold the record open to receive additional evidence or arguments.

Probable cause conferences are not settlement conferences. The sole purpose of a probable cause conference is to determine whether or not there is probable cause to believe that the

¹ But see Title 2, California Code of Regulations, Section 18362, which states that the Commission provides access to complaints, responses to complaints, and investigative files and information in accordance with the requirements of the Public Records Act. (Govt. Code § 6250, et seq.)

Political Reform Act was violated. Anyone who wishes to discuss settlement with the Enforcement Division may do so before or after the probable cause conference but not during the conference.

Pursuant to Title 2, California Code of Regulations, Section 18361.4, subdivision (e), the Hearing Officer will find probable cause "if the evidence is sufficient to lead a person of ordinary caution and prudence to believe or entertain a strong suspicion that a proposed respondent committed or caused a violation."

Ordinarily, probable cause determinations are made based upon the written probable cause report, any written response by the respondent, any written reply by the Enforcement Division, and the oral arguments presented at the conference. Timely written presentations are strongly recommended.

Probable Cause Order and Accusation

Once the matter is submitted to the Hearing Officer, the probable cause decision will normally be made within ten days. If the Hearing Officer finds probable cause, he will issue a Finding of Probable Cause, which will be publicly announced at the next Commission Meeting. An accusation will be issued soon after the Finding of Probable Cause is publicly announced.

Continuances

Every reasonable effort is made to accommodate the schedules of parties and counsel. However, once a date has been set it is assumed to be firm and will not be continued except upon the order of the Hearing Officer after a showing of good cause. Settlement negotiations will be considered good cause only if the Hearing Officer is presented with a fully executed settlement, or is convinced that settlement is imminent.

Settlements

Settlement discussions may take place at any time except during the probable cause conference. In order to open settlement discussions, a proposed respondent or his or her counsel or representative should present a written offer to settle stating, where appropriate, the violations to be admitted, and the monetary penalty or other remedy to be tendered.

The Enforcement Division attorney assigned to the case will negotiate any potential settlement on behalf of the Fair Political Practices Commission, and will draft the language of the settlement agreement. The Hearing Officer will not directly participate in the negotiations, but will be represented by Enforcement Division attorneys. Staff attorneys will present settlement offers to the Hearing Officer for his/her approval.

CONCLUSION

This fact sheet was intended to give you a brief summary of the probable cause process at the Fair Political Practices Commission. Such a summary cannot answer every question that might arise in such proceedings. Therefore, if you have any questions that are not addressed by this fact sheet or the copies of the law and regulations we have attached, feel free to contact the attorney whose name appears on the probable cause report.

Attachments: Relevant Sections of (1) California Government Code, and (2) Regulations of the Fair Political Practices Commission, Title 2, Division 6 of the California Code of Regulations.

CALIFORNIA GOVERNMENT CODE

Probable Cause Statutes

§ 83115.5. Probable cause; violation of title; notice of violation; summary of evidence; notice of rights; private proceedings

No finding of probable cause to believe this title has been violated shall be made by the commission unless, at least 21 days prior to the commission's consideration of the alleged violation, the person alleged to have violated this title is notified of the violation by service of process or registered mail with return receipt requested, provided with a summary of the evidence, and informed of his right to be present in person and represented by counsel at any proceeding of the commission held for the purpose of considering whether probable cause exists for believing the person violated this title. Notice to the alleged violator shall be deemed made on the date of service, the date the registered mail receipt is signed, or if the registered mail receipt is not signed, the date returned by the post office. A proceeding held for the purpose of considering probable cause shall be private unless the alleged violator files with the commission a written request that the proceeding be public.

§ 83116. Violation of title; probable cause; hearing; order

When the Commission determines there is probable cause for believing this title has been violated, it may hold a hearing to determine if a violation has occurred. Notice shall be given and the hearing conducted in accordance with the Administrative Procedure Act (Chapter 5 (commencing with Section 11500), Part 1, Division 3, Title 2, Government Code). The Commission shall have all the powers granted by that chapter. When the Commission determines on the basis of the hearing that a violation has occurred, it shall issue an order that may require the violator to do all or any of the following:

- (a) Cease and desist violation of this title.
- (b) File any reports, statements, or other documents or information required by this title.
- (c) Pay a monetary penalty of up to five thousand dollars (\$5,000) per violation to the General Fund of the state. When the Commission determines that no violation has occurred, it shall publish a declaration so stating.

REGULATIONS OF THE FAIR POLITICAL PRACTICES COMMISSION
TITLE 2, DIVISION 6 OF THE CALIFORNIA CODE OF REGULATIONS

Probable Cause Regulations

§ 18361 (b). Delegation by the Executive Director Pertaining to Enforcement Proceedings and Authority to Hear Probable Cause Proceedings.

Probable cause proceedings under Regulation 18361.4 shall be heard by the General Counsel or an attorney from the Legal Division. The General Counsel may delegate the authority to hear probable cause proceedings, in writing, to an administrative law judge.

§ 18361.4. Probable Cause Proceedings

(a) Probable Cause Report. If the Chief of the Enforcement Division decides to commence probable cause proceedings pursuant to Sections 83115.5 and 83116, he or she shall direct the Enforcement Division staff to prepare a written report, hereafter referred to as "the probable cause report." The probable cause report shall contain a summary of the law and evidence gathered in connection with the investigation, including any exculpatory and mitigating information of which the staff has knowledge and any other relevant material and arguments. The evidence recited in the probable cause report may include hearsay, including declarations of investigators or others relating the statements of witnesses or concerning the examination of physical evidence.

(b) No probable cause hearing will take place until at least 21 calendar days after the Enforcement Division staff provides the following, by service of process or registered or certified mail with return receipt requested, to all proposed respondents:

- (1) A copy of the probable cause report;
- (2) Notification that the proposed respondents have the right to respond in writing to the probable cause report and to request a probable cause conference at which the proposed respondent may be present in person and represented by counsel, and;
- (3) If the Commission met in executive session on this matter pursuant to Regulation 18361.2, a copy of any staff memoranda submitted to the Commission at that time along with the recording of any discussion between the Commission and the staff at the executive session as required in subdivision (b) of Regulation 18361.2.

(c) Response to Probable Cause Report.

- (1) Each proposed respondent may submit a written response to the probable cause report. The response may contain a summary of evidence, legal arguments, and any mitigating or exculpatory information. A proposed respondent who submits a response must file it with the Commission Assistant who will forward the response to the General Counsel or an attorney in the Legal Division (the "hearing officer") and provide a copy, by service of process or registered or certified mail with return receipt requested, to all other proposed respondents listed in the probable cause report not later than 21 days following service of the probable cause report.
- (2) Within 21 calendar days following the service of the probable cause report, a proposed

respondent may request discovery of evidence in the possession of the Enforcement Division. This request must be sent by registered or certified mail to the Commission Assistant. Upon receipt of the request, the Enforcement Division shall provide discovery of evidence relied upon by the Enforcement Division sufficient to lead a person of ordinary caution and prudence to believe or entertain a strong suspicion that a proposed respondent committed or caused a violation, along with any exculpatory or mitigating evidence. This is not a right to full discovery of the Enforcement Division file. The Enforcement Division shall provide access to documents for copying by the Respondent, or upon agreement among the parties, the Enforcement Division will provide copies of the requested documents upon payment of a fee for direct costs of duplication. The Enforcement Division shall provide such evidence by service of process or registered or certified mail with return receipt requested to all respondents, with a copy to the Commission Assistant. A respondent may submit a written response to the probable cause report described in subsection (1) no later than 21 calendar days after service of discovery.

- (3) The Commission staff may submit any evidence or argument in rebuttal to the response. When the Commission staff submits evidence or argument in rebuttal to the response, it shall provide a copy, by service of process or registered or certified mail with return receipt requested, to all proposed respondents listed in the probable cause report not later than 10 calendar days following the date the response was filed with the Commission Assistant. The hearing officer may extend the time limitations in this section for good cause. At any time prior to a determination of probable cause, the hearing officer may allow additional material to be submitted as part of the initial response or rebuttal.

(d) Probable Cause Conference. Any proposed respondent may request a probable cause conference. The request shall be served upon the Commission Assistant and all other proposed respondents not later than 21 days after service of the probable cause report unless the hearing officer extends the time for good cause. The Commission Assistant shall fix a time for the probable cause conference and the hearing officer shall conduct the conference informally. The conference shall be closed to the public unless a proposed respondent requests and all other proposed respondents agree to a public conference. If the conference is not public, only members of the Commission staff, any proposed respondent and his or her legal counsel or representative shall have the right to be present and participate. The hearing officer may allow witnesses to attend and participate in part or all of the probable cause conference. In making this determination, the hearing officer shall consider the relevancy of the witness' proposed testimony, whether the witness has a substantial interest in the proceedings, and whether fairness requires that the witness be allowed to participate. Representatives of any civil or criminal prosecutor with jurisdiction may attend the conference at the discretion of the hearing officer if they agree to respect the confidential nature of the proceedings. If the conference is not open to the public and none of the parties and the presiding officer object, the conference may be conducted in whole or in part by telephone. The probable cause conference shall be recorded. The hearing officer may determine whether there is probable cause based solely on the probable cause report, any responses or rebuttals filed and any arguments presented at the probable cause conference by the interested parties. If the hearing officer requires additional information before determining whether there is probable cause, he or she may permit any party to submit additional evidence at the probable cause conference.

(e) Finding of Probable Cause. The hearing officer may find there is probable cause to believe a violation has occurred if the evidence is sufficient to lead a person of ordinary caution and prudence to believe or entertain a strong suspicion that a proposed respondent committed or caused a violation. A finding of probable cause by the hearing officer does not constitute a finding that a violation has actually occurred. The hearing officer shall not make a finding of probable cause if he or she is presented with clear and convincing evidence that, at a time prior to the alleged violation, the violator consulted with the staff of the Commission in good faith, disclosed truthfully all the material facts, and committed the acts complained of either in reliance on the advice of the staff or because of the staff's failure to provide advice. If the hearing officer makes a finding of probable cause, the Enforcement Division shall prepare an Accusation pursuant to Section 11503 and have it served upon the person or persons who are subjects of the probable cause finding. The hearing officer shall publicly announce the finding of probable cause. The announcement shall contain a summary of the allegations and a cautionary statement that the respondent is presumed to be innocent of any violation of the Act unless a violation is proved in a subsequent proceeding. The Chief of the Enforcement Division shall be responsible for the presentation of the case in support of the Accusation at an administrative hearing held pursuant to Section 83116.

§ 18362. Access to Complaint Files

- (a) Access to complaints, responses thereto, and investigative files and information shall be granted in accordance with the requirements of the Public Records Act (Government Code Section 6250, et seq.).
- (b) When release of material is requested pursuant to subdivision (a), the Executive Director, or his or her designee, shall review the material prior to its release or prior to a claim of exemption to determine that the requirements of the Public Records Act have been satisfied.
- (c) Any person requesting copies of material pursuant to subdivision (a) shall reimburse the Commission \$0.10 per page for each page copied or supply copying equipment and make copies in the offices of the Commission. Documents may not be removed from the offices of the Commission. If the request is for copies totaling ten pages or less, the copies shall be provided without charge for copying since the administrative costs do not warrant collection of \$1.00 or less. If the request is for copies totaling more than ten pages, reimbursements of copying costs shall include the cost for the first ten pages. Charges imposed pursuant to this subdivision are for the purpose of recovering the cost of copying.
- (d) Requests for access and copies pursuant to subdivision (a) shall be made in writing and shall specifically identify the documents sought.

§ 18361.2. Memorandum Respecting Civil Litigation.

- (a) If the Executive Director concludes civil litigation should be initiated, he or she shall submit to the Commission a written memorandum, which shall be first reviewed by the General Counsel, or an attorney from the Legal Division, summarizing the facts and the applicable law of the case and recommending the initiation of a lawsuit. The memorandum shall include all exculpatory and mitigating information known to the staff.

(b) The Commission shall review the memorandum at an executive session. The General Counsel, or an attorney from the Legal Division, and the Commission Assistant shall be in attendance. No other member of the staff may be present unless the Commission meets with a member of the staff for that person to answer questions. The Commission may not resume its deliberations until the person is no longer present. Any communication between the Commission and the person during the executive session shall be recorded. After review of the memorandum, the Commission may direct the Executive Director to do any of the following:

- (1) Initiate civil litigation.
- (2) Decide whether probable cause proceedings should be commenced pursuant to 2 Cal. Code of Regulations Section 18361.4.
- (3) Return the matter to the staff for further investigation.
- (4) Take no further action on the matter or take any other action it deems appropriate.

(c) If the Commission decides to initiate civil litigation, the Commission may then permit other members of the staff to attend the executive session.

(d) If the Executive Director deems it necessary, he or she may call a special meeting of the Commission to review a staff memorandum recommending the initiation of civil litigation.

(e) It is the intent of the Commission in adopting this section to preserve for the members of the Commission the authority to decide whether alleged violations should be adjudicated in administrative hearings or in civil litigation, while at the same time avoiding the possibility that discussions with members of the staff might cause members of the Commission to prejudge a case that might be heard by the Commission under Government Code Section 83116.

Exhibit A-4

DEFAULT DECISION AND ORDER FPPC NO. 14/1263

GALENA WEST
Chief of Enforcement
MICHAEL W. HAMILTON
Commission Counsel
FAIR POLITICAL PRACTICES COMMISSION
428 J Street, Suite 620
Sacramento, CA 95814
Telephone: (916) 322-5772
Facsimile: (916) 322-1932

Attorneys for Complainant

BEFORE THE FAIR POLITICAL PRACTICES COMMISSION

STATE OF CALIFORNIA

In the Matter of) FPPC No. 14/1263
)
GLORIA OLMOS, RE-ELECT) EX PARTE REQUEST FOR A FINDING OF
GLORIA OLMOS FOR SCHOOL) PROBABLE CAUSE AND AN ORDER THAT
BOARD 2013, AND ELECT GLORIA) AN ACCUSATION BE PREPARED AND
OLMOS FOR SOUTH EL MONTE) SERVED
CITY COUNCIL MEMBER 2015,)
) Gov. Code § 83115.5
)
)
Respondents.)

TO THE HEARING OFFICER OF THE FAIR POLITICAL PRACTICES COMMISSION:

Pursuant to Section 83115.5 of the Political Reform Act (the "Act")¹ and Regulation 18361.4, Respondents Gloria Olmos ("Olmos"), Re-Elect Gloria Olmos for School Board 2013 (the "School Board Committee") and Elect Gloria Olmos for South El Monte City Council Member 2015 (the "City Council Committee") were served with a copy of a report in support of a finding of probable cause ("Report") in the above-entitled matter.² The Report, attached as "Exhibit A," was part of a packet of materials, including a cover letter and a memorandum describing probable cause proceedings, which was personally served on Olmos on June 13, 2017. A copy of the proof of service is attached as "Exhibit B".

In the cover letter dated May 8, 2017, and the attached materials, Olmos was advised that she could respond in writing to the Report and orally present the case to the Hearing Officer at a probable cause

¹ The Political Reform Act is contained in Government Code §§ 81000 through 91014, and all statutory references are to this code. The regulations of the Fair Political Practices Commission are contained in §§ 18110 through 18997 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

² Gov. Code § 83115.5; Cal. Code Reg., tit. 2, § 18361.4.

1 conference to be held in Sacramento. Olmos was further advised that in order to have a probable cause
2 conference she needed to make a written request for one on or before 21 days of the date he received the
3 Report. Additionally, Olmos was advised that if she did not request a probable cause conference, such a
4 conference would not be held and probable cause would be determined based solely on the Report and
5 any written response that she submitted within 21 days of the date she was served with the Report. To
6 date, Olmos has not submitted a written response or requested a probable cause conference.

7 WHEREFORE, based on the attached Report, the Enforcement Division requests a finding by the
8 Hearing Officer that probable cause exists to believe that Olmos, the School Board Committee, and the
9 City Council Committee committed violations of the Act, stated as follows:

10 Count 1: Olmos and the School Board Committee failed to timely file a semi-annual campaign
11 statement for the January 1, 2014 through June 30, 2014 reporting period by the July 31,
2014, deadline, in violation of Section 84200, subdivision (a)

12 Count 2: Olmos and the School Board Committee failed to timely file a semi-annual campaign
13 statement for the July 1, 2014 through December 31, 2014 reporting period by the February
2, 2015 deadline, in violation of section 84200, subdivision (a).

14 Count 3: Olmos and the School Board failed to timely file a semi-annual campaign statement for the
15 January 1, 2015 through June 30, 2015 reporting period by the July 31, 2015 deadline, in
violation of section 84200, subdivision (a).


16 Count 4: Olmos and the City Council Committee failed to report expenditures, accrued expenses,
17 and the total amount of contributions received during the pre-election statement covering
the reporting period of September 20, 2015 – October 17, 2015, in violation of Government
18 Code section 84211, subdivisions (a), (j), and (k).

19 Count 5: Olmos and the City Council Committee failed to report expenditures, accrued expense, and
20 the total amount of contributions received during the semi-annual reporting period of
October 18, 2015 – December 31, 2015, in violation of Government Code section 84211,
subdivisions (a), (j), and (k).

21 Count 6: Olmos and the City Council Committee failed to timely file a 24-hour report within 48
22 hours of receiving an in kind contribution of \$1,000 or more, in violation of Government
Code sections 84203 subdivision (a) and 84203.3, subdivision (b).

