

CRAIG A. STEELE (State Bar No. 162523)  
RICHARDS, WATSON & GERSHON  
355 South Grand Avenue, 40th Floor  
Los Angeles, CA 90071  
(213)626-8484  
INVESTIGATOR

County of Ventura Elections Division - COMPLAINANTS  
Friends of Judy Mikels

BEFORE THE COUNTY OF VENTURA CAMPAIGN FINANCE  
ETHICS COMMISSION

\_\_\_\_\_  
In the Matter of: ) Case Nos. 2006-04 and 2006-05  
)  
)  
Ventura County Citizens for a Full Time )  
Supervisor, ) **STIPULATION, DECISION AND**  
) **ORDER**  
and Leonard Paulin, Treasurer; )  
)  
RESPONDENTS )  
)

The appointed outside Investigator for the County of Ventura Campaign Finance Ethics Commission ("Commission") in this matter, Craig A. Steele, and Respondents Ventura County Citizens for a Full Time Supervisor ("Committee") and Committee's Treasurer Leonard Paulin ("Treasurer") (Committee and Treasurer are referred to collectively herein as "Respondents"), hereby agree that this Stipulation will be submitted for consideration by the Commission at its next scheduled meeting, and that the agreements herein are contingent upon the approval of this stipulation and the accompanying Decision and Order by the Commission.

The parties agree to enter into this Stipulation to finally resolve all factual and legal issues raised in Case Nos. 2006-04 and 2006-05 and to reach a final disposition without the necessity of holding an administrative hearing to determine the liability of the Respondents. Upon approval of the Decision and Order by the Commission and compliance with the terms of this Stipulation by Respondents, the Commission shall take no further enforcement action relating to complaints or allegations regarding the facts and circumstances underlying Case Nos. 2006-04 and 2006-05.

Respondents understand, and hereby knowingly and voluntarily waive, any and all procedural rights under the Ventura County Ordinance Code, the Procedural Rules of the Commission and, as applicable State law including, without limitation, the issuance and receipt of an accusation, the right to personally appear at any administrative hearing held in this matter, to confront and cross-examine all witnesses testifying at the hearing, to

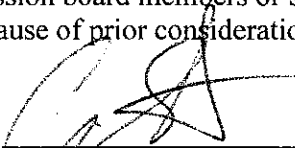
subpoena witnesses to testify at the hearing, and to have the Commission or an impartial administrative law judge hear the matter.

Respondents stipulate that they have violated the Ventura County Ordinance Code as described in Exhibit 1, attached hereto and incorporated herein by reference, and that Exhibit 1 is a true and accurate summary of the facts in this matter.

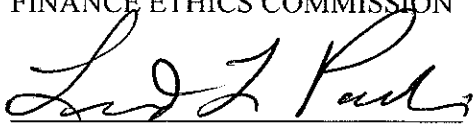
Respondents agree to the issuance of the attached Decision and Order and imposition by the Commission of administrative penalties in the amount of seven hundred dollars (\$700.00) in the form of a cashier's check, payable to the "General Fund of the County of Ventura," submitted with the executed copy of this Decision and Order of the Commission.

The parties agree that in the event the Commission refuses to accept this Stipulation, it shall become null and void. Respondents further stipulate and agree that in the event the Commission rejects the Stipulation and a full evidentiary hearing before the Commission becomes necessary, no Commission board members or staff, nor the Executive Director, shall be disqualified because of prior consideration of this Stipulation.

DATED: June 18, 2009

  
\_\_\_\_\_  
CRAIG A. STEELE, Investigator  
COUNTY OF VENTURA CAMPAIGN  
FINANCE ETHICS COMMISSION

DATED: 7/29/09

  
\_\_\_\_\_  
Leonard Paulin  
on behalf of Respondents

**DECISION AND ORDER**

The County of Ventura Campaign Finance Ethics Commission ("Commission") has considered the above Stipulation and the attached exhibit at its meeting on 7-1-09. The Commission hereby approves the Stipulation and orders that, in accordance with the Stipulation, Respondents shall pay a stipulated fine of \$700.00 to the General Fund of the County of Ventura upon approval of this Decision and Order.

