



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

February 26, 2024

Alicia Kuhl for City Council 2020

Alicia Kuhl



Warning Letter Re: FPPC No. 2020-00988, Alicia Kuhl for City Council 2020 and Alicia Kuhl

Dear Alicia Kuhl,

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the “Act”).¹ This letter is in response to a referral from the City of Santa Cruz and an anonymous complaint alleging that Alicia Kuhl for City Council (“the Committee”) failed to timely file two pre-election campaign statements. The Enforcement Division has completed its review of the facts in this case. Specifically, we found that the Committee failed to timely file one pre-election campaign statement for the reporting period ending October 17, 2020 by the applicable due date. Additionally, on the semi-annual campaign statement for the reporting period ending April 11, 2021, the Committee over reported an expenditure by approximately \$435.

A central purpose of the Act is to ensure voters are fully informed and improper practices are inhibited by requiring committees to disclose all contributions received and expenditures made throughout a campaign on timely filed campaign statements and reports.² The Act requires candidate-controlled committees to file two pre-election campaign statements prior the election in which the candidate is listed on the ballot.³ For the period ending 17 days before the election, the statement shall be filed no later than 12 days before the election.⁴ The Act also requires committees to accurately report expenditures made during the relevant reporting period.⁵

The Committee failed to timely file one pre-election campaign statement and failed to accurately report one expenditure on the Committee’s final campaign statement, as discussed above. However, the Enforcement Division has decided to close this case with a warning letter because

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 81002, subd. (a); Section 84200, *et seq.*

³ Section 84200.5.

⁴ Section 84200.8, sub. (a).

⁵ Section 84211, sub. (i).

the Committee filed the required amended campaign statements to fix the over-reported expenditure with the City of Santa Cruz after being contacted by the Enforcement Division, you were unsuccessful in the election, you had a low level of experience with campaign finance reporting and acted as the Committee's treasurer, you raised and spent a low amount throughout the campaign, the Committee is now terminated, and you and the Committee 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 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.

Please feel free to contact me at 279-237-3766 or cfelkins@fppc.ca.gov with any questions you may have regarding this letter.

Sincerely,

Michael C. Felkins

Michael C. Felkins, Commission Counsel
Enforcement Division

cc: *Filing officer*