



NOTICE AND AGENDA Commission Meeting¹

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

Thursday, October 17, 2024
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. Members of the public may listen to the meeting by phone by calling (669) 444-9171; meeting ID 9856036268; or watch the meeting via Webinar at [YouTube](#). To participate in real time, visit <http://mediasite.fppc.ca.gov/> or call (669) 444-9171; meeting ID 9856036268.

To view the new procedure to participate by telephone, visit our [public comment page](#).

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.

Welcome

Adam E. Silver, 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.

¹You can obtain further information about the meeting by contacting the Commission Assistant, 1102 Q Street, Suite 3050, 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.

Approval of Commission Minutes

2. Approval of September 2024 Commission Meeting Minutes.

Consent Calendar 3-7

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.

- 3. Adoption of Proposed Amendments to Regulation 18534.** Staff: Kevin Cornwall, Senior Commission Counsel, Legal Division. Currently, FPPC regulations expressly permit a candidate-controlled campaign committee to temporarily transfer contributions from the committee's primary bank account into a higher interest-bearing account prior to expenditure. Staff proposes the Commission adopt a regulatory amendment that would expressly permit other recipient committees, such as general purpose committees, to do the same, subject to certain additional requirements. Staff presents this proposal for adoption, with pre-notice discussion having occurred at the August Commission meeting.

Staff Memo

Proposed Amendments to Regulation 18534

Misuse of Campaign Funds

- 4. In the Matter of Caserta for Supervisor 2018 and Dominic Caserta; FPPC No. 19/326.** Staff: Theresa Gilbertson, Senior Commission Counsel and Rooney Petersen, Special Investigator. The respondents were represented by James Sutton of The Sutton Law Firm. Dominic Caserta was an unsuccessful candidate for Supervisor for Santa Clara County in the June 5, 2018 Primary Election. Caserta for Supervisor 2018 was Caserta's candidate-controlled committee. Caserta served as the Committee's treasurer. The Committee and Caserta made numerous expenditures using campaign funds that were not compliant with the Act's restrictions on the use of campaign funds as they had no legislative, governmental, or political purpose and were not made with a purpose consistent with the enumerated permissible uses of surplus funds, in violation of Government Code Sections 89510, 89512, and 89519 (3 counts). Further, the Committee and Caserta failed to timely and accurately report activity on a semi-annual campaign statement, in violation of Government Code Section 84211 (1 count), and failed to maintain detailed campaign records for the Committee's contributions and expenditures for the life of the Committee, in violation of Government Code Section 84104 (1 count). **Total Proposed Penalty: \$22,500.**

Cash and In-Kind Contributions and/or Expenditures

- 5. In the Matter of Patrick Jones, Patrick Jones 2019 for Assembly (California Secretary of State I.D. No. 1419426), and Lyndia Kent AKA Lynda Kent; FPPC No. 22/031.** Staff: Neal Bucknell, Senior Commission Counsel, Ann Flaherty, Special Investigator, and Paul Rasey, Special Investigator. Patrick Jones was an unsuccessful candidate in the August 27, 2019 Primary Election for the purpose of filling a vacancy in the California State Assembly, District 1. Patrick Jones 2019 for Assembly was his candidate-controlled committee. Lyndia Kent AKA Lynda Kent served as treasurer. The Committee and Kent failed to keep required committee records, in violation of Government Code section 84104 (1 count); and accepted at least 34 cash contributions (in amounts of at least \$100 each), totaling at least \$11,600, in violation of Government Code section 84300, subdivisions (a) and (c) (1 count). **Total Proposed Penalty: \$10,000.**

