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INVESTIGATOR

County of Ventura Elections Division - COMPLAINANTS

BEFORE THE COUNTY OF VENTURA CAMPAIGN FINANCE
ETHICS COMMISSION

In the Matter of:) Case Nos. P2012-06 and P2012-07
)
Citizens for a Better Ventura County,)
Lysa Ray - Treasurer)
) **STIPULATION, DECISION AND**
) **ORDER**
)
)
RESPONDENTS)
)

The appointed outside Investigator for the County of Ventura Campaign Finance Ethics Commission (the "Commission") in this matter, Craig Steele, and the Citizens for a Better Ventura County and its treasurer Lysa Ray (collectively, "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 by the Complaint in Case Nos. P2012-06 and P2012-07, and to reach a final disposition without the necessity of holding an administrative hearing to determine the liability (or lack thereof) 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 against Respondents (either jointly or severally) relating to complaints or allegations regarding the facts and circumstances underlying Case Nos. P2012-06 and P2012-07.

Contingent upon the Commission's approval of this Stipulation and accompanying Decision and Order, Respondents understand, and hereby knowingly and voluntarily waive, any and all procedural rights under the Ventura County Code, the Procedural Rules of the Commission and 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.

Complaint No. P2012-06, filed by the County Clerk, alleges that Respondents violated Section 1275(a) of the Ventura County Code (“the Ordinance”) when Respondents made four independent expenditures in excess of \$1,000 supporting candidate Bob Roper or opposing candidate Steve Bennett in the 2012 election and failed to report those expenditures on Ventura County Form 1275 within 24 hours as required by the Ordinance. The total amount of independent expenditures at issue in this complaint was \$14,968.67. The independent expenditures were timely reported on Respondents’ FPPC filings, but Forms 1275 were not filed until after the Respondents were contacted by the Clerk’s office.

Complaint No. P2012-07, filed by candidate Steve Bennett, alleges that Respondents violated Section 1275(a) of the Ordinance when Respondents made seven independent expenditures in excess of \$1,000 supporting candidate Bob Roper or opposing candidate Steve Bennett in the 2012 election and failed to report, or to accurately report, those expenditures within 24 hours as required by the Ordinance. One of the expenditures that are the subject of this complaint is a duplicate of an expenditure cited in Complaint P2012-06. Three of the independent expenditures were reported on Form 1275 approximately three days late. One of the independent expenditures was reported on Form 1275 almost a month late and one was not reported at all. In addition, individual expenditure amounts were incorrectly reported on the wrong lines of three individual forms. Total cumulative independent expenditures associated with this complaint exceeded \$22,567.79, excluding the amount duplicated in both complaints.

Respondents’ treasurer has been cooperative in the investigation, did not contest the filing errors, and indicated Respondents initially were unaware of Ventura County’s additional filing requirements.

As the full and final stipulated resolution of Case Nos. P2012-06 and P2012-07, Respondents hereby agree to pay an administrative fine of \$8,500.00 to the County of Ventura. While less than the maximum possible fine that could be levied in this matters, the amount is justified by the following facts:

1. Respondents did not attempt to conceal the independent expenditures;
2. Respondents reported the expenditures correctly on FPPC forms and, for some of the expenditures, on County Form 1275 when notified of the filing requirement; and
3. Respondents cooperated in the investigation and admitted the violation.

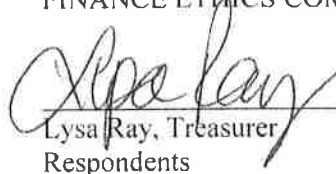
Respondents hereby agree that if further consideration of these matters by the Commission becomes necessary, no Commission board members or staff, nor the Executive Director, shall be disqualified because of prior consideration of this Stipulation.

DATED: March 8, 2013



Craig A. Steele, Investigator
COUNTY OF VENTURA CAMPAIGN
FINANCE ETHICS COMMISSION

DATED: 3/14/13



Lysa Ray, Treasurer
Respondents

DECISION AND ORDER
Case Nos. P2012-06 and P2012-07

The County of Ventura Campaign Finance Ethics Commission ("Commission") has considered the above Stipulation and a report from its investigator at its meeting on April 19, 2013. The Commission hereby approves the Stipulation and orders that, in accordance with the Stipulation, Respondents shall pay a stipulated fine of \$8,500.00 to the General Fund of the County of Ventura upon approval of this Decision and Order.

DATED: 4.19.2013



Frank O. Sieh, Chair
COUNTY OF VENTURA CAMPAIGN
FINANCE ETHICS COMMISSION