



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
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EXECUTIVE STAFF REPORTS

November 21, 2019 Commission Hearing

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I. ENFORCEMENT DIVISION

STAFF: GALENA WEST, CHIEF OF ENFORCEMENT

I. Overview

During the period of October 1, 2019 through October 31, 2019 the Enforcement Division received 80 complaints, opened 20 for investigation, and rejected 35. The Enforcement Division received 185 late filer referrals during this time. The Enforcement Division closed a total of 140 cases including:

- 51 warning letters – campaign violations (20), conflict of interest violations (1), and statement of economic interests violations (30);
- 49 no action closure letters alleging - campaign violations (15), statement of economic interests violations (29), advertisement violations (3) conflict of interest violations (1); behested payment violations (1);
- 1 advisory letter for an advertisement violation;
- 34 approved stipulations at the September Commission meeting; and
- 5 committees were administratively terminated.

The Division had 1,597 cases in various stages of resolution at the time of the October Monthly Report and currently has approximately 1,727 cases in various stages of resolution, including the 44 cases before the Commission as listed in the November 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, 4 remain pending. On October 22, 2015, the Division received the \$50 Annual Fee referrals for 2014, which totaled 1,786. Of those, 10 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 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.

	Year	2015	2016	2017	2018
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 ¹	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 ²	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 ³	891	1,468	1,142	966
11	Advisory letters issued	19	14	17	20
12	No action closure letters	343	321	318	252

¹ 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.

² Total for lines 6a, 6b, and 6c.

³ 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 Late Reporter

In the Matter of American Civil Liberties Union/Northern California/Southern California/San Diego and Imperial Counties; FPPC No. 19/1233. Staff: Galena West, Chief of Enforcement and Chloe Hackert, Political Reform Consultant. The respondent was represented by James Harrison of Remcho, Johansen, and Purcell LLP. American Civil Liberties Union/Northern California/Southern California/San Diego and Imperial Counties (the “ACLU”) is a lobbyist employer. The ACLU failed to timely report payments to influence legislative or administrative action, for the reporting periods of January 1, 2018 through September 30, 2018, and January 1, 2019 through June 30, 2019, in violation of Government Code Section 86116 (5 counts). **Total Proposed Penalty: \$685.**

Campaign Bank Account

In the Matter of Friends of Adam Hill Supervisor 2016 and Adam Hill; FPPC No. 16/237. Staff: Bridgette Castillo, Senior Commission Counsel and Jay Martin, Special Investigator. Adam Hill was a successful candidate for San Luis Obispo County Supervisor in the June 7, 2016 Primary Election, and is currently in office. Friends of Adam Hill Supervisor 2016 was his candidate-controlled committee. The Committee and Hill failed to pay expenses from the designated campaign bank account, in violation of Government Code Section 85201, subdivisions (d) and (e) (1 count). **Total Proposed Penalty: \$125.**

Campaign Late Filer

In the Matter of El Tejon Excellence for Education – Yes on Measure D and Wendy Jones; FPPC No. 19/406. Staff: Galena West, Chief of Enforcement and Tara Stock, Intake Manager. El Tejon Excellence for Education – Yes on Measure D is a local primarily formed committee supporting Measure D, which was approved by Kern County voters at the June 5, 2018 Primary Election. Wendy Jones is the Committee’s treasurer. The Committee and Jones failed to timely file a pre-election campaign statement for the reporting period of January 1, 2018 through May 19, 2018, in violation of Government Code Section 84200.5 (1 count); two semiannual campaign statements for the reporting periods of May 20, 2018 through June 30, 2018 and July 1, 2018 through December 31, 2018, in violation of Government Code Section 84200 (2 counts); and two 24-Hour Reports, in violation of Government Code Section 84203 (2 counts). **Total Proposed Penalty: \$1,592.**

In the Matter of California Young Democrats Latino Caucus, Kelvin Barrios, and Sean Rivas; FPPC No. 17/1473. Staff: Ruth Yang, Commission Counsel and Lance Hachigian, Special Investigator. The Committee and Sean Rivas were represented by Emily Andrews of Olson Hagel & Fishburn LLP, and Kelvin Barrios was represented by Matthew Soleimanpour of Soleiman, APC. California Young Democrats Latino Caucus is a local general purpose committee. Sean Rivas is the Committee's current treasurer and Kelvin Barrios was the Committee's treasurer from 2016 through 2017. The Committee, Rivas, and Barrios failed to timely file six semiannual campaign statements for the reporting periods of January 1, 2016 through June 30, 2016; July 1, 2016 through December 31, 2016; January 1, 2017 through June 30, 2017; July 1, 2017 through December 31, 2017; January 1, 2018 through June 30, 2018; and July 1, 2018 through December 31, 2018, in violation of Government Code Section 84200 (6 counts). **Total Proposed Penalty: \$1,369.**

