



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
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EXECUTIVE STAFF REPORTS

August 20, 2020 Commission Hearing

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I. ENFORCEMENT DIVISION

STAFF: GALENA WEST, CHIEF OF ENFORCEMENT

I. Overview

During the period of July 1, 2020 through July 31, 2020 the Enforcement Division received 59 complaints, opened 6 for investigation, and rejected 21. The Enforcement Division received 55 referrals during this time. The Enforcement Division closed a total of 89 cases including:

- 61 warning letters – campaign violations (2), advertisement violations (1), conflict of interest code violations (3), lobbying violations (2), and statement of economic interests violations (53);
- 23 no action closure letters alleging – advertisement violations (3), campaign violations (2), lobbying violations (5), and statement of economic interests violations (13);
- 1 approved stipulation from the June Commission meeting;
- 4 committees were administratively terminated.

The Division had 1,412 cases in various stages of resolution at the time of the July Monthly Report and currently has approximately 1,385 cases in various stages of resolution, including the 47 cases before the Commission as listed in the August Agenda.

II. Annual Statistics

On the next page, you will find a chart that details the annual statistics for enforcement complaints, referrals and cases. This chart includes the data from 2019, where Enforcement had a highly efficient and effective year, receiving almost 2,700 complaints and referrals and closing 1,031 cases with violations found. The information in the chart has been gathered from public reports, information from the defunct and inactive database, and data that has been converted into current form, so the numbers are close estimates in some instances.

	Year	2016	2017	2018	2019
1	Complaints Received	1,180	564	1,352	744
2	Referrals Received	350	1,616	1,529	1,950
3	Total Complaint and Referrals Received	1,530	2,180	2,881	2,694
4	Cases opened	1,315	1,480	1,561	1,820
5	Cases closed ³	1,803	1,477	1,243	1,465
6	Cases with resolutions approved by the Commission ¹	311	340	235	343
	a Streamline cases approved by Commission	234	262	173	263
	b Mainline cases approved by Commission	70	66	56	73
	c Default cases approved by Commission	7	12	6	7
7	Total fines imposed by the Commission	\$894,257	\$1,126,933	\$499,606	\$797,384
8	Warning letters issued	489	505	554	584
9	Administrative terminations	668	297	177	104
10	Cases closed with violations found ²	1,468	1,142	966	1,031
11	Advisory letters issued	14	17	20	9
12	No action closure letters	321	318	252	423

¹ Total for lines 6a, 6b, and 6c.

² Total for lines 6, 8, and 9.

³ Total cases closed includes Commission approved cases from the previous year and a Commission approved administrative judgement. It does not include Commission approved cases not yet closed.

III. Unexecuted Streamline Stipulations

Streamline penalty stipulations are approved by the Chief of Enforcement and reported to the Commission for discussion only before they are executed. The following streamline stipulations are presented for that purpose. After the close of the hearing, the Chief of Enforcement may execute all or any of the streamline penalty stipulations, at her discretion per Regulation 18360.2.

Advertising

[In the Matter of Placer Charter Advocates for Great Public Schools, Sponsored by CA Charter School Association Advocates and Shawnda Deane; FPPC No. 20/407.](#) Staff: Galena West, Chief of Enforcement and Tara Stock, Intake Manager. The respondents were represented by KC Jenkins of Bell, McAndrews & Hiltachk, LLP. Placer Charter Advocates for Great Public Schools, Sponsored by CA Charter School Association Advocates is a state general purpose committee. Shawnda Deane is the Committee's Treasurer. The Committee and Deane failed to include the proper disclosures on two mailers distributed prior to the November 6, 2018 General Election, in violation of Government Code Sections 84504.2 and 84506.5 (3 counts). **Total Proposed Penalty: \$456.**

[In the Matter of No on Measure PV – Citizens for Responsible Education Spending and Jennifer Jordan; FPPC No. 20/236.](#) Staff: Christopher Burton, Senior Commission Counsel and Lance Hachigian, Special Investigator. No on Measure PV – Citizens for Responsible Education Spending is a committee primarily formed to oppose Palos Verdes Peninsula Unified School District Measure PV, a bond measure that appeared on the March 3, 2020 Primary Election ballot. Jennifer Jordan is the Committee's principal officer. The Committee and Jordan paid for four different advertisements that failed to include the proper disclosures thereon, in violation of Government Code Sections 84502, 84504.2, and 84504.3 (4 counts). **Total Proposed Penalty: \$420.**

Campaign Late Filer

[In the Matter of Meta Housing Corporation; FPPC No. 19/1784.](#) Staff: Galena West, Chief of Enforcement and Ginny Lambing, Political Reform Consultant. Meta Housing Corporation, a major donor committee for the 2018 calendar year, failed to timely file two 24-Hour Reports, in violation of Government Code Section 84203 (2 counts). **Total Proposed Penalty: \$2,740.**

