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7
8 **BEFORE THE FAIR POLITICAL PRACTICES COMMISSION**
9 **STATE OF CALIFORNIA**

10
11 In the Matter of:

12 **FRIENDS OF LILIA LEON FOR**
13 **COUNCIL 2013 AND LILIA LEON,**

14 Respondents.

FPPC Case No. 16/116

STIPULATION, DECISION AND ORDER

15 **INTRODUCTION**

16 Lilia Leon was a successful candidate for Commerce City Council in the March 5, 2013 election
17 and was an unsuccessful candidate for Commerce City Council in the June 6, 2017 election. Leon was
18 initially elected as a member of the Commerce City Council in 1998. While she did not seek re-election
19 after her first term, she was appointed to serve the unexpired term after a November 2008 recall and re-
20 elected to the City of Commerce City Council in 2009 and 2013. Respondent Friends of Lilia Leon for
21 City Council 2013 (“Committee”), was the controlled committee of Leon. The Committee was re-
22 designated Friends of Lilia Leon for City Council 2017 on July 26, 2016, and terminated on August 22,
23 2017. All further references will be to the “Committee” for identification purposes unless otherwise
24 noted. At all relevant times, Leon was the treasurer of the Committee.

25 This case resulted proactively after two other City of Commerce Councilmembers were
26 investigated for violations including shared campaign expenses with Leon. The Enforcement Division
27 initiated the administrative action against Leon and the Committee by serving them with a Report in
28

1 Support of Probable Cause, effectively tolling the applicable statute of limitations.¹

2 The Political Reform Act (the “Act”)² requires candidates, their controlled committees, and the
3 treasurers of those committees file campaign statements at specific times disclosing information
4 regarding contributions received and expenditures made by their committees. In this matter, for the
5 period January 20, 2013, through February 16, 2013, Leon and the Committee failed to timely file one
6 pre-election campaign statement, which was filed March 26, 2013, after the March 5, 2013 election.
7 Additionally, for reporting periods in 2013 and 2014, Leon and the Committee failed to properly disclose
8 contributions received and expenditures made on five separate campaign statements. Further, Leon and
9 the Committee violated the cash prohibition, one bank account rule and personal use prohibitions of the
10 Act.

11 SUMMARY OF THE LAW

12 The Act and its regulations are amended from time to time. The violations in this case occurred in
13 2013 through 2017. For this reason, all legal references and discussions of law pertain to the Act’s
14 provisions as they existed at that time.

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

16 When enacting the Political Reform Act, the people of California found and declared that
17 previous laws regulating political practices suffered from inadequate enforcement by state and local
18 authorities.³ Thus, it was decreed that the Act “should be liberally construed to accomplish its
19 purposes.”⁴

20 **Duty to File Semi-Annual Campaign Statements**

21 An express purpose of the Act is to ensure that receipts and expenditures in election campaigns
22 are fully and truthfully disclosed, so that voters may be fully informed and improper practices may be
23 inhibited.⁵ The Act therefore establishes a campaign reporting system designed to accomplish this
24

25 ¹ Sections 83115.5 and 91000.5, subdivision (a).

26 ² The Political Reform Act is contained in Government Code Sections 81000 through 91014. The regulations of the Fair
27 Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of
28 Regulations.

³ Section 81001, subd. (h).

⁴ Section 81003.

⁵ Section 81002, subd. (a).

1 purpose of disclosure.

