



STATE OF CALIFORNIA  
FAIR POLITICAL PRACTICES COMMISSION  
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# EXECUTIVE STAFF REPORTS

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*February 21, 2019 Commission Hearing*

## Contents

<u>ENFORCEMENT DIVISION</u> .....	2
<u>LEGAL DIVISION</u> .....	7
<u>EXTERNAL AFFAIRS AND EDUCATION DIVISION</u> .....	17
<u>EXECUTIVE DIRECTOR UPDATE</u> .....	18

# I. ENFORCEMENT DIVISION

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STAFF: GALENA WEST, CHIEF OF ENFORCEMENT

## I. Overview

During the period of January 3, 2019 through February 7, 2019 the Enforcement Division received 74 complaints, opened 24 for investigation, and rejected 29. The Enforcement Division received 233 non-filer referrals during this time. The Enforcement Division closed a total of 142 cases including:

- 76 warning letters - campaign violations (30), advertisement violations (1) and Statement of Economic Interests violations (45);
- 2 advisory letters for an advertisement violation and a conflict of interest violation;
- 41 no action closure letters alleging - campaign violations (12), Statement of Economic Interest violations (27), and advertisement violations (2);
- 23 approved stipulations at the January Commission meeting; and
- 0 committees were administratively terminated.

The Division had 1372 cases in various stages of resolution at the time of the January Monthly Report and currently has approximately 1529 cases in various stages of resolution, including the 24 cases before the Commission as listed in the February 2019 Agenda.

On May 1, 2015, the Division received from the Secretary of State's office 2,460 \$50 Annual Fee referrals for 2013 fees not paid timely. Of those, 6 remain pending. On October 22, 2015, the Division received the \$50 Annual Fee referrals for 2014, which totaled 1,786. Of those, 12 remain pending. We are receiving 2015, 2016, 2017, and 2018 referrals periodically through the new Electronic Complaint System.

## 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 now includes the data from 2018, where consistent with other years, 966 cases were closed with violations found. The penalties collected decreased as the emphasis on providing warnings increased. 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.

	<b>Year</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
1	Complaints Received	609	1,180	564	1,352
2	Referrals Received	596	350	1,616	1,529
3	Total Complaint and Referrals Received	1,205	1,530	2,180	2,881
4	Cases opened	2,273 <sup>1</sup>	1,315	1,480	1,561
5	Cases closed	1,253	1,803	1,477	1,243
6	Cases with resolutions approved by the Commission <sup>2</sup>	333	311	340	235
	a Streamline cases approved by Commission	258	234	262	173
	b Mainline cases approved by Commission	69	70	66	56
	c Default cases approved by Commission	6	7	12	6
7	Total fines imposed by the Commission	\$703,821	\$894,257	\$1,126,933	\$499,606
8	Warning letters issued	442	489	505	554
9	Administrative terminations	116	668	297	177
10	Cases closed with violations found <sup>3</sup>	891	1,468	1,142	966
11	Advisory letters issued	19	14	17	20
12	No action closure letters	343	321	318	252

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<sup>1</sup> In 2015, the Enforcement Division received information regarding 2,460 \$50 Annual Fee non-payers in May and another 1,786 in October of that year. None of these came through the typical “referral” process and had to be evaluated for: whether the committee had been terminated locally or with SOS, whether the committee never qualified, whether the fees were paid prior to the referral, and whether records existed to evaluate the committee, before the information could be opened into a case. Therefore, these do not appear in the Referral line since they did not follow that process.

<sup>2</sup> Total for lines 6a, 6b, and 6c.

<sup>3</sup> Total for lines 6, 8, and 9.

### 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.

#### Lobbying

**In the Matter of East LA Community Corporation; FPPC No. 18/1553 (Streamline Settlement)**. Staff: Chief of Enforcement Galena West and Intake Manager Tara Stock. East LA Community Corporation, a lobbyist employer, failed to timely file two lobbyist employer reports for the reporting periods of April 1, 2018 through June 30, 2018 and July 1, 2018 through September 30, 2018, in violation of Government Code Section 86117 (2 counts). **Total Proposed Penalty: \$450.**