[In the Matter of Anthem United Homes, Inc. & Affiliated Entities; FPPC No. 19/1786.](#) Staff: Galena West, Chief of Enforcement and Ginny Lambing, Political Reform Consultant. Anthem United Homes, Inc. & Affiliated Entities, a major donor committee for the 2018 calendar year, failed to timely file four 24-Hour Reports, in violation of Government Code Section 84203 (4 counts). **Total Proposed Penalty: \$1,310.**

[In the Matter of Mariana G. Martinez for SRJC Trustee 2016 and Mariana Garcia Martinez; FPPC No. 19/1294.](#) Staff: Galena West, Chief of Enforcement and Dominika Wojenska, Associate Governmental Program Analyst. Mariana G. Martinez was a successful candidate for Sonoma County Junior College District – Santa Rosa Area Board in the November

8, 2016 General Election. Mariana G. Martinez for SRJC Trustee 2016 is her candidate-controlled committee. The Committee and Martinez failed to timely file a pre-election campaign statement, in violation of Government Code Section 84200.5 (1 count) and failed to timely file four semiannual campaign statements, in violation of Government Code Section 84200 (4 counts). **Total Proposed Penalty: \$1,242.**

[In the Matter of Friends of Durie Foster, Jr. for Pittsburg City Council 2018 and Durie Foster, Jr.; FPPC No. 18/1365.](#) Staff: Galena West, Chief of Enforcement and Tara Stock, Intake Manager. Durie Foster, Jr. was an unsuccessful candidate for Pittsburg City Council in the November 6, 2018 General Election. Friends of Durie Foster, Jr. for Pittsburg City Council 2018 was his candidate-controlled committee. The Committee and Foster failed to timely file a pre-election campaign statement, in violation of Government Code Section 84200.5 (1 count); failed to file a 24-Hour Report, in violation of Government Code Section 84203 (1 count); and failed to timely file a Statement of Organization, in violation of Government Code Section 84101 (1 count). **Proposed Penalty: \$652.**

[In the Matter of Committee to Re-Elect Larry Sweeney to School Board 2018 and Larry Sweeney; FPPC No. 19/858.](#) Staff: Galena West, Chief of Enforcement and Dominika Wojenska, Associate Governmental Program Analyst. Larry Sweeney was a successful candidate for Fremont Unified School District Board in the November 6, 2018 General Election. Committee to Re-Elect Larry Sweeney to School Board 2018 is his candidate-controlled committee. The Committee and Sweeney failed to timely file two semiannual campaign statements, in violation of Government Code Section 84200 (2 counts). **Total Proposed Penalty: \$451.**

[In the Matter of Espinoza for Supervisor 2018 and Rose Espinoza; FPPC No. 19/909.](#) Staff: Galena West, Chief of Enforcement and Ginny Lambing, Political Reform Consultant. Rose Espinoza was an unsuccessful candidate for Orange County Board of Supervisors in the June 5, 2018 Primary Election. Espinoza for Supervisor 2018 was her candidate-controlled committee. The Committee and Espinoza failed to timely file two semiannual campaign statements, in violation of Government Code Section 84200 (2 counts). **Total Proposed Penalty: \$420.**

[In the Matter of Committee to Re-Elect Mayor Ricky Samayoa 2016 and Ricky Samayoa; FPPC No. 20/012.](#) Staff: Galena West, Chief of Enforcement and Dominika Wojenska, Associate Governmental Program Analyst. Ricky Samayoa was a successful incumbent candidate for Mayor of Marysville in the November 8, 2016 General Election. Committee to Re-Elect Mayor Ricky Samayoa 2016 is his candidate-controlled committee. The Committee and Samayoa failed to timely file two semiannual campaign statements, in violation of Government Code Section 84200 (2 counts). **Total Proposed Penalty: \$401.**

[In the Matter of Committee to Support Yes on W for Oakley Students and Vera Gonzales; FPPC No. 19/547.](#) Staff: Galena West, Chief of Enforcement and Ginny Lambing, Political Reform Consultant. Committee to Support Yes on W for Oakley Students was a local primarily formed ballot measure committee. Vera Gonzales was the Committee's treasurer. The Committee and Gonzales failed to timely file a semiannual campaign statement, in violation of Government Code Section 84200 (1 count). **Total Proposed Penalty: \$267.**