2 The Act defines a “committee” as any person or combination of persons who directly or indirectly
3 receives contributions totaling \$1,000 or more in a calendar year.⁶ This type of committee is commonly
4 referred to as a “recipient” committee. A committee controlled directly or indirectly by a candidate, or
5 that acts jointly with a candidate, is a candidate-controlled committee.⁷

6 The Act requires candidates and their controlled committees to file two semi-annual campaign
7 statements each year.⁸ The first semi-annual campaign statement covers the reporting period January 1
8 to June 30, and must be filed by July 31. The second semi-annual campaign statement covers the
9 reporting period July 1 to December 31, and must be filed by January 31 of the following year. When a
10 deadline to file a statement or report required by the Act falls on a Saturday, Sunday or official state
11 holiday, the filing deadline for such a statement or report shall be extended to the next regular business
12 day.⁹

13 **Duty to File Pre-Election Campaign Statements**

14 In addition to semi-annual campaign statements, the Act requires all candidates being voted upon
15 in on the first Tuesday after the first Monday in June or November of an odd-numbered year, and their
16 controlled committees, to file pre-election campaign statements.¹⁰

17 The Act provides that pre-election campaign statements for an election not held in June or
18 November of an even numbered year must be filed as follows:

19 (1) For the period ending 45 days before the election, the statement must be filed no later than 40 days
20 before the election.

21 (2) For the period ending 17 days before the election, a statement must be filed no later than 12 days
22 before the election.¹¹

23 **Duty to Timely Disclose Information Regarding Expenditures Made**

24 Recipient committees are required to disclose on each campaign statement: (1) the total amount
25 of expenditures made during the period covered by the campaign statement; and (2) the total amount of

26 ⁶ Former Section 82013, subd. (a) (2013).

27 ⁷ Section 82016.

28 ⁸ Section 84200, subd. (a).

⁹ Regulation 18116.

¹⁰ Section 84200.5, subd. (c).

¹¹ Section 84200.8, subd. (a) and (b).

1 expenditures made during the period covered by the campaign statement to persons who have received
2 \$100 or more.¹²

3 The Act defines “expenditure” as a payment, forgiveness of a loan, payment of a loan by a third
4 party, or an enforceable promise to make a payment, unless it is clear from the surrounding
5 circumstances that it is not made for political purposes. “An expenditure is made on the date the payment
6 is made or on the date consideration, if any, is received, whichever is earlier.”¹³

7 For each person to whom an expenditure of \$100 or more has been made during the period
8 covered by the campaign statement, the following information must be disclosed on the campaign
9 statement: (1) the recipient’s full name; (2) the recipient’s street address; (3) the amount of each
10 expenditure; and (4) the description of the consideration for which each expenditure was made.¹⁴

11 Each campaign statement must also include the total amount of expenditures made by the
12 committee to persons who have received less than \$100 during the period covered by the campaign
13 statement.¹⁵

14 **Prohibition Against Cash Expenditures**

15 No expenditure of \$100 or more shall be made in cash.¹⁶

16 **Prohibitions Against the Personal Use of Campaign Funds**

17 All contributions to a campaign are held by the committee in trust for expenses associated
18 with the election of the candidate or for expenses associated with holding office.¹⁷ An expenditure to
19 seek office must be reasonably related to a political purpose, but if it confers a direct and substantial
20 personal benefit on the candidate or any individual with authority to approve the expenditure of
21 campaign funds held by a committee of more than \$200, the expenditure must be directly related to a
22 political, legislative or governmental purpose.¹⁸

23
24
25 ¹² Section 84211, subd. (b) and (i).

26 ¹³ Section 82025.

27 ¹⁴ Section 84211, subd. (k).

28 ¹⁵ Section 84211, subd. (j).

¹⁶ Section 84300, subd. (b).

¹⁷ Section 89510, subd. (b).

¹⁸ Sections 89511, subd. (b)(3), and 89512.

1 organization on or about October 8, 2008. At all relevant times, Leon was the treasurer of the Committee.

2 In connection with the March 5, 2013 election, Leon and the Committee reported receiving
3 approximately \$24,150 in contributions and making approximately \$19,200 in expenditures. In 2014,
4 Leon and the Committee reported receiving approximately \$11,350 in contributions and making
5 approximately \$10,275 in expenditures. In 2015, Leon and the Committee reported receiving
6 approximately \$1,500 in contributions and making approximately \$3,624 in expenditures.

