

News from the FPPC



California Fair Political Practices Commission
428 J Street, Suite 620, Sacramento, CA 95814
www.fppc.ca.gov

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Contact: Jay Wierenga at (916) 322-7761

The following are enforcement decisions approved by the Fair Political Practices Commission at its regular monthly meeting held on Thursday, February 18, 2016. Decisions are listed by category and include a brief summary of each case and the total amount of any administrative fine in each case.

Additional information on each of the enforcement cases listed below can be found in the February 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 between the FPPC Enforcement Division and 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.

Mass Mailer

Prior to the 2012 election, Tony Bushala paid for and caused to be sent a mass mailer, on or about October 31, 2012, opposing Jan Flory and supporting Jane Rands and Barry Levinson for Fullerton City Council in the November 6, 2012 election, which failed to display required sender identification, in violation of Government Code Section 84305, subdivision (a) (1 count). **\$2,000 Fine.**

Statement of Economic Interests – Non Reporter

David Eastham, as a Helicopter Maintenance Chief for the Los Angeles County Fire Department, failed to disclose income from Guardian Helicopters, Inc., and Rotary Wing Services, Inc., on his 2010 through 2014 Annual Statements of Economic Interests, in violation of Government Code Sections 87300 and 87302 (2 counts). **\$2,500 Fine.**

Campaign Non-Filer

Wendy Albright was a successful candidate for the 38th County Republican Central Committee in Los Angeles County. Albright and Wendy Albright 38th County Central Committee 2012 failed to timely file two semiannual campaign statements for the January 1, 2013 through June 30, 2013, and the July 1, 2013 through December 31, 2013 reporting periods, in violation of Government Code Section 84200 (2 counts). **\$10,000 Fine.**

Incorporate Olympic Valley PAC (“Committee”), a primarily formed committee to support a LAFCO proposal, failed to timely file monthly campaign statements for the period of July 15, 2013 through July 15, 2014, in violation of Government Code section 84252 (1 count). **\$2,500 Fine.**

Democratic Foundation of Orange County, a general purpose committee, and its treasurer Glen Hatton, failed to timely file a semiannual campaign statement for the period of July 1, 2014 through December 31, 2014, a semiannual campaign statement for the period of January 1, 2015 through June 30, 2015, and a 24-hour report for three \$1,000 contributions it made in connection with the November 4, 2014 election, in violation of Government Code Sections 84200 and 84203 (3 counts). **\$940 Fine.**

Progressive Democratic Club failed to timely file three semiannual campaign statements for the January 1, 2014 through June 30, 2014, the July 1, 2014 through December 31, 2014, and the January 1, 2015 through June 30, 2015 reporting periods, in violation of Government Code Section 84200 (3 counts). **\$664.32 Fine.**

Marc Gibbons was an unsuccessful candidate for Superior Court Judge in Los Angeles County in the June 3, 2014 Primary Election. Marc A. Gibbons for Superior Court Judge was his candidate-controlled committee. Gibbons failed to timely file a preelection campaign statement for the reporting period of March 18, 2014 through May 17, 2014. He also failed to timely file a semiannual campaign statement for the reporting period of May 18, 2014 through June 30, 2014, in violation of Government Code Sections 84200 and 84200.5 (2 counts). **\$578 Fine.**

Committee to Defeat Leff Brown for School Board 2014, a Sonoma County primarily formed candidate committee, principal officer Nicole Lahee, and its treasurer Susan Hollingsworth, failed to timely file a preelection campaign statement for the reporting period of January 1, 2014 through October 18, 2014, in violation of Government Code Section 84200.5 (1 count). **\$234 Fine.**

Morgan Hill Unified School District Board Member Donna Foster-Rebusch, her committee Donna Foster-Rebusch MHUSD - 2014, and Kathleen Spencer as Treasurer failed to timely file a semiannual campaign statement covering the period of January 1, 2015 through June 30, 2015 with the Santa Clara County Registrar of Voters in violation of Government Code Section 84200 (1 count). **\$203 Fine.**

