



NOTICE AND AGENDA Commission Meeting¹

California Fair Political Practices Commission
1102 Q Street, Suite 3800
Sacramento, CA 95811

Thursday, April 15, 2021
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.

Pursuant to Executive Order N-29-20, certain provisions of the Bagley Keene Open Meeting Act are suspended due to a State of Emergency in response to the COVID-19 pandemic. Consistent with the Executive Order, this Commission meeting will be conducted by teleconference only. None of the locations from which Commissioners will participate will be open to the public. Members of the public who wish to observe the meeting may do so via [YouTube](#) or via telephone by calling (877) 411-9748; access code 723284. Members of the public who wish to comment during the meeting may do so by telephone by calling (877) 411-9748; access code 723284 or using the Commission's public participation portal found at <http://mediasite.fppc.ca.gov/>.

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) and ADACoordinator@fppc.ca.gov. 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.

The Commission may take action on any item listed on this agenda.

¹You can obtain further information about the meeting by contacting the Commission Assistant, 1102 Q Street, Suite 3000, Sacramento, CA, 95811, 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. To participate in real time, visit <http://mediasite.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 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 [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) and ADACoordinator@fppc.ca.gov. 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 three business days between the request and the meeting date.

Welcome

Richard C. Miadich, Chair

Public Comment

1. **Public Comment for Items not on Agenda.** During this comment period, any person is invited to speak on any topic that is not listed on this agenda. Action may not be taken on any matter raised during this public comment period until the matter is specifically listed on a future agenda. Those who wish to comment on an item that has been listed on this agenda may comment when that item has been opened for consideration by the Commission and before any action is taken.

Approval of Commission Minutes

2. **Approval of March 2021 Commission Hearing Minutes.**

Enforcement Consent Calendar 3-4

Items on the consent calendar will be taken up and voted on as a group. A Commissioner may request that an item be removed from consent, in which case it will be discussed separately in the meeting.

Advertisements

3. **In the Matter of Protect the City of Commerce, Sponsored by California Commerce Club, Inc., Hector Chacon, Paul Fickas, California Alliance Group, LLC, and Rita Copeland; FPPC No. 16/120.** Staff: Christopher Burton, Assistant Chief of Enforcement; George Aradi, Special Investigator; and Soni Mangat, Program Specialist. Hector Chacon was represented by Anthony Willoughby, Willoughby & Associates. Protect the City of Commerce, Sponsored by California Commerce Club, Inc., Paul Fickas, and California Alliance Group, LLC were represented by non-attorney Marcus Allen Frishman of MAF Group. Protect the City of Commerce, Sponsored by California Commerce Club, Inc. was a general purpose committee that supported and opposed local candidates in the City of Commerce. The Committee was sponsored by California Commerce Club, Inc., owner and operator of the Commerce Casino. Paul Fickas was an undisclosed principal officer of the Committee, and Rita Copeland was the Committee's treasurer. California Alliance Group, LLC is a campaign consulting company. Paul Fickas and Hector Chacon were founders and senior partners of the group. The respondents failed to include the name of the Committee's sponsor, California Commerce Club, Inc., in the name of the Committee on various "hit piece" mailers, in violation of Government Code Sections 84505 and 84506 (1 count). **Total Proposed Penalty: \$25,000.**

Campaign Late Filer

4. **In the Matter of College of the Canyons Foundation; FPPC No. 19/475.** Staff: Ruth Yang, Senior Commission Counsel and Lance Hachigian, Special Investigator. The respondent was represented by Lacey Keys. College of the Canyons Foundation is a non-profit auxiliary organization formed to generate philanthropic support for College of the Canyons. The Foundation engaged in campaign activities as a major donor committee and

failed to timely file three 24-Hour Reports, in violation of Government Code Section 84203 (1 count) and failed to timely file a major donor campaign statement, in violation of Government Code Section 84200, subdivision (b) (1 count). **Total Proposed Penalty: \$5,500.**