7 In this matter, Leon and the Committee failed to timely file a pre-election campaign statement
8 prior to the March 5, 2013 election, made 21 cash expenditures of \$100 or more, totaling \$7,230 over six
9 campaign reporting periods, used approximately 11 different credit cards and bank accounts to make
10 Committee expenditures, failed to properly disclose multiple expenditures, most of which involved cash,
11 failed to maintain proper records to ensure the accuracy of the campaign statements, and used the
12 Committee funds to benefit herself personally. For purposes of settlement, the recordkeeping violation
13 was not included in the settlement.

14 VIOLATIONS

15 Count 1

16 **Failure to Timely File and Properly Disclose Financial Activity on Campaign Statements in 2013**

17 As a candidate in the March 5, 2013 election, Leon and the Committee had a duty to file with the
18 City Clerk of the City of Commerce a pre-election campaign statement for the January 20, 2013, through
19 February 16, 2013 reporting period on or before February 21, 2013. Leon and the Committee filed the
20 pre-election campaign statement late for the January 20, 2013, through February 16, 2013 reporting
21 period, on March 26, 2013, after the election. During this period, on February 20, 2013, Leon withdrew
22 \$300 with a check made out to “petty cash” and failed to disclose the expenditure made or provide any
23 receipts to support the expenditure.

24 Leon and the Committee had a duty to properly disclose expenditures on a semi-annual campaign
25 statement for the period February 17, 2013, through June 30, 2013. During this period, Leon and the
26 Committee made five different withdrawals of cash from the Committee bank account, from checks
27 made out to “Petty Cash,” totaling \$2,350. None of these expenditures were reported on this campaign
28 statement and no receipts were provided to support these expenditures. On July 31, 2013, Leon and the

1 Committee timely filed the semi-annual campaign statement for the period February 17, 2013, through
2 June 30, 2013, but failed to timely disclose \$2,350 in cash expenditures.

3 Leon and the Committee had a duty to properly disclose expenditures on a semi-annual campaign
4 statement for the period July 1, 2013, through December 31, 2013. During this period, Leon and the
5 Committee made five different ATM withdrawals of cash from the Committee bank account, totaling
6 \$1,820. None of these expenditures were reported on this campaign statement and no receipts were
7 provided to support these expenditures. On January 30, 2014, Leon and the Committee timely filed the
8 semi-annual campaign statement for the period July 1, 2013, through December 31, 2013, but failed to
9 timely disclose \$1,820 in cash expenditures.

10 In 2013, Leon and the Committee disclosed \$25,553 in contributions received and \$25,723 in
11 expenditures made. During this time, Leon and the Committee failed to disclose \$4,470 in expenditures
12 made on campaign statements, approximately 17% of the expenditures in 2013.

13 By failing to timely file the pre-election campaign statement for the January 20, 2013, through
14 February 16, 2013 reporting period and failing to timely and properly disclose \$4,470 in expenditures, on
15 campaign statements from January 20, 2013, through December 31, 2013, Leon and the Committee
16 violated Sections 84200.5, subdivision (c), 84200.8 and 84211, subdivisions (b)(i) (j) and (k).

17 **Count 2**

18 **Failure to Properly Disclose Financial Activity on Campaign Statements in 2014**

19 Leon and the Committee had a duty to properly disclose expenditures on a semi-annual campaign
20 statement for the period January 1, 2014, through June 30, 2014. During this period, Leon and the
21 Committee made two different ATM withdrawals of cash from the Committee bank account, totaling
22 \$700. None of these expenditures were reported on this campaign statement and no receipts were
23 provided to support these expenditures. On July 31, 2014, Leon and the Committee timely filed the semi-
24 annual campaign statement for the period January 1, 2014, through June 30, 2014, but failed to timely
25 disclose \$700 in cash expenditures.

