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8 **BEFORE THE FAIR POLITICAL PRACTICES COMMISSION**
9 **STATE OF CALIFORNIA**
10

11 In the Matter of:) FPPC No. 2022-00673
12)
13) **STIPULATION, DECISION, AND ORDER**
14) Date Submitted to Commission:
15) May 14, 2026
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Respondent.)

18 **INTRODUCTION**

19 Respondent, Antonia Jimenez (“Jimenez”), was the County of Los Angeles (the “County”) Department of Public Social Services (the “DPSS”) Director from September 2018 through May 20, 2022. As a DPSS employee, Jimenez was a public official and therefore prohibited by Government Code Section 87407 of the Political Reform Act (the “Act”),¹ from making, participating in making, or attempting to use her official position to influence any governmental decision directly relating to any person with whom she was negotiating, or with whom she had any arrangement concerning, prospective

26 ¹ The Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18104 through 18998 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

1 employment. In this matter, as a DPSS employee, Jimenez failed to disqualify herself from making a
2 governmental decision concerning Accenture, a company with whom Jimenez was negotiating
3 prospective employment.

4 This case originated from a sworn complaint.

5 SUMMARY OF THE LAW

6 The Act and its regulations are amended from time to time. Unless otherwise noted, all legal
7 references and discussions of law pertain to the Act’s provisions as they existed at the time of the
8 violations in this case (2021 and 2022).

9 Need for Liberal Construction and Vigorous Enforcement of the Political Reform Act

10 When enacting the Political Reform Act, the people of California found and declared that
11 previous laws regulating political practices suffered from inadequate enforcement by state and local
12 authorities.² For this reason, the Act is to be construed liberally to accomplish its purposes.³

13 One purpose of the Act is that assets and income of public officials which may be materially
14 affected by their official actions should be disclosed and in appropriate circumstances the officials
15 should be disqualified from acting in order that conflicts of interest may be avoided.⁴

16 Another purpose of the Act is to provide adequate enforcement mechanisms so the Act will be
17 “vigorously enforced.”⁵

18 Influencing Prospective Employment

19 A public official shall not make, participate in making, or use the public official’s official
20 position to influence, any governmental decision directly relating to any person with whom the public
21 official is negotiating, or has any arrangement concerning, prospective employment.⁶

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25 ² Section 81001, subd. (h).

26 ³ Section 81003.

27 ⁴ Section 81002, subd. (c).

28 ⁵ Section 81002, subd. (f).

⁶ Section 87407.

1 **Public Official**

2 “Public official” is defined as every member, officer, employee or consultant of a state or local
3 government agency.⁷

4 **Making a Decision and Participating in a Decision**

5 “Making a decision” occurs if the public official authorizes or directs any action, votes, appoints
6 a person, obligates or commits the official's agency to any course of action, or enters into any
7 contractual agreement on behalf of the official's agency.⁸ Further, “participating in a decision” occurs if
8 the official provides information, an opinion, or a recommendation for the purpose of affecting the
9 decision without significant intervening substantive review. Making, participating in, or influencing a
10 governmental decision does not include ministerial actions by a public official that are solely
11 ministerial, secretarial, or clerical.⁹

12 **Governmental Decision**

13 A governmental decision “directly relates” to a prospective employer if the public official
14 knows or has reason to know the prospective employer is “explicitly involved” in the decision, as
15 defined in Regulation 18701, subdivision (a).¹⁰

16 Regulation 18701, subdivision (a) states that a financial effect on a financial interest is
17 presumed to be reasonably foreseeable if the financial interest is a named party in, or the subject of, a
18 governmental decision before the official or the official's agency. A financial interest is the subject of a
19 proceeding if the decision involves the issuance, renewal, approval, denial or revocation of any license,
20 permit, or other entitlement to, or contract with, the financial interest, and includes any governmental
21 decision affecting a real property financial interest.¹¹

25 ⁷ Section 82048.

26 ⁸ Regulation 18704.

27 ⁹ Regulation 18704, subd. (d)(1).

28 ¹⁰ Regulation 18747, subd. (b).

¹¹ Regulation 18701, subd. (a).

1 On January 20, 2022, while Accenture remained a prospective employer despite the pause in
2 discussions, Accenture submitted an unsolicited “pitch proposal” to the County for a \$650,000 contract.
3 Ms. Jimenez promptly directed a subordinate to reject the proposal because it was not submitted
4 through the proper procurement process. On April 7, 2022, Jimenez received and accepted the
5 employment offer from Accenture.

6 In summary, while Accenture was a prospective employer, Ms. Jimenez made and/or
7 participated in making a government decision with a prospective employer when she directed a
8 subordinate to reject Accenture’s pitch proposal rather than recusing herself from all consideration of
9 Accenture’s proposal. Therefore, Jimenez violated Section 87407.

11 VIOLATIONS

12 Count 1: Failure to Disqualify from Making a Governmental Decision Regarding a Prospective 13 Employer

14 By making and/or participating in making a governmental decision on or about January 20,
15 2022, regarding a pitch proposal between the County and Accenture, a company who was a prospective
16 employer to Jimenez, Respondent Jimenez violated Section 87407 of the Government Code.

