

FAIR POLITICAL PRACTICES COMMISSION

STIPULATION, DECISION AND ORDER

**Statement of Economic Interests Late Reporter Violations
(Streamline Program)**

Complainant, the Enforcement Division of the Fair Political Practices Commission, and Respondent(s) hereby agree that this stipulation will be included on the next regularly scheduled meeting, or as soon thereafter as the matter can be heard, of the Fair Political Practices Commission. Once presented and approved by the Chief of Enforcement, the parties agree that this stipulation will be the final disposition of the violation(s) described herein.

FPPC CASE NUMBER: 2020-00076

RESPONDENT(S): Eric Borba

POSITION: Director, Porterville Irrigation District (PID); Director, Eastern Tule Groundwater Sustainability Agency (ETGSA); Director, Friant Water Authority (FWA)

REPRESENTATION: Lauren Layne of Baker Manock & Jensen, PC

JURISDICTION: County of Tulare

GOVERNMENT CODE SECTION(S) VIOLATED: 87206

Total Penalty: \$5,400

STATEMENT BY RESPONDENT(S):

I acknowledge that the violation(s) of the Political Reform Act described above have occurred and voluntarily request that the Fair Political Practices Commission resolve this matter by imposition of the monetary penalty specified above. I acknowledge receipt of the *Statement of Respondent's Rights* and voluntarily waive any and all procedural rights to contest this matter in an administrative hearing. Any required outstanding reports in connection with these violations have now been filed. I have paid the amount of the penalty described above. I understand that I must also pay any potential late filing penalties assessed by my filing officer.

Dated: _____

Sign: _____

Print Name: _____

ORDER OF THE COMMISSION:

I have reviewed this stipulation, taken into consideration any comments made regarding this item, and am executing this agreement under the authority of the Fair Political Practices Commission granted to me by Regulation 18360.2. This agreement is effective upon execution below.

IT IS SO ORDERED.

Dated: _____

JAMES M. LINDSAY, ENFORCEMENT CHIEF

**FAIR POLITICAL PRACTICES COMMISSION
STATEMENT OF RESPONDENT'S RIGHTS**

The Complainant, the Enforcement Division of the Fair Political Practices Commission, and Respondent, both identified by name on the front of this document, hereby agree that this Stipulation, Decision and Order will be submitted for notice at the next regularly scheduled Fair Political Practices Commission meeting, or as soon as the matter can be heard.

The parties agree to enter into this Stipulation to resolve all factual and legal issues raised in this matter and to reach a final disposition without the necessity of holding an administrative hearing to determine the liability of Respondent.

Respondent understands and hereby knowingly and voluntarily waives any and all procedural rights under California Government Code sections 83115.5, 11500, *et seq.*, and 2 California Code of Regulations sections 18361.4 through 18361.11, including but not limited to the issuance and receipt of an accusation, and the right to appear personally and be represented by counsel at his or her own expense in any administrative hearing held in this matter, to confront and cross examine all witnesses testifying at the hearing, to subpoena witnesses to testify at the hearing, and to have an impartial administrative law judge present at the hearing to act as a hearing officer.

It is further stipulated and agreed that Respondent has violated the Political Reform Act as described herein.

Respondent agrees to the issuance of the Decision and Order and imposition by the Commission through the Chief of Enforcement of a penalty in the amount specified on the Stipulation, and a payment in full has been submitted by Respondent to be held by the State of California until the issuance of the Decision and Order. This will be the final disposition of the violation(s) described herein.

The parties agree that in the event the Chief of Enforcement refuses to accept this Stipulation, it shall become null and void, and within fifteen (15) business days after the Commission meeting at which this Stipulation is presented, payments tendered shall be reimbursed to Respondent. Respondent further stipulates and agrees that in the event the Chief of Enforcement rejects the Stipulation and a full evidentiary hearing before the Commission becomes necessary, neither a member of the Commission, nor the Executive Director, shall be disqualified because of prior consideration of this Stipulation.