26 Leon and the Committee had a duty to properly disclose expenditures on a semi-annual campaign
27 statement for the period July 1, 2014, through December 31, 2014. During this period, Leon and the
28 Committee made five different ATM withdrawals of cash from the Committee bank account, and one

1 expenditure for Shogun Restaurant in the amount of \$121.54 paid by Committee check, totaling
 2 \$1,381.54. None of these expenditures were reported on this campaign statement and only one receipt for
 3 Shogun Restaurant on September 9, 2014 was provided. On February 2, 2015, Leon and the Committee
 4 timely filed the semi-annual campaign statement for the period July 1, 2014, through December 31, 2014,
 5 but failed to timely disclose \$1,381.54, of which \$1,260 were cash expenditures.

6 In 2014, Leon and the Committee disclosed \$11,350 in contributions received and \$10,275 in
 7 expenditures made. During this time, Leon and the Committee failed to disclose \$2,081.54 in
 8 expenditures made on campaign statements, approximately 20% of the expenditures in 2014.

9 By failing to properly disclose \$2,081.54 in expenditures on the campaign statements for the
 10 periods January 1, 2014, through December 31, 2014, Leon and the Committee violated Section 84211,
 11 subdivisions (b)(i) (j) and (k).

12 **Count 3**

13 **Cash Expenditures**

14 In the calendar years 2013-2015, Leon and the Committee made 21 different withdrawals of cash
 15 from the Committee bank account, totaling \$7,230. Only one of these expenditures was reported on the
 16 relevant campaign statement and no receipts were provided to support these expenditures, as a campaign
 17 expenditure must be reasonably related to a political, legislative or governmental purpose (“PLG”).

18 The following chart includes information provided to the Enforcement Division by Leon and the
 19 Committee regarding these expenditures:

20

	Date	Amount	Reported on 460?	PLG Purpose submitted by Leon for the Expenditure and Source Documentation	
21	1	2/14/13	\$300	No	“Petty Cash” States for food and Misc. expenses; no receipts
22	2	2/20/2013	\$300	No	Gas/Food/Misc. No receipts.
23	3	3/8/2013	\$500	No	Misc. expenses & campaign walkers Ernest Madueno. No receipts.
24	4	3/22/2013	\$550	No	Reimbursement food, campaign + supplies, etc. No receipts.
25	5	4/17/2013	\$500	No	Campaign anti-recall. No receipts.
26	6	4/26/2013	\$500	No	Reimburse walkers, food-anti recall. No receipts.
27	7	9/25/2013	\$360	No	No explanation or receipts. Referred us to bank statements and 460’s to find PLG.
28	8	10/24/2013	\$300	No	No explanation or receipts. No explanation or receipts. Referred to bank statements and

				460's to find PLG.
9	10/30/2013	\$500	No	No explanation or receipts. No explanation or receipts. Referred to bank statements and 460's to find PLG.
10	11/19/2013	\$300	No	No explanation or receipts. No explanation or receipts. Referred to bank statements and 460's to find PLG.
11	12/24/2013	\$360	No	No explanation or receipts. No explanation or receipts. Referred to bank statements and 460's to find PLG.
12	5/5/2014	\$500	No	To sponsor Washington DC trip for charity, no receipt.
13	6/6/2014	\$200	No	Teacher recognition, no receipt.
14	7/3/2014	\$180	No	Girl Scout Cookies for Fireman visit and Raffle Gift Cards. No receipts.
15	8/1/2014	\$300	No	Girl Scouts Supplies/Food. No receipts.
16	8/6/2014	\$300	No	St. Benedict end of summer event, food & raffle. No receipts.
17	8/18/2014	\$180	No	No receipts.
18	10/27/2014	\$300	No	Charitable donation to Fr. Jules 50 th Ordination. No receipt.
19	1/7/2015	\$500	No	\$80 for Charity and Remainder for 2015 Campaign Election. No receipts.
20	1/12/2015	\$200	No	Donation to St. Benedicts Alter Society. Only provided the cash withdrawal slip, no receipt.
21	10/13/15	\$100	Yes	Entrance Tickets. No receipt.
	Total:	\$7,230		

By making expenditures of cash totaling approximately \$7,230 during the 2013-2015 calendar years, Leon and the Committee violated Section 84300, subdivision (b).