18 PROPOSED PENALTY

19 This matter consists of one proposed count. The maximum penalty that may be imposed is \$5,000
20 per count. Thus, the maximum penalty that may be imposed for the count charged here is \$5,000.¹⁵

21 This matter does not qualify for the streamline program because it involves the failure to
22 disqualify from making a governmental decision regarding a prospective employer, a violation which is
23 not eligible for the streamline program.

24 In determining the appropriate penalty for a particular violation of the Act, the Commission
25 considers the facts of the case, the public harm involved, and the purpose of the Act. In particular, the
26 Commission considers the factors codified in Regulation Section 18361.5(e)(1)-(8): (1) The extent and

27 ¹⁵ See Regulation 83116, subd. (c).

1 gravity of the public harm caused by the specific violation; (2) The level of experience of the violator
2 with the requirements of the Political Reform Act; (3) Penalties previously imposed by the Commission
3 in comparable cases; (4) The presence or absence of any intention to conceal, deceive or mislead; (5)
4 Whether the violation was deliberate, negligent or inadvertent; (6) Whether the violator demonstrated
5 good faith by consulting the Commission staff or any other governmental agency in a manner not
6 constituting complete defense under Government Code Section 83114(b); (7) Whether the violation was
7 isolated or part of a pattern and whether the violator has a prior record of violations of the Political
8 Reform Act or similar laws; and (8) Whether the violator, upon learning of a reporting violation,
9 voluntarily filed amendments to provide full disclosure.¹⁶

10 A violation of Government Code Section 87407 constitutes a serious public harm because it
11 involves a decision that could appear to be tainted by the official's personal financial bias, thereby
12 undermining confidence in the lawful execution of official duties.

13 The Commission also considers the penalties in prior cases with comparable violations.

14 *In the Matter of George Sanen*, FPPC No. 2013-00268 (The Commission approved a stipulated
15 decision in April 2014). During the time period Sanen was negotiating employment with M+W Group,
16 on or about March 23, 2011, Sanen received, from an employee at M+W Group, Request for Change
17 Order No. 2, which sought the allocation of \$2,540 in additional funds for M+W Group for work on the
18 Bella Project, Building 71. On or about April 6, 2011, Sanen approved the allocation of \$2,540 for work
19 specified in Request for Change Order No. 2. The one-count stipulation charged a total of \$3,500, for
20 failing to disqualify from making a governmental decision regarding a prospective employer.

21 As in *Sanen*, Jimenez violated Section 87407. However, in the present case the government
22 decision involved substantially more money at around \$650,000 versus \$2,540.

23 In mitigation, unlike in *Sanen*, Jimenez rejected a proposal from her prospective employer, so no
24 positive benefit was conferred upon the prospective employer when Jimenez made the governmental
25 decision. While the monetary value of the government decision was higher here, the public harm is
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27 ¹⁶ Regulation 18361.5, subd. (e)(1)-(8).

1 reduced with an unfavorable outcome for the prospective employer, thus a slightly lower penalty of
2 \$3,000 is recommended here.

3 The Respondent, a Los Angeles County employee, contacted County Counsel for guidance upon
4 being invited to interview for a position, but did not contact the Commission. There is no prior record of
5 any similar violations by Jimenez.

6 Jimenez was cooperative during the investigation, and her intent was to resolve the matter
7 expeditiously.

8 After considering the factors listed in Regulation 18361.5 and penalties in prior similar cases, a
9 penalty of \$3,000 is recommended.

10 CONCLUSION

11 Complainant, the Enforcement Division of the Fair Political Practices Commission, and
12 Respondent Antonia Jimenez hereby agree as follows:

13 1. Jimenez, as indicated in the respective counts, violated the Act as described in the
14 foregoing pages, which are a true and accurate summary of the facts in this matter.

15 2. This stipulation will be submitted for consideration by the Fair Political Practices
16 Commission at the next regularly scheduled Commission meeting—or as soon thereafter as the matter
17 may be heard.

18 3. This stipulation resolves all factual and legal issues raised in this matter—for the purpose
19 of reaching a final disposition without the necessity of holding an administrative hearing to determine
20 the liability of Jimenez pursuant to Section 83116.

21 4. Jimenez has consulted with her attorney, Michael Columbo, and understands, and hereby
22 knowingly and voluntarily waives, all procedural rights set forth in Sections 83115.5, 11503, 11523, and
23 Regulations 18361.1 through 18361.9. This includes but is not limited to the right to appear personally
24 at any administrative hearing held in this matter, to be represented by an attorney at Jimenez’s own
25 expense, to confront and cross-examine all witnesses testifying at the hearing, to subpoena witnesses to
26 testify at the hearing, to have an impartial administrative law judge preside over the hearing as a hearing
27 officer, and to have the matter judicially reviewed.

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Dated: _____
Adam E. Silver, Chair
Fair Political Practices Commission