1 Additionally, after finding probable cause exists, the Enforcement Division requests an order by
2 the Hearing Officer that an accusation be prepared against Olmos, the School Board Committee and the
3 City Council Committee, and served upon them.³

4 A copy of this Request was mailed via U.S. Mail to Olmos on 8/9/17, at the last known
5 address, as follows:

6 Gloria Olmos
7 

8 Dated: 8/9/17

Respectfully Submitted,

FAIR POLITICAL PRACTICES COMMISSION

Galena West
Chief of Enforcement



By: Michael W. Hamilton
Commission Counsel
Enforcement Division

27 ³ Gov. Code § 11503.

Exhibit A

1 GALENA WEST
Chief of Enforcement
2 MICHAEL W. HAMILTON
Commission Counsel
3 **FAIR POLITICAL PRACTICES COMMISSION**
428 J Street, Suite 620
4 Sacramento, CA 95814
Telephone: (916) 322-5772
5 Facsimile: (916) 322-1932

6 Attorneys for Complainant
7 Enforcement Division of the Fair Political Practices Commission

8
9 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
10 STATE OF CALIFORNIA

11 In the Matter of

12
13 GLORIA OLMOS, RE-ELECT GLORIA
14 OLMOS FOR SCHOOL BOARD 2013,
AND ELECT GLORIA OLMOS FOR
15 SOUTH EL MONTE CITY COUNCIL
MEMBER 2015,

16 Respondents.

) FPPC No. 14/1263
)
)
) **REPORT IN SUPPORT OF A FINDING OF
PROBABLE CAUSE**
)
) Conference Date: TBA
) Conference Time: TBA
) Conference Location: Commission Offices
428 J Street, Suite 620
Sacramento, CA 95814

17
18
19
20 **INTRODUCTION**

21 Respondent Gloria Olmos ("Olmos") was re-elected to the Valle Lindo Elementary School District
22 in 2013. Respondent Re-Elect Gloria Olmos for School Board 2013 (the "School Board Committee") is
23 her candidate controlled committee. Olmos served as the treasurer of the School Board Committee. The
24 Political Reform Act (the "Act")¹ requires candidates and committees to file semi-annual campaign
25

26 ¹ The Political Reform Act is contained in Government 81000 through 91014. The regulations of the Fair Political are
27 contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations.

1 statements bi-annually. Olmos and the School Board Committee violated the Act by failing to file three
2 semi-annual campaign statements.

3 Approximately two years later, Olmos was elected to the South El Monte City Council.
4 Respondent the Committee to Elect Gloria Olmos for South El Monte City Council Member 2015 (the
5 "City Council Committee") was Olmos' controlled committee. Olmos and the City Council Committee
6 violated the Act by failing to report the following: the total amount of contributions received, the
7 expenditures made by the City Council Committee, the City Council Committee's accrued expenses, and
8 a late contribution received by the City Council Committee.

9 SUMMARY OF THE LAW

10 All legal references and discussions of law pertain to the Act's provisions as they existed at the
11 time of the violations.

12 Jurisdiction

13 The Fair Political Practices Commission (the "Commission") has administrative jurisdiction to
14 enforce the provisions of the Act.²

15 Probable Cause Proceedings

16 Prior to the Enforcement Division commencing an administrative action, the General Counsel of
17 the Commission or her designee (the "hearing officer"), must make a finding that there is probable cause
18 to believe the respondent has violated the Act.³ After a finding of probable cause, the Commission may
19 hold a noticed hearing in accordance with the Administrative Procedure Act⁴ to determine whether
20 violations occurred, and levy an administrative penalty of up to \$5,000 for each violation.⁵

21 ///

22 ///

23 ///

24
25 ² § 83116.

26 ³ § 83115.5, and Reg. 18361 and 18361.4.

27 ⁴ § 11500, et seq.

28 ⁵ § 83116, and Reg. 18361.4, subdivision. (e).

1 Standard for Finding Probable Cause

2 To make a finding of probable cause, the hearing officer must be presented with sufficient
3 evidence to lead a person of ordinary caution and prudence to believe, or entertain a strong suspicion,
4 that a respondent committed or caused a violation.⁶

5 Need for Liberal Construction and Vigorous Enforcement of the Political Reform Act

6 When enacting the Political Reform Act, the people of the state of California found and declared
7 that previous laws regulating political practices suffered from inadequate enforcement by state and local
8 authorities.⁷ To that end, the Act must be liberally construed to achieve its purposes.⁸

9 Semi-Annual Campaign Statements

10 The Act requires elected officials, candidates, and committees to file a semi-annual campaign
11 statement each year by July 31 for the period ending June 30, and by January 31 for the period ending
12 December 31.⁹

13 Late In Kind Contributions

14 The Act requires each candidate or committee that receives a late in kind contribution to file a 24-
15 hour report within 48 hours of the time the contribution is received.¹⁰

16 Contents of a Campaign Statement

17 Under the Act, a committee must report on its campaign statements the total amount of
18 contributions received during the reporting period, the total amount of contributions received during the
19 reporting period from persons who have given \$100 or more, the total amount of contributions received
20 during the reporting period from person who have given less than \$100, the total amount of expenditures
21 made during the period to persons who have received less than \$100, and in cases where persons have
22

24 ⁶ Reg. 18361.4, subdivision, (e).

25 ⁷ § 81001, subd., (h).

26 ⁸ § 81003.

27 ⁹ § 84200.

28 ¹⁰ § 84203.3, subd. (b).

1 received more than \$100, the name, address, the amount of each expenditure, and a brief description of
2 the consideration shall be reported on the committee's campaign statement.¹¹

3 Candidate and Treasurer Liability

4 Under the Act, it is the duty of the candidate and the treasurer of a controlled committee to ensure
5 that the committee complies with all the requirements of the Act concerning the receipt, expenditure, and
6 reporting of funds.¹² The candidate and treasurer may be held jointly and severally liable, along with the
7 committee, for violations committed by the committee.¹³

8 **SUMMARY OF THE EVIDENCE**

9 School Board Committee

10 On November 5, 2013, Olmos was re-elected to the school board of the Valle Lindo Elementary
11 School District located in Los Angeles County. The last semi-annual campaign statement filed by Olmos
12 and the School Board Committee on February 6, 2014, disclosed an ending cash balance of \$1,289.26.

13 Olmos and the School Board Committee failed to timely file a semi-annual campaign statement
14 for the reporting period January 1, 2014 – June 30, 2014, due July 31, 2014. The Los Angeles County
15 Registrar-Recorder/County Clerk (the "Clerk") sent Olmos and the School Board Committee two written
16 notifications, dated August 11, 2014 and September 11, 2014. According to the call report from the
17 Clerk's office, the Clerk also provided Olmos and the School Board Committee with verbal notifications
18 on August 7, 2014 and August 21, 2014. On October 3, 2014, the Enforcement Division received a
19 referral from the Clerk's Office regarding the statement due July 31, 2014.

20 Olmos and the School Board Committee failed to timely file a second semi-annual campaign
21 statement for the reporting period of July 1, 2014 – December 31, 2014, due February 2, 2015. On
22 February 6, 2015 and February 25, 2015, the Clerk sent Olmos and the School Board Committee two
23 written notifications regarding the outstanding statements. According to the call report from the Clerk's
24 office, the Clerk also gave Olmos and the School Board Committee two verbal notifications on February

25 ¹¹ § 84211, subd. (a), (d), (f), (j), and (k).

26 ¹² §§ 81004, 84100 84213, and Regulation 18427.

27 ¹³ §§ 83116.5 and 91006.

1 17, 2015 and March 10, 2015. On March 16, 2015, the Enforcement Division received a referral for the
2 statement due February 2, 2015. On June 22, 2015, the Enforcement Division notified Olmos and the
3 School Board Committee in writing that they had failed to failed to file semi-annual campaign statements
4 for the periods of January 1, 2014 – June 30, 2014 and July 1, 2014 – December 31, 2014.

5 For the January 1, 2015 – June 30, 2015 reporting period, Olmos filed an officeholder and
6 candidate statement short form (Form 470) instead of a standard semi-annual campaign statement. On or
7 around July 14, 2015, Olmos was notified in writing by the Clerk's office that she had filed the wrong
8 form and needed to file standard semi-annual campaign statement. Candidates and officeholders who
9 have an open committee are not permitted to file the Form 470 because it does not contain any information
10 about contributions received or expenditures made and requires the public official to sign under penalty
11 of perjury that they will not raise or spend more than \$2,000 for the entire calendar year, which would
12 cause them to be required to file as a recipient committee. The Enforcement Division learned that Olmos
13 and the School Board Committee had not filed the standard semi-annual campaign statement during a
14 phone conversation with the Clerk's office.

15 To date, Olmos has not filed the School Board Committee's semi-annual campaign statements
16 with the Clerk.

17 City Council Committee

18 On November 5, 2015, Olmos filed an amended statement of organization with the Secretary of
19 State's Office that renamed the School Board as the City Council Committee. Olmos then treated the
20 City Council Committee as her candidate controlled committee for the city council election. Olmos and
21 the City Council Committee failed to properly report campaign expenditures and contributions on the
22 committee's campaign statements. On the pre-election statement covering the reporting period of
23 September 20, 2015 – October 17, 2015, Olmos and the City Council Committee reported on the
24 summary page making approximately \$5,340 in expenditures and acquiring \$3,700 in accrued expenses.
25 However, Olmos and the City Council Committee did not report any details of the expenditures and
26 accrued expenses on any applicable schedule of the campaign statement. Additionally, the expenditures
27

1 Olmos and the City Council Committee report making during this period exceed both the beginning cash
2 balance and the contributions received during this period.

3 On the semi-annual statement covering the reporting period of October 18, 2015 – December 31,
4 2015, Olmos and the City Council Committee report making approximately \$4,918 in expenditures and
5 acquiring \$1,700 in accrued expenses. However, Olmos and the City Council Committee do not report
6 any details of the expenditures and accrued expenses on any of the applicable schedules of the campaign
7 statement. Additionally, the expenditures Olmos and the City Council Committee report making during
8 this period exceed both the beginning cash balance and the contributions received during this period.

9 On October 30, 2015, a committee by the name Grow Elect filed a 24-hour report to disclose
10 making two in kind contributions totaling approximately \$4,175 to the City Council Committee. Olmos
11 and the City Council Committee did not file a 24-hour report to disclose receiving these contributions.

12 VIOLATIONS

13 Count 1: Failure to File a Semi-Annual Campaign Statement

14 Olmos and the School Board Committee failed to timely file a semi-annual campaign statement
15 for the January 1, 2014 through June 30, 2014 reporting period by the July 31, 2014, deadline in violation
16 of section 84200, subdivision (a).

17 Count 2: Failure to File a Semi-Annual Campaign Statement

18 Olmos and the School Board Committee failed to timely file a semi-annual campaign statement
19 for the July 1, 2014 through December 31, 2014 reporting period by the February 2, 2015 deadline, in
20 violation of section 84200, subdivision (a).

21 Count 3: Failure to File a Semi-Annual Campaign Statement

22 Olmos and the School Board Committee failed to timely file a semi-annual campaign statement
23 for the January 1, 2015 through June 30, 2015 reporting period by July 31, 2015 deadline, in violation of
24 section 84200, subdivision (a).

25 ///

26 ///

1 Count 4: Contents of a Campaign Statement

2 Olmos and the City Council Committee failed to report expenditures, accrued expenses, and the
3 total amount of contributions received during the pre-election statement covering the reporting period of
4 September 20, 2015 – October 17, 2015, in violation of Government Code section 84211, subdivisions
5 (a), (j), and (k).

6 Count 5: Contents of a Campaign Statement

7 Olmos and the City Council Committee failed to report expenditures, accrued expenses, and the
8 total amount of contributions received during the semi-annual reporting period of October 18, 2015 –
9 December 31, 2015, in violation of Government Code section 84211, subdivisions (a), (j), and (k).

10 Count 6: Failure to timely file a 24-hour Report

11 Olmos and the City Council Committee failed to timely file a 24-hour report within 48 hours of
12 receiving a in kind contribution of \$1,000 or more, in violation of Government Code sections 84203,
13 subdivision (a) and 84203.3, subdivision (b).

14 **EXCULPATORY AND MITIGATING INFORMATION**

15 At this time, no exculpatory or mitigating factors are known.

16 ///

17 ///

18 ///

1 **CONCLUSION**

2 Probable cause exists to believe that Olmos and the School Board Committee committed three
3 violations of the Act as set forth above in Counts 1-3. Additionally, probable cause exists to believe that
4 Olmos and the City Council Committee committed three violations of the Act as set forth above in Counts
5 4-6. The Enforcement Division respectfully requests an order finding probable cause pursuant to Section
6 83115.5 and Regulation 18361.4.

7
8 Dated: 5/8/17

Respectfully Submitted,

9 **FAIR POLITICAL PRACTICES COMMISSION**
10 Galena West
11 Chief of Enforcement

12 

13 By: Michael W. Hamilton
14 Commission Counsel
15 Enforcement Division

Exhibit B

ATTORNEY OR PARTY WITHOUT ATTORNEY: GALENA WEST FAIR POLITICAL PRACTICES COMMISSION 428 J. STREET STE 620 SACRAMENTO, CA 95814 TELEPHONE NO.: (916) 322-5660 FAX NO.: (916) 322-1932 ATTORNEY FOR:	FOR COURT USE ONLY
FAIR POLITICAL PRACTICES COMMISSION, COUNTY OF SACRAMENTO STREET ADDRESS: 428 J STREET, SUITE 620 MAILING ADDRESS: 428 J STREET, SUITE 620 CITY AND ZIP CODE: SACRAMENTO, 95814 BRANCH NAME:	CASE NUMBER: FPPC 14/1263
RE: FPPC 14/1263: THE PEOPLE RESPONDENT: GLORIA OLMOS, RE-ELECT GLORIA OLMOS FOR SCHOOL BOARD 2013, AND ELECT GLORIA OLMOS FOR SOUTH MONTE CITY COUNCIL MEMBER 2015	Ref. No. or File No.:
PROOF OF SERVICE OF SUMMONS	

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of:
 - f. other (specify documents):
REPORT IN SUPPORT OF A FINDING OF PROBABLE CAUSE; PROBABLE CAUSE FACT SHEET;
3. a. Party served:
GLORIA OLMOS
4. Address where the party was served:
1415 N SANTA ANITA, S. EL MONTE, CA 91733
5. I served the party
 - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party on 6/13/2017 at 6:30 pm
6. The "Notice to the Person Served" (on the summons) was completed as follows:
 - a. as an individual defendant.
7. **Person who served papers**
 - a. Name: Carlos Abrego
Firm: C.A. PROCESS SERVICE
 - b. Address: 14800 Rinaldi St #24, Mission Hills, CA 91345
 - c. Telephone number: (800) 331-1072
 - d. The fee for the service was: \$105.00
 - e. I am:
 - (3) a registered California process server:
 - (i) owner
 - (ii) Registration No.: 6456
 - (iii) County: Los Angeles

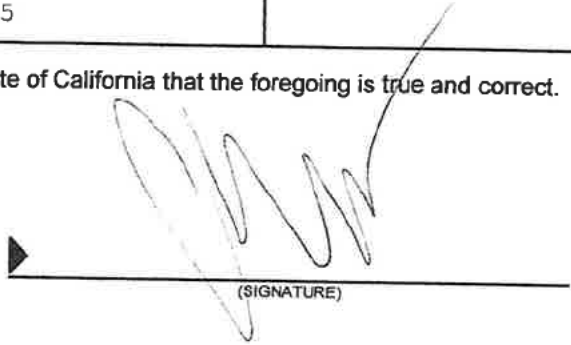
RE: FPPC 14/1263: THE PEOPLE RESPONDENT: GLORIA OLMOS, RE-ELECT GLORIA OLMOS FOR SCHOOL BOARD 2013, AND ELECT GLORIA OLMOS FOR SOUTH MONTE CITY COUNCIL MEMBER 2015	CASE NUMBER: FPPC 14/1263
--	------------------------------

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 6/28/17

Carlos Abrego

(NAME OF PERSON WHO SERVED PAPERS)



(SIGNATURE)

Exhibit A-5

DEFAULT DECISION AND ORDER FPPC NO. 14/1263

1 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION

2 STATE OF CALIFORNIA

3
4 In the Matter of) FPPC No. 14/1263
5)
6)
7) FINDING OF PROBABLE CAUSE AND
8) ORDER TO PREPARE AND SERVE AN
9) ACCUSATION
10)
11) Gov. Code § 83115.5
12)
13)
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28)

Respondents.

By means of an Ex Parte Request for an Order Finding Probable Cause and an Order that an Accusation be Prepared and Served, the Enforcement Division submitted the above-entitled matter to the Hearing Officer for a determination of Probable Cause. As set forth in the Ex Parte Request For a Finding of Probable Cause and an Order that an Accusation be Prepared and Served (Ex Parte Request), the Enforcement Division served a Report in Support of a Finding of Probable Cause (PC Report) on Respondents Gloria Olmos (“Olmos”), Re-Elect Gloria Olmos for School Board 2013 (the “School Board Committee”) and Elect Gloria Olmos for South El Monte City Council Member 2015 (the “City Council Committee”) concerning this matter on June 13, 2017, by personal service. Accompanying the PC Report was a packet of materials that informed Olmos of her right to file a written response to the PC Report and to request a probable cause conference within 21 days following service of the PC Report. During the 21 days that followed service of the PC Report, Olmos did not file a response to the PC Report or request a probable cause conference. Pursuant to California Code of Regulations title 2, section 18361.4, determination of probable cause may be made solely on papers submitted when the respondent does not request a probable cause conference.¹

In making a probable cause determination, it is the duty of the Hearing Officer of the Fair Political Practices Commission to determine whether probable cause exists to believe that a respondent violated

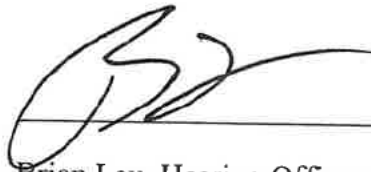
¹ The Political Reform Act is contained in Government Code sections 81000 through 91014. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations.

