



NOTICE AND AGENDA Commission Meeting¹

California Fair Political Practices Commission
428 J Street, Suite 800
Sacramento, CA 95814

Thursday, May 19, 2016
10:00 A.M.

Under Government Code section 11123(a), all meetings of a state body are open and public, and all persons are permitted to attend any meeting of a state body, except as otherwise provided in that article. The section further states that the portion of the teleconferenced meeting that is required to be open to the public must be audible to the public at the location specified in the notice of the meeting. The Commission may take action on any item listed on this agenda.

Welcome

Jodi Remke, FPPC Chair

Public Comment

- 1. Public Comment.** This portion of the meeting is reserved for comment on items not on the agenda. Under the Bagley-Keene Act, the Commission cannot act on items raised during public comment, but may respond briefly to statements made or questions posed; request clarification; or refer the item to staff.

Approval of Commission Minutes

- 2. Approval of April 2016 Commission Hearing Minutes.**

¹You can obtain further information about the meeting by contacting the Commission Assistant, 428 J Street, Suite 620, Sacramento, CA, 95814, Tel. (916) 322-5745. Written comments on agenda items should be submitted to the Commission no later than 12:00 p.m. the day before the meeting in order to afford the Commissioners adequate time to fully consider the comments. Email comment letters directly to CommAsst@fppc.ca.gov.

The agenda and related documents are posted on the FPPC website at www.fppc.ca.gov. Materials submitted by the public regarding each agenda item will be made available at the meeting and on the website.

Members of the public may listen to the meeting by phone by calling (877) 411-9748; access code 723284; or watch the meeting via Webinar at [meeting via YouTube](#).

The meeting location is accessible to the disabled. Persons who, due to a disability, need assistance in order to participate in this meeting should, prior to the meeting, contact the Commission Assistant at (916) 322-5745 (voice), CommAsst@fppc.ca.gov (e-mail) or in writing. TTY/TDD and Speech-to-Speech users may dial 7-1-1 for the California Relay Service to submit comments on an agenda item or to request special accommodations for persons with disabilities. Please allow a reasonable period of time between the request and the meeting date.

Consent Calendar 3 – 30

Campaign Contributions

- 3. In the Matter of Anthony A. “Tony” Strickland, Strickland For Controller 2010, and Lysa Ray; FPPC No. 11/073 (Default Decision).** Staff: Senior Commission Counsel Angela Brereton and Special Investigator Jeffrey Kamigaki. Anthony A. “Tony” Strickland served in the California Legislature for ten years. Strickland was an unsuccessful candidate for California State Controller in the November 2, 2010 General Election. Strickland for Controller 2010 was Strickland’s candidate controlled committee. Lysa Ray was the treasurer for Strickland for Controller. Ventura County Republican Party (“VCRP”) was a political party committee located in Camarillo, CA. VCRP is a respondent in the companion case, FPPC Case No. 16/100. Stanislaus Republican Central Committee (State Acct.), also known as Stanislaus County Republican Party (“SCRP”), was a political party committee located in Modesto, CA. SCRCP was a respondent in the companion case, FPPC Case No. 16/178, for which a settlement was approved by the Commission on March 17, 2016. In 2010, VCRP and SCRCP made \$65,000 in contributions to Strickland for Controller. However, VCRP and SCRCP were not the true sources of the contributions, and the true sources of the contributions were concealed. Strickland, Strickland for Controller, and Ray: (1) purposefully or negligently caused, or aided and abetted, three persons to make a four contributions to Strickland for Controller in the name of VCRP and SCRCP, violating Section 84301 (4 counts); (2) purposefully or negligently caused, or aided and abetted, three persons to make a four contributions to VCRP and SCRCP on the condition or agreement that the contribution would be ultimately contributed to Strickland for Controller without disclosing the intermediary and original contributor for the earmarked contribution, violating Section 85704 (4 counts); (3) accepted four over-the-limit contributions from three persons totaling \$65,000, violating Section 85301 and Regulation 18545, subdivision (a)(1) (4 counts); and (4) filed four false campaign statements, concealing the violations by falsely reporting that Strickland for Controller received contributions from VCRP and SCRCP, when the contributions were made by other persons, violating Government Code Section 84211, subdivision (f) (4 counts). **Total Proposed Penalty: \$80,000.**

