



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

July 21, 2024

David Rios

David Rios for Palm Springs City Council 2024

Paula Tapia

Jackie Lopez

Email: davidriosfordistrict4@gmail.com; lopez4indio@gmail.com

Warning Letter Re: FPPC No. 2024-01033; David Rios for Palm Springs City Council 2024, David Rios, Paula Tapia, and Jackie Lopez

Dear David Rios, Paula Tapia, Jackie Lopez and Committee:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the “Act”).¹ As you are aware, in response to the Enforcement Division’s pre-election outreach program, we were made aware by the City of Palm Springs that you failed to timely file a pre-election campaign statement in connection with the November 5, 2024 election. The Enforcement Division has completed its review of the facts in this case. Specifically, we found that you and the Committee failed to timely file the First Pre-Election Campaign Statement (Form 460) for the reporting period ending September 21, 2024, and two 24-Hour Contribution Reports (Form 497) due October 2, 2024 and September 24, 2024. In addition, you and the Committee failed to timely disclose donor address information and schedule E on your Semi-Annual Campaign Statement (Form 460) for the reporting period ending June 30, 2024.

The Act requires a candidate controlled committee to file two pre-election campaign statements prior to the applicable election in which the candidate is listed on the ballot.² In addition, the committee must file two semi-annual campaign statements each year no later than July 31 for the period ending June 30, and no later than January 31 for the period ending December 31.³ The Act requires candidate controlled committees that make or receive a late contribution to file a Form 497 within 24 hours of making or a receiving a contribution.⁴ A “late

¹ The Political Reform Act is contained in Government Code sections 18104 through 18998, and all statutory references are to this code. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

² Section 84200.5.

³ Section 84200, subd. (a).

⁴ Section 84203.

contribution” includes a contribution(s) aggregating \$1,000 or more that is made to or received by a candidate controlled committee within 90 days before the date of the election, or on the date of the election, in which the pertinent candidate is to be voted on.⁵ Finally, the Act requires candidate controlled committees to disclose specific information on their campaign statements. The Act requires that for expenditures of \$100 or more, the committee must report the full name of each person to whom an expenditure is made, as well as the person’s street address, the amount of the expenditure and a brief description of the expenditure.⁶

Your actions violated the Act because you failed to timely file one Pre-Election Campaign Statement for the reporting period ending September 21, 2024. Additionally, you and the Committee failed to timely file two 24-Hour Contribution Reports for the reporting periods ending October 1, 2024, and September 23, 2024. Furthermore, you and the Committee failed to timely disclose donor address information and schedule E on your Semi-Annual Campaign Statement due on July 31, 2024. However, the Enforcement Division has decided to close this case with a warning letter for the following reasons: You were referred as part of the proactive pre-election program; you filed the first pre-election campaign statement immediately after you were contacted by the Enforcement Division; you timely filed the second pre-election campaign statement, which included the information for the “late contribution” that required 24-Hour Contribution Reports; you filed amendments to disclose missing information on your semi-annual campaign statements; you were unsuccessful in November 5, 2024 General Election; you were inexperienced with the requirements of the act; and you have no prior enforcement history.

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 ten (10) days from the date of this letter. Upon this notification, the Enforcement Division will rescind this warning letter and proceed with

⁵ Section 82036.

⁶ Section 84211, subds. (i)-(k).

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 have any questions regarding this letter, please contact me at (279) 237-3766 or cfelkins@fppc.ca.gov

Sincerely,

Michael Chance Felkins

Michael Chance Felkins
Commission Counsel
Enforcement Division

cc: *City of Palm Springs*