

News from the FPPC



California Fair Political Practices Commission
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For Immediate Release: November 20, 2014

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The following are enforcement decisions approved by the Fair Political Practices Commission at its regular monthly meeting held on Thursday, November 20, 2014. Decisions are listed by category and include a brief summary of each case and the total amount of any administrative fine or fines in each case.

Additional information on each of the enforcement cases below can be found in the October agenda on the FPPC website at www.fppc.ca.gov. FPPC agendas are distributed and posted on the agency website at least 10 days prior to each monthly meeting.

The web version of the agenda includes links to the stipulations agreed to by the commission and by the individuals and organizations subject to the fines, or the default decisions proposed to the commission. Exhibits in support of the stipulations and proposed default decisions are also available on the website. If you or need further assistance, please contact the FPPC communications office at (916) 322-7761 or press@fppc.ca.gov.

Over-the-Limit Contributions

Sacramento Central Labor Council-C.O.P.E. and Bill Camp, Respondents Committee and Camp, impermissibly accepted three monetary contributions from two sources in excess of the \$6,500 contribution limit to a general purpose committee for the purpose of supporting or defeating candidates for elective state office in 2010. Additionally, Respondents impermissibly made five monetary contributions to three separate state candidates in excess of the relevant contribution limit per 2010 election. **\$15,500 fine.**

David Hadley, David Hadley for Assembly 2014, and Kelly Lawler, Respondents accepted a campaign contribution from the primarily formed committee, Republican Party of LA County – 66th AD, that exceeded the applicable campaign contribution limit for candidates for State Assembly. **\$2,500 fine.**

Lobbyist Placing Legislator Under Personal Obligation

Richard Ross, operates a political consulting business and is registered to lobby the State Legislature. Respondent's consulting business contracts with candidates for the State Legislature to provide campaign consulting services for which the candidates agreed to pay if elected to office. Respondent did not attempt to collect the full amounts owed for his services from two successful legislative candidates for the purpose of placing those legislators in positions of personal obligation to him. **\$5,000 fine.**

Conflict of Interest

James Gattis, as a Member of the Board of Directors for Salinas Valley Memorial Healthcare System, made a governmental decision in which he had a financial interest, by voting to approve the termination of the lease agreement between Salinas Valley Memorial Healthcare System and Central Coast Audiology, Inc., which was a source of income to him. **\$2,500 fine.**

John Dukes, a Yuba City Councilmember, failed to report two sources of income, which exceeded the reporting threshold of \$500, on his 2011 Statement of Economic Interests, and made, participated in making, or influenced a governmental decision regarding one of those sources of income. **\$4,000 fine.**

Campaign Voluntary Expenditure Limits

Pedro Rios and Pedro Rios for Assembly 2012, Respondents accepted voluntary expenditure limits, but in connection with the General Election, they exceeded the limit by approximately \$92,917. Respondents also failed to timely file semi-annual campaign statements covering the period January 1, 2013, through June 30, 2013, due July 31, 2013, in both paper and electronic formats. **\$4,000 fine.**

Campaign Committee Coordination

Common Sense Voters, SF 2010; Vote for Mark Farrell for District 2 Supervisor committee and Chris Lee Respondents, Common Sense Voters, SF 2010; Vote for Mark Farrell for District 2 Supervisor committee ("Respondent Committee") and Chris Lee, failed to file an amended statement of organization within 10 days to disclose that Respondent Committee was controlled by a candidate. Respondents also failed to use proper sender identification on mass mailers sent in support of Mark Farrell for District 2 Supervisor and against his opponent, Janet Reilly, which did not display the name of the candidate controlling the committee. **\$14,500 fine.**

Campaign Reporting

Monique Dollonne, Monique for School Board, and Thomas Rohrbecher, Respondents failed to timely file semi-annual campaign statements for the periods of January 1, 2011, through December 31, 2013, with the Ventura County. **\$12,000 fine.**

