

COMPLAINT TO THE FAIR POLITICAL PRACTICES COMMISSION AND CITY OF SANTA MONICA CITY ATTORNEY

Violation of Section 84308 of the California Political Reform Act

Date: February 15, 2026

TO:

Fair Political Practices Commission
1102 Q Street, Suite 3000
Sacramento, CA 95811
Email: enforcement@fppc.ca.gov
City of Santa Monica, Office of the City Attorney
1685 Main Street, Room 310
Santa Monica, CA 90401

RE: Formal Complaint Requesting Investigation into Violations of Section 84308 (Pay-to-Play Restrictions) by Santa Monica City Council Member Natalya Zernitskaya

I. INTRODUCTION AND SUMMARY

This complaint requests investigation into a potential violation of Section 84308 of the California Political Reform Act (Government Code §§ 81000-91014) by Santa Monica City Council Member Natalya Zernitskaya. The complaint alleges that Council Member Zernitskaya participated in a governmental decision on December 17, 2024, involving a proceeding that directly benefited a campaign contributor who had given her more than \$250 within the preceding 12 months, without disclosure or recusal as required by law.

This complaint is filed in connection with related ethics concerns involving other Santa Monica City Council members, including the FPPC's December 8, 2025 formal advice letter regarding Council Member Jesse Zwick's conflicts of interest arising from his employment with the Housing Action Coalition, and pending concerns regarding Mayor Caroline Torosis's undisclosed professional relationships. The pattern of conflicts surrounding this particular development project warrants comprehensive review.

II. PARTIES INVOLVED

A. Council Member (Subject of Complaint)

Name: Natalya Zernitskaya

Position: Santa Monica City Council Member

Term: Installed December 2024 (elected November 2024)

B. Campaign Contributor and Beneficiary

Name: John Maceri

Position: Chief Executive Officer, The People Concern

Organization: The People Concern, a Los Angeles County-based nonprofit providing homeless services and supportive housing management, identified in City staff reports as the designated supportive services provider for the HCHC development project at issue.

III. CAMPAIGN CONTRIBUTION DETAILS

According to public campaign finance records available through Public NetFile (<https://public.netfile.com/pub2/?aid=CSM>), John Maceri made the following contributions to Council Member Zernitskaya’s campaign committee:

Date of Contribution	Amount	Running Total
May 28, 2024	\$250.00	\$250.00
June 26, 2024	\$150.00	\$400.00

Total Contributions: \$400.00 within a 12-month period preceding the December 17, 2024 decision.

Source of Records: City of Santa Monica Campaign Finance Filings, Public NetFile (<https://public.netfile.com/pub2/?aid=CSM>)

IV. THE GOVERNMENTAL DECISION

A. Agenda Item and Approval

Meeting Date: December 17, 2024

Agenda Item: 11A

Action: Approval of Disposition and Development Agreement (DDA) with Hollywood Community Housing Corporation (HCHC) for affordable housing developments on City-owned properties

Council Member Zernitskaya’s Vote: YES

B. Nature and Scope of the Decision

The December 17, 2024 approval authorized:

- **Ground leases and development agreements for City-owned properties at 1217 Euclid Street and 1211-1217 14th Street**
- **A loan of \$13.5 million in Housing Trust Funds to HCHC for development, including \$6 million for acquisition of 1402 Wilshire Boulevard**
- **Commitment of City-owned land for 99 years**
- **Development of 130 affordable housing units, including 40 permanent supportive housing (PSH) units for seniors**

C. The People Concern’s Role and Financial Interest

According to the City’s staff report for Agenda Item 11A, The People Concern is identified as the designated supportive services provider for the HCHC development. The People Concern will provide wraparound services to supportive housing residents under contract with HCHC. This contractual relationship creates a direct financial benefit to The People Concern and its CEO, John Maceri, as a result of the Council’s approval of the development agreement.

The People Concern is one of Los Angeles County’s largest homeless services providers, with an annual operating budget exceeding \$67 million. The organization’s financial interest in securing supportive housing service contracts is substantial and material.

