
Public Comment re: FPPC Case No. 2025-00594

From KC Burrell [REDACTED]
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To CommAsst <CommAsst@fppc.ca.gov>

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EXTERNAL EMAIL

Dear Commissioners,

I am writing regarding FPPC Case No. 2025-00594 involving former Cloverdale City Councilmember Melanie Bagby.

While the stipulation concludes that two technical violations of the Political Reform Act occurred, the record presented by the Enforcement Division strongly indicates that these violations were inadvertent and caused minimal, if any, public harm.

According to the Commission's own findings:

- Ms. Bagby fully disclosed her financial interests in Sirius Mobile Solutions and the relevant companies on her Statements of Economic Interests.
- The Enforcement Division explicitly found **no evidence of intent to conceal, deceive, or mislead**.
- The violations appear **isolated** during nearly eight years of public service.
- There is **no evidence that Ms. Bagby or her company received any additional income** as a result of the votes in question.

In addition, the underlying financial relationships were **modest in scale** relative to the governmental actions involved. Sirius Mobile Solutions received approximately **\$1,200 from TLC D Architecture** and **\$8,584 from Ross Recreation Equipment** during the relevant periods. These payments were unrelated to the governmental contracts themselves, and there is no evidence that the votes influenced those payments in any way.

The record also indicates the votes occurred on **consent calendars**, which typically bundle routine administrative items and are approved collectively without individual deliberation. In that context, it is entirely plausible that the involvement of those companies was simply overlooked. This further

supports the conclusion that these were **inadvertent oversights rather than intentional conflicts**.

For these reasons, the recommended **\$9,000 penalty—near the statutory maximum—appears disproportionate** when weighed against the mitigating factors identified in Regulation 18361.5, particularly:

- the **absence of intent**
- the **lack of concealment**
- the **isolated nature of the conduct**
- the **full disclosure of the financial interests**
- and the **limited financial scope involved**

A reduced penalty would still uphold the purposes of the Political Reform Act while recognizing the mitigating circumstances already acknowledged by the Enforcement Division.

It is also important to acknowledge the broader context in which this complaint arose. The complaint was filed by Sonoma County resident Adina Flores, who has become widely known locally for filing **an extraordinarily large number of ethics and public records complaints against elected officials and community leaders**.

Public reporting indicates that **hundreds of complaints** have been filed by Ms. Flores with the FPPC and other agencies over the past several years. While citizen oversight is an important part of democratic accountability, the sheer volume and breadth of these filings—often targeting officials with whom she has political disagreements—has raised concerns locally about the use of the complaint process as a tool of harassment or political vendetta rather than a good-faith effort to address genuine misconduct.

When individuals repeatedly file large numbers of complaints, even technical or minor issues can be weaponized in ways that consume substantial public resources and place disproportionate burdens on public officials. This dynamic can also risk creating a chilling effect on civic participation, particularly in smaller communities where local officials are often part-time public servants.

For that reason, I respectfully urge the Commission to carefully consider proportionality in this case. A near-maximum fine imposed in response to a complaint arising from an isolated, inadvertent oversight—particularly in the context of a high-volume complainant—risks unintentionally incentivizing further strategic or retaliatory filings.

The Political Reform Act is best served when enforcement actions focus on **intentional misconduct, concealment, or meaningful financial benefit**, none of which the Commission's own findings indicate occurred here.

Thank you for your time and for your continued work enforcing California's ethics laws in a fair, balanced, and proportional manner.

Respectfully,

KC Burrell