#### Campaign Non-Filer

**In the Matter of Dr. Miguel Coronado for Antelope Valley College Board 2015, Miguel Coronado, and Randee Maddox; FPPC No. 16/19722 (Streamline Settlement)**. Staff: Commission Counsel Ruth Yang, Special Investigator Garrett Micheels, and Program Specialist Patricia Ballantyne. Miguel Coronado was an unsuccessful candidate for Antelope Valley College Board in the November 3, 2015 General Election. Dr. Miguel Coronado for Antelope Valley College Board 2015 was his candidate-controlled committee. Randee Maddox was the Committee's treasurer. The Committee, Coronado, and Maddox failed to timely file two semi-annual campaign statements for the reporting periods of January 1, 2015 through June 30, 2015 and October 18, 2015 through December 31, 2015, in violation of Government Code Section 84200 (2 counts); and failed to timely file two pre-election campaign statements for the reporting periods of July 1, 2015 through September 19, 2015 and September 20, 2015 through October 17, 2015, in violation of Government Code Section 84200.5 (2 counts). **Total Proposed Penalty: \$1,017.**

**In the Matter of Southland Transit; FPPC No. 18/1517 (Streamline Settlement)**. Staff: Chief of Enforcement Galena West and Political Reform Consultant Teri Rindahl. Southland Transit was represented by Southland Transit's General Counsel Steve Neimand. Southland Transit is a local major donor committee in the City of El Monte. Southland Transit failed to timely file a major donor campaign statement and a late contribution report with the City of Glendale for a \$25,000 contribution to the Glendale Voters for Good Government committee, in violation of Government Code Sections, 84200, subdivision (b) (1 count) and 84203, subdivisions (a) and (b) (1 count). **Total Proposed Penalty: \$650.**

**In the Matter of Rodriguez for City Council, District 1, 2018, Paul Rodriguez, and Ruben Porras; FPPC No. 18/783 (Streamline Settlement)**. Staff: Commission Counsel Ruth Yang and Special Investigator Lance Hachigian. Paul Rodriguez was a successful candidate for the Chino City Council in the November 6, 2018 General Election. Rodriguez for City Council, District 1, 2018 is his candidate-controlled committee. Ruben Porras is the Committee's

treasurer. The Committee, Rodriguez, and Porras failed to accurately report financial activity on a semi-annual campaign statement for the reporting period of January 1, 2018 through June 30, 2018, in violation of Government Code Section 84211 (1 count). The Committee also failed to timely file a 24-hour contribution report for a loan made to the Committee on August 8, 2018, in violation of Government Code Section 84203 (1 count). **Total Proposed Penalty: \$514.**

**In the Matter of Friends of Crab Cove, and Angela Fawcett; FPPC No. 19/138 (Streamline Settlement).** Staff: Chief of Enforcement Galena West and Intake Manager Tara Stock. Friends of Crab Cove is a committee primarily formed to support a ballot measure (letter not yet assigned) to be voted on in an April 9, 2019 Special Election in the City of Alameda. Angela Fawcett is the Committee's treasurer. The Committee and Fawcett failed to timely file a semi-annual campaign statement for the reporting period of January 1, 2018 through June 30, 2018, in violation of Government Code Section 84200 (1 count). **Total Proposed Penalty: \$363.**

**In the Matter of Joe La Jeunesse for Sheriff 2018 and Joseph La Jeunesse; FPPC No. 18/729 (Streamline Settlement).** Staff: Chief of Enforcement Galena West and Intake Manager Tara Stock. Joseph La Jeunesse was an unsuccessful candidate for Santa Clara County Sheriff in the June 5, 2018 Primary Election. Joe La Jeunesse for Sheriff 2018 is his candidate-controlled committee. The Committee and La Jeunesse failed to timely file a pre-election campaign statement for the reporting period of January 1, 2018 through April 21, 2018, in violation of Government Code Section 84200.5 (1 count). **Total Proposed Penalty: \$315.**

**In the Matter of Committee to Elect Farrell, Peterson and Orloff to Cotati-Rohnert Park USD Board 2018 and Anne Barron; FPPC No. 18/1409 (Streamline Settlement).** Staff: Chief of Enforcement Galena West and Intake Manager Tara Stock. Committee to Elect Farrell, Peterson and Orloff to Cotati-Rohnert Park USD Board 2018 is a committee primarily formed to support three candidates in the November 6, 2018 General Election. Anne Barron is the committee's treasurer. The Committee and Barron failed to timely file a pre-election campaign statement for the reporting period of January 1, 2018 through October 20, 2018, in violation of Government Code Section 84200.5 (1 count). **Total Proposed Penalty: \$251.**

