



THE CITY OF SAN DIEGO

August 9, 2013

VIA REGULAR & ELECTRONIC MAIL

Coalition for Fair Employment in Construction
c/o Charles H. Bell, Jr.
Bell, McAndrews & Hiltachk, LLP
455 Capitol Mall, Suite 600
Sacramento, CA 95814

Re: Coalition for Fair Employment in Construction (ID # 1337381)

Dear Mr. Bell:

The Ethics Commission audit of the above-referenced committee is now concluded, and the Final Audit Report is enclosed. This report was delivered to the Ethics Commission at its regularly-scheduled meeting held on August 8, 2013. The Commission observed that the findings reflected in the Audit Report indicate that the committee substantially complied with local campaign laws. As a result, the Commission voted to accept the report.

Sincerely,

[REDACTED]

Rosalba Gomez
Ethics Commission Auditor

Enclosure

cc: Ms. Alicia Pivirotto, Treasurer
13825 Kirkham Way
Poway, CA 92064

Ethics Commission

1010 Second Avenue, Suite 1530 • San Diego, CA 92101
Tel (619) 533-3476 Fax (619) 533-3448





THE CITY OF SAN DIEGO

FINAL AUDIT REPORT

June 26, 2013

Ms. Alicia Pivirotto
Coalition for Fair Employment in Construction
13825 Kirkham Way
Poway, CA 92064

Treasurer: Ms. Alicia Pivirotto
13825 Kirkham Way
Poway, CA 92064

SAN DIEGO ETHICS COMMISSION
AUDIT REPORT:
Coalition for Fair Employment in Construction

I. Introduction

This Audit Report contains information pertaining to the audit of the committee, Coalition for Fair Employment in Construction, Identification Number 1337381 ("the Committee") for the period from August 25, 2009, through March 31, 2011. The Committee was selected for audit by a designee of the City Clerk in a random drawing conducted at a public meeting of the Ethics Commission held on September 23, 2011. The audit was conducted to determine whether the Committee materially complied with the requirements and prohibitions imposed by the City of San Diego's Election Campaign Control Ordinance (San Diego Municipal Code Chapter 2, Article 7, Division 29).

During the period covered by the audit, the Committee reported total contributions of \$60,000 and total expenditures of \$64,500. Total cash contributions relative to total expenditures resulted in a \$4,500 differential that was reconciled by the Committee's miscellaneous increase to cash. **The audit revealed no material findings. The committee substantially complied with the disclosure and record-keeping provisions of the San Diego Election Campaign Control Ordinance.**

II. Committee Information

CFEC is a multi-purpose organization that was not formed for the purpose of supporting or opposing candidates or ballot measures. CFEC became a recipient committee on May 6, 2009, when it solicited a payment in the amount of \$10,000 from one of its members, the Western Electrical Contractors Association, for a political purpose (supporting a City ballot measure related to City contracting).

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Between May 6, 2009, and March 24, 2010, CFEC solicited a total of four such payments totaling \$40,000 from Western Electrical Contractors Association. In addition, on March 8, 2010, CFEC solicited a payment of \$20,000 from another member, Bergelectric Corporation, for the same political purpose.

From November 24, 2009, through April 16, 2010, CFEC made eleven monetary and non-monetary contributions totaling \$53,030.87 to San Diegans for Fair and Open City Contracting [SDFOCC], a City committee primarily formed for the purpose of qualifying a measure for the ballot in the November 2, 2010, general election concerning competition and transparency in City contracting. From June 5, 2009, through February 16, 2010, CFEC made three monetary contributions totaling \$8,500.00 to Reforming City Hall with Carl DeMaio, a City general purpose committee formed to support ballot measures relating to pension reform, labor cost containment, campaign finance reform, the conduct of elections, and opposition to tax increases. This committee also made substantial contributions to SDFOCC.

On March 18, 2011, the Committee filed a Statement of Organization with the San Diego City Clerk indicating that it qualified as a committee.¹ The Committee was formed to support the qualification of the Competition and Transparency in City Contracting ballot measure. On April 4, 2011, the Committee filed a Statement of Termination indicating that its filing obligations were completed on March 31, 2011. The Committee's treasurer was Alicia Pivirotto.

III. Audit Authority

The Commission is mandated by San Diego Municipal Code section 26.0414 to audit campaign statements and other relevant documents to determine whether campaign committees comply with applicable requirements and prohibitions imposed by local law.

IV. Audit Scope and Procedures

This audit was performed in accordance with generally accepted auditing standards. The audit involved a limited review of the Committee's records for the time period covered by the audit. This review was conducted to determine:

1. Compliance with all disclosure requirements pertaining to contributions and expenditures, including itemization when required; and
2. Compliance with associated record-keeping requirements.

As explained above, the Committee is a multi-purpose organization whose political activity was limited to accepting six contributions totaling \$60,000 and making fourteen expenditures in the form of contributions to two other City committees.

¹ The Committee was the subject of a Commission investigation in 2010 concerning its failure to timely file a Statement of Organization within ten days of qualifying as a committee. At that time, the Commission determined that no enforcement action was appropriate in light of the Committee's multi-purpose nature and extenuating circumstances.

V. Conclusion

Through the examination of the Committee's records and campaign disclosure statements, the Auditor verified that the Committee accurately disclosed all contributions received and all expenditures made, and that the Committee maintained the necessary documentation supporting its contributions and expenditures. **As a result, the Auditor determined that there were no material findings. The Committee substantially complied with the disclosure and record-keeping provisions of the San Diego Election Campaign Control Ordinance.**

[REDACTED]

Rosalba Gomez
Ethics Commission Auditor

Date

[REDACTED]

Lauri Davis
Ethics Commission Senior Investigator

Date