



STATE OF CALIFORNIA  
FAIR POLITICAL PRACTICES COMMISSION  
1102 Q Street • Suite 3000 • Sacramento, CA 95811

September 25, 2020

Phillip Molina

Via email at: [REDACTED]

Re: Complaint No. COM-09162020-01716; City of Oxnard

Dear Mr. Molina:

This letter is in response to the sworn complaint you submitted to the Enforcement Division of the Fair Political Practices Commission regarding the above-named entity. The Commission enforces the provisions of the Political Reform Act<sup>1</sup> (the “Act”). Based on a review of the documents received and obtained during our initial review of the allegations, the Enforcement Division will not pursue an enforcement action in this matter.

The Act prohibits sending a newsletter or other mass mailing at public expense.<sup>2</sup> Additionally, a local agency making payments for campaign related communications may become a committee subject to campaign reporting requirements if the payments qualify as contributions or independent expenditures.<sup>3</sup>

After review of the complaint, we found that the presentation given at the September 22, 2020 City Council meeting did not expressly advocate for or against a ballot measure or unambiguously urge a result in an election. Rather, the presentation appeared to be informational in nature. Given the above, the Enforcement Division cannot conclude the communication in question violated the Act’s prohibition against campaign communications sent at public expense.

The Commission provides advice and opinions to persons whose duties are in question under the Act. (Section 83114.) In the future, if the City of Oxnard has questions regarding the Act’s mass mailing sent at public expense prohibitions, the City may request formal advice by submitting an inquiry to the FPPC’s Legal Division. Please note that a formal advice letter can provide the requestor immunity from enforcement actions by the FPPC.

If you have any questions, please contact Chloe Hackert at [chackert@fppc.ca.gov](mailto:chackert@fppc.ca.gov).

Sincerely,

Galena West, Chief  
Enforcement Division

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<sup>1</sup> The Political Reform Act is contained in Government Code sections 81000 through 91014, and all statutory references are to this code. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

<sup>2</sup> Section 89001.

<sup>3</sup> Regulation 18420.

GW:ch

cc: City of Oxnard