**In the Matter of Mike Kreeger for Fire Board 2018 and Mike Kreeger; FPPC No. 18/1001 (Streamline Settlement).** Staff: Chief of Enforcement Galena West and Political Reform Consultant Chloe Hackert. Mike Kreeger was a successful candidate for Board of Directors of the Chino Valley Fire District in the November 6, 2018 General Election. Mike Kreeger for Fire Board 2018 was his candidate controlled committee. The Committee and Kreeger failed to timely file a pre-election campaign statement for the reporting period of July 1, 2018 through September 22, 2018, in violation of Government Code Section 84200.5 (1 count). **Total Proposed Penalty: \$242.**

**In the Matter of Evan Patlian for Saugus School Board 2018 and Evan Patlian; FPPC No. 18/1060 (Streamline Settlement).** Staff: Chief of Enforcement Galena West and Staff Services Analyst Shaina Elkin. Evan Patlian was an unsuccessful candidate for Governing Board Member of the Saugus Union School District Area 1 in the November 6, 2018 General Election. Evan Patlian for Saugus School Board 2018 was his candidate-controlled committee. The Committee and Patlian failed to timely file a pre-election campaign statement for the reporting period of

September 23, 2018 through October 20, 2018, in violation of Government Code Section 84200.5 (1 count). **Total Proposed Penalty: \$233.**

**[In the Matter of Committee to Elect Elisa Aguilar for HUSD Board 2018, Elisa Aguilar, and Irma Aguilar; FPPC No. 18/911 \(Streamline Settlement\).](#)** Staff: Chief of Enforcement Galena West and Political Reform Consultant Chloe Hackert. Elisa Aguilar was an unsuccessful candidate for Board Member of the Hesperia Unified School District. Committee to Elect Elisa Aguilar for HUSD Board 2018 was her candidate-controlled committee. Irma Aguilar was the Committee's treasurer. The Committee, Aguilar, and Aguilar failed to timely file a pre-election campaign statement for the reporting period of July 1, 2018 through September 22, 2018, in violation of Government Code Section 84200.5 (1 count). **Total Proposed Penalty: \$231.**

#### **Statement of Economic Interests Non-Filer**

**[In the Matter of Rebecca Armendariz; FPPC No. 17/1464 \(Streamline Settlement\).](#)** Staff: Chief of Enforcement Galena West and Political Reform Consultant Chloe Hackert. Rebecca Armendariz, as a Planning Commissioner for the City of Gilroy, failed to timely file her 2016 and 2017 Annual Statements of Economic Interests, in violation of Government Code Section 87203 (2 counts). **Total Proposed Penalty: \$400.**

**[In the Matter of Jenine Henry; FPPC No. 19/081 \(Streamline Settlement\).](#)** Staff: Chief of Enforcement Galena West and Staff Services Analyst Kimberly Rawnsley. Jenine Henry, a Board Member for the Helix 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 Kristen Sneddon; FPPC No. 16/16781 \(Streamline Settlement\).](#)** Staff: Commission Counsel Megan Van Arsdale. Kristen Sneddon, a Governing Board Member of the Peabody Charter School, failed to timely file a 2015 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

#### **Statement of Economic Interests Non-Reporter**

**[In the Matter of Manuel Lozano; FPPC No. 19/174 \(Streamline Settlement\).](#)** Staff: Chief of Enforcement Galena West and Enforcement Intake Manager Tara Stock. Manuel Lozano, the Mayor for the City of Baldwin Park, failed to timely disclose rental income sources of \$10,000 or more on his 2017 Annual Statement of Economic Interests, in violation of Government Code Section 87207 (1 count). **Total Proposed Penalty: \$100.**

**[In the Matter of Mark Paulson; FPPC No. 17/491 \(Streamline Settlement\).](#)** Staff: Chief of Enforcement Galena West and Political Reform Consultant Teri Rindahl. Mark Paulson, a Director for the San Gabriel Valley Municipal Water District, failed to timely report his investment in and source of income from Gateway Consultants on the 2017 Annual Statement of Economic Interests, in violation of Government Code Sections 87300 and 87207 (1 count). **Total Proposed Penalty: \$100.**

## II. LEGAL DIVISION

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STAFF:

DAVID BAINBRIDGE, GENERAL COUNSEL

BRIAN LAU, ASSISTANT GENERAL COUNSEL

TRISH MAYER, ASSISTANT CHIEF

JOHN FESER, SENIOR COMMISSION COUNSEL IV

### 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. At the continued trial setting conference on December 19, 2018, the court set trial on the merits for August 14, 2019, at 9:30 a.m.