Arthur "Art" C. Brown, Art Brown for Orange County 4th District Supervisor 2010, Art Brown for City Council 2012, and Christie "Chris" L. Brown, Respondents failed to disclose information regarding contributions received and expenditures made of \$100 or more in campaign statements for reporting periods during calendar years 2010, 2012 and 2013, received two contributions of \$100 or more in cash; and failed to maintain the detailed accounts, records, bills, and receipts that were necessary to prepare campaign statements, to establish that campaign statements were properly filed, and to comply with the campaign reporting provisions of the Act, during calendar years 2010, 2011, 2012, and 2013. **\$8,500 fine.**

Xavier Campos, Xavier Campos for City Council 2010, and Linda Delgado, accepted monetary contributions totaling approximately \$1,950 in the form of eight cashier's checks or money orders for \$100 or more, which were not drawn from the bank accounts of the contributors or donors. Respondents also failed to maintain the detailed accounts, records, bills, and receipts that were necessary to prepare campaign statements covering the periods of January 1, 2009, through December 31, 2010, and failed to timely report contributions received during two consecutive reporting periods beginning January through October of 2010, totaling approximately \$3,665. **\$5,500 fine.**

Black Women Organized for Political Action State PAC and Beryl Crumpton Potter, Treasurer, failed to timely file semi-annual statements for the periods covering July 1, 2011, through June 30, 2013, and failed to timely file a pre-election statement for the period covering March 18, 2012, through May 19, 2012. The Commission previously prosecuted Respondents for failure to disclose campaign contributions received and expenditures made. **\$4,000 fine.**

Los Angeles County Young Democrats, is a state general purpose committee. In this matter, Respondent failed to timely file campaign statements covering the periods of January 1, 2012, through May 17, 2014, in both paper and electronic formats, with the Office of the Secretary of State. **\$1,400 fine.**

California Conservative PAC and John Fugatt, Treasurer, failed to timely file campaign statements covering the periods of January 1, 2013, through June 30, 2103, due July 31, 2013, and July 1, 2012, through December 31, 2012, due January 31, 2014, in both paper and electronic formats, with the Office of the Secretary of State. **\$800 fine.**

Humboldt County Republicans and Todd Walker, Chairman, failed to timely file campaign statements covering the periods of January 1, 2013, through June 30, 2103, due July 31, 2013, and July 1, 2013, through December 31, 2013, due January 31, 2014, in both paper and electronic formats, with the Office of the Secretary of State. **\$400 fine.**

Major Donor Reporting

California Nutritional Corporation, failed to timely file a Major Donor Report (Form 461), disclosing three contributions covering the period July 1, 2013, through December 31, 2013, due January 31, 2014, with the Office of the Secretary of State. **\$400 fine.**

Mass Mailing

EI Dorado Irrigation District, produced and sent over 200 January-February 2013 newsletters, "The Waterfront," at public expense, including a photo featuring all of the elected EI Dorado Irrigation District Board Members on the front page. **\$1,500 fine.**

Lobbying Reporting

California Correctional Peace Officers Association, a lobbyist employer, failed to timely report as activity expenses, items it gave to State legislators on its lobbyist employer reports. Respondent also failed to provide State legislators who received gifts with notification of those gifts. **\$5,500 fine.**

Judith L. Larson, failed to timely file a Report of Lobbying Firm (Form 625) covering the period July 1, 2013, through September 30, 2013, due on October 31, 2013. **\$200 fine.**

Sender Identification

Southern California Taxpayers Association, sponsored by and with major funding from Milan REI IV, LLC, Barrett Garcia, and Ann Garrett, respondents used Southern California Taxpayers Association funds to pay for and cause to be sent an advertisement in the form of 750 lawn signs supporting Measure FF in the City of Orange in the November 6, 2012 election, which failed to display required committee identification. **\$2,500 fine.**