In the Matter of Judge Mike Cummins for Superior Court Judge 2020, Mike Cummins, and Andrew Martelle; FPPC No. 20/164. Staff: Galena West, Chief of Enforcement and Ginny Lambing, Political Reform Consultant. Mike Cummins was an unsuccessful candidate for Los Angeles County Superior Court Judge in the March 3, 2020 Primary Election. Judge Mike Cummins for Superior Court Judge 2020 was his candidate-controlled committee. Andrew Martelle was the Committee's treasurer. The Committee, Cummins, and Martelle failed to timely file a 24-Hour Report, in violation of Government Code Section 84203 (1 count). **Total Proposed Penalty: \$260.**

In the Matter of Committee to Elect Jason Capell to the Altadena Library District Board of Trustees and Jason D. Capell; FPPC No. 18/962. Staff: Galena West, Chief of Enforcement and Dominika Wojenska, Associate Governmental Program Analyst. Jason D. Capell was a successful candidate for Altadena Library District Board of Trustees in the November 6, 2018 General Election. Committee to Elect Jason Capell to the Altadena Library District Board of Trustees is his candidate-controlled committee. The Committee and Capell failed to timely file a pre-election campaign statement, in violation of Government Code Section 84200.5 (1 count). **Total Proposed Penalty: \$231.**

In the Matter of Magaña for SJUSD Area 2 2018, José Magaña, and Tyler Smith; FPPC No. 20/506. Staff: Galena West, Chief of Enforcement and Tara Stock, Intake Manager. José Magaña was a successful candidate for San Jose Unified Board of Education in the November 6, 2018 General Election. Magaña for SJUSD Area 2 2018 is his candidate-controlled committee. Tyler Smith is the Committee's treasurer. The Committee, Magaña, and Smith failed to timely file a semiannual campaign statement, in violation of Government Code Section 84200 (1 count). **Total Proposed Penalty: \$200.**

Statement of Economic Interests Late Filer

In the Matter of Bari Williams; FPPC No. 19/1097. Staff: Galena West, Chief of Enforcement and Ginny Lambing, Political Reform Consultant. Bari Williams, a Board Member for the California African American Museum, failed to timely file a 2018 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$400.**

In the Matter of Brianne Hickey; FPPC No. 19/635. Staff: Galena West, Chief of Enforcement and Cheng Saetern, Assistant Political Reform Consultant. Brianne Hickey, a Social Worker III for the Health and Human Services Agency of Social Services, failed to timely file a 2017 and 2018 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (2 counts). **Total Proposed Penalty: \$400.**

In the Matter of Juan Benitez; FPPC No. 19/1215. Staff: Galena West, Chief of Enforcement and Cheng Saetern, Assistant Political Reform Consultant. Juan Benitez, a Principal Grounds Maintenance Supervisor II for the Department of Recreation and Parks, failed to timely file a 2018 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

In the Matter of Saema Rahmany; FPPC No. 19/825. Staff: Galena West, Chief of Enforcement and Kimberly Rawnsley, Staff Services Analyst. Saema Rahmany, a Clinical Psychologist for California Correctional Health Care Services, failed to timely file a 2018 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

In the Matter of Richard McAndrew; FPPC No. 19/104. Staff: Galena West, Chief of Enforcement and Cheng Saetern, Assistant Political Reform Consultant. Richard McAndrew, a Board Member for Darnall Charter School, failed to timely file a 2017 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

In the Matter of Kathy Goddard; FPPC No. 18/1498. Staff: Galena West, Chief of Enforcement and Cheng Saetern, Assistant Political Reform Consultant. Kathy Goddard, a Board Member for Cuyamaca Community Sponsor Group, failed to timely file a 2017 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

In the Matter of Joshua Sailer; FPPC No. 19/1389. Staff: Galena West, Chief of Enforcement and Kimberly Rawnsley, Staff Services Analyst. Joshua Sailer, a Planning Commissioner for the City of Coalinga, failed to timely file a 2018 Annual Statement of Economic Interests, in violation of Government Code Section 87203 (1 count). **Total Proposed Penalty: \$200.**

In the Matter of Joel Sims; FPPC No. 19/231. Staff: Galena West, Chief of Enforcement and Cheng Saetern, Assistant Political Reform Consultant. Joel Sims, the Consultant-Project Oversight with San Diego Association of Governments (SANDAG), failed to timely file a 2017 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

In the Matter of Torry Brean; FPPC No. 19/1256. Staff: Galena West, Chief of Enforcement and Cheng Saetern, Assistant Political Reform Consultant. Torry Brean, a Board Member for the Ramona Community Planning Group, failed to timely file a 2018 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

In the Matter of Mulki Hersi; FPPC No. 19/938. Staff: Galena West, Chief of Enforcement and Cheng Saetern, Assistant Political Reform Consultant. Mulki Hersi, a Board Member for the Iftin Charter School Board of Directors, failed to timely file a 2018 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

