



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

June 26, 2025

Via email: carol.marques@cityofgilroy.org

Carol Marques, Individually and

O/B/O Carol Marques for Gilroy City Council 2020 and Carol Marques for City Council 2022

Via email: [REDACTED]

Carolyn Tognetti, Treasurer, Individually and

O/B/O Carol Marques for Gilroy City Council 2020 and Carol Marques for City Council 2022

Re: Warning Letter; FPPC No. 2022-00522; In the Matter of Carol Marques for Gilroy City Council 2020; Carol Marques for City Council 2022; Carol Marques; and Carolyn Tognetti, Treasurer

Dear Carol Marques for Gilroy City Council 2020; Carol Marques for City Council 2022; Carol Marques; and Carolyn Tognetti, Treasurer:

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 a sworn complaint and multiple anonymous complaints, alleging the campaign funds from the Carol Marques for Gilroy City Council 2020 (“2020 Committee”) committee, which became surplus 90 days after losing the November 2020 election, were improperly spent largely by the Carol Marques for City Council 2022 (“2022 Committee”) committee, the 2020 Committee failed to timely terminate, and Marques received gifts that were not properly disclosed. The Enforcement Division has found that the 2020 Committee and 2022 Committee improperly used surplus funds.

The Act defines surplus funds as campaign funds under the control of a former candidate or elected officer 90 days after leaving an elective office or defeat of a candidate for elective office.² The Act requires surplus funds to be disclosed and only used for the following purposes: the payment of outstanding campaign debts or elected officer’s expenses, the repayment of contributions, and donations to a bona fide charitable, educational, civic, religious, or similar tax-exempt, nonprofit organization.³

The Enforcement Division found that, although you were appointed to Gilroy City Council in December 2020, you technically left elected office after losing the November 2020 election. As such, the remaining funds of \$4,399.97 became surplus March 31, 2021. The 2020 Committee spent \$209.97 before redesignating. While the 2020 Committee was redesignated to the 2022 Committee, the remaining \$4,190 remained surplus funds, which were improperly used. However,

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 89519, subd. (a).

³ Section 89519, subd. (b).

the Enforcement Division has decided to close this case with a warning letter for multiple reasons: Marques received incorrect advice that because they had not technically left office, the 2020 Committee was allowed to remain active; there was no transfer of funds as the 2020 Committee redesignated; the activity was timely disclosed; the amount of the surplus funds was relatively low; and both the 2020 Committee and 2022 Committees are now terminated.

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 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