



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329

(916) 322-5660 • Fax (916) 322-0886

June 16, 2015

Michele Beal Bagneris  
City of Pasadena

**Advisory Letter**

**FPPC No. 15/269; City of Pasadena; Michael Beck, Mark Jomsky, Respondents**

Dear Ms. Bagneris:

The Enforcement Division of the Fair Political Practices Commission (the "Commission") enforces the provisions of the Political Reform Act (the Act).<sup>1</sup> This letter is in response to a sworn complaint filed against the City of Pasadena, Michael Beck and Mark Jomsky.

The Act and its implementing regulations require that local government agencies use a form provided by the Commission (the "Form 802") to record the receipt of gifts it receives and distributes to others. The Act also requires that the Form 802 be submitted to the Commission for posting on its webpage, and that the form be maintained by the local agency as a public record and be subject to inspection and copying under Section 81008(a).

Regulation 18944.1 also requires that an agency adopt a policy that addresses the manner of receipt and distribution of such tickets. The City of Pasadena (the "City") has developed such a policy. The City's gift distribution policy provides that the completed

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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.

form will be posted in a prominent fashion on the City's website within thirty days after distribution.

The complainant alleged that the City received tickets from the Rose Bowl Operating Company in 2014, but failed to post the Form 802 on its website, and failed to make the forms available upon request. While the Act itself does not require the City to post the forms on its own website within a certain time period, the City's adopted gift distribution policy does require such postings within thirty days after distribution. You indicated in a letter that the City realized it was remiss in promptly posting the forms, but that it has since rectified this issue.

Since the failure to post the forms on the City's website is not a requirement of the Act, we found no violation and are closing our file on this matter. However, in the interest of public disclosure, we recommend that the City be more diligent in complying with its own gift distribution policy in the future and forwarding the postings to the Commission in a timely manner.

If you have questions regarding this matter, please contact us at (916) 322-5660.

Sincerely,



Galena West, Chief  
Enforcement Division

GW/jt

cc: Ms. Lonnee Hamilton