1 Based on the Ex Parte Request given to me, I find that notice has been given to Olmos, the School
2 Board Committee and the City Council Committee.³ I further find, based on the PC Report and the Ex
3 Parte Request, that there is probable cause to believe Olmos and the School Board Committee violated
4 the Political Reform Act as alleged in Counts 1-3 and that Olmos and the City Council Committee violated
5 the Political Reform Act as alleged in Counts 4-6, as identified above.

6 I therefore direct that the Enforcement Division issue an accusation against Olmos, the School
7 Board Committee and the City Council Committee in accordance with this finding.

8 IT IS SO ORDERED.

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10 Dated: 8/17/17



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12 Brian Lau, Hearing Officer
13 Fair Political Practices Commission
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28 ³ Government Code § 83115.5; Cal. Code Reg., tit. 2, §18361.4, subd. (b).

Exhibit A-6

DEFAULT DECISION AND ORDER FPPC NO. 14/1263

1 GALENA WEST
Chief of Enforcement
2 MICHAEL W. HAMILTON
Commission Counsel
3 **FAIR POLITICAL PRACTICES COMMISSION**
1102 Q Street, Suite 3000
4 Sacramento, CA 95811
Telephone: (916) 322-5772
5 Facsimile: (916) 322-0886

6 Attorneys for Complainant

7
8 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
9 STATE OF CALIFORNIA
10

11 In the Matter of

FPPC No. 14/1263

12 GLORIA OLMOS, RE-ELECT
13 GLORIA OLMOS FOR SCHOOL
BOARD 2013, AND COMMITTEE
14 TO ELECT GLORIA OLMOS FOR
SOUTH EL MONTE CITY
15 COUNCIL MEMBER 2015,

ACCUSATION

(Gov. Code §11503)

16
17 Respondents.

18 Complainant, the Enforcement Division of the Fair Political Practices Commission, after a finding
19 of probable cause pursuant to Government Code section 83115.5, alleges the following:

20 **JURISDICTION**

21 1. Complainant is the Enforcement Division of the Fair Political Practices Commission and
22 makes this Accusation in its official capacity and in the public interest.

23 2. The authority to bring this action is derived from Title 2, California Code of Regulations,
24 Sections 18361 and 18361.4, subdivision (e), and the statutory law of the State of California, specifically
25 including, but not limited to, Government Code sections 83111, 83116, and 91000.5, which assign to the
26

1 Enforcement Division the duty to administer, implement, and enforce the provisions of the Political
2 Reform Act, found at Government Code sections 81000 through 91014.

3 3. When enacting the Political Reform Act (the "Act"),¹ California voters specifically found
4 and declared previous laws regulating political practices had suffered from inadequate enforcement, and
5 it was their purpose to ensure that the Act be vigorously enforced.²

6 4. To that end, section 81003 requires that the Act be liberally construed to achieve its
7 purposes.

8 **RESPONDENTS**

9 5. Respondent Gloria Olmos ("Olmos") is former member of the school board for the Valley
10 Lindo Elementary School District located in Los Angeles County and currently serves as a member of the
11 South El Monte City Council.

12 6. Respondent Re-Elect Gloria Olmos for School Board 2013 (the "School Board
13 Committee") was Olmos' controlled committee for school board. Olmos served as the treasurer of the
14 School Board Committee.

15 7. Respondent Committee To Elect Gloria Olmos for South El Monte City Council Member
16 2015 (the "City Council Committee") is Olmos' controlled committee for city council.

17 **APPLICABLE LAW**

18 8. All applicable law in this Accusation is the law as it existed during the relevant time for
19 the violation alleged.

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25 ¹The Political Reform Act is contained in Government Code sections 81000 through 91014. The regulations of the
26 Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of
Regulations.

27 ² §§81001, subd. (h), and 81002, subd. (f).

1 **A. Requirement to File Semi-Annual Campaign Statements**

2 9. The Act requires elected officials, candidates, and committees to file a semi-annual
3 campaign statement each year by July 31 for the period ending June 30, and by January 31 for the period
4 ending December 31.³

5 **B. Requirement to Report Late In-Kind Contributions**

6 10. The Act requires each candidate or committee that receives a late in-kind contribution to
7 file a 24 Hour Report within 48 hours of the time the contribution is received.⁴A late contribution is
8 defined by the Act as “A contribution, including a loan, that totals in the aggregate one thousand dollars
9 (\$1,000) or more and is made to or received by a candidate, a controlled committee, or a committee formed
10 or existing primarily to support or oppose a candidate or measure within 90 days before the date of the
11 election...”⁵

12 **C. Requirement to Report Contributions and Expenditures**

13 11. Under the Act, a committee must report on its campaign statements the total amount of
14 contributions received during the reporting period, the total amount of contributions received during the
15 reporting period from persons who have given \$100 or more, the total amount of contributions received
16 during the reporting period from person who have given less than \$100, the total amount of expenditures
17 made during the period to persons who have received less than \$100, and in cases where persons have
18 received more than \$100, the name, address, the amount of each expenditure, and a brief description of
19 the consideration shall be reported on the committee’s campaign statement.⁶

20 **D. Candidate and Treasurer Liability**

21 12. Under the Act, it is the duty of the candidate and the treasurer of a controlled committee to
22 ensure that the committee complies with all the requirements of the Act concerning the receipt,
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25 ³ § 84200.

26 ⁴ § 84203.3, subd. (b).

27 ⁵ § 82036

28 ⁶ § 84211, subd. (a), (d), (f), (j), and (k).

1 expenditure, and reporting of funds.⁷ The candidate and treasurer may be held jointly and severally liable,
2 along with the committee, for violations committed by the committee.⁸

3 **E. Factors to be Considered by the Fair Political Practices Commission**

4 13. In framing a proposed order following a finding of a violation pursuant to section 83116,
5 the Fair Political Practices Commission (“Commission”) and the administrative law judge shall consider
6 all the surrounding circumstances including but not limited to: (1) The seriousness of the violation; (2) the
7 presence or absence of any intention to conceal, deceive or mislead; (3) whether the violation was
8 deliberate, negligent or inadvertent; (4) whether the violator demonstrated good faith by consulting the
9 Commission staff or any other government agency in a manner not constituting a complete defense under
10 Section 83114(b); (5) whether the violation was isolated or part of a pattern and whether the violator has
11 a prior record of violations of the Act or similar laws; and (6) whether the violator, upon learning of a
12 reporting violation, voluntarily filed amendments to provide full disclosure.⁹

13 **GENERAL FACTS**

14 14. On November 5, 2013, Olmos was re-elected to the school board of the Valle Lindo
15 Elementary School District located in Los Angeles County.

16 15. Olmos and the School Board Committee failed to timely file a semi-annual campaign
17 statement for the reporting period January 1, 2014 – June 30, 2014, due July 31, 2014.

18 16. Per the referral from the Los Angeles County Registrar-Recorder/County Clerk (the
19 “Clerk”), the Clerk notified Olmos and the School Board Committee of the outstanding statement as
20 follows: verbal notification was given on August 7, 2014, written notification was given on August 21,
21 2014, verbal notification was given again on August 21, 2014, and a final notice in writing was provided
22 on September 11, 2014.

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26 ⁷ §§ 81004, 84100 84213, and Regulation 18427.

⁸ §§ 83116.5 and 91006.

⁹ Reg. §18361.5, subd. (d).

1 17. On October 3, 2014, the Enforcement Division received a referral from the Clerk's Office
2 regarding the statement due July 31, 2014.

3 18. Olmos and the School Board Committee failed to timely file a second semi-annual
4 campaign statement for the reporting period of July 1, 2014 – December 31, 2014, due February 2, 2015.

5 19. Per the referral, the Clerk notified Olmos and the School Board Committee about the
6 outstanding statement as follows: written notification was given on February 6, 2015, verbal notification
7 was provided on February 17, 2015, written notification was given again on February 25, 2015, and a final
8 verbal notification was provided on March 10, 2015.

9 20. On March 16, 2015, the Enforcement Division received a referral for the statement due
10 February 2, 2015.

11 21. On June 22, 2015, the Enforcement Division notified Olmos and the School Board
12 Committee in writing that they had failed to file semi-annual campaign statements for the periods of
13 January 1, 2014 – June 30, 2014 and July 1, 2014 – December 31, 2014.

14 22. For the January 1, 2015 – June 30, 2015 reporting period, Olmos filed an officeholder and
15 candidate statement short form (Form 470) instead of a standard semi-annual campaign statement (Form
16 460).

17 23. On or around July 14, 2015, Olmos was notified in writing by the Clerk's office that she
18 had filed the wrong form and needed to file a Form 460. Candidates and officeholders who have an open
19 committee are not permitted to file the Form 470 instead of a Form 460 because it does not contain any
20 information about contributions received or expenditures made and requires the public official to sign
21 under penalty of perjury that they will not raise or spend more than \$2,000 for the entire calendar year.
22 The Enforcement Division learned that Olmos and the School Board Committee had not filed the standard
23 semi-annual campaign statement during a phone conversation with the Clerk's office.

24 24. Olmos failed to file a Form 460 for the January 1, 2015 – June 30, 2015 reporting period
25 despite being informed of her obligation to do so.

26 25. On November 3, 2015, Olmos was elected to the South El Monte City Council,
27

1 26. On the pre-election statement covering the reporting period of September 20, 2015 –
2 October 17, 2015, Olmos and the City Council Committee reported on the summary page making
3 approximately \$5,340 in expenditures and acquiring \$3,700 in accrued expenses. However, Olmos and
4 the City Council Committee did not report any of the expenditures and accrued expenses that made up
5 these totals on any applicable schedule of the campaign statement. Additionally, Olmos reported that the
6 City Council Committee made approximately \$9,040 in expenditures, but this amount exceeded the sum
7 of the beginning cash balance, the total amount of contributions received, and the accrued expenses
8 reported by Olmos. Specifically, Olmos reported having a beginning cash balance of \$50, receiving
9 approximately \$2,627 in contributions, and accruing expenses of \$3,700. This leaves approximately
10 \$2,713 in either accrued expenses or contributions that were not reported in the totals of these two
11 categories or on the required schedules.

12 27. On the semi-annual statement covering the reporting period of October 18, 2015 –
13 December 31, 2015, Olmos and the City Council Committee reported making approximately \$4,918 in
14 expenditures and acquiring \$1,700 in accrued expenses. However, Olmos and the City Council Committee
15 did not report any details of the expenditures and accrued expenses on any of the applicable schedules of
16 the campaign statement.

17 28. On October 30, 2015, a committee by the name Grow Elect filed a 24-Hour Report to
18 disclose making two in-kind contributions totaling approximately \$4,175 to the City Council Committee.
19 The City Council Committee reported receiving these contributions on its semi-annual campaign
20 statement, but failed to file a 24-Hour Report to disclose receiving the contribution during the 90 day
21 period prior to the election.

PROCEDURAL HISTORY

22 29. The Enforcement Division initiated the administrative action against Olmos, the School
23 Board Committee, and the City Council Committee in this matter by serving them with a packet containing
24 a cover letter, an amended Report in Support of a Finding of Probable Cause (“PC Report”), a fact sheet
25 regarding probable cause proceedings, selected sections of the Government Code regarding probable
26
27

1 cause proceedings for the Commission, and selected regulations of the Commission regarding probable
2 cause proceedings.

3 30. Olmos was personally served on June 13, 2017 with the PC Report on behalf of herself,
4 the School Board Committee, and the City Council Committee. The information contained in the PC
5 Report packet advised Olmos that she had 21 days in which to request a probable cause conference and/or
6 to file a written response to the PC Report. As of the date of this Accusation, Olmos has not responded to
7 the PC Report.

8 31. By means of an Ex Parte Request for a Finding of Probable Cause and an Order that an
9 Accusation be Prepared and Served, dated June 28, 2017, the Enforcement Division submitted the matter
10 to the Hearing Officer for a determination of probable cause.

11 32. On August 17, 2017, the Hearing Officer found, based on the PC Report and Ex Parte
12 Request for a Finding of Probable Cause and an Order that an Accusation be Prepared and Served, that
13 there was probable cause to believe Olmos, the School Board Committee, and the City Council Committee
14 violated the Act and directed the Enforcement Division to issue an Accusation against Olmos, the School
15 Board Committee, and the City Council Committee in accordance with the finding.

16 **VIOLATIONS**

17 33. Olmos and the School Board Committee have committed three violations of the Act and
18 Olmos and the City Council Committee have committed three violations of the Act, as follows:

19 **Count 1**

20 **Failure to Timely File Semi-Annual Campaign Statement**

21 34. Complainant incorporates paragraphs 1 – 33 of this Accusation, as though completely set
22 forth herein.

23 35. Olmos and the School Board Committee had a duty under the Act to file a semi-annual
24 campaign statement covering the reporting period of January 1, 2014 through June 30, 2014, by the July
25 31, 2014 deadline.

1 36. Olmos and the School Board Committee failed to timely file a semi-annual campaign
2 statement covering the reporting period of January 1, 2014 through June 30, 2014, by the July 31, 2014
3 deadline.

4 37. By failing to timely file a semi-annual campaign statement by the July 31, 2014 deadline,
5 Olmos and the School Board Committee violated Government Code section 84200, subdivision (a).

6 **Count 2**

7 Failure to Timely File a Semi-Annual Campaign Statement

8 38. Complainant incorporates paragraphs 1 – 37 of this Accusation, as though completely set
9 forth herein.

10 39. Olmos and the School Board Committee had a duty under the Act to file a semi-annual
11 campaign statement covering the reporting period of July 1, 2014 through December 31, 2014 by the
12 February 2, 2015 deadline.

13 40. Olmos and the School Board Committee failed to timely file a semi-annual campaign
14 statement covering the reporting period of July 1, 2014 through December 31, 2014 by the February 2,
15 2015 deadline.

16 41. By failing to timely file a semi-annual campaign statement covering the reporting period
17 of July 1, 2014 through December 31, 2014 by the February 2, 2015 deadline, Olmos and the School
18 Board Committee violated Government Code section 84200, subdivision (a).

19 **Count 3**

20 Failure to Timely File a Semi-Annual Campaign Statement

21 42. Complainant incorporates paragraphs 1 – 41 of this Accusation, as though completely set
22 forth herein.

23 43. Olmos and the School Board Committee had a duty under the Act to timely file a semi-
24 annual campaign statement covering the reporting period of January 1, 2015 through June 30, 2015 by the
25 July 31, 2015 deadline.

1 44. Olmos and the School Board Committee failed to timely file a semi-annual campaign
2 statement covering the reporting period of January 1, 2015 through June 30, 2015 by July 31, 2015
3 deadline.

4 45. By failing to timely file a semi-annual campaign statement covering the reporting period
5 of January 1, 2015 through June 30, 2015 by July 31, 2015 deadline, Olmos and the School Board
6 Committee violated Government Code section 84200, subdivision (a).

7 **Count 4**

8 Failure to Timely Report Contributions and Expenditures

9 46. Complainant incorporates paragraphs 1 – 45 of this Accusation, as though completely set
10 forth herein.

11 47. Olmos and the City Council Committee had a duty under the Act to timely and accurately
12 report expenditures made, contributions received and/or accrued expenses on the pre-election statement
13 covering the reporting period of September 20, 2015 – October 17, 2015.

14 48. Olmos and the City Council Committee failed to timely and accurately report expenditures
15 made, contributions received and/or accrued expenses on the pre-election statement covering the reporting
16 period of September 20, 2015 – October 17, 2015.

17 49. By failing to timely and accurately report expenditures made, contributions received
18 and/or accrued expenses on the pre-election statement covering the reporting period of September 20,
19 2015 – October 17, 2015. Olmos and the City Council Committee violated Government Code section
20 84211, subdivisions (a), (j), and (k).

21 **Count 5**

22 Failure to Timely Report Expenditures

23 50. Complainant incorporates paragraphs 1 – 49 of this Accusation, as though completely set
24 forth herein.

1 51. Olmos and the City Council Committee had a duty under the Act to timely report
2 expenditures and accrued expenses on the applicable schedules of semi-annual statement covering the
3 reporting period of October 18, 2015 – December 31, 2015.

4 52. Olmos and the City Council Committee failed to timely report expenditures and accrued
5 expenses on the applicable schedules of semi-annual statement covering the reporting period of October
6 18, 2015 – December 31, 2015

7 53. By failing to timely report expenditures and accrued expenses, on the semi-annual
8 statement covering October 18, 2015 – December 31, 2015 reporting period, Olmos and the City Council
9 Committee violated Government Code section 84211, subdivisions (a), (j), and (k).

10 **Count 6**

11 Failure to Timely File a 24-Hour Report

12 54. Complainant incorporates paragraphs 1 – 53 of this Accusation, as though completely set
13 forth herein.

14 55. Olmos and the City Council Committee had a duty under the Act timely file a 24-Hour
15 Report within 48 hours of receiving a in-kind contribution of \$1,000 or more.

16 56. Olmos and the City Council Committee received an in-kind contribution of \$4,175 from
17 Grow Elect on October 30, 2015.

18 57. Olmos and the City Council Committee failed to timely file a 24-Hour Report within 48
19 hours of receiving the in-kind contribution from Grow Elect.

20 58. By failing to file a 24-Hour Report within 48 hours of receiving an in-kind contribution of
21 \$1,000 or more, Olmos and the City Council Committee violated Government Code sections 84203,
22 subdivision (a) and 84203.3, subdivision (b).