***Howard Jarvis Taxpayers Association, et al. v. Edmund Brown, et al.***  
Court of Appeal, Third Appellate District, Case No. C086334

On December 12, 2016, the Howard Jarvis Taxpayers Association and retired State Senator and Judge Quentin L. Kopp filed a lawsuit against Governor Brown and the Commission to invalidate a new law that would allow public funds to be used for political campaigning. In September of 2016, the Governor signed Senate Bill 1107 which authorizes the use of public funds to finance campaigns if a jurisdiction adopts a law or ordinance creating a public financing program. Plaintiffs allege the new law improperly eliminates the prohibition against public financing of campaigns, implemented pursuant to Proposition 73 in 1988, because it was done without voter approval. In addition, plaintiffs allege that the new law violates the Political Reform Act because it does not "further the purposes of the Act," an express requirement in the Act for legislative amendment. The Attorney General's Office is representing both Governor Brown and the Commission in this litigation. A hearing was held in Superior Court on August 4, 2017. After taking the matter under submission, the Court issued a Ruling, dated August 23, 2017, "entering a judgment declaring that the amendments made to Government Code section 85300 by Senate Bill No. 1107 are void and have no legal effect; and an injunction restraining Respondents from enforcing the unconstitutional amendments made by Senate Bill No. 1107."

In closed session at its meeting on September 21, 2017, the Commission voted to appeal the Superior Court decision. The Notice of Appeal was filed with the Third District Court of Appeal on January 9, 2018. Appellants' Opening Brief was timely filed on September 21, 2018. Respondents' Brief was timely filed on December 10, 2018. Appellants' Reply Brief is currently due March 1, 2019.

**Frank J. Burgess v. Fair Political Practices Commission**  
**Riverside County Superior Court, Case No. RIC 1510656**

After prevailing on the Commission's appeal of plaintiff's motion for attorney's fees at trial, plaintiff Frank J. Burgess has filed a motion for attorney's fees and costs on appeal. The Commission filed an opposition to the motion by the deadline on January 4, 2019. The court issued a ruling awarding attorneys' fees and costs of \$56,995.36.

### **B. Outreach and Training**

- On January 10<sup>th</sup>, Senior Counsel Sukhi K. Brar participated on a panel for the Legislature's lobbyist ethics course providing guidance on the Act's lobbying laws and regulations to lobbyists.
- On January 28<sup>th</sup>, Senior Counsel Sukhi K. Brar participated in the annual California Judges Association Form 700 webinar. Over 100 judges attended the seminar in advance of their March 1, 2019, Form 700 filing deadline to obtain guidance on Form 700 reporting rules.

### **C. Advice**

In January 2019, the Legal Division responded to the following requests for advice:

- **Requests for Advice:** Legal Division Political Reform Consultants and attorneys collectively responded to more than 842 e-mail and telephone requests for advice. Five questions were not responded to within 24 hours.
- **Advice Letters:** Legal Division received nine new advice letter requests under the Political Reform Act and completed 14 letters.
- **Section 1090 Letters:** Legal Division received five advice letter requests concerning Section 1090 and completed five letters. This year to date, we have received five advice requests regarding Section 1090.

### **D. Miscellaneous Decisions**

None to report.



## E. Conflict of Interest Codes

### Adoptions and Amendments

#### *State Agency Conflict of Interest Codes*

- California Complete Count - Census 2020

#### *Multi-County Agency Conflict of Interest Codes*

- Access Services Incorporated
- California Insurance Pool Authority
- California Joint Powers Insurance Authority
- Central Sierra Child Support Agency
- Kings River Conservation District
- Northern California Cities Self Insurance Fund
- Red Bluff Joint Union High School District
- San Bernardino Valley Municipal Water District
- San Francisco Bay Restoration Authority
- Santa Clarita Valley Water Agency
- Southern California Public Power Authority
- Tri Dam Project Power Authority
- Vector Control Joint Powers Agency
- Western Municipal Water District

### Exemptions

None to report.