In the Matter of Jeffrey Greenberg and Affiliated Entities, including Global Personals LLC, Worldwide Connect, and WealthyMen.Com; FPPC No. 19/944. Staff: Theresa Gilbertson, Commission Counsel and Ann Flaherty, Special Investigator. The respondents were represented by Mark Bryn of Bryn & Associates P.A. Greenberg and affiliated entities qualified as a major donor in 2016 after contributing to the No on Proposition 60, Californians Against Worker Harassment, Sponsored by the Free Speech Coalition. Greenberg failed to timely file a 24-Hour Report, in violation of Government Code Section 84203 (1 count). **Total Proposed Penalty: \$600.**

In the Matter of Ybarra City Council District 2018, John Ybarra, and Lisa Kennedy; FPPC No. 18/892. Staff: Galena West, Chief of Enforcement and Tara Stock, Intake Manager. John Ybarra was an unsuccessful candidate for Fullerton City Council in the November 6, 2018 General Election. Ybarra City Council District 2018 was his candidate-controlled committee. Lisa Kennedy was the Committee's treasurer. The Committee, Ybarra, and Kennedy failed to timely file a pre-election campaign statement for the reporting period of January 1, 2018 through September 22, 2018, in violation of Government Code Section 84200.5 (1 count), and failed to timely file a 24-Hour Report, in violation of Government Code Section 84203 (1 count). **Total Proposed Penalty: \$537.**

In the Matter of Cook for Supervisor 2020 and David Cook; FPPC No. 19/1237. Staff: Galena West, Chief of Enforcement and Tara Stock, Intake Manager. The respondents were represented by Michael Columbo of Neilsen Merksamer Parrinello Gross & Leoni, LLP. David Cook is a candidate for Sonoma County Supervisor in the upcoming March 3, 2020 Primary Election. Cook for Supervisor 2020 is his candidate-controlled committee. The Committee and Cook failed to timely file a semiannual campaign statement for the reporting period of January 1, 2019 through June 30, 2019, in violation of Government Code Section 84200 (1 count). Cook also failed to file a Candidate Intention Statement prior to receiving contributions related to the election, in violation of Government Code Section 85200 (1 count). **Total Proposed Penalty: \$478.**

In the Matter of Elect G. Mario Fernandez for School Board 2018, G. Mario Fernandez, and Eric Paredes; FPPC No. 18/917. Staff: Galena West, Chief of Enforcement and Dominika Wojenska, Associate Governmental Program Analyst. G. Mario Fernandez was an unsuccessful candidate for Eureka City Schools Governing Board in the November 6, 2018 General Election. Elect G. Mario Fernandez for School Board 2018 is his candidate-controlled committee. Eric Paredes is the Committee's treasurer. The Committee, Fernandez, and Paredes 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: \$422.**

In the Matter of 43rd Republican Assembly District Central Committee and Bill Saracino; FPPC No. 18/219. Staff: Galena West, Chief of Enforcement and Dominika Wojenska, Associate Governmental Program Analyst. 43rd Republican Assembly District Central Committee is a local general purpose committee. Bill Saracino is the Committee's treasurer. The Committee and Saracino failed to timely file two semiannual campaign statements for the reporting periods of July 1, 2016 through December 31, 2016 and January 1, 2017 through June 30, 2017, in violation of Government Code Section 84200 (2 counts). **Total Proposed Penalty: \$400.**

In the Matter of Dime Systems LLC; FPPC No. 19/942. Staff: Theresa Gilbertson, Commission Counsel and Ann Flaherty, Special Investigator. The respondent was represented by Mark Bryn of Bryn & Associates P.A. Dime Systems LLC qualified as a major donor in 2016 after contributing to the No on Proposition 60, Californians Against Worker Harassment, Sponsored by the Free Speech Coalition. Dime Systems LLC failed to timely file a 24-Hour Report, in violation of Government Code Section 84203 (1 count). **Total Proposed Penalty: \$300.**

In the Matter of Pro Data Tech LLC; FPPC No. 19/943. Staff: Theresa Gilbertson, Commission Counsel and Ann Flaherty, Special Investigator. The respondent was represented by Mark Bryn of Bryn & Associates P.A. Pro Data Tech LLC qualified as a major donor in 2016 after contributing to the No on Proposition 60, Californians Against Worker Harassment, Sponsored by the Free Speech Coalition. Pro Data Tech LLC failed to timely file a 24-Hour Report, in violation of Government Code Section 84203 (1 count). **Total Proposed Penalty: \$300.**