23 MITIGATING OR EXCULPATORY FACTORS

24 59. None.

25 AGGRAVATING FACTORS AND OTHER RELEVANT MATERIALS

26 60. None.

PRAYER

WHEREFORE, Complainant prays as follows:

1. That the Commission hold a hearing pursuant to section 83116 and regulation 18361.5, and at such hearing find that Olmos, the School Board Committee, and the City Council Committee violated the Act as alleged herein;

2. That the Commission, pursuant to section 83116, subdivision (c), order Olmos and the School Board Committee to pay a monetary penalty of not more than Five Thousand Dollars (\$5,000) for the violation of the Act alleged in **Count 1**;

3. That the Commission, pursuant to section 83116, subdivision (c), order Olmos and the School Board Committee to pay a monetary penalty of not more than Five Thousand Dollars (\$5,000) for the violation of the Act alleged in **Count 2**;

4. That the Commission, pursuant to section 83116, subdivision (c), order Olmos and the School Board Committee to pay a monetary penalty of not more than Five Thousand Dollars (\$5,000) for the violation of the Act alleged in **Count 3**;

5. That the Commission, pursuant to section 83116, subdivision (c), order Olmos and the City Council Committee to pay a monetary penalty of not more than Five Thousand Dollars (\$5,000) for the violation of the Act alleged in **Count 4**;

6. That the Commission, pursuant to section 83116, subdivision (c), order Olmos and the City Council Committee to pay a monetary penalty of not more than Five Thousand Dollars (\$5,000) for the violation of the Act alleged in **Count 5**;

7. That the Commission, pursuant to section 83116, subdivision (c), order Olmos and the City Council Committee to pay a monetary penalty of not more than Five Thousand Dollars (\$5,000) for the violation of the Act alleged in **Count 6**;

8. That the Commission, pursuant to regulation 18361.5, subdivision (d), consider the following factors in framing a proposed order following a finding of a violation pursuant to section 83116: (1) the seriousness of the violation; (2) the presence or absence of any intention to conceal, deceive or

1 mislead; (3) whether the violation was deliberate, negligent or inadvertent; (4) whether the violator
2 demonstrated good faith by consulting the Commission staff or any other government agency in a manner
3 not constituting a complete defense under section 83114(b); (5) whether the violation was isolated or part
4 of a pattern and whether the violator has a prior record of violations of the Act or similar laws; and (6)
5 whether the violator, upon learning of a reporting violation, voluntarily filed amendments to provide full
6 disclosure.

7 9. That the Commission grants such other and further relief as it deems just and proper.

8
9 Dated: 19 Sept 17



Galena West
Chief of Enforcement
Fair Political Practices Commission

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Exhibit A-7

DEFAULT DECISION AND ORDER FPPC NO. 14/1263



FAIR POLITICAL PRACTICES COMMISSION

1102 Q St • Suite 3000 • Sacramento, CA 95811
(916) 322-5660 • Fax (916) 322-0886

STATEMENT TO RESPONDENTS

[Government Code Section 11505, subdivision (b)]

Gloria Olmos, Re-Elect Gloria Olmos for School Board 2013, and Committee to Elect Gloria Olmos for South El Monte City Council Member 2015
FPPC Case No. 14/1263

Enclosed is an Accusation, which was filed with the Fair Political Practices Commission (the "FPPC") and which is hereby served upon you, along with two copies of a Notice of Defense and Government Code Sections 11506 through 11508.

Unless a written request for a hearing signed by you or on your behalf is delivered or mailed to the FPPC within 15 days after the Accusation was served on you, the FPPC may proceed upon the Accusation without a hearing. The request for a hearing may be made by delivering or mailing the enclosed form entitled Notice of Defense, or by delivering or mailing a notice of defense as provided by Section 11506 of the Government Code to the Commission Assistant at the FPPC.

You may, but need not, be represented by counsel at any or all stages of these proceedings.

If you desire a list of the names and addresses of witnesses against you, or an opportunity to inspect and copy the items mentioned in Section 11507.6 of the Government Code that are in the possession, custody, or control of this agency, or if you wish to discuss the possibility of resolving this matter without a formal hearing, you may contact Michael W. Hamilton, Commission Counsel, FPPC Enforcement Division.

The hearing may be postponed for good cause. If you have good cause, you are obliged to notify the FPPC or, if an administrative law judge has been assigned to the hearing, the Office of Administrative Hearings, within 10 working days after you discover the good cause. Failure to give notice within 10 days will deprive you of a postponement.

After a hearing, the FPPC will consider the following factors in determining whether to assess a penalty (Title 2, California Code of Regulations, Section 18361.5, subdivision (d).):

1. The seriousness of the violation;
2. The presence or absence of any intention to conceal, deceive, or mislead;
3. Whether the violation was deliberate, negligent, or inadvertent;
4. Whether the violator demonstrated good faith by consulting Commission staff or any other government agency in a manner not constituting a complete defense under Government Code Section 83114, subdivision (b);

5. Whether the violation was isolated or part of a pattern;
6. Whether the violator has a prior record of violations of the Political Reform Act or similar laws;
and
7. Whether the violator, upon learning of a reporting violation, voluntarily filed amendments to provide full disclosure.



Before the Fair Political Practices Commission

State of California

In the Matter of)
) NOTICE OF DEFENSE
) (Pursuant to Gov. Code § 11506)
)
)
) FPPC Case No. 14/1263
)
)
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)

Respondents.

Gloria Olmos, a respondent named in the above entitled proceeding, hereby acknowledges receipt of the Accusation, a copy of the Statement to Respondent, a copy of Government Code Sections 11506 through 11508, and two copies of a *NOTICE OF DEFENSE* individually and o/b/o Gloria Olmos for School Board 2013 and Committee to Elect Gloria Olmos for South El Monte City Council Member 2015.

Pursuant to Government Code Section 11506, subdivision (a), you may file this *NOTICE OF DEFENSE* requesting a hearing on the grounds listed below. Failure to file this *NOTICE OF DEFENSE* shall constitute a waiver of your right to a hearing. If you waive your right to a hearing, you may file a statement of mitigation by separate letter that will be considered by the Commission in assessing any penalties for the violations alleged in the Accusation.

If you wish to file a *NOTICE OF DEFENSE*, please check **all** applicable grounds for the *NOTICE OF DEFENSE*, complete the remainder of the form, and mail to the Commission within fifteen (15) days of receipt of the Accusation.

GROUNDS FOR NOTICE OF DEFENSE

- 1) I request a hearing;
- 2) I object to the Accusation upon the ground that it does not state acts or omissions upon which the agency may proceed;
- 3) I object to the form of the Accusation on the ground that it is so indefinite or uncertain that I cannot identify the transaction that is the subject of the Accusation or prepare my defense;
- 4) I admit the Accusation in whole or in part (check box "a" or "b");
 - a) I admit the Accusation in whole.
 - b) I admit the Accusation in part as indicated below:

- 5) I wish to present new matter by way of defense;
- 6) I object to the accusation upon the ground that, under the circumstances, compliance with the requirements of a regulation of the Fair Political Practices Commission would result in a material violation of another regulation enacted by another department affecting substantive rights.

Dated: _____

Respondent

Print Name

Mailing Address

City, State, Zip



Before the Fair Political Practices Commission

State of California

In the Matter of)	NOTICE OF DEFENSE
)	(Pursuant to Gov. Code § 11506)
)	
GLORIA OLMOS, RE-ELECT)	FPPC Case No. 14/1263
GLORIA OLMOS FOR SCHOOL)	
BOARD 2013, AND COMMITTEE TO)	
ELECT GLORIA OLMOS FOR SOUTH)	
EL MONTE CITY COUNCIL)	
MEMBER 2015,)	
)	

Respondents.

Gloria Olmos, a respondent named in the above entitled proceeding, hereby acknowledges receipt of the Accusation, a copy of the Statement to Respondent, a copy of Government Code Sections 11506 through 11508, and two copies of a *NOTICE OF DEFENSE* individually and o/b/o Gloria Olmos for School Board 2013 and Committee to Elect Gloria Olmos for South El Monte City Council Member 2015.

Pursuant to Government Code Section 11506, subdivision (a), you may file this *NOTICE OF DEFENSE* requesting a hearing on the grounds listed below. Failure to file this *NOTICE OF DEFENSE* shall constitute a waiver of your right to a hearing. If you waive your right to a hearing, you may file a statement of mitigation by separate letter that will be considered by the Commission in assessing any penalties for the violations alleged in the Accusation.

If you wish to file a *NOTICE OF DEFENSE*, please check **all** applicable grounds for the *NOTICE OF DEFENSE*, complete the remainder of the form, and mail to the Commission within fifteen (15) days of receipt of the Accusation.

GROUNDS FOR NOTICE OF DEFENSE

- 1) I request a hearing;
- 2) I object to the Accusation upon the ground that it does not state acts or omissions upon which the agency may proceed;
- 3) I object to the form of the Accusation on the ground that it is so indefinite or uncertain that I cannot identify the transaction that is the subject of the Accusation or prepare my defense;
- 4) I admit the Accusation in whole or in part (check box "a" or "b");
 - a) I admit the Accusation in whole.
 - b) I admit the Accusation in part as indicated below:

- 5) I wish to present new matter by way of defense;
- 6) I object to the accusation upon the ground that, under the circumstances, compliance with the requirements of a regulation of the Fair Political Practices Commission would result in a material violation of another regulation enacted by another department affecting substantive rights.

Dated: _____

Respondent

Print Name

Mailing Address

City, State, Zip

California Government Code sections 11506 through 11508

§ 11506. Filing of notice of defense or notice of participation; Contents; Right to hearing on the merits

(a) Within 15 days after service of the accusation or District Statement of Reduction in Force the respondent may file with the agency a notice of defense, or, as applicable, notice of participation, in which the respondent may:

- (1) Request a hearing.
- (2) Object to the accusation or District Statement of Reduction in Force upon the ground that it does not state acts or omissions upon which the agency may proceed.
- (3) Object to the form of the accusation or District Statement of Reduction in Force on the ground that it is so indefinite or uncertain that the respondent cannot identify the transaction or prepare a defense.
- (4) Admit the accusation or District Statement of Reduction in Force in whole or in part.
- (5) Present new matter by way of defense.
- (6) Object to the accusation or District Statement of Reduction in Force upon the ground that, under the circumstances, compliance with the requirements of a regulation would result in a material violation of another regulation enacted by another department affecting substantive rights.

(b) Within the time specified the respondent may file one or more notices of defense, or, as applicable, notices of participation, upon any or all of these grounds but all of these notices shall be filed within that period unless the agency in its discretion authorizes the filing of a later notice.

(c) The respondent shall be entitled to a hearing on the merits if the respondent files a notice of defense or notice of participation, and the notice shall be deemed a specific denial of all parts of the accusation or District Statement of Reduction in Force not expressly admitted. Failure to file a notice of defense or notice of participation shall constitute a waiver of respondent's right to a hearing, but the agency in its discretion may nevertheless grant a hearing. Unless objection is taken as provided in paragraph (3) of subdivision (a), all objections to the form of the accusation or District Statement of Reduction in Force shall be deemed waived.

(d) The notice of defense or notice of participation shall be in writing signed by or on behalf of the respondent and shall state the respondent's mailing address. It need not be verified or follow any particular form.

(e) As used in this section, "file," "files," "filed," or "filing" means "delivered or mailed" to the agency as provided in Section 11505.

HISTORY: Added Stats 1945 ch 867 § 1. Amended Stats 1963 ch 931 § 1; Stats 1982 ch 606 § 1; Stats 1986 ch 951 § 20; Stats 1995 ch 938 § 29 (SB 523), operative July 1, 1997; Stats 2013 ch 90 § 5 (SB 546), effective January 1, 2014.

§ 11507. Amended or supplemental accusation or District Statement of Reduction in Force; Objections

At any time before the matter is submitted for decision, the agency may file, or permit the filing of, an amended or supplemental accusation or District Statement of Reduction in Force. All parties shall be notified of the filing. If the amended or supplemental accusation or District Statement of Reduction in Force presents new charges, the agency shall afford the respondent a reasonable opportunity to prepare his or her defense to the new charges, but he or she shall not be entitled to file a further pleading unless the agency in its discretion so orders. Any new charges shall be deemed controverted, and any objections to the amended or supplemental accusation or District Statement of Reduction in Force may be made orally and shall be noted in the record.

HISTORY: Added Stats 1945 ch 867 § 1. Amended Stats 2013 ch 90 § 6 (SB 546), effective January 1, 2014; Stats 2014 ch 71 § 69 (SB 1304), effective January 1, 2015.

§ 11507.3. Consolidated proceedings; Separate hearings

(a) When proceedings that involve a common question of law or fact are pending, the administrative law judge on the judge's own motion or on motion of a party may order a joint hearing of any or all the matters at issue in the proceedings. The administrative law judge may order all the proceedings consolidated and may make orders concerning the procedure that may tend to avoid unnecessary costs or delay.

(b) The administrative law judge on the judge's own motion or on motion of a party, in furtherance of convenience or to avoid prejudice or when separate hearings will be conducive to expedition and economy, may order a separate hearing of any issue, including an issue raised in the notice of defense or notice of participation, or of any number of issues.

HISTORY: Added Stats 1995 ch 938 § 30 (SB 523), operative July 1, 1997. Amended Stats 2013 ch 90 § 7 (SB 546), effective January 1, 2014.

///

§ 11507.5. Exclusivity of discovery provisions

The provisions of Section 11507.6 provide the exclusive right to and method of discovery as to any proceeding governed by this chapter.

HISTORY: Added Stats 1968 ch 808 § 3.

§ 11507.6. Request for discovery

After initiation of a proceeding in which a respondent or other party is entitled to a hearing on the merits, a party, upon written request made to another party, prior to the hearing and within 30 days after service by the agency of the initial pleading or within 15 days after the service of an additional pleading, is entitled to (1) obtain the names and addresses of witnesses to the extent known to the other party, including, but not limited to, those intended to be called to testify at the hearing, and (2) inspect and make a copy of any of the following in the possession or custody or under the control of the other party:

(a) A statement of a person, other than the respondent, named in the initial administrative pleading, or in any additional pleading, when it is claimed that the act or omission of the respondent as to this person is the basis for the administrative proceeding;

(b) A statement pertaining to the subject matter of the proceeding made by any party to another party or person;

(c) Statements of witnesses then proposed to be called by the party and of other persons having personal knowledge of the acts, omissions or events which are the basis for the proceeding, not included in (a) or (b) above;

(d) All writings, including, but not limited to, reports of mental, physical and blood examinations and things which the party then proposes to offer in evidence;

(e) Any other writing or thing which is relevant and which would be admissible in evidence;

(f) Investigative reports made by or on behalf of the agency or other party pertaining to the subject matter of the proceeding, to the extent that these reports (1) contain the names and addresses of witnesses or of persons having personal knowledge of the acts, omissions or events which are the basis for the proceeding, or (2) reflect matters perceived by the investigator in the course of his or her investigation, or (3) contain or include by attachment any statement or writing described in (a) to (e), inclusive, or summary thereof.

For the purpose of this section, "statements" include written statements by the person signed or otherwise authenticated by him or her, stenographic, mechanical, electrical or other recordings, or transcripts thereof, of oral statements by the person, and written reports or summaries of these oral statements.

Nothing in this section shall authorize the inspection or copying of any writing or thing which is privileged from disclosure by law or otherwise made confidential or protected as the attorney's work product.

HISTORY: Added Stats 1968 ch 808 § 4. Amended Stats 1985 ch 1328 § 5; Stats 1995 ch 938 § 31 (SB 523), operative July 1, 1997.

§ 11507.7. Motion to compel discovery; Order

(a) Any party claiming the party's request for discovery pursuant to Section 11507.6 has not been complied with may serve and file with the administrative law judge a motion to compel discovery, naming as respondent the party refusing or failing to comply with Section 11507.6. The motion shall state facts showing the respondent party failed or refused to comply with Section 11507.6, a description of the matters sought to be discovered, the reason or reasons why the matter is discoverable under that section, that a reasonable and good faith attempt to contact the respondent for an informal resolution of the issue has been made, and the ground or grounds of respondent's refusal so far as known to the moving party.

(b) The motion shall be served upon respondent party and filed within 15 days after the respondent party first evidenced failure or refusal to comply with Section 11507.6 or within 30 days after request was made and the party has failed to reply to the request, or within another time provided by stipulation, whichever period is longer.

(c) The hearing on the motion to compel discovery shall be held within 15 days after the motion is made, or a later time that the administrative law judge may on the judge's own motion for good cause determine. The respondent party shall have the right to serve and file a written answer or other response to the motion before or at the time of the hearing.

(d) Where the matter sought to be discovered is under the custody or control of the respondent party and the respondent party asserts that the matter is not a discoverable matter under the provisions of Section 11507.6, or is privileged against disclosure under those provisions, the administrative law judge may order lodged with it matters provided in subdivision (b) of *Section 915 of the Evidence Code* and examine the matters in accordance with its provisions.

(e) The administrative law judge shall decide the case on the matters examined in camera, the papers filed by the parties, and such oral argument and additional evidence as the administrative law judge may allow.

(f) Unless otherwise stipulated by the parties, the administrative law judge shall no later than 15 days after the hearing make its order denying or granting the motion. The order shall be in writing setting forth the matters the moving party is entitled to discover under Section 11507.6. A copy of the order shall forthwith be served by mail by the administrative law judge upon the parties. Where the order grants the motion in whole or in part, the order shall not become

effective until 10 days after the date the order is served. Where the order denies relief to the moving party, the order shall be effective on the date it is served.

