



County of Ventura

Campaign Finance Ethics Commission

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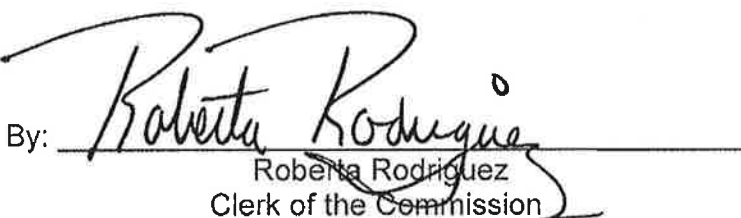
NOTICE OF NO VIOLATION

In accordance with Section 1295(e) and Section 1297(j) of Ordinance 4414 adopted by the Board of Supervisors on April 13, 2010, the Ventura County Campaign Finance Ethics Commission hereby makes the following declaration:

In the matter of: Complaint Number P10-002 (Osborn v. Parks; Voter for Parks 2010 Supervisor; and Mountains Recreation & Conservation Authority)

A determination of No Violation was made by the Commission in regard to the above matter at its meeting on July 16, 2010.

MARTY ROBINSON
County Executive Officer and
Clerk of the Board of Supervisors

By: 
Roberta Rodriguez
Clerk of the Commission

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June 3, 2010

Linda Catherine Le
Staff Representative to Campaign Finance Ethics Commission
County of Ventura Executive Office
800 So. Victoria Ave., L #1940
Ventura, CA 93009

Re: Complaint No.: P10-002
Complainant: Mike Osborn
Respondents: Linda Parks, individually and as board member of the Santa Monica Mountains Conservancy; Vote for Parks 2010 Supervisor; and Mountains Recreation & Conservation Authority
Our File No.: 23577.000

Dear Ms. Le:

This will constitute my opinion as Initial Complaint Review Attorney in regard to the above-referenced complaint.

After reviewing the complaint, the letter amending the complaint from the complainant's counsel, dated May 11, 2010, the subsequent correspondence from complainant's counsel dated May 17, 2010 and May 25, 2010, the letter from counsel for respondent Mountains Recreation & Conservation Authority, dated May 20, 2010, and the letter from respondent Linda Parks, dated May 25, 2010, it is my opinion that complainant has not submitted credible evidence to support the allegations in the complaint and the amendment to the complaint, for the following reasons:

1. The event for which the alleged \$2,500.00 non-monetary contribution was made did not take place until after the close of the period covered by Form 460 Campaign Statement for the Vote for Parks 2010 Supervisor Committee ("Committee"). The reporting period ended March 17, 2010. The event took place on March 21, 2010. Under the applicable regulations, a non-monetary contribution is made on the date the Committee receives the benefit of the contribution;
2. The fee paid by the Committee for the event, \$2,500.00, was consistent with the governing fee schedule of respondent Mountains Recreation & Conservation Authority. The "special event"

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guideline document submitted by complainant with his complaint calling for a \$4,000.00 fee is for a 16-hour block of time, including 12 hours for the event and 4 hours for set-up and cleanup. That guideline did not apply to the Committee's event which was governed by a "small gathering" guideline and for which the block of time was 9 hours, including set-up and cleanup.. No special discount was given to the Committee for the event;

3. Similarly, no special discount was given for the security deposit charged by respondent Mountains Recreation & Conservation Authority. Again, the \$2,000.00 security deposit relied on by complainant is part of the "special event" guideline not the "small gathering" guideline. In any event, the security deposit, whether it be \$1,000.00 or \$2,000.00, was fully refundable. Thus, even assuming that the \$2,000.00 security deposit was standard for all events, which it was not, the \$1,000.00 difference between that amount and the amount deposited by the Committee was in effect for a very short period of time and any perceived benefit for the use of the \$1,000.00 during that short period of time would be de minimis.

It is therefore my recommendation that the Commission dismiss the complaint and the amendment to the complaint.

Very truly yours,

NORMAN DOWLER, LLP



By RICHARD M. NORMAN

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