

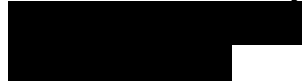


STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3050 • Sacramento, CA 95811

December 6, 2024

Via email: eleassia.davis@cityoftracy.org
Eleassia Lackey-Davis, Individually and
O/B/O Davis for Tracy City Council 2020

Christina Gonzaga, Individually and
O/B/O Davis for Tracy City Council 2020



Re: Warning Letter; FPPC No. 2021-00954; Davis for Tracy City Council 2020, Eleassia Lackey-Davis, and Christina Gonzaga

Dear Eleassia Lackey-Davis, Christina Gonzaga, and Davis for Tracy City Council 2020:

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 an anonymous complaint regarding the failure to disclose the return of a payment made by the Tracy City Clerk’s Office on campaign statements (“Form 460”) for Davis for Tracy City Council 2020 (“Committee”).

The Enforcement Division has completed its review of the fact of this case. Specifically, we found that you and the Committee failed to timely disclose the refund of \$225.58 from the Tracy City Clerk for a Candidate Statement of Qualifications.

Under the Act, a committee includes any person or combination of persons who directly or indirectly raise contributions totaling \$2,000 or more in a calendar year.² The Act requires a committee to timely file all Form 460’s, disclosing contributions received, expenditures made, and miscellaneous increases to cash.³

You violated the Act by failing to timely disclose a refund of \$225.58 to the Committee from the Tracy City Clerk. However, the Enforcement Division has decided to close this matter with a warning letter rather than a fine for the following reasons: once contacted by the Enforcement Division, you disclosed the refunded payment, and you have no prior history of enforcement actions.

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

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.

² Section 82013 subd. (a).

³ Sections 84200 and 84211.

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 bcastillo@fppc.ca.gov with any questions you may have regarding this letter.

Sincerely,

Bridgette Castillo

Bridgette Castillo
Senior Commission Counsel
Enforcement Division