



February 23, 2024

Jesus Andrade
[REDACTED]

Warning Letter re: FPPC Case No. 2021-00235; Jesus Andrade

Dear Jesus Andrade:

The Enforcement Division of the Fair Political Practices Commission (“Commission”) enforces the provisions of the Political Reform Act (the “Act”).¹ As you are aware, the Enforcement Division received a sworn complaint alleging that you, as a member of the Stockton City Council, failed to timely report your consulting business on Statements of Economic Interest (“SEIs”).

The Enforcement Division has completed its investigation and review of the facts in this case. Specifically, we found that you failed to timely disclose the following interests on your 2019 Annual SEI: San Joaquin Hispanic Chamber of Commerce as a source of income; and Visionary Home Builders as your spouse’s source of income. Additionally, the Enforcement Division found that you failed to timely file your Leaving Office SEI by the February 1, 2021 due date.

The Act requires for every City Council Member to file a SEI, by April 1st each year, disclosing investments, interests in real property, and income during the reporting period.² The filing due date for the 2019 Annual SEI was extended by 60 days from April 1, 2020 to June 1, 2020.³ If income is required to be reported, then the SEI must include the name and street address of each source of income aggregating \$500 or more in value.⁴ Additionally, every City Council Member who leaves office must, within 30 days after leaving office, file a statement disclosing any investments, interests in real property, and income during the reporting period.⁵

You violated the Act by failing to timely disclose two sources of income on your 2019 Annual SEI and by failing to timely file your Leaving Office SEI, as discussed above. However, there are several mitigating factors present in this case. You are no longer in your position as a member of the Stockton City Council. You left your position with the San Joaquin Hispanic

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 87203 and Regulation 18723, subd. (b)(2).

³ Regulation 18720 (repealed 2020).

⁴ Section 87207.

⁵ Section 87204.

Chamber of Commerce in 2019. You timely and accurately disclosed interests on your Assuming Office, 2017 Annual, and 2018 Annual SEIs. You cooperated with the Enforcement Division's investigation. Your violations resulted in minimal public harm, and you do not have a recent 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.

Please note that any future non-filings will be brought to our attention and may result in monetary penalties. This warning letter may be considered should a future enforcement action become necessary.

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 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 days from the date of this letter.

If you have any questions regarding this letter, please contact me at JRinehart@fppc.ca.gov or (279) 237-5910.

Sincerely,

Jenna Rinehart

Jenna C. Rinehart
Senior Commission Counsel
Enforcement Division

cc: Frank Gayaldo [REDACTED]