HISTORY: Added Stats 1968 ch 808 § 5. Amended Stats 1971 ch 1303 § 8; Stats 1980 ch 548 § 2; Stats 1995 ch 938 § 32 (SB 523), operative July 1, 1997.

§ 11508. Time and place of hearing

(a) The agency shall consult the office, and subject to the availability of its staff, shall determine the time and place of the hearing. The hearing shall be held at a hearing facility maintained by the office in Sacramento, Oakland, Los Angeles, or San Diego and shall be held at the facility that is closest to the location where the transaction occurred or the respondent resides.

(b) Notwithstanding subdivision (a), the hearing may be held at either of the following places:

(1) A place selected by the agency that is closer to the location where the transaction occurred or the respondent resides.

(2) A place within the state selected by agreement of the parties.

(c) The respondent may move for, and the administrative law judge has discretion to grant or deny, a change in the place of the hearing. A motion for a change in the place of the hearing shall be made within 10 days after service of the notice of hearing on the respondent.

Unless good cause is identified in writing by the administrative law judge, hearings shall be held in a facility maintained by the office.

HISTORY: Added Stats 1945 ch 867 § 1. Amended Stats 1963 ch 710 § 1; Stats 1967 ch 17 § 39; Stats 1987 ch 50 § 1; Stats 1995 ch 938 § 33 (SB 523), operative July 1, 1997; Stats 2005 ch 674 § 22 (SB 231), effective January 1, 2006.

Exhibit A-8

DEFAULT DECISION AND ORDER FPPC NO. 14/1263

<i>Attorney or Party without Attorney:</i> FAIR POLITICAL PRACTICES COMMISSION 428 J STREET SUITE 620 SACRAMENTO, CA 95814 Telephone No: 916-322-5660 FAX No: 916-322-0886		<i>For Court Use Only</i>	
<i>Attorney for:</i> Plaintiff		<i>Ref. No. or File No.:</i>	
<i>Insert name of Court, and Judicial District and Branch Court:</i> Before The Fair Political Practices Commission State Of California			
<i>Plaintiff:</i> MATTER; <i>Defendant:</i> GLORIA OLMOS, RE-ELECT GLORIA OLMOS FOR SCHOOL BOARD 2013, ET AL			
PROOF OF SERVICE		<i>Hearing Date:</i>	<i>Time:</i>
		<i>Dept/Div:</i>	<i>Case Number:</i> 14/1263

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the STATEMENT TO RESPONDENTS; ACCUSATION; (2) NOTICE OF DEFENSE; CALIFORNIA GOVERNMENT CODE SEC. 11506 THROUGH 11508; PROOF OF SERVICE
3. a. Party served: GLORIA OLMOS
4. Address where the party was served: [REDACTED]
5. I served the party:
 - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Thu., Sep. 28, 2017 (2) at: 12:48PM

7. Person Who Served Papers:

a. GARY HANSEN C.C.P.S.

Recoverable Cost Per CCP 1033.5(a)(4)(B)

d. **The Fee for Service** was: \$62.40



HANSEN'S GUARANTEED PROCESS CO.
 8504 FIRESTONE BOULEVARD #197
 DOWNEY, CA 90241
 (562)803-6400, FAX (562)803-6456
 gary@hansensguaranteed.com
 www.hansensguaranteed.com



e. I am: (3) registered California process server

- (i) Owner
- (ii) Registration No.: 2988
- (iii) County: Los Angeles
- (iv) Expiration Date: Wed, Sep. 12, 2018

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: Fri, Sep. 29, 2017

Exhibit A-9

DEFAULT DECISION AND ORDER FPPC NO. 14/1263

**Recipient Committee
Campaign Statement
Cover Page**

(Government Code Sections 84200-84216.5)

Type or print in Ink.

0013-3

COVER PAGE

CALIFORNIA
FORM
460

SEE INSTRUCTIONS ON REVERSE

Statement covers period
from 10/26/13
through 12/31/13

Date of election if applicable:
(Month, Day, Year)

Date Stamp
FEB 26 4 34 PM '17

Page 1 of 7
For Official Use Only

1. Type of Recipient Committee: All Committees - Complete Parts 1, 2, 3, and 4.

- Officeholder, Candidate Controlled Committee
- State Candidate Election Committee
- Recall
- (Also Complete Part 5)
- General Purpose Committee
- Sponsored
- Small Contributor Committee
- Political Party/Central Committee
- Primarily Formed Ballot Measure Committee
- Controlled
- Sponsored
- (Also Complete Part 6)
- Primarily Formed Candidate/Officeholder Committee
- (Also Complete Part 7)

2. Type of Statement:

- Preelection Statement
- Semi-annual Statement
- Termination Statement
- (Also file a Form 410 Termination)
- Amendment (Explain below)
- Quarterly Statement
- Special Odd-Year Report
- Supplemental Preelection Statement - Attach Form 495

3. Committee Information

COMMITTEE NAME (OR CANDIDATE'S NAME IF NO COMMITTEE) I.D. NUMBER 1361097

Treasurer(s)

Committee To Re-elect Gloria Olmos 2013
STREET ADDRESS (NO P.O. BOX) 11275 Linard St.
CITY South El Monte, CA STATE CA ZIP CODE 91733 AREA CODE/PHONE (626) 786-8121
MAILING ADDRESS (IF DIFFERENT) NO. AND STREET OR P.O. BOX

NAME OF TREASURER Gloria Olmos
MAILING ADDRESS 11275 Linard St.
CITY South El Monte, CA STATE CA ZIP CODE 91733 AREA CODE/PHONE (626) 786-8121
NAME OF ASSISTANT TREASURER, IF ANY
MAILING ADDRESS

CITY STATE ZIP CODE AREA CODE/PHONE
OPTIONAL: FAX / E-MAIL ADDRESS

CITY STATE ZIP CODE AREA CODE/PHONE
OPTIONAL: FAX / E-MAIL ADDRESS

4. Verification

I have used all reasonable diligence in preparing and reviewing this statement and to the best of my knowledge the information contained herein and in the attached schedules is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on 2/6/14
Date
Executed on 2/6/14
Date
Executed on _____
Date
Executed on _____
Date

By Gloria Olmos Signature of Treasurer or Assistant Treasurer
By Gloria Olmos Signature of Officeholder, Candidate, State Measure Proponent or Responsible Officer of Sponsor
By _____ Signature of Controlling Officeholder, Candidate, State Measure Proponent
By _____ Signature of Controlling Officeholder, Candidate, State Measure Proponent

JY

**Recipient Committee
Campaign Statement
Cover Page — Part 2**

Type or print in ink.

COVER PAGE - PART 2
CALIFORNIA
 FORM
460
 Page 2 of 7

5. Officeholder or Candidate Controlled Committee

NAME OF OFFICEHOLDER OR CANDIDATE
Gloria Olivas
 OFFICE SOUGHT OR HELD (INCLUDE LOCATION AND DISTRICT NUMBER IF APPLICABLE)
Valle Lindo School Board Member
 RESIDENTIAL/BUSINESS ADDRESS (NO. AND STREET) CITY STATE ZIP
11275 Linwood St. South El Monte, CA 91733

Related Committees Not Included in this Statement: List any committees not included in this statement that are controlled by you or are primarily formed to receive contributions or make expenditures on behalf of your candidacy.

COMMITTEE NAME	I.D. NUMBER
NAME OF TREASURER	CONTROLLED COMMITTEE? <input type="checkbox"/> YES <input type="checkbox"/> NO
COMMITTEE ADDRESS	STREET ADDRESS (NO P.O. BOX)
CITY	STATE ZIP CODE AREA CODE/PHONE
COMMITTEE NAME	I.D. NUMBER
NAME OF TREASURER	CONTROLLED COMMITTEE? <input type="checkbox"/> YES <input type="checkbox"/> NO
COMMITTEE ADDRESS	STREET ADDRESS (NO P.O. BOX)
CITY	STATE ZIP CODE AREA CODE/PHONE

6. Primarily Formed Ballot Measure Committee

NAME OF BALLOT MEASURE

BALLOT NO. OR LETTER	JURISDICTION	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPOSE
----------------------	--------------	--

Identify the controlling officeholder, candidate, or state measure proponent, if any.
 NAME OF OFFICEHOLDER, CANDIDATE, OR PROPONENT

OFFICE SOUGHT OR HELD	DISTRICT NO. IF ANY
-----------------------	---------------------

7. Primarily Formed Candidate/Officeholder Committee List names of officeholder(s) or candidate(s) for which this committee is primarily formed.

NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPOSE

Attach continuation sheets if necessary

**Campaign Disclosure Statement
Summary Page**

Type or print in Ink.
Amounts may be rounded
to whole dollars.

Statement covers period
from 10/20/13
through 12/31/13

Page 3 of 7

I.D. NUMBER
1361097

CALIFORNIA
FORM
460

SUMMARY PAGE

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER
Committee To Elect Gloria Olmos 2013

Contributions Received

	Column A TOTAL THIS PERIOD (FROM ATTACHED SCHEDULES)	Column B CALENDAR YEAR TOTAL TO DATE
1. Monetary Contributions	\$ 3,050. ⁰⁰	\$ 5,300. ⁰⁰
2. Loans Received	\$ 0	\$ 0
3. SUBTOTAL CASH CONTRIBUTIONS	\$ 3,050. ⁰⁰	\$ 5,300. ⁰⁰
4. Nonmonetary Contributions	\$ 0	\$ 0
5. TOTAL CONTRIBUTIONS RECEIVED	\$ 3,050. ⁰⁰	\$ 5,300. ⁰⁰

Expenditures Made

6. Payments Made	\$ 2,545. ²⁷	\$ 4,010. ⁷⁴
7. Loans Made	\$ 0	\$ 0
8. SUBTOTAL CASH PAYMENTS	\$ 2,545. ²⁷	\$ 4,010. ⁷⁴
9. Accrued Expenses (Unpaid Bills)	\$ 0	\$ 0
10. Nonmonetary Adjustment	\$ 0	\$ 0
11. TOTAL EXPENDITURES MADE	\$ 2,545. ²⁷	\$ 4,010. ⁷⁴

Current Cash Statement

12. Beginning Cash Balance	Previous Summary Page, Line 16	\$ 784. ⁵³
13. Cash Receipts	Column A, Line 3 above	\$ 3,050. ⁰⁰
14. Miscellaneous Increases to Cash	Schedule I, Line 4	\$ 0
15. Cash Payments	Column A, Line 8 above	\$ 2,545. ²⁷
16. ENDING CASH BALANCE	Add Lines 12 + 13 + 14, then subtract Line 15	\$ 1,289. ²⁶

If this is a termination statement, Line 16 must be zero.

LOAN GUARANTEES RECEIVED

17. LOAN GUARANTEES RECEIVED	Schedule B, Part 2	\$ 0
------------------------------	--------------------	------

Cash Equivalents and Outstanding Debts

18. Cash Equivalents	See instructions on reverse	\$ 0
19. Outstanding Debts	Add Line 2 + Line 9 in Column B above	\$ 0

**Calendar Year Summary for Candidates
Running in Both the State Primary and
General Elections**

20. Contributions Received	\$ _____	1/1 through 6/30	7/1 to Date
21. Expenditures Made	\$ _____		

**Expenditure Limit Summary for State
Candidates**

22. Cumulative Expenditures Made* (If Subject to Voluntary Expenditure Limit)	Date of Election (mm/dd/yy)	Total to Date
_____	_____	\$ _____
_____	_____	\$ _____

*Amounts in this section may be different from amounts reported in Column B.

To calculate Column B, add amounts in Column A to the corresponding amounts from Column B of your last report. Some amounts in Column A may be negative figures that should be subtracted from previous period amounts. If this is the first report being filed for this calendar year, only carry over the amounts from Lines 2, 7, and 9 (if any).

Exhibit A-10

**CAMPAIGN DISCLOSURE STATEMENTS
NON-FILER ENFORCEMENT REFERRAL**

In order to expedite the enforcement referral; please complete the information below

I. Filing Officer

Contact Person: Los Angeles County
Registrar-Recorder/County Clerk City/County: Los Angeles County

Address: 12400 Imperial Highway, Room 2003 Telephone: (562) 462-2339

Norwalk 90650 FAX: (562) 651-2548
(City) (Zip)

II. Non-Filer

Name: Gloria J. Olmos Office Sought: Valle Lindo School District

Address: [REDACTED] Telephone: [REDACTED]
[REDACTED] Business [REDACTED]
[REDACTED] Home [REDACTED]
(City) (Zip)

Date of Election: Semi Annual Incumbent: Non-Incumbent:
(If applicable)

Type of Statement: 460 Date Due: 7/31/2014
(Please specify)

Period Covering: 1/1/2014 - 6/30/2014 Number of Prior Filings: 11
(Attach copy of Form 410 and most recent statement filed
(If applicable))

Number of Prior Late Filings: 6

III. Notifications: (Attach copy of written notifications)

Date: 8/11/2014 Written: (CS01) Date: 8/7/2014 Verbal

9/11/2014 Written: (CS02) 8/21/2014 Verbal

Please Note: Two notifications must be made before referring this matter to the Fair Political Practices Commission Enforcement Division for consideration for formal enforcement action.

If you have any questions, please call the Enforcement Division at (916) 322-5660. Return the completed form and attachments to:
Fair Political Practices Commission
Enforcement Division
428 J Street, Suite 620
Sacramento, CA 95814



CAMPAIGN FINANCE DISCLOSURE SECTION

CALL REPORT FOR JAMIE

DATE OF CALL: 8/7/2014 Outgoing Call
CALLER NAME: Left voicemail
CAND/COMM/MD NAME: Gloria Olmos
ELECTION ID: S714
CONTROL NUMBER: 014155
CFD STAFF NAME: Jamie
TYPE OF CALL: Non filer

SUB-TYPE:

CALL DURATION: 1 MINUTE(S)

CALL SUMMARY: I left a voicemail for Ms. Olmos regarding her campaign statement that was due on July 31, 2014. I stated that the statement is already in penalty phrase and it will soon be refer to the Fair Political Practices Commission for enforcement. I provided our office phone number and fax number for her.

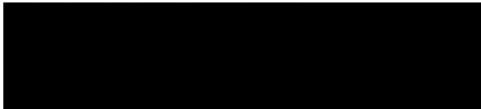
ACTION/RESOLUTION:

Past Due Notice

FILING PERIOD: 1 DUE DATE: 07/31/14 COVERING DATES: 01/01/14 TO 06/30/14
ELECTION ID: 5714 HELD: 06/30/14
ELECTION NAME: SEMI ANNUAL FILING 2014 FIRST HALF
OFFICE: VALLE LINDO SCHOOL DIST GOVERNING BOARD MEMBER PARTY:
R-R CONTROL NO.: 014155

This is a reminder that your campaign statement is PAST DUE. Your statement was due on July 31, 2014, and you may be subject to a \$10.00 per day fine (Government Code § 91013). If you need additional assistance, please call the Campaign Finance Section at (562) 462-2339

GLORIA J. OLMOS



JY 23



CAMPAIGN FINANCE DISCLOSURE SECTION

CALL REPORT FOR JAMIE

DATE OF CALL: 8/21/2014 Outgoing Call
CALLER NAME: No voicemail
CAND/COMM/MD NAME: Gloria Olmos
ELECTION ID: S714
CONTROL NUMBER: 014155
CFD STAFF NAME: Jamie
TYPE OF CALL: Non filer
SUB-TYPE:
CALL DURATION: 1 MINUTE(S)
CALL SUMMARY: Ms. Olmo's voicemail feature was not available. I was not able to leave a message.

ACTION/RESOLUTION:

Notice Of Past Due Filing

FILING PERIOD: 1 DUE DATE: 07/31/14 COVERING DATES: 01/01/14 TO 06/30/14

ELECTION ID: S714 HELD: 06/30/14

ELECTION NAME: SEMI ANNUAL FILING 2014 FIRST HALF
OFFICE: VALLE LINDO SCHOOL DIST GOVERNING BOARD MEMBER PARTY:

R-R CONTROL NO.: 014155

DATE TO BE REFERRED TO FPPC: 09/25/14

Your campaign statement is PAST DUE. If a statement is filed after any deadline imposed by this act, any person shall, in addition to any other penalties be liable in the amount of \$10 per day until it is received. Your statement must be received within ten days from the date of this written notice. A late filing penalty cannot be waived if the statement is filed after this date (Govt. Code 91013). If it is not received within two weeks from the date of this notice you will be referred to the Fair Political Practices Enforcement Division. (GC § 81010(d)). Send your statement immediately to the Campaign Finance Section or call (562) 462-2339.

GLORIA J. OLMOS



CS02

JY

Notice Of Past Due Filing

FILING PERIOD: 1 DUE DATE: 07/31/14 COVERING DATES: 01/01/14 TO 06/30/14
ELECTION ID: S714 HELD: 06/30/14
ELECTION NAME: SEMI ANNUAL FILING 2014 FIRST HALF
R-R CONTROL NO.: C09936 STATE ID NO.: 0001361097
DATE TO BE REFERRED TO FPPC: 09/25/14

Your campaign statement is PAST DUE. If a statement is filed after any deadline imposed by this act, any person shall, in addition to any other penalties be liable in the amount of \$10 per day until it is received. Your statement must be received within ten days from the date of this written notice. A late filing penalty cannot be waived if the statement is filed after this date (Govt. Code 91013). If it is not received within two weeks from the date of this notice you will be referred to the Fair Political Practices Enforcement Division. (GC § 81010(d)). Send your statement immediately to the Campaign Finance Section or call (562) 462-2339.