In the Matter of Debra McKenzie; FPPC No. 19/1263. Staff: Galena West, Chief of Enforcement and Cheng Saetern, Assistant Political Reform Consultant. Debra McKenzie, a Planning Commissioner for the City of Fresno, failed to timely file a 2017 Annual Statement of Economic Interests, in violation of Government Code Section 87203 (1 count). **Total Proposed Penalty: \$200.**

In the Matter of Michael Peroni; FPPC No. 19/755. Staff: Galena West, Chief of Enforcement and Cheng Saetern, Assistant Political Reform Consultant. Michael Peroni, a Consultant for the City of Moreno Valley, failed to timely file a 2018 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

In the Matter of George Fink; FPPC No. 19/1606. Staff: Galena West, Chief of Enforcement and Amber Burnside, Staff Services Analyst. George Fink, an Alternate Board Member for the Employment Risk Management Authority, failed to timely file a 2018 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

In the Matter of Timothy Parker; FPPC No. 20/284. Staff: Galena West, Chief of Enforcement and Shaina Elkin, Staff Services Analyst. Timothy Parker, as a Board Member for Monte Rio Fire Protection District, failed to timely file a 2018 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

In the Matter of Bobby Jones; FPPC No. 19/1450. Staff: Galena West, Chief of Enforcement and Shaina Elkin, Staff Services Analyst. Bobby Jones, an Alternate Board Member for the California Strawberry Commission, failed to timely file a 2018 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

In the Matter of Jennifer Wiltermood; FPPC No. 20/293. Staff: Galena West, Chief of Enforcement and Shaina Elkin, Staff Services Analyst. Jennifer Wiltermood, a Board Member for Rohnert Park School District, failed to timely file a 2018 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

In the Matter of Faith Kroeger; FPPC No. 19/1108. Staff: Galena West, Chief of Enforcement and Kimberly Rawnsley, Staff Services Analyst. Faith Kroeger, an Executive Board Alternate for the California Educational Computer Consortium, failed to timely file a 2018 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

In the Matter of Kurt Yoshii; FPPC No. 19/737. Staff: Galena West, Chief of Enforcement and Cheng Saetern, Assistant Political Reform Consultant. Kurt Yoshii, a Consultant with the City of Moreno Valley, failed to timely file a 2018 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

In the Matter of Rahmo Abdi; FPPC No. 19/939. Staff: Galena West, Chief of Enforcement and Cheng Saetern, Assistant Political Reform Consultant. Rahmo Abdi, a Board Member for the Iftin Charter School District Board of Trustees, failed to timely file a 2018 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

In the Matter of Gary Black; FPPC No. 19/1494. Staff: Galena West, Chief of Enforcement and Amber Burnside, Staff Services Analyst. Gary Black, a Governing Board Member for Scotts Valley Unified School District, failed to timely file a 2018 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

In the Matter of Stephanie Merrida-Grant; FPPC No. 20/307. Staff: Galena West, Chief of Enforcement and Shaina Elkin, Staff Services Analyst. Stephanie Merrida-Grant, a Trustee for Bellevue Union School District, failed to timely file a 2018 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

In the Matter of David Teeter; FPPC No. 19/1448. Staff: Galena West, Chief of Enforcement and Shaina Elkin, Staff Services Analyst. David Teeter, an Alternate Board Member for Golden State Finance Authority, failed to timely file a 2018 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

Statement of Economic Interests Late Reporter

In the Matter of Donald Bransford; FPPC No. 16/16814. Staff: Michael W. Hamilton, Commission Counsel and Paul Rasey, Special Investigator. Donald Bransford, as a member of the Glenn-Colusa Irrigation District, failed to timely report ten economic interests on his 2015, 2016, 2017, and 2018 Annual Statements of Economic Interest, in violation of Government Code Sections 87203, 87206, and 87207 (10 counts). **Total Proposed Penalty: \$1,000.**

II. LEGAL DIVISION

STAFF: DAVID BAINBRIDGE, GENERAL COUNSEL

A. Pending Litigation

California State Association of Counties and California School Boards Association v. FPPC
Los Angeles County Superior Court, Central District, Case No. BS174653

On September 11, 2018, petitioners served a first amended petition for writ of mandate and complaint for declaratory relief. Petitioners allege that Regulations 18420.1 and 18901.1 are invalid as a matter of law, that the Commission has exceeded its jurisdiction in adopting these Regulations, and that the Regulations are unenforceable.

The Attorney General's Office is representing the Commission and timely filed an answer to the petition/complaint. On March 4, 2019, the Commission filed a Motion for Judgment on the Pleadings.

On March 29, 2019, the Commission's Motion for Judgment on the Pleadings was granted with leave to amend. The court vacated all hearing dates and set a new trial setting conference. Plaintiffs timely filed a Second Amended Complaint (SAC) on June 27, 2019.

