

# **Amendment Adding Additional Complaints to the Taxpayer Protection Amendment of 2000 Complaints Against Mayor Pam O'Connor Filed by The Santa Monica Transparency Project on October 8, 2014.**

On October 8, 2014, the Santa Monica Transparency Project filed with the City twenty-four (24) Complaints against Mayor Pam O'Connor alleging that she repeatedly violated Santa Monica law under the Oaks Initiative by accepting campaign contributions from owners, board of director members and officers of Hines, Macerich and Century West partners—*after* voting in favor of their development projects. The Complaints called for a full, thorough and impartial investigation into all of Ms. O'Connor's campaign contributions, and that appropriate remedies be taken for these very serious violations of Santa Monica law. See the original Complaints for more detail.

In response to the 24 Complaints filed last week, Pam O'Connor has admitted under questioning by the press that mistakes were made by her regarding her campaign financing, that "perhaps" she violated the law in accepting some of her developer donations, and that she still is checking to see about the others.

At the same time she made these admissions, her comments evidenced a disdain for being held accountable for violating the law, and a belittling of her repeated violations. Mayor O'Connor offered a slew of excuses to the press for not following the law, and launched misguided attacks on the message and the messenger. They range from she is too busy to follow the law (aren't we all busy, but have to follow the law?), to claiming that raising the issue of the Mayor of our city having violated the law must be "political" (the question is, is it correct or not, did she violate the law or not), to that if Oaks covers the hundreds of employees of a developer, it violates their First Amendment rights (Oaks does not cover them, it only covers the owners and senior most people. See Section 2202(b).) She never raised any of these excuses when she was telling residents how she follows the Oaks Initiative before she was caught not following it. [www.smgov.net](http://www.smgov.net); 1/28/14 City Council meeting, video at 3:46. See newspaper articles in Attachment R.

Mayor O'Connor's dismissive comments in the press are relevant to the appropriate remedies to be taken against her. Her conduct in accepting these illegal contributions and her most recent comments show disrespect for the importance of a public official obeying Santa Monica law directed at her official activities. Mayor O'Connor's violations demonstrate a pattern of taking illegal contributions from three of the biggest developers in Santa Monica.

These alleged violations are ongoing, starting in 2008 and continuing into 2014 as was just revealed in her latest campaign disclosure statement filed on October 6, 2014.

It is in her latest filing last week, that the Transparency Project finds yet additional violations which form the basis of this Amendment, which is brought on information and reasonable belief. These involve yet another benefit that she conferred on Century West Partners, after which she took contributions from its three principals, including its two founders, and from a senior officer, all in violation of the Oaks Initiative.

Please see Attachment R for backup documentation.

## **Amendment Adding New Complaints**

### **Factual Background for Twenty-Fifth Through Thirty-First Complaints**

#### **The Vote Conferring the Benefit**

**401 Broadway project.** A public benefit was conferred in contract 9821 at the October 22, 2013 City Council meeting on Century West Partners. Ms. O'Connor voted in favor of conferring the benefit, which was in excess of the Oaks' threshold of \$25,000. The contract was an amendment to the project's original development agreement entered into between the City and the previous owners. The amendment added a third subterranean level, added parking when the original development agreement did not have parking, in order to, according to Century West, enable Century West to obtain appropriate financing for the project, and other benefits.

#### **The Beneficiary: Century West**

That Century West was the owner and developer of the project was clear. On October 8, 2013, when the project was introduced for its first reading, the applicant's attorney, Dave Rant, introduced the Applicant "Century West Partners," and from the audience introduced from Century West "Michael Sorochinsky, principal" and Kevin Farrell—both of whom were later to contribute to Ms. O'Connor. Mr. Rant further explained how his client Century West Partners had acquired the property after the initial development agreement had been entered into. [www.smgovt.net](http://www.smgovt.net); 10/8/13 City Council meeting, video at 3:05:45.

Additionally, this is one of the cases where the City's on-line Taxpayer Protection Report (log) contains some of the names of individuals with the entity upon whom the benefit was

conferred, and from whom councilmembers who voted in favor of the project could not afterwards accept contributions.

The log lists three names: Michael Sorochinsky, Steve Fifield and Steve Henry—the first two of whom later contributed to Pam O'Connor. The log is incomplete, as it does not list another principal of Century West Partners: Randy Fifield. It also does not list an officer of Century West, Kevin Farrell, who is either the Executive Vice President or Senior Vice President of Century West. Ms. O'Connor also improperly accepted contributions from both of these individuals.

The City's on-line log is at most one step in a due diligence process—it is incomplete with whole years missing and data categories, such as the vital names of the owners, officers and board of directors, often blank. This is manifestly clear after a basic review of the log.

**The Contributions Afterwards.** City council candidate O'Connor's campaign disclosure statement e-filed last week, October 6, 2014 lists a number of donations from people related to Century West. These batched contributions were received by Mayor O'Connor's campaign in July and August, 2014, nine and ten months after she voted to confer a benefit on Century West for the 401 Broadway downtown development project, amendment to its development agreement. The campaign statement states that she executed it on October 6<sup>th</sup>, as the candidate for office.