Count 4

One Bank Account

From February 27, 2013, through May 12, 2017, Leon and the Committee used at least eleven different accounts, including Leon's personal bank accounts and credit cards, Leon's daughter-in-law's credit cards and credit cards that could not be identified by Leon. From September 5, 2013, through December 10, 2014, Leon and the Committee also disclosed making five different charitable donations that were not paid through the Committee bank account, totaling about \$1,190.

Leon used personal accounts totaling approximately \$2,286.96, without first depositing the funds into the campaign bank account.

By failing to make campaign expenditures from the designated Committee bank account and failing to make charitable donations drawn from the Committee bank account, Leon and the Committee

1 violated Section 85201.

2 **Count 5**

3 **Prohibition Against Personal Use of Campaign Funds**

4 A committee expenditure must be reasonably related to a political purpose, but if it confers a
5 direct and substantial personal benefit on the candidate or any individual with authority to approve the
6 expenditure of campaign funds held by a committee of more than \$200, the expenditure must be directly
7 related to a political, legislative or governmental purpose.

8 In March 2013, the Committee made a purchase from National Pen for campaign materials in the
9 amount of \$697.03, which was paid by the Committee in March 2013. This was the only confirmed
10 purchase with National Pen made by the Committee for campaign materials. On October 14, 2013, an
11 ATM cash withdrawal from the Committee campaign bank account in the amount of \$660, which was
12 falsely reported as for National Pen payment. However, the Committee reported making additional
13 expenditures to National Pen on August 17, 2013 and October 14, 2014, for campaign materials in the
14 amount of \$697.03 and \$660, respectively. Bank records show that on August 17, 2013, the Committee
15 made a payment to Leon's personal Nordstrom credit card in the amount of \$697.03. The payment to
16 Leon's personal Nordstrom credit card and the cash in the amount of \$660 was used for Leon's personal
17 benefit.

18 Additionally, from June 1, 2013, through August 1, 2014, Leon states she made eight civic
19 donations to a Girl Scouts Troop that her granddaughters are members of, five of which were reported on
20 her relevant campaign statements. Although Leon provided multiple receipts signed by the Girl Scout
21 Troop Leader, only two of the donations were confirmed received by the Girl Scout Troop, in the
22 amounts of \$99 and \$50, along with some in-kind donations such as badges, food and water. The Girl
23 Scout Troop Leader denied signing most of these receipts, although a version of her name was on the
24 receipts. The Girl Scouts did not receive the remaining six cash contributions, all allegedly in the
25 amounts of \$300 each, totaling \$1,800. Although all six donations totaling \$1,800 were reported as being
26 made to the Girl Scouts on the campaign statements, only \$1,200 was missing from the campaign bank
27 account and not provided to the Girl Scouts.

28 Leon made a payment directly to pay her personal credit card in the amount of \$697.03 and

1 withdrew cash from the Committee bank account in the amount of \$660, during the reporting period
2 from July 1, 2013, through December 31, 2013, and withdrew at least \$1,200 in cash from the Committee
3 bank account that was not used for the purpose stated, during the period from June 28, 2013, through
4 August 1, 2014, which were payments that conferred a substantial personal benefit on Leon, for purposes
5 not directly related to a political, legislative or governmental purpose. As such, Leon violated Section
6 89512.

