



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

September 9, 2024

City of Oxnard
c/o Stephen Fischer, City Attorney
Via email: city.attorney@oxnard.org

City of Oxnard
c/o Rose Chaparro, City Clerk
Via email: cityclerk@oxnard.org

Warning Letter Re: FPPC Case No. 2022-00525; City of Oxnard

Dear City of Oxnard:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the “Act”).¹ This letter is in response to a sworn complaint alleging that the City of Oxnard (the “City”) violated filing officer duties of the Act. The complaint alleges that the Oxnard City Clerk failed to timely post three filed campaign statements on their website prior to the November 8, 2022 Election. The statements include a Form 410 Amendment filed by Gabriel Teran on May 16, 2022, a Form 410 Amendment filed by Gabriel Teran on June 9, 2022, and a Form 470 filed by Lawrence Stein on July 11, 2022. The Enforcement Division has completed its investigation. Our investigation found insufficient evidence of a violation concerning the filing officer’s duty to post the Form 410 Amendments filed by Gabriel Teran. The allegations regarding the Form 470 were disproven because the filing was posted online by the deadline and is still available via the City’s campaign document portal. As such, the Enforcement Division will take no further action regarding these allegations.

Additionally, the Enforcement Division found that the City failed to make certain campaign statements electronically available for the length of time required by the Act.

The Act requires local government agencies to post campaign statements filed in paper format to the agency’s website within 72 hours of each applicable filing deadline.² Local government agencies are also required to make said statements available on the agency’s website for 4 years from the date of the election associated with the filing.³

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 84616(a).

³ Section 84616(b).

The City violated the Act because it failed to keep two Form 410 Amendments, filed in paper format by Gabriel Teran, available on its website until November 8, 2026. However, the Enforcement Division has decided to close this case with a warning letter rather than a fine because the violation resulted in relatively low public harm, there was no evidence of an intent to violate the Act or conceal the violation, and the City has no prior enforcement history involving the same violation.

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.

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 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 10 days from the date of this letter.

Although we are closing our file, the City Clerk is required to re-post to the City's website the two Form 410 Amendments filed by Gabriel Teran (on May 16, 2022 and June 9, 2022) and keep them available on the City's website until November 8, 2026. Please be advised of the provisions in the Act and regulations regarding filing officer duties. If you need additional guidance, you may contact the Commission's Advice team by sending an email to advice@fppc.ca.gov. You can also review our advice page on our website at www.fppc.ca.gov/advice for more information.

Should you have any questions regarding this letter, please feel free to contact me at vjimmy@fppc.ca.gov or (279) 237-5971.

Sincerely,

Vanessa Jimmy

Vanessa Jimmy
Commission Counsel
Enforcement Division

Cc: Sworn Complainant