

1 GALENA WEST
2 Chief of Enforcement
3 NEAL BUCKNELL
4 Senior Commission Counsel
5 **FAIR POLITICAL PRACTICES COMMISSION**
6 1102 Q Street, Suite 3000
7 Sacramento, CA 95811
8 Telephone: (916) 323-6424
9 Attorneys for Complainant

8 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
9 STATE OF CALIFORNIA

11 In the Matter of

12 CHRISTINA SHEA,

13 Respondent.

FPPC Case No. 16/101

STIPULATION, DECISION AND ORDER

15 **INTRODUCTION**

16 Christina Shea first was elected to the Irvine City Council in 1992. Currently, she is the Mayor of
17 Irvine. This case involves charitable fundraising activity by her in 2014/2015, which she failed to report
18 in a timely manner on behested payment reports (also known as Form 803's)—in violation of the
19 Political Reform Act.¹

20 **SUMMARY OF THE LAW**

21 The Act and its regulations are amended from time to time. All legal references and discussions
22 of law are intended to be citations to statutes and regulations as they existed in 2015—at the time of the
23 violations in this case.

24 ///

25 ///

26 _____
27 ¹ The Political Reform Act—sometimes simply referred to as the Act—is contained in Government Code sections
28 81000 through 91014. 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. All regulatory references
are to this source.

1 County. In response to this request, Shea reached out to Mike LeBlanc, Senior Vice President of the
2 Irvine Company, to see if the company would be interested in financially helping the students. (The
3 Irvine Company is a privately held real estate investment/development company.) Shea indicated that she
4 did not request/specify an amount to be contributed from the Irvine Company for the 2015 Solar
5 Decathlon.

6 On or about November 24, 2014, LeBlanc sent a letter to Shea, which stated the following: “On
7 behalf of the Irvine Company I am writing to confirm that our company is interested in providing
8 financial support to the Irvine Team for the upcoming Solar Decathlon. We will coordinate with the
9 leaders of the Irvine Team to ascertain how we can best support their efforts through cash and in-kind
10 contributions in the amount of up to \$100,000. [¶] We appreciate your interest in this matter and bringing
11 this opportunity to our attention.” The Irvine Company proceeded to provide monetary support and in-
12 kind/non-monetary support.

13 The monetary support was a payment that was made on or about April 16, 2015, when the Irvine
14 Company issued a check in the amount of \$10,000—payable to: UCI Foundation, the Casa Del Sol Solar
15 Decathlon, USA.

16 The in-kind support was for the local team of students called “Irvine Team.” This support related
17 to labor in connection with the building of a solar powered house. Records suggest that this support was
18 provided from August through October 2015—and the value of this labor/support was approximately
19 \$128,714.

20 On or about January 7, 2016, Shea filed a Form 803 behested payment report. On the filing, boxes
21 were checked for “Monetary Donation” and for “In-Kind Goods or Services.” “Amount of Payment: (In-
22 Kind FMV)” is listed as \$10,000, but there is a partially legible description of the in-kind payment,
23 which mentions something about exceeding \$100,000.

24 VIOLATIONS

25 Count 1

26 *Failure to Timely File Behested Payment Reports*

27 Regarding the Irvine Company’s April 2015 payment in the amount of \$10,000, Shea was
28 required to report this by filing a Form 803 within 30 days, but she failed to do so.

1 activity in question on Form 803 behested payment reports. (In this regard, the Enforcement Division
2 was unable to find any prior Form 803 filings by Shea.)

3 Recently, the Commission considered another stipulation involving this same type of violation. *In*
4 *the Matter of Charles Ramsey*; FPPC Case No. 16/19823 (approved Feb. 21, 2019), the Commission
5 imposed a penalty in the amount of \$18,000 against a former school board member who failed to timely
6 file Form 803's with respect to solicitation of 39 charitable payments totaling approximately \$485,000.
7 These funds, which were raised from 15 donors in 2012, 2013, and 2014, were for the benefit of a
8 scholarship program that Ramsey and another school board member founded/administered. Some of the
9 charitable donations were broken up into multiple payments that were spread out across multiple months.
10 For charging purposes, each group of these was treated as a single count because each was made in
11 response to a single solicitation. Nine counts were charged—with an agreed-upon penalty of \$2,000 per
12 count. Additionally, it was noted that Ramsey's children benefitted from the scholarship program for
13 which he was raising money—mostly from the school district's vendors.

14 The behested payments in the current case involve a check from the Irvine Company in the
15 amount of \$10,000—plus in-kind support in the form of labor valued at approximately \$128,714.
16 However, these both arose from a single solicitation, and for this reason, only one count is being
17 recommended—consistent with *Ramsey*.

18 The current case is similar to *Ramsey* in many other ways. Neither case appears to involve
19 intentional concealment. Ramsey and Shea both maintain that their violations occurred because they
20 were not familiar with the Act's reporting requirements. Both cases involve officials who solicited
21 charitable payments from donors who were doing business with—or who had business before—the
22 agencies in question. (*Ramsey* involved a school district official who was soliciting donations—mostly
23 from school district vendors. In the current case, the developer-donor was engaged in the land entitlement
24 process within the City of Irvine—a process involving approvals/permits from government agencies to
25 develop property.) Both cases involve sophisticated parties who have held office for many years. Both
26 cases involve parties who cooperated with the Enforcement Division and who do not have a history of
27 prior, similar violations of the Act.

28 ///

1 5. Respondent agrees to the issuance of the decision and order set forth below. Also,
2 Respondent agrees to the Commission imposing against her an administrative penalty in the amount of
3 \$1,500. One or more payments totaling this amount—to be paid to the General Fund of the State of
4 California—is/are submitted with this stipulation as full payment of the administrative penalty described
5 above, and they will be held by the State of California until the Commission issues its decision and order
6 regarding this matter.

7 6. If the Commission refuses to approve this stipulation—then this stipulation shall become
8 null and void, and within fifteen business days after the Commission meeting at which the stipulation is
9 rejected, all payments tendered by Respondents in connection with this stipulation shall be reimbursed to
10 Respondents. If this stipulation is not approved by the Commission, and if a full evidentiary hearing
11 before the Commission becomes necessary, neither any member of the Commission, nor the Executive
12 Director, shall be disqualified because of prior consideration of this Stipulation.

13 ///
14 ///
15 ///
16 ///
17 ///
18 ///
19 ///
20 ///
21 ///
22 ///
23 ///
24 ///
25 ///
26 ///
27 ///
28 ///

1 7. The parties to this agreement may execute their respective signature pages separately. A
2 copy of any party’s executed signature page—including a hardcopy of a signature page transmitted via
3 fax or as a PDF email attachment—is as effective and binding as the original.
4

5
6 Dated: _____

Galena West, Chief of Enforcement
Fair Political Practices Commission

7
8
9
10 Dated: _____

Christina Shea, Respondent

11
12 The foregoing stipulation of the parties “In the Matter of Christina Shea,” FPPC Case No. 16/101,
13 is hereby accepted as the final decision and order of the Fair Political Practices Commission, effective
14 upon execution below by the Chair.
15

16 IT IS SO ORDERED.
17

18 Dated: _____

Richard C. Miadich, Chair
Fair Political Practices Commission