7 **PROPOSED PENALTY**

8 This matter consists of five counts. The maximum penalty that may be imposed is \$5,000 per
9 count. Thus, the maximum penalty that may be imposed is \$25,000.²⁶

10 In determining the appropriate penalty for a particular violation of the Act, the Commission
11 considers the facts of the case, the public harm involved, and the purposes of the Act. Also, the
12 Commission considers factors such as: (a) the seriousness of the violation; (b) the presence or absence of
13 any intention to conceal, deceive or mislead; (c) whether the violation was deliberate, negligent or
14 inadvertent; (d) whether the violation was isolated or part of a pattern; (e) whether corrective
15 amendments voluntarily were filed to provide full disclosure; and (f) whether the violator has a prior
16 record of violations.²⁷ Additionally, the Commission considers penalties in prior cases with comparable
17 violations.

18 One purpose of the Act is to help distinguish campaign contributions from gifts by ensuring that
19 campaign contributions may not be used for personal purposes. In this regard, the Act provides that all
20 contributions deposited into a campaign account are deemed to be held in trust for expenses associated
21 with the election of the candidate or for holding office.²⁸ Another purpose of the Act is to promote
22 transparency by ensuring that receipts and expenditures in election campaigns are fully and truthfully
23 disclosed so that voters are fully informed and improper practices are inhibited.²⁹ Along these lines, the
24 Act includes a comprehensive campaign reporting system.³⁰ Also, the Act imposes mandatory
25

26 ²⁶ Section 83116, subd. (c).

27 ²⁷ Regulation 18361.5, subd. (d).

28 ²⁸ Section 89510, subd. (b).

29 ²⁹ Section 81002, subd. (a).

30 ³⁰ Sections 84200, et seq.

1 recordkeeping requirements, which are designed to aid the audit and enforcement process.³¹ An additional
2 purpose of the Act is to provide adequate enforcement mechanisms so that the Act will be “vigorously
3 enforced.”³²

4 The Commission also considers penalties in prior cases involving similar violations.

5 Filing and Disclosure

6 A similar case regarding filing and disclosure violations in Counts 1-2 includes the following:

7 *In the Matter of California Conservative PAC and John Fugatt, FPPC Case No. 15/1301.* In
8 August 2018, the Commission approved a stipulated decision for 1 Count of failing to timely file a
9 campaign statement and failing to disclose contributions received and expenditures made during the
10 reporting period. In addition, the Committee failed to timely file 2 additional campaign statements. In
11 aggravation, the Committee and Fugatt had a prior history with the Enforcement Division. The
12 Commission imposed a \$2,500 penalty for each of the 3 counts.

13 This case is similar in that the both Committees show a pattern of failing to timely file and
14 disclose information on campaign statements. However, Leon and the Committee have no prior history
15 with the Enforcement Division, the amount of undisclosed expenditures were relatively low and Leon is
16 no longer in public office. Further, only Count 1 included both failure to timely file and properly disclose
17 campaign activity, whereas Count 2 only involved disclosure. As such, a penalty in the amount of \$2,000
18 for each Counts 1-2 is recommended.

19 Prohibited Use of Cash

20 A similar case regarding the impermissible use of cash violations in Count 3 includes the
21 following:

22 *In the Matter of Committee to Elect Sandra Brown for Sheriff 2014, Sandra Brown, and Edward*
23 *Murray; FPPC No. 17/017.* In April 2018, the Commission approved a stipulated decision for 1 Count of
24 receiving twelve cash contributions of \$100 or more totaling approximately \$1,750. The Commission
25 approved a penalty of \$2,000 for this violation.

26 In the current case, Leon made 21 cash expenditures of \$100 or more, totaling \$7,230 over six
27

28 ³¹ Section 84104.

³² Section 81002, subd. (f).

1 campaign reporting periods. However, Leon and the Committee have no prior history with the
2 Enforcement Division and is no longer in office. As such, a similar penalty in the amount of \$2,000 for
3 each Count 3 is recommended.