GLORIA OLMOS
RE-ELECT GLORIA OLMOS FOR SCHOOL BOARD
2013



CS02

JY

LOS ANGELES REGISTRAR-RECORDER/COUNTY CLERK

MAILING DATE: 09/26/14

FAIR POLITICAL PRACTICES COMMISSION REFERRAL

REFERRAL NO.: D14077

FILING PERIOD: 1 DUE DATE: 07/31/14 COVERING DATES: 01/01/14 TO 06/30/14

ELECTION ID: S714 HELD: 06/30/14

ELECTION NAME: SEMI ANNUAL FILING 2014 FIRST HALF

R-R CONTROL NO.: Q14155 PARTY:

The attached case file is being referred to your office for appropriate action pursuant to Government Code Section 81010 (d). After two requests for compliance, the required campaign statement has not yet been filed.

If you have any questions, please contact the Campaign Finance and Proposition B Section at (562) 462-2339.

GLORIA J. OLMOS
VALLE LINDO SCHOOL DIST

GOVERNING BOARD MEMBER



RECEIVED
FAIR POLITICAL
PRACTICES COMMISSION
11 OCT -3 PM 4:44

CF02

Exhibit A-11

DEFAULT DECISION AND ORDER FPPC NO. 14/1263

**CAMPAIGN DISCLOSURE STATEMENTS
NON-FILER ENFORCEMENT REFERRAL**

In order to expedite the enforcement referral; please complete the information below

I. Filing Officer

Contact Person: Los Angeles County
Registrar-Recorder/County Clerk City/County: Los Angeles County
Address: 12400 Imperial Highway, Room 2003 Telephone: (562) 462-2339
Norwalk 90650 FAX: (562) 651-2548
(City) (Zip)

II. Non-Filer

Name: Gloria J. Olmos Office Sought: Valle Lindo School District
[Redacted] Telephone: [Redacted]
Business [Redacted]
South El Monte 91733 Home [Redacted]
(City) (Zip)
Date of Election: Semi Annual Incumbent: Non-Incumbent:
(If applicable)
Type of Statement: 460 Date Due: 2/2/2015
(Please specify)
Period Covering: 7/1/2014-12/31/2014 Number of Prior Filings: 11
(Attach copy of Form 410 and most recent statement filed)
(If applicable)
Number of Prior Late Filings: 5

III. Notifications: (Attach copy of written notifications)

Date: 2/6/2015 Written: **(CS01)** Date: 2/17/2015 **Verbal**
2/25/2015 Written: **(CS02)** 3/10/2015 **Verbal**

Please Note: Two notifications must be made before referring this matter to the Fair Political Practices Commission Enforcement Division for consideration for formal enforcement action.

If you have any questions, please call the Enforcement Division at (916) 322-5660. Return the completed form and attachments to:
Fair Political Practices Commission
Enforcement Division
428 J Street, Suite 620
Sacramento, CA 95814

Past Due Notice

FILING PERIOD: 1 DUE DATE: 02/02/15 COVERING DATES: 07/01/14 TO 12/31/14
ELECTION ID: S115 HELD: 12/31/14
ELECTION NAME: SEMI ANNUAL FILING 2014 SECOND HALF
OFFICE: VALLE LINDO SCHOOL DIST GOVERNING BOARD MEMBER PARTY:
R-R CONTROL NO.: 014155

This is a reminder that your campaign statement is PAST DUE.
Your statement was due on February 2, 2015, and you may be
subject to a \$10.00 per day fine (Government Code § 91013). If you
need additional assistance, please call the Campaign Finance
Section at (562) 462-2339.

Los Angeles County Registrar-Recorder/County Clerk
Campaign Finance Section
12400 Imperial Highway, Room 2003
Norwalk, California 90650

GLORIA J. OLMOS



CS01

Handwritten initials and a stamp, possibly "CC", located on the right side of the page.

Past Due Notice

FILING PERIOD: 1 DUE DATE: 02/02/15 COVERING DATES: 07/01/14 TO 12/31/14
ELECTION ID: S115 HELD: 12/31/14
ELECTION NAME: SEMI ANNUAL FILING 2014 SECOND HALF
R-R CONTROL NO.: C09936 STATE ID NO.: 0001361097

This is a reminder that your campaign statement is PAST DUE. Your statement was due on February 2, 2015, and you may be subject to a \$10.00 per day fine (Government Code § 91013). If you need additional assistance, please call the Campaign Finance Section at (562) 462-2339.

Los Angeles County Registrar-Recorder/County Clerk
Campaign Finance Section
12400 Imperial Highway, Room 2003
Norwalk, California 90650

GLORIA OLMOS
RE-ELECT GLORIA OLMOS FOR SCHOOL BOARD
2013



CS01

RC



CAMPAIGN FINANCE DISCLOSURE SECTION CALL REPORT FOR JAMIE

DATE OF CALL: 2/17/2015 Outgoing Call
CALLER NAME: Left voicemail
CAND/COMM/MD NAME: Gloria Olmos
ELECTION ID: S115
CONTROL NUMBER: 014155
CFD STAFF NAME: Jamie
TYPE OF CALL: Non Filer

SUB-TYPE:

CALL DURATION: 1 MINUTE(S)

CALL SUMMARY: Hello, my name is Jamie, and I am calling from the Registrar Recorder's Campaign Finance Section. This call is regarding your campaign statement that was due on February 2, 2015. Your statement is already in the penalty phase and will soon be referred to the Fair Political Practices Commission for enforcement. Please file your campaign statement or contact our office as soon as possible. Our number is 562-462-2339; fax number 562-651-2548. Thank you.

ACTION/RESOLUTION:

Notice Of Past Due Filing

FILING PERIOD: 1 DUE DATE: 02/02/15 COVERING DATES: 07/01/14 TO 12/31/14
ELECTION ID: S115 HELD: 12/31/14
ELECTION NAME: SEMI ANNUAL FILING 2014 SECOND HALF
OFFICE: VALLE LINDO SCHOOL DIST GOVERNING BOARD MEMBER PARTY:
R-R CONTROL NO.: 014155
DATE TO BE REFERRED TO FPPC: 03/10/15

Your campaign statement is PAST DUE. If a statement is filed after any deadline imposed by this act, any person shall, in addition to any other penalties be liable in the amount of \$10 per day until it is received. Your statement must be received within ten days from the date of this written notice. A late filing penalty cannot be waived if the statement is filed after this date (Govt. Code § 91013). If it is not received within two weeks from the date of this notice you will be referred to the Fair Political Practices Enforcement Division. (GC § 81010(d)). Send your statement immediately to the Campaign Finance Section or call (562) 462-2339. (Please see reverse side.)

GLORIA J. OLMOS


CS02

22
JY

Notice Of Past Due Filing

FILING PERIOD: 1 DUE DATE: 02/02/15 COVERING DATES: 07/01/14 TO 12/31/14
ELECTION ID: S115 HELD: 12/31/14
ELECTION NAME: SEMI ANNUAL FILING 2014 SECOND HALF
R-R CONTROL NO.: C09936 STATE ID NO.: 0001361097
DATE TO BE REFERRED TO FPPC: 03/10/15

Your campaign statement is PAST DUE. If a statement is filed after any deadline imposed by this act, any person shall, in addition to any other penalties be liable in the amount of \$10 per day until it is received. Your statement must be received within ten days from the date of this written notice. A late filing penalty cannot be waived if the statement is filed after this date (Govt. Code § 91013). If it is not received within two weeks from the date of this notice you will be referred to the Fair Political Practices Enforcement Division. (GC § 81010(d)). Send your statement immediately to the Campaign Finance Section or call (562) 462-2339. (Please see reverse side.)

GLORIA OLMOS
RE-ELECT GLORIA OLMOS FOR SCHOOL BOARD
2013



CS02

JY
33



CAMPAIGN FINANCE DISCLOSURE SECTION CALL REPORT FOR JAMIE

DATE OF CALL: 3/10/2015 Outgoing Call
CALLER NAME: Left voicemail
CAND/COMM/MD NAME: Gloria Olmos
ELECTION ID: S115
CONTROL NUMBER: 014155
CFD STAFF NAME: Jamie
TYPE OF CALL: Non Filer
SUB-TYPE:
CALL DURATION: 1 MINUTE(S)
CALL SUMMARY: Hello, my name is Jamie, and I am calling from the Registrar Recorder's Campaign Finance Section. This call is regarding your campaign statement that was due on February 2, 2015. Your statement is already in the penalty phase and will soon be referred to the Fair Political Practices Commission for enforcement. Please file your campaign statement or contact our office as soon as possible. Our number is 562-462-2339; fax number 562-651-2548. Thank you.
ACTION/RESOLUTION:

FAIR POLITICAL PRACTICES COMMISSION REFERRAL

REFERRAL NO.: D15024

FILING PERIOD: 1 DUE DATE: * 02/02/15 COVERING DATES: 07/01/14 TO 12/31/14
ELECTION ID: S115 HELD: 12/31/14
ELECTION NAME: SEMI ANNUAL FILING 2014 SECOND HALF
R-R CONTROL NO.: 014155 PARTY:

The attached case file is being referred to your office for appropriate action pursuant to Government Code Section 81010 (d). After two requests for compliance, the required campaign statement has not yet been filed.

If you have any questions, please contact the Campaign Finance and Proposition B Section at (562) 462-2339.

GLORIA J. OLMOS GOVERNING BOARD MEMBER
VALLE LINDO SCHOOL DIST



RECEIVED
FAIR POLITICAL
PRACTICES COMMISSION
15 MAR 15 PM 1:57

CF02

Exhibit A-12

DEFAULT DECISION AND ORDER FPPC NO. 14/1263



FAIR POLITICAL PRACTICES COMMISSION

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

June 22, 2015

Gloria J. Olmos
Re-Elect Gloria Olmos for School Board 2013

RE: Committee's Failure to File Campaign Statements: FPPC No. 14/1263; Re-Elect Gloria Olmos for School Board 2013

Dear Ms. Olmos,

The Enforcement Division of the Fair Political Practices Commission (Commission) has received a referral from your filing officer regarding Re-Elect Gloria Olmos for School Board 2013's failure to file the following campaign statements:

Statement/Report Type	Reporting Period	Filing Deadline
Semi-Annual	01/01/14 – 06/30/14	07/31/14
Semi-Annual	07/01/14 – 12/31/14	02/02/15

Failing to timely file a campaign statement is a violation of the Political Reform Act (Act)¹. As the controlling candidate, you are liable for the committee's filing violations. The Enforcement Division has commenced an enforcement action against you, and can obtain an order that you pay a monetary penalty to the State of California of up to \$5,000 per violation.²

On May 21, 2015, the Commission approved an Enforcement Streamlined Program that allows committees who failed to file campaign statements to qualify for a reduced fine, in certain circumstances, through the Enforcement Division's streamlined program. In order to qualify for this program, you must first **file any past-due campaign statements** with your filing officer and **provide** a copy of the file stamped statements to the Enforcement Division **within 30 days** of the date of this letter. Once the Enforcement Division receives your campaign statements, we will examine your statements to determine whether you meet the streamline qualification criteria. If you qualify for the program, the Enforcement Division staff will contact you to settle this matter for a significantly reduced fine.

Failing to file the statements identified above within 30 days of the date of this letter will automatically disqualify you from the streamline program even if you would have otherwise been eligible. By not responding you could incur a fine of up to \$5,000 per violation. These fines can be pursued against you personally even if you choose not to respond or update your filings.

¹ The Political Reform Act is contained in Government Code Sections 81000 through 91014.

² Section 83116.



For more information on your campaign forms, visit our website at www.fppc.ca.gov. If you have any questions regarding this letter or your filing obligations, please contact Michael Hamilton at 916-322-5772.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Hamilton", written in a cursive style.

Michael Hamilton
Commission Counsel

Exhibit A-13

Officeholder and Candidate
Campaign Statement -
Short Form

Date of election if applicable: (Month, Day, Year)	<input type="checkbox"/> Amendment (Explain Below)	Date Stamp RECEIVED BY LOS ANGELES COUNTY 2015 JUL 15 PM 3:27 CAMPAIGN FINANCE	CALIFORNIA FORM 470 For Official Use Only
			014155

7/10/15 (3)

1. Statement Covers Calendar Year 20 15.

2. Officeholder or Candidate Information

NAME OF OFFICEHOLDER OR CANDIDATE
Gloria Olmos
STREET ADDRESS
1127 S Vinard St. South El Monte, CA
CITY
South El Monte STATE
CA ZIP CODE
91733
AREA/CODE/DAYTIME PHONE NUMBER
(626) 386-8121 OPTIONAL FAX/EMAIL ADDRESS

3. Office Sought or Held

OFFICE SOUGHT OR HELD
Valle Lindo School District
JURISDICTION (LOCATION)
LA. County DISTRICT NUMBER
(IF APPLICABLE)

4. Committee Information

List all committees of which you have knowledge that are primarily formed to receive contributions or to make expenditures on behalf of your candidacy.

COMMITTEE NAME AND ID. NUMBER	COMMITTEE ADDRESS	NAME OF TREASURER
<u>N/A</u>	<u>—</u>	<u>—</u>
<u>N/A</u>	<u>—</u>	<u>—</u>

5. Verification

I declare under penalty of perjury that to the best of my knowledge I anticipate that I will receive less than \$1,000 and that I will spend less than \$1,000 during the calendar year and that I have used all reasonable diligence in preparing this statement. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on 7/7/15 DATE

SIGNATURE OF OFFICEHOLDER OR CANDIDATE
Gloria Olmos

JY

Exhibit A-14

DEFAULT DECISION AND ORDER FPPC NO. 14/1263

LOS ANGELES REGISTRAR-RECORDER/COUNTY CLERK

MAILING DATE: 07/14/15
(FILE COPY)

WRONG FORM

FILING PERIOD: 1 DUE DATE: 07/31/15 COVERING DATES: 01/01/15 TO 06/30/15
ELECTION ID: S715 HELD: 06/30/15
ELECTION NAME: SEMI ANNUAL FILING 2015 FIRST HALF
OFFICE: VALLE LINDO SCHOOL DIST GOVERNING BOARD MEMBER PARTY:
R-R CONTROL NO.: 014155

Your activity for the above shown period was reported on the wrong form. Please file the Form 460.

Please complete and return the enclosed amendment to:

Los Angeles County Registrar-Recorder/County Clerk
Campaign Finance and Proposition B Section
12400 Imperial Highway, Room 2003
Norwalk, California 90650

If you have any questions, please call (562) 462-2339.

GLORIA J. OLMOS



CA07

JY

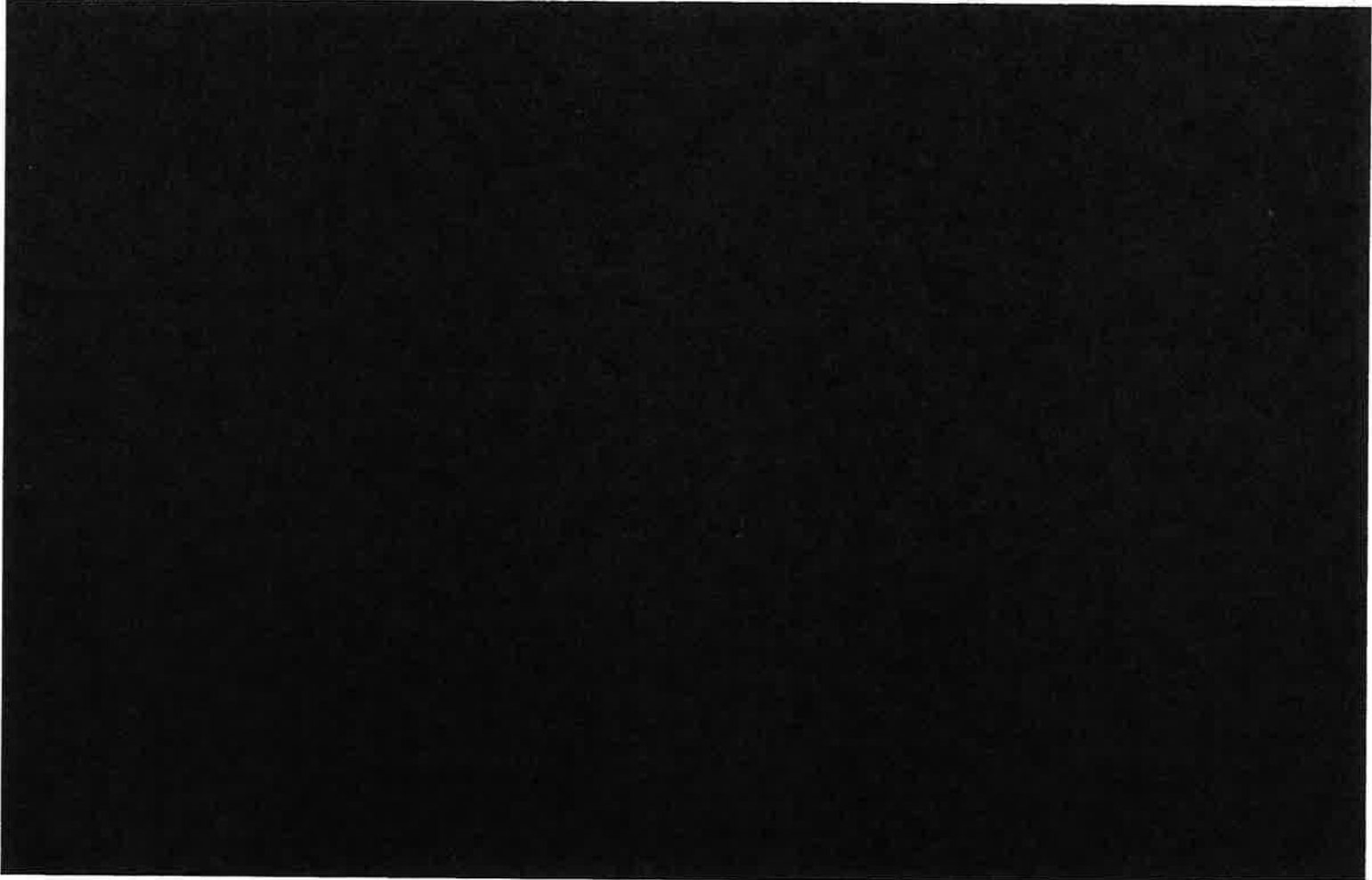


Exhibit A-15

DEFAULT DECISION AND ORDER FPPC NO. 14/1263

This is an archive of a past election.