Pre-Notice Defaults

- 5. In the Matter of Friends of Joe Aguirre for Delano City Council 2014 and Joe Aguirre; FPPC No. 17/193.** Staff: Theresa Gilbertson, Senior Commission Counsel and Ann Flaherty, Special Investigator. The respondents were represented by Brandon Martin of the Law Office of Brandon Martin. Joe Aguirre was an unsuccessful candidate for Delano City Council in the November 4, 2014 General Election, and successful in the November 8, 2016 General Election. Friends of Joe Aguirre for Delano City Council 2014 was his candidate-controlled committee. The Committee and Aguirre failed to timely file preelection campaign statements in 2014 and 2016, in violation of Government Code Section 84200.5 and 84200.8 (4 counts), and failed to timely file eight semi-annual campaign statements from 2014 through 2018, in violation of Government Code Section 84200 (8 counts). **Total Proposed Penalty: \$52,000.**

General Items 6-13

- 6. Assignment of Hearing to Administrative Law Judge (ALJ): In the Matter of Long Beach Families Against Measure A; FPPC No. 16/773.** Staff: Galena West, Executive Director; Angela Brereton, Chief of Enforcement; and Jenna Rinehart, Commission Counsel. The Executive Director and the Chief of Enforcement are recommending that a hearing be conducted before an ALJ pursuant to Government Code Section 11512, subdivision (a). The ALJ will make a recommendation to the Commission on the findings of fact, law and penalty, if applicable, in the matter. The Commission will then have the opportunity to review the proposed decision and make the final determination on the case. If the Commission agrees with this recommendation, no action is required.

Staff Memo and Accusation

- 7. Annual Enforcement Division Review: Staff, Procedures, Practices and Statistics.** Staff: Angela Brereton, Chief of Enforcement, Christopher Burton, Assistant Chief of Enforcement, Tara Stock, Intake Manager, Jeffrey Kamigaki, Supervising Special Investigator, Luz Bonetti, Supervising Management Auditor. This presentation will give an overview of the Enforcement Division team, its procedures and practices regarding complaints, cases and penalties, and some statistics regarding the past and current workload.

Staff Presentation

- 8. Prenotice discussion of regulatory changes for disclosure of online content.** Staff: Toren Lewis, Commission Counsel. Staff will present general concepts for potential amendments to Regulation 18421.5 concerning campaign reporting disclosure for online content paid for by a committee, and new regulations concerning disclosures on specific forms of online advertising. The items are presented for discussion and direction from the Commission.

Staff Memo

9. **In re Sanders Opinion.** Staff: Dave Bainbridge, General Counsel. The Commission will consider alternate drafts of an opinion addressing what campaign contributions should be considered in determining whether a committee has exceeded a contribution limit imposed on a candidate for a local elected office by Assembly Bill 571 (2019).

Staff Memo

In Re Sanders: Alternate Draft One

In Re Sanders: Alternate Draft Two

10. **Committee Updates.**

Law and Policy Committee Update.

Public Outreach and Technology Committee Update.

11. **Legislative Update.** Staff: Lindsey Nakano, Legislative Counsel. The Commission may provide direction on sponsored legislation and other PRA related legislation. The Commission may direct staff to amend bill proposals and provide additional updates.

Legislative Update

12. **Executive Staff Reports.**

Enforcement Division. Angela Brereton, Chief of Enforcement

Legal Division. David Bainbridge, General Counsel

Administration and Technology Division, Loressa Hon, Chief of Administration

Executive Director Update. Galena West, Executive Director

Executive Staff Report

13. **Commissioner Comments and Proposed Future Agenda Items.**

Note: Although any Commissioner may identify a topic of interest, the Commission may not substantially discuss or take action on any matter raised during the meeting that is not included on this agenda, except to decide to place the matter on the agenda of a future meeting. (Government Code Sections 11125 & 11125.7(a).)