



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3050 • Sacramento, CA 95811

July 7, 2023

Fred Minagar
18662 MacArthur Blvd. Suite 435
Airport Business Center
Irvine, CA 92612
[REDACTED]

Warning Letter Re: FPPC No. 20/653; Fred Minagar

Dear Fred Minagar:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the “Act”).¹ In response to an anonymous complaint alleging that you, as a member of the Laguna Niguel City Council, failed to timely report certain economic interests on your Statements of Economic Interests (“SEI”), the Enforcement Division opened an investigation regarding the potential violations of the Act. The Enforcement Division has completed its review of the facts in this case. Specifically, we found that due to your subsequent appointments as a member of the San Joaquin Hills Transportation Authority (“SJHTA”) and Southern California Association of Governments (“SCAG”), you failed to timely report an economic interest in Minagar & Associates on your 2018 and 2019 Annual SEIs.

Section 87300 of the Act requires every state and local agency to develop a Conflict of Interest Code. This Code requires individuals who participate in making decisions which may foreseeably have a material financial effect on any financial interest belonging to that person to disclose all reportable interests on SEIs.²

During 2018 and 2019, you maintained an investment and business position interest in Minagar & Associates, as its principal. As a business located in your jurisdiction, and therefore doing business in the jurisdiction, the entity should have been disclosed on Schedule A-2 of your 2018 and 2019 Annual SEIs.³ Although you timely filed your 2018 and 2019 Annual SEIs, you failed to report this economic interest. However, you no longer serve in the positions of member

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 Section 87302, subd. (a).

³ Additionally, you failed to timely report this economic interest on your 2015, 2016, and 2017 Annual SEIs. However, these violations are past the Statute of Limitations.

of the SJHTA and SCAG, you promptly amended the SEIs after Enforcement contact, the subject economic interest was disclosed on subsequent SEIs, and you have no prior history of violating the Act.

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.

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 respondents with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Commission. If your clients wish to avail themselves of these proceedings by requesting that this 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 you need forms or a manual, or guidance regarding your obligations, please call the Commission's Toll-Free Advice Line at (866) 275-3772 or visit our website at www.fppc.ca.gov.

If you have any questions regarding this letter, please contact me at jrivera@fppc.ca.gov or (916) 738-6411.

Sincerely,

Jonathan Rivera

Jonathan Rivera,
Commission Counsel
Enforcement Division