ABC Unified School District Board Member Armin Reyes failed to timely file a campaign short form statement covering the period of January 1, 2015 through December 31, 2015 with the Los Angeles County Registrar-Recorder/County Clerk in violation of Government Code Section 84206 (1 count). **\$200 Fine.**

Sacramento County Board of Education – District 4 Board Member Eleanor Brown, her committee Eleanor Brown for Sacramento County Board of Education – District 4 and Patricia Stilwell as Treasurer failed to timely file a semiannual campaign statement covering the period of January 1, 2015 through June 30, 2015 with the Sacramento County Registrar of Voters in violation of Government Code Section 84200 (1 count). **\$200 Fine.**

Statement of Economic Interests – Non-Filer

Jim Dodson, a former member of the Desert and Mountain Conservation Authority in Los Angeles County, failed to timely file a 2011, 2012, and 2013 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (3 counts). **\$600 Fine.**

David Mendez, as a Planning Commissioner with the City of King, failed to timely file a 2014 Annual Statement of Economic Interests, in violation of Government Code Section 87203 (1 count). **\$300 Fine.**

Wyatt Allen, as a Member with the Lakeside Community Planning Group, failed to timely file a 2014 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **\$200 Fine.**

Russell Correia, as an Alternate Member with the Juvenile Justice Coordinating Council, failed to timely file a 2014 Annual Statement of Economic Interests with the County of Santa Clara Clerk of the Board, in violation of Government Code Section 87300 (1 count). **\$200 Fine.**

Annual Fee

American Federation of State, County, and Municipal Employees, AFL-CIO, Council 36, a state general purpose committee, failed to pay the 2013 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **\$400 Fine.**

The League of Placer County Taxpayers, a county general purpose committee, failed to pay the 2013 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **\$400 Fine.**

Steve Hofbauer, member of the Palmdale City Council, and the Committee to Elect Steve Hofbauer Palmdale City Council 2011 failed to pay the 2014 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **\$400 Fine.**

A Committee Against Measure G Kern Citizens for Patient Rights, a Kern County primarily formed measure committee, and Elizabeth Clarke failed to pay the 2014 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **\$400 Fine.**

Vernon Kurpieski, candidate for the Concord City Council, and Vernon Kurpieski for City Council 2014 failed to pay the 2013 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **\$200 Fine.**

San Francisco Young Democrats, a city general purpose committee, failed to pay the 2013 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **\$200 Fine.**

Mia Ousley, candidate for the San Leandro City Council, Friends of Mia Ousley for City Council 2014, and April Jorden failed to pay the 2014 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **\$200 Fine.**

. Karen Hemphill, member of the Berkeley Board of Education, and Karen Hemphill for School Board 2014 failed to pay the 2014 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **\$200 Fine.**

Esparza for School Board 2012, Alexandria Esparza, a candidate for Franklin-McKinley School Board, and Aimee Escobar failed to pay the 2014 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **\$200 Fine.**

Phil Tsunoda, member of the Aliso Viejo City Council, Phil Tsunoda for City Council, and Christina Zabat-Fran failed to pay the 2014 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **\$200 Fine.**

Kern Water, A Matter of Life, for Wulff Board of Directors 2014 Supported by Eric Averett, a local primarily formed committee, and Eric L. Averett failed to pay the 2014

\$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **\$200 Fine.**

Laundering Campaign Contributions Joint Investigation (No Action Agenda Item)

Mr. Nguyen illegally reimbursed campaign contributors for Janet Nguyen's 2012 Orange County Board of Supervisors election on 10 different occasions. He reimbursed a total of \$13,300. As part of a joint effort by the Orange County District Attorney's office and the FPPC Enforcement Division, Mr. Nguyen pled guilty to 10 misdemeanor counts of violating Government Code Section 84301 making contributions in the name of another. His sentence, which was imposed by the Orange County Superior Court, included: three years of informal probation, a donation of \$5,000 to Victim Witness Emergency Fund, performance of 40 hours of community service in lieu of jail, prohibition from being involved in any political campaigns during the duration of his probation, and a payment of \$20,000 to the General Fund of the State of California within three months of his plea date as a result of the FPPC's pro-active investigation.