The Commission filed a demurrer and the hearing occurred on November 22, 2019. In its ruling, the court: (1) sustained the demurrer to the first cause of action without leave to amend; (2) sustained the demurrer with leave to amend on plaintiff CSBA's standing on all cause of action and plaintiff CSAC's standing on all causes of actions challenging Regulation 18901.1; and (3) overruled the remaining grounds for demurrer.

Plaintiffs filed a third amended complaint and the Commission has filed an answer. The trial setting conference was held on June 24, 2020, and the trial was set for November 6, 2020, at 9:30 a.m.

B. Outreach and Training

- On July 16th, Political Reform Consultant Adam Ramirez and SSM Alana Jeydel, conducted two webinars for the City of Buena Park. One webinar, Candidate/Treasurer, had 49 participants, and the other, Campaign Filing Officers, had 67.
- On July 29th, Political Reform Consultants, Stephen Hernandez and Katie Trumbly conducted a Candidate/Treasurer webinar for the City of Livermore. 22 people participated.
- Video Tutorials: Commission video tutorials were accessed a total of 917 times in July. Form 700 videos were accessed 421 times, the Candidate/Treasurer video was accessed 390 times, and the filing officer videos were accessed 106 times.

Scheduled Webinars

- August 5th, a Candidate/Treasurer webinar is scheduled for the City of Anaheim
- August 11th, a Candidate/Treasurer webinar is scheduled for the City of Santa Clara.
- August 17th a Candidate/Treasurer webinar is scheduled for the County of San Diego.
- August 19th a Candidate/Treasurer webinar is scheduled for the City of Santa Monica.
- August 27th, two webinars are scheduled for the City of Downey. One is a Candidate/Treasurer, the other is a Campaign Filing Officer.

C. Advice

The July 2020, Advice Letter Report is available at <http://fppc.ca.gov/content/dam/fppc/NS-Documents/LegalDiv/advice-letter-reports/2020/Advice%20Letter%20Report%20July%202020.pdf>

In July, the Legal Division responded to the following requests for advice:

- ***Education Program:*** The Education Program responded to 870 requests for technical assistance via phone. (Phones hours resumed on July 1st, but were stopped between July 7th and 9th due to COVID. Phone hours resumed again on July 13th, thanks to Rieko Ivaska, who made it possible for the education program to take phone calls at home.
- ***Requests for Advice:*** The Email Advice and Conflict of Interest Code Program and Legal Division attorneys collectively responded to more than 1,333 e-mail and telephone requests for advice, 77 of which were not responded to within 24 hours.
- ***Advice Letters:*** The Legal Division received seven advice letter requests under the Political Reform Act and completed 12.
- ***Section 1090 Letters:*** The Legal Division received two advice letter requests concerning Section 1090 and completed two. This year to date, we have received 25 advice requests regarding Section 1090.

D. Miscellaneous Decisions

None to report.

E. Potential Upcoming Regulations

September 17, 2020

- Public Generally Exception (Regulation 18703): Amend the existing regulation to provide greater clarity on when the public generally exception will apply to a financial conflict of interest. (Adoption.)
- Statement of Economic Interests (Regulations 18110, 18115, 18735, and 18754): Amend existing regulations regarding the filing of Statements of Economic Interests in light of issues resulting from the significant increase in the use of electronic filing. Also, consider a new regulation governing the filing of a single statement by an official with multiple positions. (Prenotice Discussion.)

October 22, 2020

- Enforcement Proceedings (Regulations 18360, 18361.4, 18361.5, 18361.9, 18404.2): Various changes to Enforcement proceedings and practices including updating and clarifying the process for Enforcement complaints, probable cause proceedings, administrative hearings, adoption of proposed decisions by an administrative law judge, and administrative termination. (Adoption.)
- Streamline and Warning Letter Programs. (Regulations 18360.1, 18360.2, and 18360.3. Proposed expansion and adjustment to the Commission's Streamline Settlement and Warning Letter Programs in response to the Commission's request to review the programs after initial implementation over a year ago. (Adoption.)
- Permissible Campaign Expenditures (New regulation): Provide guidance on whether an expenditure of campaign funds has a sufficient political, legislative, or governmental purpose under Article 4 of the Act. Provisions may include specific items previously addressed through the advice or opinion process, and/or generally applicable guidelines. Provisions may also consider a presumption of personal use in instances of cash expenditures of campaign funds without adequate records. (Prenotice Discussion.)