### Extensions

None to report.

## F. 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.*

1. ***In the Matter of Residents for Reform, Neighborhood Preservation Coalition, David Ellis, Scott Peotter for City Council 2014, Scott Peotter, Duffield for City Council 2014, Duffy Duffield, Muldoon for NB City Council 2014, Kevin Muldoon, Diane Dixon for City Council 2014, Diane Dixon and Lysa Ray, FPPC No. 15/247.*** On January 14, 2019, after hearing, probable cause was found to believe Respondents committed the following violations of the Act:

- Count 1: RFR made two non-monetary contributions totaling \$12,500 that it failed to properly report as non-monetary contributions on a pre-election statement for the reporting period ending September 30, 2014 in violation of section 84211, subd. (k).
- Count 2: RFR made ten non-monetary contributions totaling \$14,539.56 that it failed to properly report as non-monetary contributions on a pre-election statement for the reporting period ending October 18, 2014 in violation of section 84211, subd. (k).
- Count 3: RFR failed to identify Ellis as its controlling candidate on its statement of organization and failed to include its controlling candidate's last name in the committee's name in violation of section 84102, subd. (e). and regulation section 18402, subd. (c)(2).
- Count 4: NPC qualified as a recipient committee in September of 2014 but failed to file a statement of organization (Form 410) in violation of section 84101.
- Count 5: NPC, a recipient committee, failed to timely file a pre-election campaign statement (Form 460) for the reporting period ending on September 30, 2014 in violation of sections 84200.5 and 84200.7.
- Count 6: NPC, a recipient committee, failed to timely file a pre-election campaign statement (Form 460) for the reporting period ending on October 18, 2014 in violation of sections 84200.5 and 84200.7.
- Count 7: NPC, a recipient committee, failed to timely file a semi-annual campaign statement (Form 460) for the reporting period ending on December 31, 2014 in violation of section 84200.
- Count 8: NPC received the late contributions from Thomas Larkin, Jr. and John Saunders on October 11, 2014 for which it failed to timely file a 24-hour report (Form 497) in violation of section 84203.
- Count 9: NPC received late contributions from Fritz Duda, Donald Howard, and Robert Winkel on October 28, 2014 for which it failed to timely file a 24-hour report (Form 497) in violation of section 84203.
- Count 10: NPC made late contributions to the Peotter, Duffield, Muldoon, and Dixon Committees in the form of two doorhangers on or about September 23, 2014 for which it failed to timely file a 24-hour report (Form 497) in violation of section 84203.
- Count 11: NPC made late contributions to the Peotter, Duffield, Muldoon, and Dixon Committees in the form of a mass mailing on or about September 25, 2014 for which it failed to timely file a 24-hour report (Form 497) in violation of section 84203.

Count 12: NPC made late contributions to the Peotter, Duffield, Muldoon, and Dixon Committees in the form of a mass mailing on or about October 4, 2014 for which it failed to timely file a 24-hour report (Form 497) in violation of section 84203.

Count 13: NPC made late contributions to the Peotter, Duffield, Muldoon, and Dixon Committees in the form of a mass mailing on or about October 12, 2014 for which it failed to timely file a 24-hour report (Form 497) in violation of section 84203.

Count 14: NPC made late contributions to Peotter, Duffield, Muldoon, and Dixon Committees in the form of a mass mailing on or about October 16, 2014 for which it failed to timely file a 24-hour report (Form 497) in violation of section 84203.

Count 15: NPC made late contributions to Peotter, Duffield, Muldoon, and Dixon Committees in the form of a mass mailing on or about October 19, 2014 for which it failed to timely file a 24-hour report (Form 497) in violation of section 84203.

Count 16: NPC made late contributions to Peotter, Duffield, Muldoon, and Dixon Committees in the form of a door hanger on or about October 22, 2014 for which it failed to timely file a 24-hour report (Form 497) in violation of section 84203.

Count 17: NPC made late contributions to Peotter, Duffield, Muldoon, and Dixon Committees in the form of two mass mailings on or about October 27, 2014 for which it failed to timely file a 24-hour report (Form 497) in violation of section 84203.

