



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

November 19, 2024

Carolyn Krammer
Let Oceanside Vote



Warning Letter re: FPPC Case No. 2020-00748; Let Oceanside Vote; Carolyn Krammer

Dear Ms. Krammer:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act.¹ This case arises from a Commission-initiated investigation based on information received through the Enforcement Division's AdWatch program.

Let Oceanside Vote qualified as a (city general purpose) recipient committee in February 2020 (per an amended Form 410 statement of organization filed 2/10/20). At all relevant times, you were the committee treasurer.

That year, Measures K and L were on the ballot for City of Oceanside voters in the election held November 3.

Measure K was approved by the voters. (A "yes" vote supported enacting term limits for the offices of city council and mayor of three four-year terms, regardless of whether the terms are consecutive or not.)

Measure L was defeated. (A "no" vote opposed adopting a city council ordinance to rezone 176.6 acres in northeastern Oceanside to Planned Development to allow for the North River Farms development project, thereby blocking the North River Farms development project and leaving the land zoned for Agricultural, which allows crop-producing activities and limited residential development with minimum lot sizes of 2.5 acres so long as the residential use does not interfere with agricultural purposes.)

During calendar year 2020, Let Oceanside Vote raised and spent approximately \$22,735 and \$19,488, respectively (according to the Form 460 that was filed for the period ending 12/31/20). This warning letter pertains to violations that occurred during the months leading up to the election.

On or about February 1, 2020, the committee paid approximately \$1,212 for 250 No on K yard signs, which lacked the words "Ad paid for by," in violation of Section 84504.2. In mitigation, the committee name and ID number were displayed on the signs—and your election efforts regarding Measure K were unsuccessful.

¹ The Political Reform Act—sometimes simply referred to as the Act—is contained in Government Code sections 81000 through 91014. The regulations of the Fair Political Practices Commission are contained in California Code of Regulations, title 2, sections 18104 through 18998. Unless otherwise noted, all statutory and regulatory references are to these sources—as they were in effect during the time of the violations in this case (2020).

On the Form 460 semi-annual campaign statement that was filed for the period ending June 30, 2020, you and the committee failed to report required Schedule D information regarding committee spending in violation of Section 84211, subdivision (k). In mitigation, less than 9% of the committee's 2020 spending occurred during this reporting period.

On or about August 31, 2020, the committee paid approximately \$884 for 250 No on L yard signs, which disclosed the committee name and ID number, but lacked the words "Ad paid for by," in violation of Section 84504.2. In mitigation, nine days later, the committee paid approximately \$638 for "Paid for by" stickers to correct most of the signs.

On August 31, 2020, you and the committee filed an amended Form 410 statement of organization, disclosing that the committee had become primarily formed to oppose Measure L, which recently had received its letter designation on or about August 10, 2020. Within 30 days of this letter designation, you and the committee were required to file an amended Form 410 for the purpose of changing the committee's name to include the phrase "a committee against Measure L," but you failed to do so, in violation of Section 84107. In mitigation, the name of the committee was changed to "Let Oceanside Vote/No on L," albeit late, on a Form 410 that was filed on October 27, 2020.

Then, on November 17, 2020, you and the committee filed an amended Form 410 removing the committee's primarily formed status and changing the name of the committee back to "Let Oceanside Vote." But this was in violation of Regulation 18247.5, subdivision (e), which required the committee to continue filing as primarily formed until the end of the post-election reporting period.

You and the committee also failed to reflect this required committee name change on Form 460 filings for the reporting periods ending September 19, October 17, and December 31, 2020 in violation of Section 84107 and Regulation 18247.5, subdivision (e). In mitigation, on page 1 of the first two filings, the box was checked for "Primarily Formed Ballot Measure Committee."

Additionally, the committee failed to reflect this required name change on a flyer (purchased on or about 9/11/20 for approximately \$350), in violation of Sections 84107 and 84504.2—but in mitigation, the flyer did state that it was paid for by Let Oceanside Vote, and the committee ID number was included.

In further mitigation, you do not have a history of prior, similar violations of the Act—and it does not appear that your violations were intentional.

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. 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 need guidance regarding your obligations in the future, please visit our website at www.fppc.ca.gov/advice.html or call the Commission's Toll-Free Advice Line at 1-866-ASK-FPPC (1-866-275-3772).

Thank you for your attention to this matter. Please do not hesitate to call if you have any questions.

Very truly yours,

Neal P. Bucknell

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