November 19th, 2020

- Statement of Economic Interests (Regulations 18110, 18115, 18735, and 18754): Amend existing regulations regarding the filing of Statements of Economic Interests in light of issues resulting from the significant increase in the use of electronic filing. Also, consider a new regulation governing the filing of a single statement by an official with multiple positions. (Adoption.)
- Cost of Living Adjustment. Biennial cost of living adjustment to Contribution Limits, Voluntary Expenditure Ceilings, and the Gift Limit under Sections 83124, 85316(b)(4), and 89503(f). (Adoption.)

F. Conflict of Interest Codes

Adoptions and Amendments

State Agency Conflict of Interest Codes

- None to report.

Multi-County Agency Conflict of Interest Codes

- Allan Hancock Community College District
- Capitol Valley Regional Service Authority for Freeways & Expressways (SAFE)
- Central Sierra Child Support Agency
- Public Employee Retirement/PERMA
- Sacramento Area Council of Governments
- San Luis and Delta-Mendota Water Authority

Exemptions

- None to report.

Extensions

- None to report.

G. Probable Cause Hearings

Please note, a finding of probable cause does not constitute a finding that a violation has occurred. The respondents are presumed to be innocent of any violation of the Act unless a violation is proven in a subsequent proceeding.

The following matters were decided based solely on the papers. The respondents did not request a probable cause hearing.

1. ***In the Matter of Bernard Dory, Case No. 16/19886 and 19/601.*** On July 15, 2020, probable cause was found to believe Respondent committed the following violations of the Act:

Count 1: Dory failed to timely file his 2015 annual Statement of Economic Interests (“SEI”) by the April 1, 2016 deadline, for his position as Council Aide of Council District 8 for the City of Los Angeles, in violation of Government Code Section 87300.

Count 2: Dory failed to timely file his 2016 annual SEI by the April 3, 2017 deadline, for his position as Council Aide of Council District 8 for the City of Los Angeles, in violation of Government Code Section 87300.

Count 3: Dory failed to timely file his Leaving Office SEI by the March 2, 2017 deadline, for his position as Council Aide of Council District 8 for the City of Los Angeles, in violation of Government Code Section 87300.

Count 4: Dory failed to timely file his Assuming Office SEI by the June 15, 2018 deadline, for his position as Field Representative for the California Assembly Staff, in violation of Government Code Section 87300.

Count 5: Dory failed to timely file his 2018 annual SEI by the April 2, 2019 deadline, for his position as Field Representative for the California Assembly Staff, in violation of Government Code Section 87300.

2. ***In the Matter of Quintilus McDowell, Case No. 18/756.*** On July 15, 2020, probable cause was found to believe Respondent committed the following violations of the Act:

Count 1: McDowell failed to timely file an Assuming Office Statement of Economic Interests (“SEI”) by the August 1, 2016 due date, in violation of Government Code Section 87300.

Count 2: McDowell failed to timely file a 2016 Annual SEI by the April 3, 2017 due date, in violation of Government Code Section 87300.

Count 3: McDowell failed to timely file a 2017 Annual SEI by the April 2, 2018 due date, in violation of Government Code Section 87300.

Count 4: McDowell failed to timely file a 2018 Annual SEI by the April 1, 2019 due date, in violation of Government Code Section 87300.

Count 5: McDowell failed to timely file a Leaving Office SEI by the May 8, 2019 due date, in violation of Government Code Section 87300.

3. ***In the Matter of Friends of Long Beach City College - Yes on Measure LB And Lexi Donovan, FPPC No. 17/1003.*** On July 16, 2020, probable cause was found to believe Respondents committed the following violations of the Act:

Count 1: The Committee and Donovan failed to timely file the first pre-election campaign statement for the reporting period ending April 23, 2016, by the April 28, 2016 due date, in violation of Government Code Sections 84200.5 and 84200.8.

Count 2: The Committee and Donovan failed to timely file the second pre-election campaign statement for the reporting period ending May 21, 2016, by the May 26, 2016 due date, in violation of Government Code Sections 84200.5 and 84200.8.

Count 3: The Committee and Donovan failed to timely file the semi-annual campaign statement for the reporting period ending June 30, 2016, by the August 1, 2016 due date, in violation of Government Code Section 84200.