#### Counts

18-23: NPC sent seven mass mailings that failed to include proper disclosure, including the name of the controlling candidate, in violation of section 84305.

Count 24: The Peotter Committee failed to report receiving the non-monetary contribution from NPC on a pre-election statement for the reporting period ending September 30, 2014 in violation of section 84211, subds. (a), (c) and (f).

Count 25: The Peotter Committee failed to report receiving the non-monetary contributions from RFR and from NPC on a pre-election statement for the reporting period ending October 18, 2014 in violation of section 84211, subds. (a), (c) and (f).

Count 26: The Peotter Committee failed to report receiving the non-monetary contributions from RFR and from NPC on a semi-annual statement for the reporting period ending December 31, 2014 in violation of section 84211, subds. (a), (c) and (f).

Count 27: The Peotter Committee received late non-monetary contributions from RFR for which the Peotter Committee failed to timely file 24-hour reports in violation of section 84203.

Count 28: The Peotter Committee failed to timely file nine 24-hour reports for non-monetary contributions received from NPC in violation of section 84203.

- Count 29: Duffield Committee failed to report receiving the non-monetary contributions from RFR and from NPC on a pre-election statement for the reporting period ending September 30, 2014 in violation of section 84211, subs. (a), (c) and (f).
- Count 30: The Duffield Committee failed to report receiving the non-monetary contributions from RFR and from NPC on a pre-election statement for the reporting period ending October 18, 2014 in violation of section 84211, subs. (a), (c) and (f).
- Count 31: The Duffield Committee failed to report receiving the non-monetary contributions from RFR and from NPC on a semi-annual statement for the reporting period ending December 31, 2014 in violation of section 84211, subs. (a), (c) and (f).
- Count 32: The Duffield Committee failed to timely file late contribution reports for seven late contributions received from RFR in violation of section 84203.
- Count 33: The Duffield Committee failed to timely file nine 24-hour reports for non-monetary contributions received from NPC in violation of section 84203.
- Count 34: The Muldoon Committee failed to report receiving the non-monetary contributions from NPC on a pre-election statement for the reporting period ending September 30, 2014 in violation of section 84211, subs. (a), (c) and (f).
- Count 35: The Muldoon Committee failed to report receiving the non-monetary contributions from RFR and from NPC on a pre-election statement for the reporting period ending October 18, 2014 in violation of section 84211, subs. (a), (c) and (f).
- Count 36: The Muldoon Committee failed to report receiving the non-monetary contributions from RFR and from NPC on a semi-annual statement for the reporting period ending December 31, 2014 in violation of section 84211, subs. (a), (c) and (f).
- Count 37: The Muldoon Committee received late non-monetary contributions from RFR for which the Muldoon Committee failed to timely file 24-hour reports in violation of section 84203.
- Count 38: The Muldoon Committee failed to timely file nine 24-hour reports for non-monetary contributions received from NPC in violation of section 84203.
- Count 39: Dixon Committee failed to report receiving the non-monetary contributions from NPC on a pre-election statement for the reporting period ending September 30, 2014 in violation of section 84211, subs. (a), (c) and (f).
- Count 40: The Dixon Committee failed to report receiving the non-monetary contributions from RFR and from NPC on a pre-election statement for the reporting period ending October 18, 2014 in violation of section 84211, subs. (a), (c) and (f).

Count 41: The Dixon Committee failed to report receiving the non-monetary contributions from RFR and from NPC on a semi-annual statement for the reporting period ending December 31, 2014 in violation of section 84211, subds. (a), (c) and (f).

Count 42: The Dixon Committee received late non-monetary contributions from RFR for which the Dixon Committee failed to timely file 24-hour reports in violation of section 84203.

Count 43: The Dixon Committee failed to timely file nine 24-hour reports for non-monetary contributions received from NPC in violation of section 84203.

Count 44: Ellis, a candidate for Municipal Water District of Orange County, Division 5 in the 2014 General Election, controlled three committees, David Ellis for Water Board 2014, RFR, and NPC, leading up to the 2014 General Election. As a result, Ellis received contributions and made expenditures from multiple campaign accounts in violation of section 85201.