In the Matter of Web Data Solutions LLC; FPPC No. 19/945. Staff: Theresa Gilbertson, Commission Counsel and Ann Flaherty, Special Investigator. The respondent was represented by Mark Bryn of Bryn & Associates P.A. Web Data Solutions LLC qualified as a major donor in 2016 after contributing to the No on Proposition 60, Californians Against Worker Harassment, Sponsored by the Free Speech Coalition. Web Data Solutions LLC failed to timely file a 24-Hour Report, in violation of Government Code Section 84203 (1 count). **Total Proposed Penalty: \$300.**

In the Matter of Duarte Unified Education Association PAC and Tracy Hall; FPPC No. 19/583. Staff: Galena West, Chief of Enforcement and Tara Stock, Intake Manager. Duarte Unified Education Association PAC is a local general purpose committee. Tracy Hall was the Committee's treasurer at the time this violation occurred. The Committee and Hall failed to timely file a semiannual campaign statement for the reporting period of October 21, 2018 through December 31, 2018, in violation of Government Code Section 84200 (1 count). **Total Proposed Penalty: \$289.**

In the Matter of Flicker 4 School Board 2018 and Amy Flicker; FPPC No. 19/593. Staff: Galena West, Chief of Enforcement and Tara Stock, Intake Manager. Amy Flicker was an unsuccessful candidate for Trustee of San Dieguito Union High School District Board of Education in the November 6, 2018 General Election. Flicker 4 School Board 2018 was her candidate-controlled committee. The Committee and Flicker 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: \$234.**

In the Matter of Anaheim Neighborhood Association and Lewis A. Aguilar; FPPC No. 18/895. Staff: Galena West, Chief of Enforcement and Dominika Wojenska, Associate Governmental Program Analyst. Anaheim Neighborhood Association is a local general purpose committee. Lewis A. Aguilar is the Committee's treasurer. The Committee 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: \$220.**

In the Matter of Galt Certificated and Classified Employees Committee on Political Education and Julie Lewis; FPPC No. 18/752. Staff: Galena West, Chief of Enforcement and Chloe Hackert, Political Reform Consultant. Galt Certificated and Classified Employees Committee on Political Education is a local general purpose committee. Julie Lewis is the Committee's treasurer. The Committee and Lewis failed to timely file a semiannual 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: \$217.**

In the Matter of Todd Gloria; FPPC No. 19/969. Staff: Bridgette Castillo, Senior Commission Counsel and Luz Bonetti, Supervising Management Auditor. Todd Gloria, a current member of the California State Assembly, was re-elected to the 78th District Assembly in the November 6, 2018 General Election. Gloria failed to timely file a Candidate Intention Statement prior to receiving contributions to his candidate-controlled committee, Todd Gloria for Assembly 2020, in violation of Government Code Section 85200 (1 count). **Total Proposed Penalty: \$200.**

Campaign Late Reporter

In the Matter of Valencia for Orange City Council 2018, Betty Valencia, and Joana Barcelona; FPPC No. 19/006. Staff: Megan A. Van Arsdale, Commission Counsel and Special Investigator, Lance M. Hachigian. Betty Valencia was an unsuccessful candidate for Orange City Council in the November 6, 2018 General Election. Valencia for Orange City Council 2018 was her candidate-controlled committee. Joana Barcelona was the Committee's treasurer. The

Committee, Valencia, and Barcelona failed to timely disclose a non-monetary contribution on a pre-election campaign statement for the reporting period of September 23, 2018 through October 20, 2018, in violation of Government Code Section 84211 (1 count). **Total Proposed Penalty: \$128.**

[In the Matter of Daysog for Council 2018 and Tony Daysog; FPPC No. 18/1235.](#) Staff: Galena West, Chief of Enforcement and Ginny Lambing, Political Reform Consultant. Tony Daysog was a successful candidate for Alameda City Council in the November 6, 2018 General Election. Daysog for Council 2018 was his candidate-controlled committee. The Committee and Daysog failed to timely disclose expenditures on a semiannual campaign statement for the reporting period of October 21, 2018 through December 31, 2018, in violation of Government Code Section 84211 (1 count). **Total Proposed Penalty: \$105.**