4 One Bank Account

5 *In the Matter of Friends of Frank Bigelow for Assembly 2016, Frank Bigelow, and Vona L. Copp,*
6 *FPPC Case No. 17/0079.* In December 2017, the Commission approved a stipulated decision for 1 Count
7 involving respondents making campaign expenditures totaling \$2,189.78 that were not paid from the
8 campaign bank account. In aggravation, campaign funds were used, in small amounts, for personal use
9 and over \$500 in unitemized expenditures were not reported on campaign statements. The Commission
10 imposed a penalty of \$2,000 for this violation.
11

12 In the current case, Leon and the Committee used cash to make expenditures and used at least 11
13 different accounts that were not related to the Committee bank account over at least four years. Further,
14 Leon could not identify all accounts used for expenditures. However, Leon and the Committee have no
15 prior history with the Enforcement Division and is no longer in office. As such, a similar penalty in the
16 amount of \$2,000 for Count 4 is recommended.

17 Personal Use

18 *In the Matter of Jackie Wong and Jackie Wong for School Board 2016, FPPC Case No. 17/621.*
19 In May 2018, the Commission approved a stipulated decision for 1 Count of personal use totaling
20 \$1,466.07 when the Committee and Wong made payments for home office equipment, software and
21 smartphones that were not related to a political, legislative or governments purpose. Wong did not repay
22 the Committee. In mitigation, Wong was not an experienced candidate. The Commission imposed a
23 \$3,000 penalty for the one count of personal use.
24

25 In this matter, Leon had been in and out of public office since 1998. Leon acted as her own
26 treasurer during the time she has been in office and Leon contends she was not always aware of the
27 requirements. In mitigation, Leon and the Committee have no prior history with the Enforcement
28 Division and is no longer in office. In this matter, a penalty in the amount of \$3,000 is recommended for

1 this violation.

2 After consideration of the factors of Regulation 18361.5, it is respectfully requested that the
3 Commission impose the following penalty upon the Leon and the Committee:

Count	Respondents	Description	Penalty per ct	Total
1 – 2	Leon and Committee	Campaign Filing/Disclosure	\$2,000	\$4,000
3	Leon and Committee	Use of Cash	\$2,000	\$2,000
4	Leon and Committee	One Bank Account	\$2,000	\$2,000
5	Leon	Personal Use	\$3,000	\$3,000
		Total Penalty Against Leon (Individually)		\$3,000
		Total Penalty Against the Committee and Leon		\$8,000
		Total Proposed Penalty		\$11,000

11 CONCLUSION

12 Complainant, the Enforcement Division of the Fair Political Practices Commission, and
13 Respondents Lilia Leon and Friends of Lilia Leon for Council 2013 hereby agree as follows:

14 1. Respondents violated the Act as described in the foregoing pages, which are a true and
15 accurate summary of the facts in this matter.

16 2. This stipulation will be submitted for consideration by the Fair Political Practices
17 Commission at its next regularly scheduled meeting—or as soon thereafter as the matter 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 the
20 liability of Respondents pursuant to Section 83116.

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

1 5. Respondents agree to the issuance of the decision and order set forth below. Also,
2 Respondents agrees to the Commission imposing against her an administrative penalty in the amount of
3 \$11,000. 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 7. The parties to this agreement may execute their respective signature pages separately. A
14 copy of any party's executed signature page—including a hardcopy of a signature page transmitted via
15 fax or as a PDF email attachment—is as effective and binding as the original.

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Dated: _____

Galena West, Chief of Enforcement
Fair Political Practices Commission

Dated: _____

Lilia Leon, individually and on behalf of Friends of
Lilia Leon for Council 2013, Respondents

The foregoing stipulation of the parties “In the Matter of Lilia Leon and Friends of Lilia Leon for Council 2013,” FPPC Case No. 16/116, is hereby accepted as the final decision and order of the Fair Political Practices Commission, effective upon execution below by the Chair.

IT IS SO ORDERED.

Dated: _____

Richard C. Miadich, Chair
Fair Political Practices Commission