V. LEGAL BASIS FOR COMPLAINT

A. Section 84308 – Pay-to-Play Restrictions

Section 84308 of the Political Reform Act prohibits officers of local agencies from participating in proceedings involving licenses, permits, or other entitlements for use if they have received a contribution exceeding the statutory threshold from a party to or participant in the proceeding within the preceding 12 months. As amended by SB 1439 (effective January 1, 2023), Section 84308 now applies to local elected officials, including city council members.

B. Applicable Contribution Threshold

At the time of the December 17, 2024 vote, the contribution threshold under Section 84308 was \$250. The threshold was increased to \$500 effective January 1, 2025. Therefore, the \$400 in contributions from John Maceri to Council Member Zernitskaya exceeded the applicable \$250 threshold by \$150.

C. Entitlement for Use Proceeding

The disposition and development agreement (DDA) approved on December 17, 2024 constitutes an “entitlement for use” proceeding under Section 84308. The FPPC has previously advised that development agreements involving land disposition, ground leases, and public funding commitments fall within the scope of Section 84308. The DDA involves: a 99-year ground lease of City-owned property, a \$13.5 million loan of public funds, and approval of specific development rights and density allowances.

D. Party or Participant Status

John Maceri, as CEO of The People Concern, qualifies as a “participant” in the proceeding under FPPC Regulation 18438.4. The People Concern is identified in the staff report as a direct beneficiary of the development approval through its designated role as supportive services provider. As CEO, Maceri has a material financial interest in the organization’s success in securing such contracts, and his contributions to Council Member Zernitskaya’s campaign create a disqualifying conflict.

VI. ALLEGED VIOLATIONS

Based on the foregoing facts, Council Member Natalya Zernitskaya appears to have violated Section 84308 of the Political Reform Act by:

1. Participating in a governmental decision (voting “Yes” on Agenda Item 11A) while having received campaign contributions totaling \$400 from John Maceri, CEO of The People Concern, within the preceding 12 months;
2. Failing to disclose on the record that she had received contributions exceeding \$250 from a party or participant in the proceeding;
3. Failing to recuse herself from the proceeding as required by Section 84308(c).

VII. RELATED ETHICS CONCERNS AND PRECEDENT

A. FPPC Ruling on Council Member Jesse Zwick

On December 8, 2025, the FPPC issued a formal advice letter concluding that Santa Monica Council Member Jesse Zwick must recuse himself from housing production decisions due to his employment with the Housing Action Coalition. The FPPC found that Zwick’s position created a disqualifying conflict of interest under the Political Reform Act’s “nexus test.” The ruling was unusually strict, barring Zwick not

only from voting but from participating in discussions, attending closed sessions, or remaining in the chamber when housing items are considered.

Significantly, Council Member Zwick also voted “Yes” on Agenda Item 11A on December 17, 2024, and residents have filed complaints alleging he engaged in undisclosed ex parte communications with HCHC’s Executive Director Sarah Letts during council proceedings. Public records obtained through CPRA requests show private emails exchanged from the dais during active public comment periods.

B. Concerns Regarding Mayor Caroline Torosis

Residents have also filed complaints alleging that Mayor Caroline Torosis has an undisclosed professional conflict through her employment as Senior Policy Director for Los Angeles County Supervisor Holly J. Mitchell. HCHC’s website identifies Supervisor Mitchell’s office as a government partner for multiple developments. Torosis made no disclosure of any relationship with HCHC before moving to approve the December 17 agreement. During the meeting, Torosis remarked to Sarah Letts that she had “heard great things about you,” indicating prior familiarity.

C. Pattern of Conflicts Warranting Comprehensive Review

The fact that three Council members who voted to approve Agenda Item 11A – Zernitskaya, Zwick, and Torosis – each face distinct but related ethics concerns suggests a systemic problem requiring comprehensive investigation. The City of Santa Monica has already begun ratification proceedings for housing-related votes affected by Zwick’s conflict. Equal scrutiny should be applied to votes affected by undisclosed campaign contributions and professional conflicts.