2. ***In the Matter of BFO & Associates and Berman Obaldia, FPPC No. 16/724.*** On February 1, 2019, after hearing, probable cause was found to believe Respondents committed the following violations of the Act:

Count 1: The Firm and Obaldia failed to timely file a lobbying firm report for quarter 1 of the 2015-2016 legislative session, in violation of Sections 86114 and 86117.

Count 2: The Firm and Obaldia failed to timely file a lobbying firm report and lobbyist report for quarter 2 of the 2015-2016 legislative session, in violation of Sections 86113, 86114 and 86117.

Count 3: The Firm and Obaldia failed to timely file a lobbying firm report and lobbyist report for quarter 3 of the 2015-2016 legislative session, in violation of Sections 86113, 86114 and 86117.

Count 4: The Firm and Obaldia failed to timely file a lobbying firm report and lobbyist report for quarter 4 of the 2015-2016 legislative session, in violation of Sections 86113, 86114 and 86117.

Count 5: The Firm and Obaldia failed to timely file a lobbying firm report and lobbyist report for quarter 5 of the 2015-2016 legislative session, in violation of Sections 86113, 86114 and 86117.

Count 6: The Firm and Obaldia failed to timely file a lobbying firm report and lobbyist report for quarter 6 of the 2015-2016 legislative session, in violation of Sections 86113, 86114 and 86117.

Count 7: The Firm and Obaldia failed to timely file a lobbying firm report and lobbyist report for quarter 7 of the 2015-2016 legislative session, in violation of Sections 86113, 86114 and 86117.

Count 8: The Firm and Obaldia failed to timely file a lobbying firm report and lobbyist report for quarter 8 of the 2015-2016 legislative session, in violation of Sections 86113, 86114 and 86117.

Count 9: Obaldia acted as a lobbyist for quarter 5 of the 2015-2016 legislative session after his certification was voided on January 16, 2016, in violation of Section 86103.

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

**3. *In the Matter of Sandra Siraganian and Siraganian for School Board 2015, FPPC No. 16/103.*** On January 25, 2019, probable cause was found to believe that Respondents committed the following violations of the Act:

Count 1: The Committee and Siraganian failed to timely file the semi-annual campaign statement for the reporting period of October 29, 2014 through December 31, 2014, due February 2, 2015, in violation of Government Code Section 84200.

Count 2: The Committee and Siraganian failed to timely file the semi-annual campaign statement for the reporting period of February 22, 2015 through June 30, 2015, due July 31, 2015, in violation of Government Code Section 84200.

Count 3: The Committee and Siraganian failed to file the semi-annual campaign statement for the reporting period of July 1, 2015 through December 31, 2015, due February 1, 2016, in violation of Government Code Section 84200.

Count 4: The Committee and Siraganian failed to timely file the semi-annual campaign statement for the reporting period of January 1, 2016 through June 30, 2016, due August 1, 2016, in violation of Government Code Section 84200.

Count 5: The Committee and Siraganian failed to timely file the semi-annual campaign statement for the reporting period of July 1, 2016 through December 31, 2016, due January 31, 2017, in violation of Government Code Section 84200.

Count 6: The Committee and Siraganian failed to file the semi-annual campaign statement for the reporting period of January 1, 2017 through June 30, 2017, due July 31, 2017, in violation of Government Code Section 84200.

Count 7: The Committee and Siraganian failed to timely file the semi-annual campaign statement for the reporting period of July 1, 2017 through December 31, 2017, due January 31, 2018, in violation of Government Code Section 84200.

Count 8: The Committee and Siraganian failed to timely file the semi-annual campaign statement for the reporting period of January 1, 2018 through June 30, 2018, due July 31, 2018, in violation of Government Code Section 84200.

Count 9: The Committee and Siraganian failed to file a late contribution report to disclose receipt of a contribution of \$2,000 on February 9, 2015 within 24 hours of receiving the contribution in violation of Section 84203.

Count 10: The Committee and Siraganian failed to file a late contribution report to disclose receipt of a contribution of \$2,000 on February 24, 2015 within 24 hours of receiving the contribution in violation of Section 84203.

Count 11: The Committee and Siraganian failed to file a late contribution report to disclose receipt of a contribution of \$2,500 on March 9, 2015 within 24 hours of receiving the contribution in violation of Section 84203.

