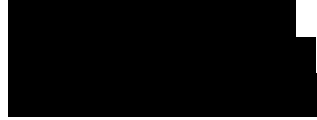




STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3050 • Sacramento, CA 95811

December 3, 2024

Alex Kennett



Warning Letter re: FPPC No. 2021-00757; Alex Kennett

Dear Alex Kennett and Committee,

The Enforcement Division of the Fair Political Practices Commission (“FPPC”) enforces the provisions of the Political Reform Act (the “Act”).¹ This letter is in response to a referral from the County of Santa Clara Registrar of Voters Office alleging that you failed to timely file a Campaign Short Form 470 in connection with your campaign for Director of District 1 of Santa Clara Valley Open Space Authority. The Enforcement Division has completed its review of the matter and found that you failed to timely file two Campaign Short Form 470s and three Officeholder Short Form 470s for the years 2020, 2021, 2022, 2023 and 2024 by the applicable deadline.

The Act requires officeholders who receive contributions and make expenditures of less than \$2,000 in a calendar year to file a Form 470 covering the entire calendar year with the local elections office by July 31.² The Act also requires candidate-controlled committees to file two pre-election campaign statements prior to the election in which the candidate is listed on the ballot.³ For the period ending 45 days before the election, the statement shall be filed no later than 40 days before the election.⁴ The Act also allows a candidate who receives and spends less than \$2,000 to file a Form 470 by the first pre-election campaign statement deadline.⁵

You violated the Act because you failed to timely file Officeholder Short Form 470s by the July 31, 2021, 2022, 2023 and 2024 deadlines. Additionally, you failed to timely file Campaign Short Form 470s by the September 24, 2020 and September 26, 2024 deadlines. However, you have no prior Enforcement history, the non-filing was of minimal public harm, four of the six late filings were not in connection with an election, and you did not raise any money in connection with the 2020 and 2024 elections.

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

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 Sections 84200 and 84206.

³ Section 84200.5

⁴ Section 84200.8, subd. (a).

⁵ Section 84206 and 84200.8; Regulation 18406.

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 campaign finance reports and pay any late filing fees assessed by your filing officer. Please contact your filing officer, County of Santa Clara Registrar of Voters Office, registrar@rov.sccgov.org for further information about your required filings. 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 Regulations 18360.1 and 18360.2 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 me at cfelkins@fppc.ca.gov or (279) 237-3766.

Sincerely,

Michael Chance Felkins

Michael Chance Felkins
Commission Counsel
Fair Political Practices Commission

cc: Santa Clara County filing officer