Default Proceedings

Default Proceedings Requesting Commission Action

- 6. In the Matter of Steve Grasha for Mission Springs Water District 2018, Steve Grasha for Desert Water Agency 2022, and Steve Grasha; FPPC No. 18/1268.** Staff: Marissa Corona, Senior Commission Counsel and Ann Flaherty, Special Investigator. Steve Grasha was a successful candidate in the November 6, 2018 General Election. Steve Grasha for Mission Springs Water District 2018 (the “2018 Committee”) was Grasha’s candidate-controlled committee. Steve Grasha was a successful candidate in the November 8, 2022 General Election. Steve Grasha for Desert Water Agency 2022 (the “2022 Committee”) was Grasha’s candidate-controlled committee. The 2018 Committee and Grasha failed to timely file an amended Statement of Organization, in violation of Government Code Section 84101 (1 count); five 24-Hour Reports, in violation of Government Code Section 84203 (1 count); two pre-election campaign statements, two semi-annual campaign statements, in violation of Government Code Sections 84200.5 and 84200.8 and 84200 (2 counts). The 2018 Committee also failed to establish a designated campaign bank account, in violation of Government Code Section 85201 (1 count), and include the proper advertisement disclosure on mass emails, in violation of Government Code Section 84305, subdivision (c)(1) (1 count). Steve Grasha, as a candidate, failed to timely disclose reportable income on the Candidate Statement of Economic Interests, in violation of Government Code Section 87302.3 (1 count). The 2022 Committee and Grasha failed to timely file an amended Statement of Organization, in violation of Government Code Section 84101, subdivision (a) (1 count), four 24-Hour Reports, in violation Government Code Section 84204 (1 count), two pre-election campaign statements and one semi-annual campaign statement, in violation of Government Code Sections 84200.5, 84200.8, and 84200 (1 count). The 2022 Committee and Grasha also failed to include the proper advertisement disclosures on social media advertisements and on mass mailings, in violation of Government Code Sections 84504.6, subdivision (b), (1 count) and 84305 (1 count). **Total Proposed Penalty: \$40,000.**
- 7. In the Matter of Long Pham for Assembly 2018, Long Pham, and Mary Pham; FPPC No. 18/569.** Staff: Marissa Corona, Senior Commission Counsel and Ann Flaherty, Special Investigator. Long Pham was an unsuccessful candidate for State Assembly District 72 in the June 5, 2018 Primary Election. Long Pham for Assembly 2018 was Long’s candidate-controlled committee. Mary Pham served as treasurer. The Committee and Mary Pham violated the Act by failing to timely file two pre-election campaign statements, in violation of Government Code Sections 84200.5, 84200.8 and 84215 (1 count), a semi-annual campaign statement, in violation of Government Code Sections 84200 (1 count), one 24-Hour Report, in violation of Government Code Sections 84203 (1 count), failed to establish a designated campaign bank account, in violation of Government Code Section 85201, subdivisions (c)(d) and (e) (2 counts), and failed to maintain adequate records, in violation of Government Code Section 84104 (3 counts). **Total Proposed Penalty: \$38,500.**

Pre-Notice Defaults

- 8. In the Matter of Sandy Genis for Costa Mesa City Council 2016, Sandy Genis for Costa Mesa Mayor 2018, Sandy Genis for Costa Mesa Mayor 2020, and Sandy Genis; FPPC No. 18/1359.** Staff: Marissa Corona, Senior Commission Counsel. Sandy Genis was a successful candidate in the November 8, 2016 General Election. Sandy Genis for Costa Mesa City Council 2016 (the “2016 Committee”) was Genis’ candidate-controlled committee. Sandy Genis was an unsuccessful candidate in the November 6, 2018 General Election. Sandy Genis for Costa Mesa Mayor 2018 (the “2018 Committee”) was Genis’ candidate-controlled committee. Sandy Genis was an unsuccessful candidate in the November 3, 2020 General Election. Sandy Genis for Costa Mesa Mayor 2020 (the “2020 Committee”) was Genis’ candidate-controlled committee. The 2016 Committee and Genis failed to timely file two pre-election campaign statements and eight semi-annual campaign statements in violation of Government Code Sections 84200.5, 84200.8 and 84200 (6 counts). The 2018 Committee and Genis failed to timely file two pre-election campaign statements and ten semi-annual campaign statements in violation of Government Code Sections 84200.5, 84200.8 and 84200 (6 counts). The 2020 Committee and Genis failed to file an amended Statement of Organization, in violation of Government

Code Section 84101 (1 count); failed to report contributor information, in violation of Government Code Section 84211 (1 count); failed to timely file two pre-election campaign statements and seven semi-annual campaign statements, in violation of Government Code Sections 84200.5 and 84200.8 and 84200 (5 counts). **Total Proposed Penalty: \$68,000.**

9. In the Matter of Armando Jaramillo; FPPC No. 19/419. Staff: Bridgette Castillo, Senior Commission Counsel and George Aradi, Special Investigator. Armando Jaramillo was a public official as a former Systems Integration Analyst for the Imperial County Office of Education (“ICOE”) for purposes of Government Code Section 1090. Jaramillo participated in making six contracts between ICOE and Pixabytes Solutions, Inc., a business owned by Jaramillo, in violation of Government Code Section 1090 (6 Counts). **Total Proposed Penalty: \$30,000.**

10. In the Matter of Miguel Magallanes; FPPC No. 23/211. Staff: Laura Columbel, Commission Counsel. Miguel Magallanes, Planning Commissioner for the City of Filmore, failed to timely file the 2020, 2021, and 2022 Annual Statements of Economic Interests, in violation of Government Code Sections 87200 and 87203 (3 counts). **Total Proposed Penalty: \$12,000.**

General Items 11-13

11. Legislative Update. Staff: Lindsey Nakano, Senior FPPC Legislative Counsel. The Commission will review and discuss potential sponsored and other legislation. The Commission may provide direction to staff regarding the same.

Legislative Update

12. Executive Staff Reports.

Enforcement Division. James M. Lindsay, Chief.

Audits and Assistance Division. Shrdha Shah, Chief.

Legal Division. Dave Bainbridge, General Counsel.

Administration and Technology Division. Jue Wang, PhD, Chief.

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).)