Count 12: The Committee and Siraganian failed to report contributions received totaling \$1,075 on the Committee's campaign statements in violation of Section 84211, subdivisions (a), (c), (d) and (f).

4. ***In the Matter of Murga for City Council 2016 and Raul Murga, FPPC No. 17/245.*** On February 1, 2019, probable cause was found to believe that Respondents committed the following violations of the Act:

Count 1: The Committee and Murga failed to timely file the semi-annual campaign statement for the reporting period of October 23, 2016 through December 31, 2016, due January 31, 2017, in violation of Section 84200.

Count 2: The Committee and Murga failed to timely file the semi-annual campaign statement for the reporting period of January 1, 2017 through June 30, 2017, due July 31, 2017, in violation of Section 84200.

Count 3: The Committee and Murga failed to timely file the semi-annual campaign statement for the reporting period of July 1, 2017 through December 31, 2017, due January 31, 2018, in violation of Section 84200.

Count 4: The Committee and Murga failed to timely file the semi-annual campaign statement for the reporting period of January 1, 2018 through June 30, 2018, due July 31, 2018, in violation of Section 84200.

5. ***In the Matter of Janet McClean for SMUSD School Board 2012 and Janet McClean, Case No. 17/274.*** On February 1, 2019, probable cause was found to believe that Respondents committed the following violations of the Act:

- Count 1: The Committee and McClean failed to timely file the semi-annual campaign statement for the reporting period of October 23, 2016 through December 31, 2016, due January 31, 2017, in violation of Section 84200.
- Count 2: The Committee and McClean failed to timely file the semi-annual campaign statement for the reporting period of January 1, 2017 through June 30, 2017, due July 31, 2017, in violation of Section 84200.
- Count 3: The Committee and McClean failed to timely file the semi-annual campaign statement for the reporting period of July 1, 2017 through December 31, 2017, due January 31, 2018, in violation of Section 84200.
- Count 4: The Committee and McClean failed to timely file the semi-annual campaign statement for the reporting period of January 1, 2018 through June 30, 2018, due July 31, 2018, in violation of Section 84200.
- Count 5: The Committee and McClean failed to pay the 2015 annual fee by the January 15, 2015 due date, and failed to pay the resulting \$150 late penalty, in violation of Section 84101.5, subdivisions (c) and (d).
- Count 6: The Committee and McClean failed to pay the 2016 annual fee by the January 15, 2016 due date, and failed to pay the resulting \$150 late penalty, in violation of Section 84101.5, subdivisions (c) and (d).
- Count 7: The Committee and McClean failed to pay the 2017 annual fee by the January 15, 2017 due date, and failed to pay the resulting \$150 late penalty, in violation of Section 84101.5, subdivisions (c) and (d).
- Count 8: The Committee and McClean failed to pay the 2018 annual fee by the January 15, 2018 due date, and failed to pay the resulting \$150 late penalty, in violation of Section 84101.5, subdivisions (c) and (d).



### III. EXTERNAL AFFAIRS AND EDUCATION DIVISION

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STAFF: DEBORAH HANEPHIN, MANAGER

#### **Phone Advice Requests**

The External Affairs and Education Division responded to 972 requests for technical assistance via phone in January.

#### **Training & Outreach**

Political Reform Consultants Alex Castillo and John Kim delivered workshops to Form 700 filing officers. Approximately 10 state and local clerks attended these trainings held in our office. We are looking forward to delivering an additional 15 workshops to Form 700 filers and filing officers before the April 2 filing deadline.

#### **Additional Training**

Our video tutorials were accessed a total of 697 times in January. The Form 700 videos received 420 of those views while the Candidate/Treasurer video received 85 views. Filing officer videos were viewed 192 times.

#### **Filing Schedules**

Staff created 6 filing schedules for local elections in San Marino, Alameda, San Bernardino, Orange County, Santa Clara County, and San Bernardino County. They also created 4 filing schedules for the 2019 special elections for Senate Districts 1 and 33.

### III. EXECUTIVE DIRECTOR UPDATE

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STAFF: LORESSA HON, ACTING EXECUTIVE DIRECTOR

In an effort to continue holding meetings outside of Sacramento, Staff has been working with San Diego Ethics Commission to reserve a room in San Diego City Hall for the May 2019 Commission Meeting which will be held on May 16, 2019.