DATED: 8-21-09

  
Chair  
COUNTY OF VENTURA CAMPAIGN  
FINANCE ETHICS COMMISSION

## EXHIBIT 1

Respondent Ventura County Citizens for a Full Time Supervisor (the "Committee") qualified as a Committee under State and local law on May 30, 2006 and filed a form 410 Statement of Organization as a Committee thereafter. Respondent Leonard Paulin (the "Treasurer") was the Committee Treasurer and there were no other Principal Officers listed for the Committee. According to the Form 410, the Committee was "primarily formed" to support the election of Jim Dantona as a member of the Board of Supervisors of Ventura County, District 4. Four days after the original Form 410 was filed, the Committee amended Form 410 to delete the "primarily formed" designation and to re-designate as a General Purpose Committee.

The Committee timely filed a Late Independent Expenditure report (Form 496) in the office of the Elections Division as required by applicable law. Upon notice from the Elections Division, the Committee also filed Report 1275, a local independent expenditures report. The Late Independent Expenditure Report indicated that on May 30, 2006, the Committee received seven contributions from individual donors totaling \$10,300. Six individual contributors gave \$1,300 each. One individual donor gave \$2,500. The contributions were accepted by the Committee.

The Committee reported making independent expenditures in the amount of \$9,992.54 from those contributed funds for direct mailings in support of candidate Dantona on May 30, 2006. The Committee asserts that it did not raise or spend additional funds after June 2, 2006 and no subsequent reports were filed. The Committee was terminated shortly after the 2006 election and no subsequent activity has occurred.

After the Committee filed its required reports on May 31, 2006, two generally identical complaints were filed by Friends of Judy Mikels and the Elections Division, alleging that the Committee had violated the County's contribution limit ordinance. This Stipulation resolves both complaints regarding the same violation.

At all times relevant to this matter, Section 1270(a) of the Ventura County Campaign Finance Ordinance provided:

"(a) Except as provided in subsection (b) below, no committee shall make a contribution or independent expenditure to support or oppose a candidate if that committee has received a contribution from any person that exceeded, or caused the cumulative amount the committee received from that person to exceed six hundred dollars (\$600) in the twelve calendar months immediately prior to the date the committee's contribution or independent expenditure is made."

The exception in subsection 1270(b) of the Ordinance does not apply in this case. Respondents violated Section 1270(a) of the Ventura County Campaign by making an independent expenditure in support of a candidate for the Ventura County Board of Supervisors within 12 months of having received contributions in excess of \$600 from all of the Committee's seven contributors. Respondents assert that the alleged violation was

not intentional and that it resulted from a misunderstanding of the applicability of the new (at the time) County ordinance. Respondents assertion in this regard is supported by the record in this matter, in that the contributions that exceeded the limit were timely reported by the Committee. There was no effort to disguise the amount of the contributions. It appears that Respondents set out to raise a specific amount of money and divided that amount among the individual contributors.

Under the provisions of the Ordinance, the Commission could impose a maximum fine of \$18,300 (three times \$6,100, the amount improperly contributed) under Ventura County Ordinance Code Section 1294(b)).

### **FACTORS IN MITIGATION**

The Respondents have no other history of enforcement, have cooperated with the investigation, and were willing to enter into this stipulation to avoid expense to both the Commission and themselves. The Committee has not engaged in further political activity since it was terminated in 2006. Respondents' history, cooperation and the nature of the violation justify a reduced penalty in this case involving a first and one-time violation. The stipulated fine of \$700 represents \$100 per contribution that exceeded the \$600 per contributor limit. The Committee ceased fundraising and independent expenditure activity and filed a requested report once it was notified of the violation.

###