Campaign Reporting

- 4. In the Matter of Gregory Kelly Meagher; FPPC No. 14/032.** Staff: Senior Commission Counsel Neal Bucknell and Special Investigator Kelli Gould. At different times in 2011 and 2012, Meagher qualified as a major donor committee and an independent expenditure committee, and made contributions and expenditures totaling in excess of \$80,000, most in connection with local ballot measure issues in Chico and

Butte County. As a major donor, Meagher failed to timely file a preelection statement, in violation of Government Code Sections 84200.5, subdivision (i), and 84200.8, subdivision (a) (1 count); failed to file late contribution reports, in violation of Government Code Section 84203 (2 counts); and failed to file a semiannual campaign statement, in violation of Government Code Section 84200, subdivision (b) (1 count). As an independent expenditure committee, failed to file a supplemental independent expenditure report, in violation of Government Code Section 84203.5 (1 count), and a semiannual campaign statement, in violation of Government Code Section 84200, subdivision (b) (1 count). Meagher also caused an advertisement to be sent without proper advertising disclosures, in violation of Government Code section 84506, subdivision (a) (1 count). **Total Proposed Penalty: \$14,500.**

Conflict of Interest

- 5. In the Matter of Robert Smith; FPPC No. 15/073.** Staff: Senior Commission Counsel Zachary W. Norton and Special Investigator Ann Flaherty. Robert Smith, a member of the Bakersfield City Council, attempted to use his official position to influence a governmental decision in which he had a financial interest, by speaking before the Bakersfield Planning Commission regarding the approval of SmithTech USA's application for the subdivision of two tracts of land owned by a client, in violation of Government Code Section 87100 (1 count). **Total Proposed Penalty: \$3,000.**

Mass Mailer

- 6. In the Matter of Amador Water Agency; FPPC No. 15/1355.** Staff: Senior Commission Counsel Angela Brereton and Special Investigator Paul Rasey. Amador Water Agency ("AWA") produced and mailed 7,269 copies of the August 12, 2015 AWA letter at public expense. The letter individually named each member of the AWA Board of Directors, and was sent in concert with the AWA Board of Directors. AWA produced and sent the August 12, 2015 letter, in violation of Government Code Section 89001, and Regulations 18901 and 18901.1 (1 count). **Total Proposed Penalty: \$3,000.**

Lobbying

- 7. In the Matter of Law Office of Stephen M. Brigandi; FPPC No. 14/1351.** Staff: Assistant Chief of Enforcement Dave Bainbridge and Law Clerk Sean Creadick. Law Office of Stephen M. Brigandi failed to timely file Lobbying Firm reports (Form 625) for Quarters 6, 7, and 8 of the 2013-2014 CA Legislative session, in violation of Government Code Section 86117 (3 counts). **Total Proposed Penalty: \$1,000.**

Campaign Statement Non-Filer

- 8. In the Matter of Esau Ruiz Herrera, and Esau Herrera for School Board 2014; FPPC No. 15/1386.** Staff: Commission Counsel Tanya Smith. Esau Ruiz Herrera was a successful candidate for the Alum Rock Union Elementary School District governing board in the November 4, 2014 General Election. Esau Herrera for School Board 2014 was his candidate-controlled committee. Herrera and his committee failed to file one semiannual report and one late contribution report, in violation of Government Code Sections 84200 (1 count) and 84203 (1 count). In addition, Herrera and his committee failed to pay the 2014 and 2015 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5 (2 counts). **Total Proposed Penalty: \$847.**
- 9. In the Matter of Sage Naumann, Derrick Roach, and Sage Naumann for Carlsbad School Board 2014; FPPC No. 15/019.** Staff: Assistant Chief of Enforcement Dave Bainbridge and Law Clerk Ryan Mahoney. Sage Naumann, Derrick Roach, and Sage Naumann For Carlsbad School Board 2014 failed to timely file a preelection campaign statement for the period of October 1, 2014 through October 18, 2014, and a semiannual campaign statement for the period of October 19, 2014 through December 31, 2014, in violation of Government Code Sections 84200 and 84200.5 (2 counts). **Total Proposed Penalty: \$436.**
- 10. In the Matter of Los Angeles League of Conversation Voters, and Moe Stavnezer, Treasurer; FPPC No. 16/271.** Staff: Assistant Political Reform Consultant Chloe Hackert. Los Angeles League of Conservation Voters, a county general purpose committee, and its treasurer Moe Stavnezer, failed to timely file a semiannual campaign statement for the reporting period of July 1, 2015 through December 31, 2015, in violation of Government Code Section 84200 (1 count). **Total Proposed Penalty: \$299.**
- 11. In the Matter of Russell Betts, Committee to Re-Elect Russell Betts, Desert Hot Springs City Council, and Tie Mei Xiao, Treasurer; FPPC No. 16/192.** Staff: Political Reform Consultant Adrienne Korchmaros. Russell Betts, as a successful candidate for Mayor in the City of Desert Hot Springs, his Committee to Re-Elect Russell Betts Desert Hot Springs City Council, and Tie Mei Xiao as Treasurer failed to timely file one semiannual campaign statement for the period of October 18, 2015 through December 31, 2015, in violation of Government Code Section 84200 (1 count). **Total Proposed Penalty: \$239.**

