

Date: August 3, 2016

To: County Executive Office, Campaign Finance Staff

From: Ventura County Clerk

Subject: Report #2016-12 of Apparent Violation of the Ventura County Campaign Finance Reform Ordinance (No. 4471)

In accordance with Section 1304(e) of the Ventura County Campaign Finance Reform Ordinance (No. 4471), the Ventura County Clerk is hereby reporting to the County Executive Office an apparent violation of Section 1286(d) of Ordinance #4471, by the Kelly Long for Supervisor 2016 Committee.

Section 1286(d) states:

“Contributions received between the final filing period prior to an election and the election day, in excess of two hundred fifty dollars (\$250), must be reported to the Clerk within twenty-four (24) hours of receipt of the contribution but shall not be deposited until the committee has the name, address, occupation and employer of the contributor.”

According to the attached PDF of California Form 497 filed by the Kelly Long for Supervisor 2016 Committee on June 13, 2016, the following contributions in excess of \$250 are reported:

June 1, 2016 Gene Haas \$750.00

June 1, 2016 Mike Mooring \$500.00

The Ventura County Clerk has determined that these June 1, 2016 \$750.00 and \$500.00 contributions were not reported, as contributions in excess of \$250 received between the final filing period prior to an election (May 22, 2016) and the election day (June 7, 2016), to the Clerk within 24 hours of receipt of the contribution. The date of the receipt of these contributions appears, on its face, to be June 1, 2016, which is the date the contributions are reported on Form 497. As such, the failure to report these June 1, 2016 contributions within 24 hours of receipt of the contributions appears to be a violation of Section 1286(d) of the Ordinance.

It should be noted that these excess contributions were not identified by the Ventura County Elections Division during its initial review of the June 13, 2016 Form 497. These excess contributions were reported to the Ventura County Elections Division on August 3, 2016, by Susan Herrera, Carla Castilla for Supervisor 2016 Committee Treasurer. The reporting party was advised on August 3, 2016 that the County Clerk is not the designated recipient under the Ordinance for complaints by residents of Ventura County that allege violations of the Ordinance. The reporting party was further informed that Section 1298(a) of the Ordinance describes the complaint process for residents to file a complaint in

writing with the Clerk of the Board of Supervisors on a form provided by that office, and was provided a telephone number and website link to the Clerk of the Board to obtain additional information.

Since the County Clerk had now been made aware of these potential violations of the Ordinance, it conducted a second review of the June 13, 2016 Form 497. The outcome of that review resulted in this report of apparent violation to the County Executive Office. The reason the County Clerk is reporting an apparent violation, based on unsolicited information received from a Ventura County resident, is to promote the timely and accurate release of campaign finance information so that the public ultimately has knowledge of this information in the event that the reporting party elects to not file a complaint with the Clerk of the Board.

It should also be noted that Section 1304(e) of the Ordinance, which defines the specific duties of the County Clerk, does not expressly permit the County Clerk any reasonable discretion or otherwise qualify the Clerk's duties in reporting apparent violations of the Ordinance to the County Executive Office. Section 1304(e) simply states that the Clerk *shall* (emphasis added): "Report apparent violations of this ordinance to the appropriate entities including the County Executive Office." Accordingly, the County Clerk is continuing to report any such apparent violations of the Ordinance to the County Executive Office to comply with its existing duties under Section 1304(e) of the Ordinance.

Attachment

497 Contribution Report

Amounts may be rounded to whole dollars.

497 CONTRIBUTION REPORT

NAME OF FILER Kelly Long for Supervisor 2016		Date of This Filing 06/01/2016	Date Stamp	<div style="border: 2px solid black; padding: 5px; color: red; font-weight: bold;"> E-Filed 06/13/2016 16:21:59 Filing ID: 160630865 </div>	CALIFORNIA FORM 497 For Official Use Only
AREA CODE/PHONE NUMBER	I.D. NUMBER (if applicable) 1380733	Report No. 10			
STREET ADDRESS		<input type="checkbox"/> Amendment to Report No. _____ (explain below)			
CITY Camarillo	STATE CA	ZIP CODE 93012	No. of Pages 1		

1. Contribution(s) Received

DATE RECEIVED	FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR <small>(IF COMMITTEE, ALSO ENTER I.D. NUMBER)</small>	CONTRIBUTOR CODE *	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER <small>(IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)</small>	AMOUNT RECEIVED
06/01/2016	Gene Haas Oxnard, CA 93030	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	President Haas Automation, Inc.	750.00 <input type="checkbox"/> Check if Loan _____% Provide interest rate
06/01/2016	Sondra Hartley Malibu, CA 90265	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Retired Retired	250.00 <input type="checkbox"/> Check if Loan _____% Provide interest rate
06/01/2016	Mike Mooring Ventura, CA 93002	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Consultant Proper Authorities	500.00 <input type="checkbox"/> Check if Loan _____% Provide interest rate

*Contributor Codes
 IND – Individual
 COM – Recipient Committee (other than PTY or SCC)
 OTH – Other (e.g., business entity)
 PTY – Political Party
 SCC – Small Contributor Committee

Reason for Amendment: _____