Yes on Prop. 47, Californians for Safe Neighborhoods and Schools, sponsored by Vote Safe, a project of The Advocacy Fund, sponsored by Vote Safe, a project of The Advocacy Fund ("Respondent Yes on Prop. 47"), is a sponsored ballot measure committee in support of Proposition 47, a successful state measure on the November 4, 2014 ballot. Respondent Yes on Prop. 47 published two videos on YouTube in support of Proposition 47 that did not include a disclosure statement with the committee's name and the committee's two top donors of \$50,000 or more. **\$2,500 fine.**

Statement of Economic Interests – Non-Filer

Madeleine Zayas-Mart, as a Member of the Oakland Planning Commission, failed to timely file her 2011 Statement of Economic Interests and a Leaving Office Statement of Economic Interests. **\$1,000 fine.**

David Butler, as a Member of the Bizz Johnson/Highway 65 Joint Powers Authority, failed to timely file his 2013 Statement of Economic Interests covering the period January 1, 2013, through December 31, 2013, due April 1, 2014, with the County of Placer. **\$400 fine.**

Wesley Smith, as a Member of the Infrastructure Review and Energy Resources Management Committees, failed to timely file his Assuming Office Statement of Economic Interests covering the period August 8, 2011, through August 8, 2012, due September 7, 2012, with the City of Fullerton. **\$200 fine.**

Mark Dunlop, as a Member of the Treasure Island Development Authority for the City and County of San Francisco, failed to timely file his 2013 Statement of Economic Interests covering the period January 1, 2013, through December 31, 2013, due April 1, 2014, with the San Francisco Ethics Commission. **\$200 fine.**

Camille Schraeder, as a Board Member of the Mendocino County Office of Education, failed to timely file her 2013 Statement of Economic Interests covering the period January 1, 2013, through December 31, 2013, due April 1, 2014, with the County of Mendocino. **\$200 fine.**

Daniel Campbell, as a Long Valley Fire Protection District Board Member, failed to timely file his 2013 Statement of Economic Interests covering the period January 1, 2013, through December 31, 2013, due April 1, 2014, with the County of Mendocino. **\$200 fine.**

Harishkumar Patel, as a California Correctional Health Care Services Physician/Surgeon, failed to timely file his 2013 Statement of Economic Interests covering the period January 1, 2013, through December 31, 2013, due April 1, 2014, with the California Correctional Health Care Services. **\$200 fine.**

James W. Fenske, as a Member for the South Pasadena Design Review Board, failed to timely file his 2013 Statement of Economic Interests covering the period January 1, 2013, through December 31, 2013, due April 1, 2014, with the City of South Pasadena. **\$200 fine.**

Everett Brandon, as the Marin City Community Services District Director, failed to timely file his 2013 Statement of Economic Interests covering the period January 1, 2013, through December 31, 2013, due April 1, 2014, with the County of Marin. **\$200 fine.**

Donald Dixon, Sr., as a Member of the Workforce Investment Board for the County of San Benito, failed to timely file his 2013 Statement of Economic Interests covering the period January 1, 2013, through December 31, 2013, due April 1, 2014, with the County of San Benito. **\$200 fine.**

Robert Webb, as a Citizen Advisory Committee Member for the Tri-City and County Cooperative Planning Group, failed to timely file his 2013 Statement of Economic Interests covering the period January 1, 2013, through December 31, 2013, due April 1, 2014, with the Solano County Registrar of Voters Office. **\$200 fine.**

Statement of Economic Interests – Non-Reporting

Clayton Chau, manager of the Behavioral Health Program is a designated position under the CalOptima conflict of interest code. Respondent timely filed the required statement, but failed to report the pharmaceutical company AstraZenca as a source of income. **\$2,000 fine.**

Raymond Castillo, is an Imperial County Supervisor. Respondent had an outstanding loan from a private party secured by property located in the County of Imperial. Respondent failed to disclose this loan from C & G Farms on his Assuming Office Statement of Economic Interests and on three Annual Statement of Economic Interests. **\$800 fine.**

