



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

November 2, 2023

Anthony Lane
Anthony Lane for Salinas City Council 2018



Andrea Kowatsch
241 Main Street
Salinas, CA 93901

**Warning Letter Re: FPPC No. 2019-00530; Anthony Lane for Salinas City Council 2018,
Anthony Lane, Andrea Kowatsch**

Dear Anthony Lane, Andrea Kowatsch, and Committee:

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 your filing officer alleging that the committee, Anthony Lane for Salinas City Council 2018, failed to timely file numerous semi-annual campaign statements. The Enforcement Division has completed its review of the facts in this case and has found that the Committee failed to timely file numerous semi-annual campaign statements.

The Act requires candidate-controlled committees to file semi-annual campaign statements each year no later than July 31 for the period ending June 30, and no later than January 31 for the period ending December 31.² The obligation to file semi-annual campaign statements continues until the candidate or treasurer terminates the committee; controlling candidates and committee treasurers are jointly and severally liable for violations by the committee.³

Your actions violated the Act because you failed to timely file the semi-annual campaign statement for the periods covering October 21, 2018 through December 31, 2018; January 1,

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 84200.

³ Sections 83116.5 and 91006.

2019 through June 30, 2019; July 1, 2019 through December 31, 2019; January 1, 2020 through June 30, 2020; July 1, 2020 through December 31, 2020; January 1, 2021 through June 30, 2021. For the following reasons, the Enforcement Division has decided to close this case with a warning letter rather than a fine: the violations at issue here caused minimal public harm, there was no evidence of an intent to conceal the violations, you had little or no experience when you ran for office and were unsuccessful, the Committee had less than \$2,000 of activity for a majority of the statement periods in which the campaign statements were late-filed, the committee has been terminated, and you have no prior history of the same violation. Based on the foregoing, and in accordance with the Enforcement Division Policy Directives formally adopted by the Commission on January 26, 2023, which requires the Enforcement Division to take all appropriate actions within their discretion to decrease the Division's annual carryover caseload, the Enforcement Division is closing this case with this warning letter.⁴ Discretion was used based upon mitigating or aggravating circumstances and the totality of the circumstances.⁵ This resolution may not be used as a comparable case for other enforcement matters.⁶

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 by e-mail at vjimmy@fppc.ca.gov or at (279) 237-5971 with any questions you may have regarding this letter.

⁴ <https://www.fppc.ca.gov/content/dam/fppc/NS-Documents/AgendaDocuments/General%20Items/2023/january/15.0-Enforcement-directives.pdf>

⁵ Regulation 18360.1.

⁶ See Regulation 18361.5, subdivision (e)(3).

Sincerely,

Vanessa Jimmy

Vanessa Jimmy, Commission Counsel
Enforcement Division

cc: *City of Salinas, City Clerk (filing officer)*