Statement of Economic Interests Late Filer

[In the Matter of Harry Dana Moore; FPPC No. 16/20053.](#) Staff: Jenna C. Rinehart, Commission Counsel. The respondent was represented by Edwin Riddle of the Law Offices of Edwin M. Riddle. Harry Dana Moore, a Director of Classified Services for the Konocti Unified School District, and a former Board Member of the Schools Insurance Group Northern Alliance I, failed to timely file his 2015 and 2016 Annual Statements of Economic Interest, in violation of Government Code Section 87300 (2 counts). **Total Proposed Penalty: \$800.**

[In the Matter of Michael Lubic; FPPC No. 18/057.](#) Staff: Galena West, Chief of Enforcement and Tara Stock, Intake Manager. Michael Lubic, as a former Consultant for the California Public Employees Retirement System, failed to timely file an Assuming Office, a 2015 and 2016 Annual, and a Leaving Office Statement of Economic Interests, in violation of Government Code Section 87300 (4 counts). **Total Proposed Penalty: \$800.**

[In the Matter of Catalina Aguilar; FPPC No. 18/1503.](#) Staff: Jenna C. Rinehart, Commission Counsel. Catalina Aguilar, 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: \$400.**

[In the Matter of Igor Weisz; FPPC No. 17/1264.](#) Staff: Galena West, Chief of Enforcement and Chloe Hackert, Political Reform Consultant. Igor Weisz, a Staff Psychiatrist for the California Department of Corrections and Rehabilitation, failed to timely file a 2016 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

[In the Matter of Bryce Bannatyne; FPPC No. 17/990.](#) Staff: Galena West, Chief of Enforcement and Tara Stock, Intake Manager. Bryce Bannatyne, an Alternate Member for the California Avocado 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 John Vinke; FPPC No. 19/1408. Staff: Galena West, Chief of Enforcement and Chloe Hackert, Political Reform Consultant. The respondent was represented by Robert Feldhake of the Feldhake Law Firm, APC. John Vinke, as an Interim Chief Business Officer/Consultant for the Lennox School District, failed to timely file an Assuming Office Statement of Economic Interests, in violation of Section 87300 (1 count). **Total Proposed Penalty: \$200.**

In the Matter of Matthew Girardot; FPPC No. 17/530. Staff: Galena West, Chief of Enforcement and Chloe Hackert, Political Reform Consultant. Matthew Girardot, as a Program Administrator I/II/III for the Health Care Agency of County of Ventura, failed to timely file a 2016 Annual and Leaving Office Combination Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

In the Matter of Julia Hernandez; FPPC No. 19/841. Staff: Galena West, Chief of Enforcement and Ginny Lambing, Political Reform Consultant. Julia Hernandez, Mayor for the City of San Joaquin, 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 Oscar Rosales; FPPC No. 19/293. Staff: Galena West, Chief of Enforcement and Cheng Saetern, Staff Services Analyst. Oscar Rosales, a member of the Mendota City Council, 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 Abel Lua; FPPC No. 19/842. Staff: Galena West, Chief of Enforcement and Ginny Lambing, Political Reform Consultant. Abel Lua, a member of the San Joaquin City Council, 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 Enrique Fernandez; FPPC No. 19/1173. Staff: Galena West, Chief of Enforcement and Ginny Lambing, Political Reform Consultant. Enrique Fernandez, a member of the Woodland City Council, failed to timely file a 2018 Annual Statement of Economic Interests, in violation of Government Code Section 87203 (1 count). **Total Proposed Penalty: \$200.**

Statement of Economic Interests Late Reporter

In the Matter of Scott Schneider; FPPC No. 18/1004. Staff: Galena West, Chief of Enforcement and Ginny Lambing, Political Reform Consultant. Scott Schneider, a former Administrative Services Director for the City of Fort Bragg, failed to timely disclose a source of income on his 2015 and 2016 Annual Statements of Economic Interest, in violation of Government Code Section 87207 (2 counts). **Total Proposed Penalty: \$200.**

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 has filed a demurrer and the hearing is set for November 22, 2019. The trial setting conference is also set on November 22, 2019.

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 was timely filed on March 1, 2019.

The appellate court heard oral argument on July 17, 2019. On August 26, 2019, the court affirmed the trial court's order invalidating SB 1107. Appellants did not file a petition for review in the California Supreme Court. Respondents will be seeking an award of attorney's fees and costs.