- Count 4: The Committee and Donovan failed to timely file the semi-annual campaign statement for the reporting period ending December 31, 2016, by the January 31, 2017 due date, in violation of Government Code Section 84200.
- Count 5: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$25,000 contribution received from Long Beach City College Auxiliary on or about March 11, 2016, by the March 14, 2016 due date, in violation of Government Code Section 84203.
- Count 6: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$25,000 contribution received from Cordoba Corporation on or about March 18, 2016, by the March 21, 2016 due date, in violation of Government Code Section 84203.
- Count 7: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$4,000 contribution received from GRD Consulting on or about March 25, 2016, by the March 28, 2016 due date, in violation of Government Code Section 84203.
- Count 8: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$1,000 contribution received from Integrated Commissioning Solutions on or about April 11, 2016, by the April 12, 2016 due date, in violation of Government Code Section 84203.
- Count 9: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$5,000 contribution received from Public Agency Law Group on or about April 11, 2016, by the April 12, 2016 due date, in violation of Government Code Section 84203.
- Count 10: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$25,000 contribution received from Long Beach College Foundation on or about April 11, 2016, by the April 12, 2016 due date, in violation of Government Code Section 84203.
- Count 11: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$5,000 contribution received from TSG Enterprises, Inc. on or about April 11, 2016, by the April 12, 2016 due date, in violation of Government Code Section 84203.
- Count 12: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$10,000 contribution received from TYR Inc. on or about April 11, 2016, by the April 12, 2016 due date, in violation of Government Code Section 84203.
- Count 13: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$15,000 contribution received from Westberg+White Inc. on or about April 11, 2016, by the April 12, 2016 due date, in violation of Government Code Section 84203.

Count 14: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$25,000 contribution received from The Hill Partnership Inc. on or about April 12, 2016, by the April 13, 2016 due date, in violation of Government Code Section 84203.

Count 15: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$25,000 contribution received from SVA Architects on or about April 12, 2016, by the April 13, 2016 due date, in violation of Government Code Section 84203.

Count 16: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$24,900 contribution received from Cordoba Corporation on or about April 13, 2016, by the April 14, 2016 due date, in violation of Government Code Section 84203.

Count 17: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$10,000 contribution received from P2S on or about April 13, 2016, by the April 14, 2016 due date, in violation of Government Code Section 84203.

Count 18: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$10,000 contribution received from Facilities, Planning & Programming Services on or about April 14, 2016, by the April 15, 2016 due date, in violation of Government Code Section 84203.

Count 19: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$1,000 contribution received from Cambridge West Partnership on or about April 14, 2016, by the April 15, 2016 due date, in violation of Government Code Section 84203.

Count 20: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$2,000 contribution received from Parker & Covert LLP on or about April 14, 2016, by the April 15, 2016 due date, in violation of Government Code Section 84203.

Count 21: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$5,000 contribution received from Keenan & Associates on or about April 25, 2016, by the April 26, 2016 due date, in violation of Government Code Section 84203.

Count 22: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$2,500 contribution received from Sheet Metal, Air, Rail, Transportation Workers on or about May 2, 2016, by the May 3, 2016 due date, in violation of Government Code Section 84203.

Count 23: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$1,000 contribution received from Sillman Wright Architects on or about May 7, 2016, by the May 9, 2016 due date, in violation of Government Code Section 84203.

- Count 24: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$5,000 contribution received from LPA, Inc. on or about May 7, 2016, by the May 9, 2016 due date, in violation of Government Code Section 84203.
- Count 25: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$1,000 contribution received from David Evans and Associates on or about May 9, 2016, by the May 10, 2016 due date, in violation of Government Code Section 84203.
- Count 26: The Committee and Donovan failed to timely file a 24-hour contribution report for a cumulative \$1,000 contribution received from KPFF on or about May 13, 2016, by the May 16, 2016 due date, in violation of Government Code Section 84203.
- Count 27: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$25,000 contribution received from Long Beach City College Foundation on or about May 13, 2016, by the May 16, 2016 due date, in violation of Government Code Section 84203.
- Count 28: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$5,000 contribution received from TSK Architects on or about May 13, 2016, by the May 16, 2016 due date, in violation of Government Code Section 84203.
- Count 29: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$2,000 contribution received from IDS Group on or about May 13, 2016, by the May 16, 2016 due date, in violation of Government Code Section 84203.
- Count 30: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$1,000 contribution received from Siranian on or about May 13, 2016, by the May 16, 2016 due date, in violation of Government Code Section 84203.
- Count 31: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$1,000 contribution received from RBKK on or about May 13, 2016, by the May 16, 2016 due date, in violation of Government Code Section 84203.
- Count 32: The Committee and Donovan failed to timely file a 24-hour contribution report for a cumulative \$1,000 contribution received from Psomas on or about May 18, 2016, by the May 19, 2016 due date, in violation of Government Code Section 84203.
- Count 33: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$1,500 contribution received from Casey Sheahan/Garland on or about May 19, 2016, by the May 20, 2016 due date, in violation of Government Code Section 84203.
- Count 34: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$5,000 contribution received from District Council of Ironworkers Political

Issues on or about May 27, 2016, by the May 30, 2016 due date, in violation of Government Code Section 84203.

Count 35: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$2,000 contribution received from Heat & Frost Insulators & Allied Workers Local #5 PAC on or about May 27, 2016, by the May 30, 2016 due date, in violation of Government Code Section 84203.

