



Campaign Finance and Ethics Commission

Memorandum

November 13, 2018

To: Chairman Andrew Do, First District Supervisor
Members, Board of Supervisors

From: Denah Hoard, Executive Director

Subject: Campaign Finance and Ethics Commission Third 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 October 22, 2018 Commission meeting.

Quarterly Report (3rd Quarter): July - September 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 (3rd Quarter)

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

Quarterly Report

July - September 2018

Office of Campaign Finance and Ethics Commission



July—September 2018

Project	Status
Ethics (AB 1234) Training	<p>ON GOING — Since second notice was mailed out in June the Office has seen a significant increase in compliance. Only 40% of the Board, Commission or Committees still need to file completion certificates with the Office.</p>
Newly Elected and Appointed Official and Staff training program	<p>ON HOLD — Training materials were approved by Commission and transmitted to the Board of Supervisors. Live presentations will begin for newly elected County officials and their staff after they take office in January 2019.</p>
Campaign Disclosure Review	<p>ON GOING — Audits have been completed through July 1, 2018. The first pre-election audit began for filings due on September 27, 2018.</p>
Education Outreach	<p>ON GOING—OCEthics presented to the League of Women Voters in July. Hosted an education seminar for Chapman students in September and have scheduled an education seminar for Orange County paralegals and another League of Women Voters chapter in 2019.</p>

July-September 2018

Project	Status
Lobbyist Portal/registration	<p>CANCELLED—Portal project has been cancelled. Costs associated with third party credit card processing and on-going frustrations with inability of lobbyists to use the on-line portal caused the Office to seek alternate registration options. Current process being discussed is to use the Treasurer-Tax Collector for all fee collection while registration/amendments will be processed through www.ocethics.com. Costs should be less than yearly portal maintenance.</p>
Campaign Contribution Database	<p>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.</p>
Complaint Program	<p>ON GOING— A total of 20 complaints have been received through September 2018. All complaints have been resolved. For further information please page 5 of this report.</p>

July-September 2018

Project	Status
Records Retention Schedule	<p>COMPLETED— Schedule for destruction of department specific records not covered by Countywide policy completed and was approved by the Board of Supervisors on 10/16/18.</p>
Finance and Budget	<p>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.</p>
Advice Tracking System	<p>IN PROGRESS - A more formal tracking system needs to be developed so that telephone responses can be calculated.</p>

Summary of 2018 Complaints received through September 2018:

18-01: Complaint related to Press Release from elected official. 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 now 16 complaints received from January to September 2018** from same individual (previous report total was seven). 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 elected official. 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. Notice of Violation and Offer of Remedial Measure sent. Remedial measure 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. 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 candidate's campaign disclosure. Notice of Violation and Offer of Remedial Measure sent. Remedial measure completed and all disclosures now 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 candidate's statement of qualifications. No violation found. Case closed on September 5, 2018.

18-14: Two complaints related to County paid mailers sent by candidates. 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 County candidate 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 a County Elected Official between a campaign committee and legal defense fund. Determined action was not a violation of the Orange County Reform Ordinance as currently written. Case closed on September 25, 2018.

18-20: Complaint related to alleged misconduct by City of Irvine council members. Found not to be within jurisdiction of Office and closed on September 26, 2018.