



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

December 5, 2019

Scott Vaughan

Via email: [REDACTED]

Re: Complaint No. COM-11212019-02563; Uhler, Placer County

Dear Mr. Vaughan:

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 individual and entity. Based on a review of the complaint and documentation provided, the Enforcement Division found insufficient evidence of a violation of the Political Reform Act (the "Act") and will not pursue an enforcement action in this matter.

As explained in the November 1, 2019 letter from the Commission's Executive Director, in order to establish that there is a conflict of interest under the Act, there must be a material financial effect on the official's personal finances or other financial interests. Regulation 18702.5(a) provides that the financial effect is material if the official or the official's immediate family member will receive a measurable financial benefit or loss from the decision. However, Regulation 18702.5 also includes an exception in subdivision (b)(1) which states: "...a personal financial effect does not include: (1) Any establishment of or change to benefits provided under an employment or retirement policy for employees or retirees if the financial effect of the decision applies equally to all employees in the same bargaining unit or other representative group."

The decision in this matter was to increase the salaries of several managers so that their salaries were approximately 8% higher than the highest paid person they directly supervise. That being the case, the exception above applies because the financial effect applies equally to all employees in the representative group. Therefore, under the Act, it does not appear that Mr. Uhler had a conflict of interest in the decision, therefore, he would not have been required to follow the recusal procedures. If you have any questions, please contact Tara Stock at tstock@fppc.ca.gov.

Sincerely,

Galena West
Chief, Enforcement Division

GW:ts

cc: Kirk Uhler, Placer County Supervisor, via email: KUhler@placer.ca.gov
Karin E. Schwab, Placer County Counsel, via email: KSchwab@placer.ca.gov