



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

January 26, 2024

James Sutton
Sutton Law Firm
o/b/o Ignacio Velazquez
Via email: jsutton@campaignlawyers.com

Warning Letter: FPPC No. 2019-01265, Ignacio Velazquez

Dear Ignacio Velazquez:

The Enforcement Division of the Fair Political Practices Commission (the “Commission”) enforces the provisions of the Political Reform Act (the “Act”).¹ This letter is in response to two complaints filed against you that alleged you violated the Act’s conflict of interest provisions in your capacity as Mayor of the City of Hollister.

The Enforcement Division has completed its investigation and review of the facts in this case. Specifically, we found that you failed to properly recuse yourself during Hollister City Council meetings when governmental decisions were discussed in which you had a financial interest. The Enforcement Division has determined that the allegations that you had a prohibited conflict of interest regarding appearances you made before the Planning Commission in 2019 have been disproven since the exception in Regulation 18704, subdivision (d)(2) applied. No further action will be taken regarding those allegations.

No public official at any level of state or local government may make, participate in making, or in any way attempt to use their official position to influence a governmental decision in which they know or have reason to know they have a financial interest.² A public official has a disqualifying conflict of interest in a governmental decision if it is reasonably foreseeable that the decision will have a material financial effect on their financial interests.³ When an official identified in Section 87200 is disqualified from a governmental decision, the official must specifically identify the interest, recuse themselves and leave the room.⁴

The Enforcement Division investigation determined that in Hollister City Council meetings on May 6, 2019, May 20, 2019 and June 3, 2019, you did not properly recuse yourself and leave the room when the mixed-use development project was discussed. Your actions violated the Act because, while you recused yourself and left the room, you failed to list all of your financial interests that gave rise to a conflict of interest. Thus, you failed to properly recuse yourself, violating Section 87105.

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 18104 through 18998 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

² Section 87100.

³ Section 87100.

⁴ Section 87105.

The Enforcement Division has decided to close this case with a warning letter rather than a fine because, even though you did not disclose all of your economic interests at the City Council meetings, you recused yourself from the decisions and did not vote or participate in the discussions. Additionally, the project was approved and completed, you are no longer in office, and you have no prior history of violating these provisions of the Act. Therefore, the Enforcement Division has decided to close this case with a warning letter.

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 you with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Commission. If you wish to avail yourself of these proceedings by requesting that your 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.

Should you have any questions regarding this letter, please feel free to contact me at (916) 322-5771 or abreron@fppc.ca.gov.

Sincerely,

Angela J. Breron

Angela J. Breron

Assistant Chief, Enforcement Division