



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

September 9, 2024

Doug W. Alvey
496 E. Holt Ave
Pomona, CA 91767

Warning Letter Re: FPPC No. 2024-00850; Doug W. Alvey

Dear Doug W. Alvey:

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 a Pomona City Council Member violated Section 84308 of the Act after accepting contributions from you through Sada Management LLC.

The Enforcement Division has completed its review of the facts in this case. Specifically, we found that on September 14, 2023, you filed an Appeal of Historic Preservation Commission Action with the Pomona City Clerk’s office and failed to disclose the contributions you made to Pomona City Council Member, Elizabeth Ontiveros-Cole (“Cole”), within the preceding 12 months. Additionally, at the October 16, 2023 Pomona City Council meeting, in which your appeal was voted on, you failed to disclose the contributions you made to Cole within the preceding 12 months on the record of the proceeding.

Under the Act, any party² to a proceeding pending before an agency must disclose on the record of the proceeding the names of any persons whose contributions are required to be aggregated,³ if the person has made a contribution to any officer of the agency.⁴ The party must disclose the amount of the contributions made within the preceding 12 months and the names of the contributors, including contributions made by an individual required to be aggregated with

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 “Party” means any person who files an application for, or is the subject of, a proceeding involving a license, permit, or other entitlement for use. (Section 84308, subd. (a)(1).)

³ If an individual directs or controls an entity’s contributions, the entity’s contributions shall be aggregated with contributions made by that individual. (Section 82015.5.)

⁴ Section 84308, subd. (e)(1), and Regulation 18438.8, subd. (b).

the party under Section 82015.5.⁵ The party must make the disclosure on the date the party files the application or other request initiating the proceeding.⁶

Your actions violated the Act because you, as a party to a proceeding, failed to disclose the contributions made to Cole, as discussed above. However, for the following reasons, the Enforcement Division has decided to close this case with this warning letter: the contributions attributable to you were greater than the limit by less than \$250, for total contributions of less than \$500; you appear to have a low level of experience with the Act; and you have no history of violating the Act.

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 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 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.

If you have any questions regarding this letter, please contact me at (279) 237-5910 or JRinehart@fppc.ca.gov.

Sincerely,

Jenna Rinehart

Jenna C. Rinehart
Senior Commission Counsel
Enforcement Division

cc: Kyle Brown kylebrown977@yahoo.com

⁵ Regulation 18438.8, subd. (b).

⁶ Regulation 18438.8, subd. (b)(1).