Count 36: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$2,500 contribution received from DLR Group on or about May 27, 2016, by the May 30, 2016 due date, in violation of Government Code Section 84203.

Count 37: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$1,000 contribution received from Mike Walter on or about May 27, 2016, by the May 30, 2016 due date, in violation of Government Code Section 84203.

Count 38: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$1,000 contribution received from Howard Davis on or about May 28, 2016, by the May 30, 2016 due date, in violation of Government Code Section 84203.

Count 39: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$1,000 contribution received from Roesling Nakamura Terada Architects, Inc. on or about May 28, 2016, by the May 30, 2016 due date, in violation of Government Code Section 84203.

Count 40: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$2,500 contribution received from McCarthy Building Companies, Inc. on or about May 31, 2016, by the June 1, 2016 due date, in violation of Government Code Section 84203.

Count 41: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$1,000 contribution received from MHP Structural Engineers on or about June 1, 2016, by the June 2, 2016 due date, in violation of Government Code Section 84203.

Count 42: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$1,000 contribution received from Gkkworks on or about June 1, 2016, by the June 2, 2016 due date, in violation of Government Code Section 84203.

Count 43: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$1,000 contribution received from WLC Architects on or about June 2, 2016, by the June 3, 2016 due date, in violation of Government Code Section 84203.

Count 44: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$5,000 contribution received from Koury Engineering & Testing on or about June 2, 2016, by the June 3, 2016 due date, in violation of Government Code Section 84203.

Count 45: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$3,000 contribution received from Freight Tech Security Specialists on or about June 2, 2016, by the June 3, 2016 due date, in violation of Government Code Section 84203.

Count 46: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$5,000 contribution received from Balfour Beatty Construction on or about June 3, 2016, by the June 6, 2016 due date, in violation of Government Code Section 84203.

Count 47: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$1,000 contribution received from Leighton Consulting, Inc. on or about June 3, 2016, by the June 6, 2016 due date, in violation of Government Code Section 84203.

Count 48: The Committee and Donovan failed to timely file a 24-hour contribution report for a \$10,000 contribution received from International Brotherhood of Electrical Workers on or about June 7, 2016, by the June 8, 2016 due date, in violation of Government Code Section 84203.

4. ***In the Matter of Californians In Support of Mike Antonovich State Senate 2016 and Shelley Levine, FPPC No. 17/01397 and 18/00821.*** On July 31, 2020, probable cause was found to believe that Respondents committed the following violations of the Act:

Count 1: The Committee and Levine failed to amend the statement of organization on or by April 14, 2016 to indicate the committee's date of qualification of April 4, 2016 and failed to include the name of the sponsor, De Anza Building and Maintenance, in the name of the Committee, in violation of Government Code sections 84103 and 84106.

Count 2: The Committee and Levine failed to timely file a pre-election campaign statement in paper format for the reporting period of January 1, 2016 through April 23, 2016 by the deadline of April 28, 2016, in violation of Government Code section 84200.5.

Count 3: The Committee and Levine failed to timely file a pre-election campaign statement in electronic and paper format for the reporting period of April 24, 2016 through May 21, 2016 by the deadline of May 26, 2016, in violation of Government Code section 84200.5.

Count 4: The Committee and Levine failed to timely file a pre-election campaign statement in electronic and paper format for the reporting period of July 1, 2016 through September 24, 2016 by the deadline of September 29, 2016, in violation of Government Code section 84200.5.

Count 5: The Committee and Levine failed to timely file a pre-election campaign statement in electronic and paper format for the reporting period of September 25, 2016 through October 22, 2016 by the deadline of October 27, 2016, in violation of Government Code section 84200.5.

Count 6: The Committee and Levine failed to timely file a 24-hour contribution report due on October 19, 2016 for a \$10,000 contribution, in violation of Government Code section 84203.

Count 7: The Committee and Levine failed to timely file a 24-hour contribution report due on November 2, 2016 for a \$3,000 contribution, in violation of Government Code section 84203.

Count 8: The Committee and Levine failed to maintain adequate source documentation and records sufficient to substantiate the reporting for the period occurring between January 1, 2016 through December 13, 2016 in violation of Government Code section 84104.

III. ADMINISTRATION & TECHNOLOGY DIVISION

STAFF: LORESSA HON, CHIEF OF ADMINISTRATION

New Employee Report

Enforcement Division

Katelin (Katie) Angeloni, Special Investigator

Amber Burnside, Political Reform Consultant Assistant (Staff Services Analyst)

Ruth Yang, Senior Commission Counsel (Promotion)

Theresa Gilbertson, Senior Commission Counsel (Promotion)