Campaign Statement Non-Reporter

12. In the Matter of Tyron Hampton, and Hampton for City Council 2015; FPPC No. 15/242. Staff: Senior Commission Counsel Angela Brereton. Tyron Hampton, a successful candidate for Pasadena City Council in the March 10, 2015 Primary Election and the April 21, 2015 run-off election, and his controlled committee failed to timely disclose the occupation and employer information for contributors on two preelection campaign statements for the reporting periods ending January 24, 2015 and February 21, 2015, in violation of Government Code Section 84211 (2 counts). **Total Proposed Penalty: \$425.**

Statement of Economic Interests Non-Filer

13. In the Matter of Lori Acton; FPPC No 14/574. Staff: Commission Counsel Michael W. Hamilton. Lori Acton, member of the Ridgecrest City Council, failed to timely file an Assuming Office Statement of Economic Interest and an Annual Statement of Economic Interest for the year of 2013, in violation of Government Code Sections 87202 and 87203. (2 counts) **Total Proposed Penalty: \$1,400.**

14. In the Matter of Jason Frantz; FPPC No. 15/129. Staff: Assistant Chief of Enforcement David Bainbridge, Law Clerk Ryan Mahoney and Political Reform Consultant Teri Rindahl. Jason Frantz, as a Cable Television Advisory Board Member with the City of Torrance, failed to timely file an Annual Statement of Economic Interests for the years of 2011 through 2014, in violation of Government Code Section 87300 (3 counts). **Total Proposed Penalty: \$1,200.**

15. In the Matter of Danny Fred; FPPC No. 15/1406. Staff: Assistant Chief of Enforcement Dave Bainbridge and Law Clerk Ryan Mahoney. Danny Fred, a consultant for the Housing Authority of the County of San Bernardino, failed to timely file an Annual Statement of Economic Interests for the years of 2013 and 2014, in violation of Government Code Section 87300 and 87302 (1 count). **Total Proposed Penalty: \$1,000.**

16. In the Matter of Keith Reeder; FPPC No. 15/029. Staff: Senior Commission Counsel Zachary W. Norton. Keith Reeder, an Alternate Board Member of the California Avocado Commission, failed to timely file an Annual Statement of Economic Interests for the years of 2013 and 2014, in violation of Government Code Sections 87300 and 87302, subdivision (b). (2 counts). **Total Proposed Penalty: \$1,000.**

- 17. In the Matter of Gayla Dagata; FPPC No. 14/1244.** Staff: Commission Counsel Tanya Smith. Gayla Dagata, as a member of the Yreka Union Elementary School Governing Board, failed to timely file an Assuming Office Statement of Economic Interest, and an Annual Statement of Economic Interest for 2014, in violation of Government Code Section 87300 (2 counts). **Total Proposed Penalty: \$400.**
- 18. In the matter of Georgina Starkey; FPPC No. 14/1339.** Staff: Assistant Chief of Enforcement David Bainbridge and Law Clerk Elizabeth Enea. Georgina Starkey, as a member of the Chula Vista Board of Appeals and Advisors, failed to timely file an Annual Statement of Economic Interest for the year of 2014, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty \$200.**
- 19. In the Matter of Karen Verham; FPPC No. 13/1080.** Staff: Commission Counsel Michael W. Hamilton. Karen Verham, as a member of the Point Dume Community Services District, failed to timely file an Annual Statement of Economic Interest for the year of 2012, and a Leaving Office Statement of Economic Interests, in violation of Government Code Section 87300 (2 counts). **Total Proposed Penalty: \$400.**
- 20. In the matter of Bud Postma; FPPC No. 15/828.** Staff: Assistant Chief of Enforcement David Bainbridge and Law Clerk Elizabeth Enea. Bud Postma, as a member of the Department of Food and Agriculture Milk Producer Review Board, failed to timely file an Assuming Office Statement of Economic Interest and an Annual Statement of Economic Interests for the year of 2014, in violation of Government Code Section 87300 (2 counts). **Total Proposed Penalty \$400.**
- 21. In the matter of Michael Alvarez; FPPC No. 15/013.** Staff: Assistant Chief of Enforcement Dave Bainbridge and Law Clerk Sean Creadick. Michael Alvarez, Building Inspector of the Los Angeles Department of Building and Safety, failed to timely file an Annual Statement of Economic Interests for the year of 2013, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**
- 22. In the Matter of Yvette Castro-Farias; FPPC No. 15/2227.** Staff: Assistant Commission Counsel Dave Bainbridge and Law Clerk Ryan Mahoney. Yvette Castro-Farias, as a Commissioner on the Santa Clara County Commission on the Status of Women, failed to timely file an Annual Statement of Economic Interests for the year of 2014, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

