



March 30, 2023

Lloyd White, Beaumont City Councilmember
c/o Rob Davis, Esq.
rob@dw.law

No Action Closure Letter (FPPC Case No. 2021-00829) re: Lloyd White

Dear Councilmember White:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act.¹ This case arises from a non-sworn complaint, which alleged conflicts of interest—potentially in violation of Government Code sections 1090 and 87100—with respect to multiple governmental decisions/contracts. In particular, our investigation reviewed a vote of the Beaumont City Council that occurred in May 2017—whereby a contract with Interwest Consulting Group was extended for another year.

Under the original contract, Interwest provided geographic information system services to the City of Beaumont on an as-needed basis. At the city council’s public meeting of May 16, 2017, the contract extension was removed from the consent calendar. You disclosed that you worked for ESRI, not Interwest. However, you recused yourself and left the room after it was pointed out that the contract extension would result in certain payments (approximately \$15,000) to your employer, ESRI. In your absence, the other council members voted to approve the extension/contract amendment, and you executed the amendment as then-Mayor of the city.

Your execution of the contract bears the appearance of a ministerial act, which would not be subject to Section 87100. (See *Torres v. City of Montebello* (2015) 234 Cal.App.4th 382, 398; and Regulation 18704, subdivision (d)(1).) To date, our investigative efforts have not revealed evidence that you otherwise made, participated in making, or attempted to use your official position to influence the contract extension decision. Also, in terms of any alleged violation of Section 1090, our investigative efforts to date have not revealed that you received a tangible benefit as a result of the contract extension. (This would be relevant for purposes of Section 1090, as discussed in the [Mallet advice letter \(I-14-144\)](#), p. 9.)

At this time, there is insufficient evidence to support a finding that you violated the Act or Section 1090. Thus, we are closing this case without further action.

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¹ Government Code sections 81000 through 91014 comprise the Political Reform Act (the “Act”). California Code of Regulations, title 2, sections 18104 through 18998 comprise the regulations of the Fair Political Practices Commission. Unless otherwise noted, all statutory and regulatory references are to these sources.

Thank you for your attention to this matter. Do not hesitate to call if you have any questions.

Very truly yours,

Neal P. Bucknell

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