



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

October 15, 2024

Boulder Creek Recreation and Park Foundation, bcrpd2@gmail.com

Warning Letter Re: FPPC No. 2022-00856, Boulder Creek Recreation and Park Foundation

Dear Boulder Creek Recreation and Park Foundation:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the “Act”).¹ This letter is sent in response to a sworn complaint that alleged the Boulder Creek Recreation and Park District sent mass mailings at public expense.

The Act requires Independent Expenditure Committees to file semi-annual campaign statements (“Form 461”) 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, if they have made contributions or independent expenditures, including payments to a slate mailer organization, during the six-month period before the closing date of the statements.² Furthermore, the Act requires ads to include the words “Ad paid for by” followed by the name of the committee.³

Upon review, the Enforcement Division determined that you failed to timely file a Form 461 for the reporting period of January 1, 2022 through December 31, 2022 by the January 31, 2023 deadline. You failed to timely report \$1,296 in advertisements in the form of flyers and also failed to include the proper ad disclosures on them. However, mitigating circumstances exist here: you had a low level of experience with the Act, you have no prior history with Enforcement, you raised and spent less than \$5,000 in the election, and were unsuccessful in the election.

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.

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, subd. (b).

³ Section 84502.

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 279-237-3752 or arose@fppc.ca.gov with any questions you may have regarding this letter.

Sincerely,

Alex J Rose

Alex J. Rose
Senior Commission Counsel,
Enforcement Division