



Campaign Finance and Ethics Commission

Memorandum

January 28, 2019

To: Chairwoman Lisa Bartlett, Fifth District Supervisor
Members, Board of Supervisors

From: Denah Hoard, Executive Director

Subject: Campaign Finance and Ethics Commission Fourth Quarter Report

Pursuant to O.C.C.O. section 1-2-359, the following document was prepared and submitted to the Campaign Finance and Ethics Commission (OCEthics) at the January 28, 2019, Commission meeting.

Quarterly Report (4th Quarter): October – December 2018

The above document is submitted to the Board of Supervisors after review and approval by OCEthics as required under O.C.C.O. section 1-2-360.

If you have any questions or would like additional information, please do not hesitate to contact me.

Attachment:

Quarterly Report (4th Quarter): October – December 2018

cc: Frank Kim, County Executive Officer
Leon Page, County Counsel
Chiefs of Staff

Quarterly Report

October – December 2018

Office of Campaign Finance and Ethics Commission



October—December 2018

Project	Status
Ethics (AB 1234) Training	ON GOING — Final deadline to complete training was 12/31/2018. Letter of forfeiture to be sent January 31, 2019 to any member who had 6 months or more to complete training. Estimated number of forfeiture letters is approximately sixteen or 4%.
Newly Elected and Appointed Official and Staff training program	ON HOLD — Training to begin in February 2019.
Campaign Disclosure Review	ON GOING — Audits have been completed through November 2018. Next Audit January 2019.
Education Outreach	ON GOING— No outreach in Fourth Quarter- Orange County paralegals and League of Women Voters chapter in 2019. League presentation set for January 24, 2019.

October-December 2018

Project	Status
Lobbyist Portal/registration	TRANSFERRED —Portal project has been transferred to in-house project. All monetary collection has now been given to Treasurer-Tax Collector while registration is being handled via the Office. Data transfer from lobbyist portal continues.
Campaign Contribution Database	ON GOING —Orange County Information Technology (OCIT) has provided a working database for investigations. Access for public possible via internet being explored in 2018-2019 if budget allows.
Complaint Program	ON GOING — A total of 24 complaints were received in 2018. All complaints have been resolved. For further information please see page 6 of this report.

October-December 2018

Project	Status
Finance and Budget	ON GOING —The Office has completed the 2018 SFP which provides the CEO Budget staff a 5 year analysis of budget projections. Moreover, we have submitted a mandated service and fee analysis this quarter. A report will be provided to the Board in November as to OCEthics activity to determine if additional staff or resources are needed in future fiscal years.
Advice Tracking System	IN PROGRESS - A more formal tracking system needs to be developed so that telephone responses can be calculated.

Summary of 2018 Complaints:

18-01: Complaint related to Press Release by DA Tony Rackauckas. No violation found. Matter closed on March 14, 2018.

18-02: Complaint related to alleged violation of rules and bylaws of the Orange County Treasury Oversight Committee. No jurisdiction. Matter closed on March 19, 2018.

18-03: Total of 19 complaints from the same individual. Complaints all related to Toll Road concerns. In 2017, Office informed same individual that Commission did not have jurisdiction over the Toll Road issues being raised. No action taken.

18-04: Complaint alleging use of County employees for personal matters by Auditor-Controller, Woolery. Found not to be within jurisdiction of Office and referred matter to Fraud Hotline. Matter closed on April 19, 2018.

18-05: Complaint alleging civil right violations concerning County's resolution related to SB 54 – California Values Act. No jurisdiction. Matter closed on April 19, 2018.

18-06: Complaint of excess contribution related to \$5000 loan to candidate, Brett Murdock. Notice of Violation and Offer of Remedial Measure sent. Remedial measure of repayment of excess amount completed and loan brought into compliance with \$2000 limit. No Letter of Resolution sent as violation deemed mistake/accidental. Matter closed on May 7, 2018.

18-07: Complaint related to Irvine elected official. Found not to be within jurisdiction of Office and closed on May 8, 2018.

18-08: Complaint about fraud and discrimination against mentally ill by Court system. No jurisdiction. Matter closed on May 22, 2018.

18-09: Complaint related to Irvine ballot measure. Found not to be within jurisdiction of Office and closed on May 8, 2018.

18-10: Complaint about former County employee. Found not to be within jurisdiction of Office and closed on May 24, 2018.

18-11: Complaint about campaign advertisement that contained three (3) County candidates: Don Barnes, Tony Rackauckas and Claude Parris. No violation of slate mailer ordinance or in-kind donation rules. Matter closed on August 27, 2018.

18-12: Complaint about misleading employer identification of contributor on Tony Rackauckas campaign disclosure. Notice of Violation and Offer of Remedial Measure sent. Remedial measure completed and all disclosures accurate. Letters of resolutions sent in June (accused party) and July 2018 (complaining party) and copied to Commission.

18-13: Complaint about use of County phone number on Claude Parrish's statement of qualifications. No violation found. Case closed on September 5, 2018.

18-14: Two complaints related to County paid mailers sent by Tony Rackauckas and Todd Spitzer. Found not to be within jurisdiction of Office and referred matters to FPPC. Matter closed on September 4, 2018. No known action by FPPC.

18-15: Complaint about DA candidate Albert-Sheridan receiving potential unreported campaign contribution. After investigation it was determined no potential campaign contribution was received nor was it likely money was ever received. Matter closed on September 19, 2018.

18-16: Complaint about lack of expert witnesses presented by defense provided to individual on trial for murder. Found not to be within jurisdiction of Office and closed on August 28, 2018.

18-17: Complaint related to OCTA not allowing public comment at hearing. Found not to be within jurisdiction of Office and closed on August 29, 2018.

18-18: Seven complaints related to Irvine Police Department received between September 4 and 13th. Each found not to be within jurisdiction of Office. No complaint addressed to Office. Each complaint was sent to another government agency such as Irvine Police Department, American Bar Association, members of California legislature and/or non-profit institutions. (No action taken.)

18-19: Complaint related to loan by Tony Rackauckas' campaign committee making a loan to the Tony Rackauckas legal defense fund. Determined action was not a violation of the Orange County Reform Ordinance as currently written. Notice sent and case closed on September 25, 2018.

18-20: Complaint about City of Irvine Council members. Found not to be within jurisdiction of Office, notice sent and matter closed on August 28, 2018.

18-21: Complaint about DA Tony Rackauckas receiving excess campaign contribution. After investigation it was determined no excess contribution was received. Notice sent and matter closed on December 20, 2018.

18-22: Complaint about DA candidate Todd Spitzer receiving excess contribution and failing to properly complete Form 460. Determined that alleged excess contribution had already been refunded and that remainder of complaint was not within jurisdiction of office. Notice sent and matter closed on November 14, 2018.

18-23: Complaint related to non-County mailer. Determined to be not within jurisdiction, sent notice and closed matter on November 1, 2018.

18-24: Complaint of private party harassment of private citizen. No action taken.