The list of donations include contributions from both founders, another principal of the company and an officer of Century West, and other individuals associated with them and a trust, the Michael and Lauren Sorochinsky Family Trust (several of the contributions are made by the Trust.) All of the contributions were made in a similar pattern and in unusual sums: with two donations each being made by four individuals, each of the four making one contribution for \$99 and one for \$226, totaling the maximum total donation permitted by law. Moreover, with three other individuals, only a donation of \$226 was listed—the City should review if there were also \$99 donations made by these individuals and not disclosed in the Campaign Statement.

On July 25, 2014, Pam O'Connor received a contribution for \$226 from Randy Fifield (managing director and principal of Century West); on the same day she received a second contribution from Randy Fifield for \$99; on the same day Mayor O'Connor received a donation for \$99 from Steven Fifield (founder and principal of Century West); on the same day she received a second donation of \$226 from Steven Fifield; on the same day Pam O'Connor received a contribution for \$99 from Lauren Sorochinsky (listed as Homemaker, and believed to be the wife or other relative of Century West Co-Founder Michael Sorochinsky and a Trustee of the Michael and Lauren Sorochinsky Family Trust); on the same day Mayor O'Connor received a donation of \$99 from Michael Sorochinsky (Co-Founder and principal of Century West.)

Additionally, on August 14, 2014, Candidate Pam O'Connor received a contribution of \$226 from Lauren Sorochinsky; on the same day she received a contribution also for \$226 from Michael Sorochinsky; on the same day Mayor O'Connor received a contribution of \$226 from Aaron Sorochinsky; further on the same day she received a donation for \$226 from Kevin Farrell (Senior or Executive Vice President of Century West.)

Finally, on July 22, 2014 Pam O'Connor received a contribution from Greg Goldman in the amount of \$226 (believed to be Century West project manager.)

As with the original Complaints, the Amended Complaints below are only brought as to campaign contributors who were principals of Century West, including its two founders, or officers: Michael Sorochinsky, Steve Fifield, Randy Fifield and Kevin Farrell. Others with a connection to Century West who made contributions to Ms. O'Connor are mentioned above to show the coordinated, batched nature of the contributions, but are not alleged as Oaks violations.

Please see Attachment S.

### *Twenty-Fifth Complaint*

On July 25, 2014, Pam O'Connor received a campaign contribution in the amount of \$226 from Randy Fifield, managing director and principal of Century West Partners, upon whom she conferred and voted to confer a benefit valued at over \$25,000 on October 22, 2013. She did not return the contribution within 10 days. All, in violation of the Oaks Initiative.

Please see Attachment O to the original Complaint.

### *Twenty-Sixth Complaint*

On July 25, 2014, Pam O'Connor received a campaign contribution in the amount of \$99 from Randy Fifield, managing director and principal of Century West Partners, upon whom she conferred and voted to confer a benefit valued at over \$25,000 on October 22, 2013. She did not return the contribution within 10 days. All, in violation of the Oaks Initiative.

Please see Attachment O to the original Complaint.

### *Twenty-Seventh Complaint*

On July 25, 2014, Pam O'Connor received a campaign contribution in the amount of \$99 from Steven Fifield, founder and principal of Century West Partners, upon whom she conferred and voted to confer a benefit valued at over \$25,000 on October 22, 2013. She did not return the contribution within 10 days. All, in violation of the Oaks Initiative.

Please see Attachment N to the original Complaint.

### *Twenty-Eighth Complaint*

On July 25, 2014, Pam O'Connor received a campaign contribution in the amount of \$226 from Steven Fifield, founder and principal of Century West Partners, upon whom she conferred and voted to confer a benefit valued at over \$25,000 on October 22, 2013. She did not return the contribution within 10 days. All, in violation of the Oaks Initiative.

Please see Attachment N to the original Complaint.

### *Twenty-Ninth Complaint*

On July 25, 2014, Pam O'Connor received a campaign contribution in the amount of \$99 from Michael Sorochinsky, founder and principal of Century West Partners (and Trustee of the M & L Sorochinsky Family Trust) upon whom she conferred and voted to confer a benefit valued at over \$25,000 on October 22, 2013. She did not return the contribution within 10 days. All, in violation of the Oaks Initiative.

Please see Attachments N to the original Complaint.

### *Thirtieth Complaint*

On August 18, 2014, Pam O'Connor received a campaign contribution in the amount of \$226 from Michael Sorochinsky, founder and principal of Century West Partners (and Trustee of the M & L Sorochinsky Family Trust) upon whom she conferred and voted to confer a benefit valued at over \$25,000 on October 22, 2013. She did not return the contribution within 10 days. All, in violation of the Oaks Initiative.

Please see Attachments N to the Original Complaint.

### *Thirty-First Complaint*

On August 18, 2014, Pam O'Connor received a campaign contribution in the amount of \$226 from Kevin Farrell, an officer, Senior Vice President or Executive Vice President, of Century West Partners, upon whom she conferred and voted to confer a benefit valued at over \$25,000 on October 22, 2013. She did not return the contribution within 10 days. All, in violation of the Oaks Initiative.

Please see Attachment P to the original Complaint.

The Santa Monica Transparency Project

/s/ Mary Marlow

Mary Marlow, Chair. Dated: October 16, 2014.

# **Appendix --- Chart of Key Dates**

---

**=401 Broadway Project – Century West ( Complaints 25-31)**

Benefit Conferred: October 22, 2013

Contributions Afterwards: July 25, 2014 and August 18, 2014.

---

