



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3000 • Sacramento, CA 95811

May 13, 2022

Gary Winuk
o/b/o Ontario International Airport Authority
via email: gwinuk@kaufmanlegalgroup.com

Warning Letter Re: FPPC No. 2022-00167; Ontario International Airport Authority

Dear Mr. Winuk:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the “Act”).¹ As you are aware, during the course of a review of a separate complaint against an Ontario International Airport Authority (“OIAA”) Member, the Enforcement Division found that your client, the OIAA, failed to timely post the OIAA’s distribution of tickets. The Act requires agencies to report, within 45 days, distribution of a ticket or pass on a Form 802. The forms must be maintained as public documents and either the Form 802 or a summary of the information on the forms must be posted on the agency’s website².

The OIAA violated the Act because it failed to post, within 45 days, distribution of tickets or passes to a number of events in the calendar year 2021. However mitigating evidence exists such that the Enforcement Division has opted to close this matter with this warning letter rather than issue a fine: the OIAA’s ticket policy was adopted in September 2018 and due to the COVID-19 pandemic there was a gap in consistent following of the policy; the OIAA filed the Form 802s timely with the OIAA Clerk’s office but failed to post the information on its website – however the OIAA posted the information immediately after being contacted by the Enforcement Division; the OIAA has implemented procedures to ensure timely reporting compliance moving forward; and the OIAA has no prior Enforcement history.

This letter serves as a written warning. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future will result in monetary penalties of up to \$5,000 for each violation.

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

² Regulation 18944.1

A warning letter is an Enforcement Division case resolution without administrative prosecution or fine. The Commission has adopted Regulation 18360.1 to authorize the Enforcement Division to issue warning letters to conclude cases in specified circumstances. However, the warning letter resolution does not provide your client with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Commission. If your client wishes to avail itself of these proceedings by requesting that its case proceed with prosecution rather than a warning, please notify us within ten (10) days from the date of this letter. Upon this notification, the Enforcement Division will rescind this warning letter and proceed with administrative prosecution of this case. If we do not receive such notification, this warning letter will be posted on the Commission's website ten (10) days from the date of this letter.

If your client needs forms or a manual, or guidance regarding its obligations, please call the Commission's Toll-Free Advice Line at 1-866-275-3772 or visit our website at www.fppc.ca.gov.

Please feel free to contact Ginny Lambing at 916-322-8064 or glambing@fppc.ca.gov with any questions you may have regarding this letter.

Sincerely,

Angela J. Brereton

Angela J. Brereton, Chief
Enforcement Division

AJB/gal