VIII. REQUESTED ACTIONS

Complainant respectfully requests that the Fair Political Practices Commission and the City of Santa Monica City Attorney:

- 1. Conduct a full investigation into whether Council Member Zernitskaya’s participation in the December 17, 2024 vote on Agenda Item 11A violated Section 84308 of the Political Reform Act;**
- 2. Issue appropriate fines and penalties against both Council Member Zernitskaya and John Maceri for any violations found;**
- 3. Consider whether the approval of the Disposition and Development Agreement should be declared void or subject to ratification proceedings, consistent with the approach being taken for votes affected by Council Member Zwick’s conflict;**
- 4. Direct Council Member Zernitskaya to seek formal guidance from the FPPC regarding her obligations under Section 84308 and to recuse herself from any future decisions involving contributors to her campaign;**
- 5. Coordinate with the investigation of related concerns involving Council Members Zwick and Torosis to ensure consistent application of ethics rules.**

IX. SUPPORTING EVIDENCE

The following documents and records support this complaint:

- Campaign finance reports from Public NetFile showing contributions from John Maceri to Natalya Zernitskaya’s campaign committee (<https://public.netfile.com/pub2/?aid=CSM>)

- **City of Santa Monica City Council Agenda for December 17, 2024, Agenda Item 11A**
- **Staff Report for Agenda Item 11A identifying The People Concern as the designated supportive services provider**
- **Recorded vote showing Council Member Zernitskaya voted “Yes” on Agenda Item 11A**
- **FPPC Formal Advice Letter dated December 8, 2025 regarding Council Member Jesse Zwick**
- **January 8, 2026 complaint filed with the Interim City Attorney by Santa Monica Neighbors regarding related ethics violations**

X. CONCLUSION

The integrity of local government depends on public confidence that elected officials make decisions based on the merits, free from the influence of campaign contributions. Section 84308 exists precisely to prevent situations where an official votes on matters directly benefiting their campaign contributors. The facts presented here establish a prima facie case that Council Member Zernitskaya violated this fundamental protection.

Combined with the FPPC’s recent findings regarding Council Member Zwick and ongoing concerns about Mayor Torosis, this complaint reflects a troubling pattern of conflicts affecting a significant land-use decision involving \$13.5 million in public housing trust funds plus a 6 million dollar and 99-year commitments of City-owned property, in excess of 19 million dollars. The complainant urges your offices to investigate this matter thoroughly to uphold the principles of transparency and fairness in public governance.

Respectfully submitted,

Santa Monica Residents

Trevor Nichols

Esther Chun

Giacomo Valentini

Clara Seneca

Jay Johnson

Emily Gutierrez

Contact Information for Service:

Email: smdemandsafetyfirst@gmail.com

ATTACHMENT LIST

Attachment A: Campaign finance records from Public NetFile showing John Maceri contributions

<https://public.netfile.com/pub2/?aid=CSM>

Attachment B: City Council Agenda and Staff Report for Agenda Item 11A (December 17, 2024)

[Approve Deal Terms and Authorize Development and Disposition Agreements \(DDAs\) and Ground Leases for 1217 Euclid Street, 1211-1217 Fourteenth Street, and 1402 Wilshire Boulevard](#)

Attachment C: Vote record showing Council Member Zernitskaya's pg. 19. - "Yes" vote

<https://santamoniacityca.iqm2.com/Citizens/FileOpen.aspx?Type=15&ID=1428&Inline=True>

Attachment D: FPPC Formal Advice Letter dated December 8, 2025 (Zwick matter)

<https://www.smdp.com/state-regulators-say-councilman-zwick-is-conflicted-on-housing-votes/>

Attachment E: January 8, 2026 complaint filed by Santa Monica Neighbors

<https://smmirror.com/2026/01/santa-monica-residents-allege-council-conflicts-in-affordable-housing-vote/>

Attachment F: The People Concern organizational information confirming John Maceri as CEO

<https://www.thepeopleconcern.org/about/>