Ian Calderon, as a California Assembly Member, failed to timely disclose income he received on his Assuming Office Statement of Economic Interests, 2010 Statement of Economic Interests, and his Candidate Statement of Economic Interest. **\$600 fine.**

Edward “Ty” Peabody, as a Council Member for the City of Indian Wells, failed to timely disclose his economic interest in his wife’s restaurant on his 2013 Statement of Economic Interests covering the period January 1, 2013, through December 31, 2013, due April 1, 2014. **\$200 fine.**

Gayle McLaughlin, as the Mayor for the City of Richmond, failed to report a \$4,498.94 gift in the form of travel expenses from the Presidencia Republica Del Ecuador on her 2013 Annual Statement of Economic Interests covering the period January 1, 2013, through December 31, 2013, due April 1, 2014. **\$200 fine.**

Pro-Active Gift Non-Reporting Cases

Eileen Rohan, as a Superintendent of the Ross Valley School District, failed to timely disclose gifts of: two meals valued at \$210.22 on her 2011 Statement of Economic Interests, two meals valued at \$203.72 on her 2012 Statement of Economic Interests, and two meals valued at \$217.84 on her 2013 Statement of Economic Interests. All gifts were from Stone and Youngberg LLC. **\$600 fine.**

Lena Mendoza, as a Board Member for the Atwater Elementary School District, failed to timely disclose gifts of: two meals valued at \$157.64 on her 2010 Statement of Economic Interests and two meals valued at \$199.62 on her 2011 Statement of Economic Interests. All gifts were from Stone and Youngberg LLC. **\$400 fine.**

Rick Hennes, as a Superintendent for the River Delta Unified School District, failed to timely disclose gifts of: two meals valued at \$204.92 on his 2011 Statement of Economic Interests. All gifts were from Stone and Youngberg LLC. **\$200 fine.**

Joan Lucid, as a Superintendent for the Saugus Union School District, failed to timely disclose a gift of: one meal valued at \$101.86 on her 2012 Statement of Economic Interests. All gifts were from Stone and Youngberg LLC. **\$200 fine.**

Debra Bradley, as a Superintendent for the Sausalito-Marin City School District, failed to timely disclose a gift of: one meal valued at \$105.11 on her 2011 Statement of Economic Interests. All gifts were from Stone and Youngberg LLC. **\$200 fine.**

Robert Garibay, as a Madera Unified School District Board Trustee, failed to timely disclose gifts of: two meals valued at \$157.64 on his 2010 Statement of Economic Interests. All gifts were from Stone and Youngberg LLC. **\$200 fine.**

Robert Rodarte, as a Trustee of Delhi Unified School District, failed to timely disclose a gift of: one meal valued at \$157.64 on his 2011 Statement of Economic Interests. All gifts were from Stone and Youngberg LLC. **\$200 fine.**

Michael Salvador, as a Madera Unified School District Trustee, failed to timely disclose gifts of: two meals valued at \$157.64 on his 2010 Statement of Economic Interests. All gifts were from Stone and Youngberg LLC. **\$200 fine.**

John Norman, as a Board Trustee for the San Jacinto Unified School District, failed to timely disclose gifts of: two meals valued at \$132.12 on his 2012 Statement of Economic Interests. All gifts were from Stone and Youngberg LLC. **\$200 fine.**

Les Crawford, as a Superintendent for the Twin Hills Union School District, failed to timely disclose a gift of: one meal valued at \$101.86 on his 2012 Statement of Economic Interests. All gifts were from Stone and Youngberg LLC. **\$200 fine.**

General Item

Assignment of Hearing to Administrative Law Judge ("ALJ") – American Metal Group: American Metal Group, Inc. and Howard Misle12/490. Staff: Gary Winuk, Chief of Enforcement and Dave Bainbridge, Senior Commission Counsel.

Informational Item (No action required)

Proactive Pre-election Efforts for the November General Election. Chief of Enforcement, Gary Winuk, will report on the Enforcement Division's pre-election efforts.

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