- 23. In the Matter of Jaideep Vaswani; FPPC No. 16/183.** Staff: Political Reform Consultant Adrienne Korchmaros. Jaideep Vaswani, as a Member of the Energy Resource Management Committee for the City of Fullerton, failed to timely file his Assuming Office Statement of Economic Interests covering the period of March 19, 2014 through March 19, 2015, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**
- 24. In the Matter of David Fonseca; FPPC No. 16/226.** Staff: Political Reform Consultant Jeanette Turvill. David Fonseca, a Building Inspector with the City of Los Angeles, failed to timely file an Annual Statement of Economic Interests for the year of 2014, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**
- 25. In the Matter of Simon Pastucha; FPPC No. 16/230.** Staff: Political Reform Consultant Jeanette Turvill. Simon Pastucha, a Senior City Planner with the City of Los Angeles, failed to timely file an Annual Statement of Economic Interests for the year of 2014, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**
- 26. In the Matter of Nikki Mark; FPPC File No. 16/231.** Staff: Political Reform Consultant Jeanette Turvill. Nikki Mark, a member of the Commission on the Status of Women with the City of Los Angeles, failed to timely file an Annual Statement of Economic Interests for the year of 2014, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**
- 27. In the Matter of Mary Marcus; FPPC No. 16/232.** Staff: Political Reform Consultant Jeanette Turvill. Mary Marcus, a Civil Engineer with the City of Los Angeles, failed to timely file an Annual Statement of Economic Interests for the year of 2014, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**
- 28. In the Matter of David Bessey; FPPC No. 16/249.** Staff: Assistant Political Reform Consultant Chloe Hackert. David Bessey, an Investment/Money Manager Consultant with the Los Angeles City Employees' Retirement Systems, failed to timely file an Annual Statement of Economic Interests for the year of 2014, in violation of Government Code Section 87203 (1 count). **Total Proposed Penalty: \$200.**

29. In the Matter of John Edson; FPPC No. 16/260. Staff: Political Reform Consultant Adrienne Korchmaros. John Edson, Director of the Deer Creek Irrigation District for the County of Tehama, failed to timely file an Annual Statement of Economic Interests for the year of 2011, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

Annual Fee

30. In the Matter of Valentin Amezcuita for City Council 2013 and Valentin P. Amezcuita, Treasurer; FPPC No. 15/395. Staff: Senior Commission Counsel Bridgette Castillo. Valentin Amezcuita is a member of the Huntington Park City Council. Valentin Amezcuita for City Council 2013, a local candidate controlled committee, and Amezcuita failed to pay the 2014 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

General Items

31. Legislative Update for May 2016. Staff: Phillip Ung, Legislative and External Affairs Director. The Legislature has shifted its focus to fiscal committee hearings for the 2016 session. This report includes a summary of 22 bills and one constitutional amendment currently pending that would impact the Political Reform Act or Government Code 1090. Staff is recommending an active position on one bill, and suggests monitoring four others for possible positions in the future. This report also discusses the launch of the Commission's new legislative page on the website.

Executive Staff Reports Item 32

32. Executive Staff Reports.

Enforcement Division. Galena West, Enforcement Chief

Legal Division. Hyla P. Wagner, General Counsel

External Affairs and Education. Tara Stock, Manager