



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

October 30, 2023

Stewart Comer
400 Pueblo Street
Santa Barbara CA, 93102

Email: scomer@sbcphd.org

Warning Letter re: FPPC No. 2022-00601; Stewart Comer

Dear Stewart Comer

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act¹ (the “Act”). This letter is in response to a referral from the County of Santa Barbara (“County”). The Enforcement Division found that as a result of your position as a Consultant with the Public Health Department for the County, the Act required you to periodically file a Statement of Economic Interest (“SEI”) and that you failed to timely file your 2019, 2020 and 2021 Annual SEI and your 2022 Leaving Office SEI.

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 their SEIs.² Individuals required to file SEIs must file within 30 days of assuming office, annually thereafter at the time specified by the Code, and within 30 days of leaving office.³

You violated the Act by failing to file your 2019, 2020, and 2021 Annual SEI and your 2022 Leaving Office SEI by the specified deadlines. However, you are no longer in the position and have not had a prior violation of this section. 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 Additionally, discretion was used for violations that caused minimal public harm

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 87302, subd. (b).

³ *Ibid.*

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

⁵ Regulation 18360.1 and 18360.3.

when lack of experience or knowledge of the Act's requirements caused violations with minimal public harm.⁶ This resolution may not be used as a comparable case for other enforcement matters.⁷

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.

Although the Enforcement Division is closing this case without seeking a penalty, you are still required to file all outstanding SEIs and pay any late filing fees assessed by your filing officer. Please contact your filing officer, Chani Alalem at calalem@counyofsb.org, for further information. Any future non-filings may result in monetary penalties and this warning letter may be considered in any future enforcement actions.

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.

If you have any questions regarding this letter, please contact Chance Felkins at cfelkins@fppc.ca.gov or (916) 327-2016.

Sincerely,

Michael Chance Felkins

Michael Chance Felkins, Commission Counsel
Enforcement Division

⁶ See Regulation 18360.2

⁷ See Regulation 18361.5, subd. (e)(3).