DESCRIPTION OF VIOLATION:***Statement of Economic Interests Late Reporter – Tier One***

Count	Statement	Unreported Economic Interest	Penalty
1	2018 Annual - PID	Stock - Hubb & Minor Ditch Company	\$100
2	2018 Annual - ETGSA	Stock - Hubb & Minor Ditch Company	\$100
3	2018 Annual - FWA	Stock - Hubb & Minor Ditch Company	\$100
4	2018 Annual - PID	Stock - Porter Slough Ditch Company	\$100
5	2018 Annual - ETGSA	Stock - Porter Slough Ditch Company	\$100
6	2018 Annual - FWA	Stock - Porter Slough Ditch Company	\$100
7	2018 Annual - PID	Stock - Gilliam-McGee Ditch Co.	\$100
8	2018 Annual - ETGSA	Stock - Gilliam-McGee Ditch Co.	\$100
9	2018 Annual - FWA	Stock - Gilliam-McGee Ditch Co.	\$100
10	2018 Annual - PID	Stock - Pioneer Water Co.	\$100
11	2018 Annual - ETGSA	Stock - Pioneer Water Co.	\$100
12	2018 Annual - FWA	Stock - Pioneer Water Co.	\$100
13	2018 Annual - PID	Stock - Poplar Irrigation Company	\$100
14	2018 Annual - ETGSA	Stock - Poplar Irrigation Company	\$100
15	2018 Annual - FWA	Stock - Poplar Irrigation Company	\$100
16	2018 Annual - PID	APN 236-140-018 (was -016)	\$100
17	2018 Annual - ETGSA	APN 236-140-018 (was -016)	\$100
18	2018 Annual - FWA	APN 236-140-018 (was -016)	\$100
19	2018 Annual - PID	APN 259-040-045 (was -040)	\$100
20	2018 Annual - ETGSA	APN 259-040-045 (was -040)	\$100
21	2018 Annual - FWA	APN 259-040-045 (was -040)	\$100
22	2018 Annual - PID	APN 302-040-047 (was -041)	\$100
23	2018 Annual - ETGSA	APN 302-040-047 (was -041)	\$100
24	2018 Annual - FWA	APN 302-040-047 (was -041)	\$100
25	2019 Annual - PID	APN 295-100-001	\$100
26	2019 Annual - ETGSA	APN 295-100-001	\$100
27	2019 Annual - FWA	APN 295-100-001	\$100
28	2019 Annual - PID	APN 302-040-047 (was -041)	\$100
29	2019 Annual - ETGSA	APN 302-040-047 (was -041)	\$100
30	2019 Annual - FWA	APN 302-040-047 (was -041)	\$100
31	2020 Annual - PID	APN 236-140-018 (was -016)	\$100
32	2020 Annual - ETGSA	APN 236-140-018 (was -016)	\$100
33	2020 Annual - FWA	APN 236-140-018 (was -016)	\$100
34	2020 Annual - PID	APN 259-040-045 (was -040)	\$100
35	2020 Annual - ETGSA	APN 259-040-045 (was -040)	\$100
36	2020 Annual - FWA	APN 259-040-045 (was -040)	\$100
37	2020 Annual - PID	APN 295-100-001	\$100
38	2020 Annual - ETGSA	APN 295-100-001	\$100
39	2020 Annual - FWA	APN 295-100-001	\$100
40	2020 Annual - PID	APN 302-040-047 (was -041)	\$100
41	2020 Annual - ETGSA	APN 302-040-047 (was -041)	\$100
42	2020 Annual - FWA	APN 302-040-047 (was -041)	\$100
43	2021 Annual - PID	APN 236-140-018 (was -016)	\$100
44	2021 Annual - ETGSA	APN 236-140-018 (was -016)	\$100
45	2021 Annual - FWA	APN 236-140-018 (was -016)	\$100
46	2021 Annual - PID	APN 259-040-045 (was -040)	\$100

47	2021 Annual - ETGSA	APN 259-040-045 (was -040)	\$100
48	2021 Annual - FWA	APN 259-040-045 (was -040)	\$100
49	2021 Annual - PID	APN 295-100-001	\$100
50	2021 Annual - ETGSA	APN 295-100-001	\$100
51	2021 Annual - FWA	APN 295-100-001	\$100
52	2021 Annual - PID	APN 302-040-047 (was -041)	\$100
53	2021 Annual - ETGSA	APN 302-040-047 (was -041)	\$100
54	2021 Annual - FWA	APN 302-040-047 (was -041)	\$100

TOTAL PENALTY: \$5,400

Filer has amended all relevant SEIs.

Filer has not received a penalty from Enforcement for failing to timely report a qualifying economic interest on an SEI in the past five years.

The undisclosed economic interest did not cause a conflict of interest violation under Sections 1090 or 87100.

The undisclosed economic interest (gift(s) or income) was not from a source that was regulated by or had business before the filer's agency.

The extent and gravity of the public harm in the aggregate is not more than minimal.

Found no evidence of intent to conceal.