See <http://www.smartvoter.org/ca/la/> for current information.



League of Women Voters of California Education Fund



Los Angeles County, CA

November 3, 2015 Election

Council Member; City of South El Monte Voter Information

Results as of Nov 13 2:00pm, 100% of Precincts Reporting (5/5)

Candidates (Vote for 2)

A Message from the League of Women Voters: All candidates running in the November 3 elections throughout L.A. County are invited to post their campaign information on Smart Voter. An email with instructions on how to post has been sent to those candidates for whom we have email addresses; some of these messages, we know, have been trapped in spam filters. Candidates in areas where the League has active volunteers will receive phone calls or additional emails asking them to participate. Any L.A. County candidate who does not receive an invitation should send an email to ca-la@smartvoter.org.

Click on highlighted name for additional information supplied by candidate. Contact non-highlighted candidates and encourage them to provide information for voters.

This election is archived. Any links to sources outside of Smart Voter may no longer be active. No further links will be added to this page.

Links to sources outside of Smart Voter are provided for information only and do not imply endorsement.

✓ **Hector Delgado 618 votes 28.01%**

- Occupation: High School Educator
- hdelgado142@yahoo.com

✓ **Gloria Olmos 545 votes 24.71%**

- Occupation: Volunteer Soroptimist President
- olmos26@gmail.com

Willhans Ili 540 votes 24.48%

- Occupation: City Councilmember/Educator
- ili4sem@gmail.com

Gilbert "Gil" Zepeda  295 votes 13.37%

- Occupation: Regional Manager
- 16 Year U.S. Army Veteran
- Iraqi Freedom Combat Veteran
- Parent Advisory Council Monte Vista Elementary
- Superintendents Parent Advisory Board Monte Vista Elementary
- Principal's Parent Financial Board Monte Vista Elementary
- Executive Board Member El Monte Jets Football & Cheer Organization
- gilzepedaips@yahoo.com

Priorities:

- Tranparancy in Project Development Agreements in South El Monte
- Hire Local Residents for all Housing And Retail Construction Projects
- Against No Bid Contract \$2 Million Dollar Solar Panel Project on City Buildings

Manuel "Manny" Acosta 208 votes 9.43%

- Occupation: Inventory Control Manager
- mannyacosta4council@aol.com

Basic candidate data supplied by the applicable elections official. Order of candidates is random and changes daily.

[Home \(Ballot Lookup\)](#) || [About Smart Voter](#) || [Feedback](#)

Created: December 21, 2015 20:36 PST

Smart Voter <<http://www.smartvoter.org/>>

Copyright © League of Women Voters of California Education Fund <http://cavotes.org>

The League of Women Voters neither supports nor opposes candidates for public office or political parties.

Exhibit A-16

DEFAULT DECISION AND ORDER FPPC NO. 14/1263

**Recipient Committee
Campaign Statement
Cover Page**

(Government Code Sections 84200-84216.5)

Type or print name.

COVER PAGE

CALIFORNIA
FORM **460**

Statement covers period
from 9/20/15
through 10/17/15

Date of election if applicable:
(Month, Day, Year)
11/3/2015

Date Stamp
CITY OF SOUTH EL MONTE
CITY CLERK'S OFFICE
2015 OCT 22 P 4:46
of 6
For Official Use Only

SEE INSTRUCTIONS ON REVERSE

1. Type of Recipient Committee: All Committees - Complete Parts 1, 2, 3, and 4.

- Officeholder, Candidate Controlled Committee
- State Candidate Election Committee
- Recall
(Also Complete Part 5)
- General Purpose Committee
- Sponsored
- Small Contributor Committee
- Political Party/Central Committee
- Primarily Formed Ballot Measure Committee
- Controlled
- Sponsored
(Also Complete Part 6)
- Primarily Formed Candidate/Officeholder Committee
(Also Complete Part 7)

2. Type of Statement:

- Preelection Statement
- Semi-annual Statement
- Termination Statement
(Also file a Form 410 Termination)
- Amendment (Explain below)
- Quarterly Statement
- Special Odd-Year Report
- Supplemental Preelection Statement - Attach Form 495

3. Committee Information

ID NUMBER
Pending

COMMITTEE NAME (OR CANDIDATE'S NAME IF NO COMMITTEE)
Committee To Elect Gloria Olmos
for South El Monte City Council 2015
STREET ADDRESS (NO P.O. BOX)
11275 Linard St. South El Monte CA 91733
CITY STATE ZIP CODE AREA CODE/PHONE
N/A
MAILING ADDRESS (IF DIFFERENT) NO. AND STREET OR P.O. BOX
CITY STATE ZIP CODE AREA CODE/PHONE
Olmosg26@gmail.com
OPTIONAL FAX / E-MAIL ADDRESS

Treasurer(s) ALBERT ESCALERA
NAME OF TREASURER
MAILING ADDRESS
11061 Remer St.
South El Monte, CA 91733 (626) 277-8211
CITY STATE ZIP CODE AREA CODE/PHONE
NAME OF ASSISTANT TREASURER, IF ANY
MAILING ADDRESS
CITY STATE ZIP CODE AREA CODE/PHONE
OPTIONAL FAX / E-MAIL ADDRESS

4. Verification

I have used all reasonable diligence in preparing and reviewing this statement and to the best of my knowledge the information contained herein and in the attached schedules is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on 10/21/15
Date
Executed on 10/21/15
Date
Executed on _____
Date
Executed on _____
Date

By [Signature]
Signature of Treasurer or Assistant Treasurer
By [Signature]
Signature of Controlling Officeholder, Candidate, State Measure Proponent or Responsible Officer of Sponsor
By _____
Signature of Controlling Officeholder, Candidate, State Measure Proponent
By _____
Signature of Controlling Officeholder, Candidate, State Measure Proponent

**Recipient Committee
Campaign Statement
Cover Page — Part 2**

Type or print in ink.

COVER PAGE - PART 2

CALIFORNIA
FORM **460**

Page 2 of 6

5. Officeholder or Candidate Controlled Committee

NAME OF OFFICEHOLDER OR CANDIDATE
Committee To Elect Gloria Olivas for Sem. City Council
OFFICE SOUGHT OR HELD (INCLUDE LOCATION AND DISTRICT NUMBER IF APPLICABLE)
City Council - South El Monte
RESIDENTIAL/BUSINESS ADDRESS (NO. AND STREET) CITY STATE ZIP
N. Central Ave, South El Monte, CA 91733

Related Committees Not Included in this Statement: List any committees not included in this statement that are controlled by you or are primarily formed to receive contributions or make expenditures on behalf of your candidacy.

COMMITTEE NAME <u>N/A</u>	I.D. NUMBER
NAME OF TREASURER	CONTROLLED COMMITTEE? <input type="checkbox"/> YES <input type="checkbox"/> NO
COMMITTEE ADDRESS STREET ADDRESS (NO P.O. BOX)	
CITY STATE ZIP CODE AREA CODE/PHONE	

COMMITTEE NAME	I.D. NUMBER
NAME OF TREASURER	CONTROLLED COMMITTEE? <input type="checkbox"/> YES <input type="checkbox"/> NO
COMMITTEE ADDRESS STREET ADDRESS (NO P.O. BOX)	
CITY STATE ZIP CODE AREA CODE/PHONE	

6. Primarily Formed Ballot Measure Committee

NAME OF BALLOT MEASURE
N/A
BALLOT NO. OR LETTER JURISDICTION
N/A

SUPPORT
 OPPOSE

Identify the controlling officeholder, candidate, or state measure proponent, if any.
NAME OF OFFICEHOLDER, CANDIDATE, OR PROPONENT
OFFICE SOUGHT OR HELD DISTRICT NO. IF ANY

7. Primarily Formed Candidate/Officeholder Committee List names of officeholder(s) or candidate(s) for which this committee is primarily formed.

NAME OF OFFICEHOLDER OR CANDIDATE <u>N/A</u>	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE

Attach continuation sheets if necessary

**Campaign Disclosure Statement
Summary Page**

Type or print in ink.
Amounts may be rounded
to whole dollars.

SUMMARY PAGE

Statement covers period from <u>9/22/15</u>	CALIFORNIA FORM 460
through <u>10/17/15</u>	
Page <u>3</u> of <u>6</u>	

SEE INSTRUCTIONS ON REVERSE
NAME OF FILER

I.D. NUMBER
Pending

Committee To Elect Gloria Olmos for South El Monte City Council 2015

Contributions Received

	Column A TOTAL THIS PERIOD (FROM ATTACHED SCHEDULES)	Column B CALENDAR YEAR TOTAL TO DATE
1. Monetary Contributions Schedule A, Line 3	\$ <u>2,577</u>	\$ <u>3,727.⁰⁰</u>
2. Loans Received Schedule B, Line 3	\$ <u>0</u>	\$ <u>0</u>
3. SUBTOTAL CASH CONTRIBUTIONS Add Lines 1 + 2	\$ <u>2,577</u>	\$ <u>3,727.⁰⁰</u>
4. Nonmonetary Contributions Schedule C, Line 3	\$ <u>0</u>	\$ <u>0</u>
5. TOTAL CONTRIBUTIONS RECEIVED Add Lines 3 + 4	\$ <u>2,577</u>	\$ <u>3,727.⁰⁰</u>

**Calendar Year Summary for Candidates
Running in Both the State Primary and
General Elections**

	1/1 through 6/30	7/1 to Date
20. Contributions Received	\$ _____	\$ _____
21. Expenditures Made	\$ _____	\$ _____

Expenditures Made

	Column A TOTAL THIS PERIOD (FROM ATTACHED SCHEDULES)	Column B CALENDAR YEAR TOTAL TO DATE
6. Payments Made Schedule E, Line 4	\$ <u>5,340.72</u>	\$ <u>6,440.72</u>
7. Loans Made Schedule H, Line 3	\$ <u>0</u>	\$ <u>0</u>
8. SUBTOTAL CASH PAYMENTS Add Lines 6 + 7	\$ <u>5,340.72</u>	\$ <u>6,440.72</u>
9. Accrued Expenses (Unpaid Bills) Schedule F, Line 3	\$ <u>3700.⁰⁰</u>	\$ <u>3,700.⁰⁰</u>
10. Nonmonetary Adjustment Schedule C, Line 3	\$ <u>0</u>	\$ <u>0</u>
11. TOTAL EXPENDITURES MADE Add Lines 8 + 9 + 10	\$ <u>9,040.72</u>	\$ <u>10,140.72</u>

**Expenditure Limit Summary for State
Candidates**

22. Cumulative Expenditures Made* (If Subject to Voluntary Expenditure Limit)	
Date of Election (mm/dd/yy)	Total to Date
____/____/____	\$ _____
____/____/____	\$ _____

Current Cash Statement

12. Beginning Cash Balance Previous Summary Page, Line 16	\$ <u>50.⁰⁰</u>
13. Cash Receipts Column A, Line 3 above	\$ <u>2,577.⁰⁰</u>
14. Miscellaneous Increases to Cash Schedule I, Line 4	\$ <u>0</u>
15. Cash Payments Column A, Line 8 above	\$ <u>5,340.72</u>
16. ENDING CASH BALANCE Add Lines 12 + 13 + 14, then subtract Line 15	\$ <u>2,713.72</u>

To calculate Column B, add amounts in Column A to the corresponding amounts from Column B of your last report. Some amounts in Column A may be negative figures that should be subtracted from previous period amounts. If this is the first report being filed for this calendar year, only carry over the amounts from Lines 2, 7, and 9 (if any).

If this is a termination statement, Line 16 must be zero.

17. LOAN GUARANTEES RECEIVED Schedule B, Part 2	\$ <u>0</u>
---	-------------

Cash Equivalents and Outstanding Debts

18. Cash Equivalents See instructions on reverse	\$ <u>0</u>
19. Outstanding Debts Add Line 2 + Line 9 in Column B above	\$ <u>3,700.⁰⁰</u>

*Amounts in this section may be different from amounts reported in Column B.

**Schedule A
Monetary Contributions Received**

Type or print in ink.
Amounts may be rounded
to whole dollars.

SCHEDULE A

Statement covers period from <u>9/20/15</u> through <u>10/17/15</u>	CALIFORNIA FORM 460 Page <u>4</u> of <u>6</u>
ID NUMBER <u>Pending</u>	

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

Committee To Elect Gloria Ramos for South El Monte City Council 2015

DATE RECEIVED	FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE ALSO ENTER I.D. NUMBER)	CONTRIBUTOR CODE *	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	AMOUNT RECEIVED THIS PERIOD	CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31)	PER ELECTION TO DATE (IF REQUIRED)
10/15/15	Sheet Metal Workers Int'l. Assoc. Local Union 105 Political Ed. Fund 2100 Auto Centre Dr. Ste. 105 Glendora, CA 91740-6720	<input type="checkbox"/> IND <input checked="" type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		\$500.00		
9/24/15	L. V. Diaz 11029 Maplefield St South El Monte, CA 91733	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		\$100.00		
9/26/15	Timothy A. Hinson 11324 Byways St. South El Monte, CA 91733	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		\$250.00		
9/27/15	Gilbert Adame Maria Adame 525 N. Hauser Dr. Lovina, CA 91722	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		\$100.00		
9/27/15	S&M Engineering Machine Shop Corp 2506 Seaman Ave. South El Monte, CA, 91733	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		\$300.00		

SUBTOTAL \$ 1,250.00

Schedule A Summary

- Amount received this period - itemized monetary contributions.
(Include all Schedule A subtotals.) \$ 1,875.00
- Amount received this period - unitemized monetary contributions of less than \$100 \$ 702.00
- Total monetary contributions received this period.
(Add Lines 1 and 2. Enter here and on the Summary Page, Column A, Line 1.) **TOTAL \$** 2,577.00

*Contributor Codes
IND - Individual
COM - Recipient Committee
(other than PTY or SCC)
OTH - Other (e.g., business entity)
PTY - Political Party
SCC - Small Contributor Committee

**Schedule A (Continuation Sheet)
Monetary Contributions Received**

Type or print in ink.
Amounts may be rounded
to whole dollars.

SCHEDULE A (CONT.)

Statement covers period from <u>9/20/15</u> through <u>10/17/15</u>	CALIFORNIA FORM 460 Page <u>5</u> of <u>6</u>
---	--

NAME OF FILER: Committee To Elect Gloria Olivas for South El Monte City Council - Pending
I.D. NUMBER: Pending

DATE RECEIVED	FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CONTRIBUTOR CODE *	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	AMOUNT RECEIVED THIS PERIOD	CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31)	PER ELECTION TO DATE (IF REQUIRED)
9/21/15	Gerald R. Duran Aurelio R. Duran 1951 Peet Haven Dr. Chino, CA 91709	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		\$100.00		
9/26/15	Donna or John Gannon 5335 Zedell Dr. Temple City, CA 91780	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		\$100.00		
9/25/15	Laura Verdugo 2173 Saticoy St. Pomona, CA 91767-2411	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		\$125.00		
9/27/15	Stella Jauregui Joe Jauregui 11006 Central Ave. South El Monte, CA 91733	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		\$100.00		
9/27/15	Mary J. Bennett Michael G. Bennett 135 San Miguel Dr. Arcadia, CA 91707	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		\$100.00		
SUBTOTAL \$				<u>525.00</u>		

*Contributor Codes
IND - Individual
COM - Recipient Committee
(other than PTY or SCC)
OTH - Other (e.g., business entity)
PTY - Political Party
SCC - Small Contributor Committee

**Schedule A (Continuation Sheet)
Monetary Contributions Received**

Type or print in ink.
Amounts may be rounded
to whole dollars.

SCHEDULE A (CONT.)

Statement covers period from <u>9/20/15</u> through <u>10/17/15</u>	CALIFORNIA FORM 460 Page <u>6</u> of <u>6</u>
---	---

NAME OF FILER <u>Committee To Elect Gloria Olmos For Southel Norte City Council 2015</u>	I.D. NUMBER <u>Pending</u>
---	-------------------------------

DATE RECEIVED	FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE ALSO ENTER I.D. NUMBER)	CONTRIBUTOR CODE *	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	AMOUNT RECEIVED THIS PERIOD	CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31)	PER ELECTION TO DATE (IF REQUIRED)
9/27/15	Macario Specialties 964, E. Badillo St. Ste. 217 Covina, CA 91724-2950	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		\$100.00		
		<input type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC				
		<input type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC				
		<input type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC				
		<input type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC				
SUBTOTAL \$				<u>100.00</u>		

*Contributor Codes
 IND - Individual
 COM - Recipient Committee
 (other than PTY or SCC)
 OTH - Other (e.g., business entity)
 PTY - Political Party
 SCC - Small Contributor Committee

Exhibit A-17

Recip t Committee
Campaign Statement
Cover Page

OVER PAGE

Date Stamp	CALIFORNIA FORM 460
CITY OF SOUTH EL MONTE CITY CLERK'S OFFICE	Page <u>1</u> of <u>4</u>
2016 FEB -1 P 5:26	For Official Use Only

Statement covers period from <u>10/18/15</u> through <u>12/31/15</u>	Date of election if applicable (Month, Day, Year) <u>11/3/15</u>
--	--

SEE INSTRUCTIONS ON REVERSE

1. Type of Recipient Committee: All Committees - Complete Parts 1, 2, 3, and 4.

Officeholder, Candidate Controlled Committee
 State Candidate Election Committee
 Recall
(Also Complete Part 5)

General Purpose Committee
 Sponsored
 Small Contributor Committee
 Political Party/Central Committee

Primarily Formed Ballot Measure Committee
 Controlled
 Sponsored
(Also Complete Part 5)

Primarily Formed Candidate/Officeholder Committee
(Also Complete Part 7)

2. Type of Statement:

Preelection Statement
 Semi-annual Statement
 Termination Statement
(Also file a Form 410 Termination)
 Amendment (Explain below)
change of Treasurer to myself (Gloria Olmos)
Not Albert Escalera

Quarterly Statement
 Special Odd-Year Report

3. Committee Information ID NUMBER 1361097

COMMITTEE NAME (OR CANDIDATE'S NAME IF NO COMMITTEE)
Committee To Elect Gloria Olmos
for South El Monte City Council 2015

STREET ADDRESS (NO P.O. BOX)
11275 Linard St.
 CITY STATE ZIP CODE AREA CODE/PHONE
South El Monte, CA 91733 (66)443-2535

MAILING ADDRESS (IF DIFFERENT) NO. AND STREET OR P.O. BOX
(same as above)
 CITY STATE ZIP CODE AREA CODE/PHONE
Olmosg36@gmail.com

OPTIONAL FAX / E-MAIL ADDRESS

Treasurer(s)

NAME OF TREASURER
Gloria Olmos

MAILING ADDRESS
11275 Linard St. South El Monte, CA 91733
 CITY STATE ZIP CODE AREA CODE/PHONE
(66) 443-2535

NAME OF ASSISTANT TREASURER, IF ANY

MAILING ADDRESS

CITY STATE ZIP CODE AREA CODE/PHONE

OPTIONAL FAX / E-MAIL ADDRESS

4. Verification

I have used all reasonable diligence in preparing and reviewing this statement and to the best of my knowledge the information contained herein and in the attached schedules is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on 2/11/16
Date

Executed on 2/11/16
Date

Executed on _____
Date

Executed on _____
Date

By Gloria Olmos
Signature of Treasurer or Assistant Treasurer

By Gloria Olmos
Signature of Controlling Officer/holder, Candidate, State Measure Proponent or Responsible Officer of Sponsor

By _____
Signature of Controlling Officer/holder, Candidate, State Measure Proponent

By _____
Signature of Controlling Officer/holder, Candidate, State Measure Proponent

**Recipient Committee
Campaign Statement
Cover Page — Part 2**

COVER PAGE - PART 2

CALIFORNIA FORM **460**

Page 2 of 4

5. Officeholder or Candidate Controlled Committee

NAME OF OFFICEHOLDER OR CANDIDATE
Committee To elect Gloria Almos
for Santa El Monte City Council 2015

OFFICE SOUGHT OR HELD (INCLUDE LOCATION AND DISTRICT NUMBER IF APPLICABLE)
Council Member - (Mayor pro-Tem)

RESIDENTIAL/BUSINESS ADDRESS (NO AND STREET) CITY STATE ZIP
1415 Santa Anita Ave. Santa El Monte, CA 91733

Related Committees Not Included in this Statement: List any committees not included in this statement that are controlled by you or are primarily formed to receive contributions or make expenditures on behalf of your candidacy.

COMMITTEE NAME <u>N/A</u>	ID NUMBER
NAME OF TREASURER	CONTROLLED COMMITTEE? <input type="checkbox"/> YES <input type="checkbox"/> NO
COMMITTEE ADDRESS STREET ADDRESS (NO P.O. BOX)	
CITY STATE ZIP CODE AREA CODE/PHONE	

COMMITTEE NAME	ID NUMBER
NAME OF TREASURER	CONTROLLED COMMITTEE? <input type="checkbox"/> YES <input type="checkbox"/> NO
COMMITTEE ADDRESS STREET ADDRESS (NO P.O. BOX)	
CITY STATE ZIP CODE AREA CODE/PHONE	

6. Primarily Formed Ballot Measure Committee

NAME OF BALLOT MEASURE
N/A

BALLOT NO. OR LETTER	JURISDICTION	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
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Identify the controlling officeholder, candidate, or state measure proponent, if any.

NAME OF OFFICEHOLDER, CANDIDATE OR PROPONENT

OFFICE SOUGHT OR HELD DISTRICT NO. IF ANY

7. Primarily Formed Candidate/Officeholder Committee List names of officeholder(s) or candidate(s) for which this committee is primarily formed.

NAME OF OFFICEHOLDER OR CANDIDATE <u>N/A</u>	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE

Attach continuation sheets if necessary

**Campaign Disclosure Statement
Summary Page**

Amounts may be rounded
to whole dollars.

SUMMARY PAGE

Statement covers period from <u>10/18/15</u> through <u>12/31/15</u>	CALIFORNIA FORM 460 Page <u>3</u> of <u>4</u>
I.D. NUMBER <u>1361097</u>	

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

Committee To Elect Gloria Olms for South El Monte City Council 2015

	Column A TOTAL THIS PERIOD (FROM ATTACHED SCHEDULES)	Column B CALENDAR YEAR TOTAL TO DATE
1. Monetary Contributions Schedule A, Line 3	\$ <u>0</u>	\$ <u>3,727.⁰⁰</u>
2. Loans Received Schedule B, Line 3	\$ <u>0</u>	\$ <u>0</u>
3. SUBTOTAL CASH CONTRIBUTIONS Add Lines 1 + 2	\$ <u>0</u>	\$ <u>3,727.⁰⁰</u>
4. Nonmonetary Contributions Schedule C, Line 3	\$ <u>4,562.78</u>	\$ <u>0</u>
5. TOTAL CONTRIBUTIONS RECEIVED Add Lines 3 + 4	\$ <u>4,562.78</u>	\$ <u>3,727.⁰⁰</u>

**Calendar Year Summary for Candidates
Running in Both the State Primary and
General Elections**

	1/1 through 6/30	7/1 to Date
20. Contributions Received	\$ _____	\$ _____
21. Expenditures Made	\$ _____	\$ _____

Expenditures Made

6. Payments Made Schedule E, Line 4	\$ <u>4,918.36</u>	\$ <u>11,359.08</u>
7. Loans Made Schedule H, Line 3	\$ <u>0</u>	\$ <u>0</u>
8. SUBTOTAL CASH PAYMENTS Add Lines 6 + 7	\$ <u>4,918.36</u>	\$ <u>11,359.08</u>
9. Accrued Expenses (Unpaid Bills) Schedule F, Line 3	\$ <u>1,700.⁰⁰</u>	\$ <u>5,400.⁰⁰</u>
10. Nonmonetary Adjustment Schedule C, Line 3	\$ <u>0</u>	\$ <u>0</u>
11. TOTAL EXPENDITURES MADE Add Lines 8 + 9 + 10	\$ <u>6,618.36</u>	\$ <u>16,759.⁰⁸</u>

**Expenditure Limit Summary for State
Candidates**

22. Cumulative Expenditures Made* (If Subject to Voluntary Expenditure Limit)	
Date of Election (mm/dd/yy)	Total to Date
<u> / / </u>	\$ _____
<u> / / </u>	\$ _____

Current Cash Statement

12. Beginning Cash Balance Previous Summary Page, Line 16	\$ <u>2,713.72</u>
13. Cash Receipts Column A, Line 3 above	\$ <u>0</u>
14. Miscellaneous Increases to Cash Schedule I, Line 4	\$ <u>0</u>
15. Cash Payments Column A, Line 8 above	\$ <u>4,918.36</u>
16. ENDING CASH BALANCE Add Lines 12 + 13 + 14, then subtract Line 15	\$ <u>(-2,204.64)</u>

To calculate Column B, add amounts in Column A to the corresponding amounts from Column B of your last report. Some amounts in Column A may be negative figures that should be subtracted from previous period amounts. If this is the first report being filed for this calendar year, only carry over the amounts from Lines 2, 7, and 9 (if any).

*Amounts in this section may be different from amounts reported in Column B.

If this is a termination statement, Line 16 must be zero.

17. LOAN GUARANTEES RECEIVED Schedule B, Part 2	\$ <u>0</u>
---	-------------

Cash Equivalents and Outstanding Debts

18. Cash Equivalents See instructions on reverse	\$ <u>0</u>
19. Outstanding Debts Add Line 2 + Line 9 in Column B above	\$ <u>1,700.⁰⁰</u>

**Schedule C
Nonmonetary Contributions Received**

Amounts may be rounded to whole dollars.

SCHEDULE C

Statement covers period from <u>10/18/15</u> through <u>12/31/15</u>	CALIFORNIA FORM 460
	Page <u>4</u> of <u>4</u>
I.D. NUMBER <u>1361097</u>	

SEE INSTRUCTIONS ON REVERSE
NAME OF FILER

Committee To Elect Gloria Olmos For South El Monte City Council 2015

DATE RECEIVED	FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CONTRIBUTOR CODE *	IF AN INDIVIDUAL ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	DESCRIPTION OF GOODS OR SERVICES	AMOUNT/ FAIR MARKET VALUE	CUMULATIVE TO DATE CALENDAR YEAR (JAN 1 - DEC 31)	PER ELECTION TO DATE (IF REQUIRED)
10/23/15	Grow Elect #1342160 1022 G. Street Sacramento, CA 95814	<input type="checkbox"/> IND <input checked="" type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		Literature/ mailers	\$1,785.44		
10/23/15	Grow Elect #1342160 1022 G. Street Sacramento, CA 95814	<input type="checkbox"/> IND <input checked="" type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		Literature/ mailers	\$1,785.44		
10/24/15	Grow Elect #1342160 1022 G. Street Sacramento, CA 95814	<input type="checkbox"/> IND <input checked="" type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		Phone banks	\$604.80		
10/31/15	Grow Elect #1342160 1022 G. Street Sacramento, CA 95814	<input type="checkbox"/> IND <input checked="" type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		Phone banks	\$330.40		

Attach additional information on appropriately labeled continuation sheets.

SUBTOTAL \$ 4,506.08

Schedule C Summary

- Amount received this period - itemized nonmonetary contributions.
(Include all Schedule C subtotals.) \$ 4,506.08
- Amount received this period - unitemized nonmonetary contributions of less than \$100 \$ 56.70
- Total nonmonetary contributions received this period.
(Add Lines 1 and 2. Enter here and on the Summary Page, Column A, Lines 4 and 10.) TOTAL \$ 4,562.78

*Contributor Codes
IND - Individual
COM - Recipient Committee
(other than PTY or SCC)
OTH - Other (e.g., business entity)
PTY - Political Party
SCC - Small Contributor Committee

Exhibit A-18

1 GALENA WEST
Chief of Enforcement
2 MICHAEL W. HAMILTON
Commission Counsel
3 **FAIR POLITICAL PRACTICES COMMISSION**
1102 Q Street, Suite 3000
4 Sacramento, CA 95811
Telephone: (916) 322-5772
5 Email: mhamilton@fppc.ca.gov

6 Attorneys for Complainant
Enforcement Division of the Fair Political Practices Commission
7

8
9 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
10 STATE OF CALIFORNIA

11 In the Matter of) FPPC No. 14/1263
12)
13)
14) **DECLARATION OF MICHAEL W.**
GLORIA OLMOS, RE-ELECT) **HAMILTON IN SUPPORT OF DEFAULT**
15) **DECISION AND ORDER**
GLORIA OLMOS FOR SCHOOL)
16) (Gov. Code, §§ 11506 and 11520)
BOARD 2013, AND COMMITTEE)
TO ELECT GLORIA OLMOS FOR)
17)
SOUTH EL MONTE CITY)
18)
COUNCIL MEMBER 2015,)
19)

20 Respondents.

21 I, Michael W. Hamilton, declare as follows:

22 1. I am employed by and I represent the Enforcement Division of the Fair Political Practices
23 Commission in my capacity as Commission Counsel for the Enforcement Division. My business address
24 is 1102 Q Street, Suite 3000, Sacramento, California.

25 2. I am the attorney assigned to this case. If called as a witness, I competently could and
26 would testify to the following, which is based upon my own personal knowledge.

27 3. On October 20, 2017, I called Gloria Olmos and left her a voicemail that identified myself
28 and asked her to call me.

4. On November 17, 2017, I left Gloria Olmos a voicemail asking her to call me.

1 5. On November 21, 2017, I called Gloria Olmos, but was unable to leave a voicemail
2 because the mailbox was full.

3 6. On January 9, 2018, I sent Gloria Olmos an email to her city council email account to
4 inform her a default would be submitted to the Commission in February and that she still had time to
5 resolve this matter.

6 7. On January 10, 2018, I left a voicemail for Gloria Olmos on her personal phone asking
7 her to call me.

8 8. On January 10, 2018, I sent Gloria Olmos an email to her personal email account to inform
9 her a default would be submitted to the Commission in February and that she still had time to resolve this
10 matter.

11 9. On January 10, 2018, I left a message with the receptionist at Gloria Olmos' city council
12 office to have her call me.

13 10. On January 11, 2018, I left a message with the receptionist at Gloria Olmos' city council
14 office to have her call me.

15 11. On January 11, 2018, I left a voicemail for Gloria Olmos on her personal phone asking
16 her to call me.

17 12. On January 11, 2018, Gloria Olmos called me back and agreed to file and amend her
18 statements as needed. I explained the submission of the default to the Commission would continue as
19 planned until the matter was fully resolved.

20 13. On March 23, 2018, I left a voicemail on Olmos' personal phone about the issues with her
21 campaign filings.

22 14. On March 23, 2018, I sent Olmos an email regarding the issues with her campaign filings.

23 15. On March 27, 2018, I sent Olmos an email regarding the issues with her campaign filings.
24 I also informed her that if I did not hear from her I would be submitting a default order and judgment at
25 the Commission next regularly scheduled hearing.

26 ///

27 ///

28 ///

1 16. On April 3, 2018, I left a voicemail informing Olmos that I would be submitting a default
2 order and judgment to the Commission since she had not contacted me.

3 I declare under penalty of perjury under the laws of the State of California that the foregoing is
4 true and correct. Executed at Sacramento, California, on April 3, 2018.

5 

6
7 Michael W. Hamilton
8 Commission Counsel, Enforcement Division
9 Fair Political Practices Commission
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Exhibit A-19

DEFAULT DECISION AND ORDER FPPC NO. 14/1263



FAIR POLITICAL PRACTICES COMMISSION

1102 Q St • Suite 3000 • Sacramento, CA 95811
(916) 322-5660 • Fax (916) 322-0886

April 3, 2018

First Class Mail

Gloria Olmos, individually, and o/b/o
Re-Elect Gloria Olmos for School Board 2013
Committee To Elect Gloria Olmos for South
El Monte City Council Member 2015

NOTICE OF INTENT TO ENTER DEFAULT DECISION AND ORDER

Re: FPPC No. 14/1263

**In the Matter of Gloria Olmos, Re-Elect Gloria Olmos for School Board 2013, and
Committee to Elect Gloria Olmos for South El Monte City Council Member 2015**

Dear Ms. Olmos:

Enclosed please find a copy of the Default Decision and Order, and accompanying Exhibit and attachments, for the above-referenced matter. The Fair Political Practices Commission (Commission) will consider these papers at its public meeting on **April 19, 2018**, and decide whether to impose an administrative penalty in the amount of Eighteen Thousand Dollars (\$18,000) against you.

You were previously served a Report in Support of a Finding of Probable Cause, commonly known as a Probable Cause Report, advising you of your right to request a probable cause conference or submit a written response to the probable cause report. You did not request a probable cause conference, nor did you submit anything in writing for the Commission's Hearing Officer to consider in his determination of probable cause.

Following the issuance of a Report in Support of a Finding of Probable Cause, the Commission's Hearing Officer found probable cause that you committed six violations of the Political Reform Act's campaign provisions. Thereafter, the Hearing Officer issued an Accusation against you on these violations. The Accusation was personally served on you on September 28, 2017. Under the law, you have therefore received adequate notice of these proceedings and the action filed against you. Under the Administrative Procedure Act, you were required to file your

Notices of Defense within 15 days after service of the Accusation. You failed to file the notice of defense forms. As such, your right to an administrative hearing on this matter has been forfeited, and you are in a default position.

You may, but you are not required to, provide a response brief, along with any supporting materials, no later than five calendar days before the Commission hearing at which the default is scheduled to be heard. Your response brief must be served on the Commission Assistant, at the above address.

At its public meeting on April 19, 2018, the Commission may impose an administrative penalty against you in the amount of \$25,000, the maximum penalty for the five violations.

Following the issuance of the default order and imposition of the administrative penalty, we will commence legal proceedings to collect this fine, which may include converting the Commission's order to a court judgment. Please be advised that administrative penalties for violations of the Political Reform Act cannot be discharged in bankruptcy proceedings.

This letter is your last opportunity to resolve this matter informally by way of a stipulated settlement, before the default proceedings are commenced. If we do not reach a resolution, the enclosed documents will be placed on the Commission's agenda for the April 19, 2018 meeting. Please contact me if you wish to enter into a negotiated settlement.

You may contact me directly at (916) 322-5772.

Sincerely,

A handwritten signature in blue ink, appearing to read "M. W. Hamilton".

Michael W. Hamilton
Commission Counsel
Enforcement Division

Enclosures