B. Outreach and Training

- Political Reform Consultant, Alexandra Castillo, presented a workshop in Norwalk from October 2-3 to candidates and treasurers, as well as two workshops to campaign filing officers. 29 people attended the candidate and treasurer workshop, 40 people attended the first campaign filing officer workshop, and 25 people attended the second.
- Political Reform Consultant, Aly Larson, presented a campaign filing officer workshop and a candidate and treasurer workshop in Fresno on October 17. 15 people attended the campaign filing officer workshop and 30 people attended the candidate and treasurer workshop.
- Political Reform Consultant, Alana Jeydel, presented a campaign filing officer workshop in Napa on October 25. 20 people attended this workshop.
- Political Reform Consultant, Alex Castillo, presented a candidate and treasurer workshop to the San Mateo and Santa Clara Democratic Clubs in Palo Alto on October 26. 35 people attended this workshop.
- Video Tutorials: Commission video tutorials were accessed a total of 346 times in October. Form 700 videos were accessed 173 times, the Candidate/Treasurer video was accessed 111 times, and the filing officer videos were accessed 62 times.

C. Advice

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

- **Education Program:** The Education Program responded to 513 requests for technical assistance via phone.
- **Requests for Advice:** The Email Advice and Conflict of Interest Code Program and Legal Division attorneys collectively responded to more than 594 e-mail and telephone requests for advice, 34 of which were not responded to within 24 hours.

- **Advice Letters:** The Legal Division received 10 advice letter requests under the Political Reform Act and completed 18 letters.
- **Section 1090 Letters:** The Legal Division received three advice letter requests concerning Section 1090 and completed five letters. This year to date, we have received 62 advice requests regarding Section 1090.

D. Miscellaneous Decisions

None to report.

E. Potential Upcoming Regulations

December 19th, 2019.

- Regulation 18702.4: Conflict of Interest Analysis, Source of Gift Materiality Threshold. (Adoption.)
- Regulation 18702.5: Conflict of Interest Analysis, Personal Financial Effect Materiality Threshold. (Adoption.)
- Regulations 18308 through 18308.4: Governance Principles and Budget Process. (Adoption.)

Scheduling to be Determined.

- Regulation 18419: Sponsored Committee Rules including (1) Time Periods for Analyzing Whether a Committee Qualified as Sponsored, (2) Naming Requirements, and (3) Harmonizing with Section 84222. (Adoption.)

F. Conflict of Interest Codes

Adoptions and Amendments

State Agency Conflict of Interest Codes

- Department of Fair Employment and Housing
- Department of Food and Agriculture
- Department of Justice

Multi-County Agency Conflict of Interest Codes

- Dublin-San Ramon Services District
- East Bay Regional Park District
- Inland Empire Resource Conservation District
- Marin Clean Energy

- Peninsula Corridor Joint Powers Board
- San Diego County Schools Risk Management Joint Powers 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 Re-Elect Gary Mendez For Rio Hondo College Board 2015 And Gary Mendez, FPPC No. 16/20131.*** On October 7, 2019, probable cause was found to believe Respondents committed the following violations of the Act:

Count 1: The Committee and Mendez failed to timely file the pre-election campaign statement for the reporting period of July 1, 2016 through September 24, 2016, due September 29, 2016, in violation of Government Code sections 84200.5, subdivision (a), and 84200.8, subdivision (a).

Count 2: The Committee and Mendez failed to timely file the pre-election campaign statement for the reporting period of September 25, 2016 through October 22, 2016, due October 27, 2016, in violation of Government Code sections 84200.5, subdivision (a), and 84200.8, subdivision (b).

Count 3: The Committee and Mendez 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 4: The Committee and Mendez 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 5: The Committee and Mendez 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 6: The Committee and Mendez 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 7: The Committee and Mendez failed to timely file the semi-annual campaign statement for the reporting period of July 1, 2018 through December 31, 2018, due January 31, 2019, in violation of Section 84200.

2. ***In the Matter of California Cannabis Unity Campaign 2016 and Samuel H. Clauder II, FPPC No. 16/514.*** On October 11, 2019, probable cause was found to believe Respondents committed the following violations of the Act:

Count 1: The Committee and Clauder failed to timely file the semi-annual campaign statement for the period of January 1, 2015 through June 30, 2015, due July 31, 2015, in violation of Government Code Section 84200.

Count 2: The Committee and Clauder failed to timely file the semi-annual campaign statement for the period of July 1, 2015 through December 31, 2015, due February 1, 2016, in violation of Government Code Section 84200.

Count 3: The Committee and Clauder failed to timely file the semi-annual campaign statement for the period of January 1, 2016 through June 30, 2016, due August 1, 2016, in violation of Government Code Section 842000.

III. ADMINISTRATION & TECHNOLOGY DIVISION

STAFF: LORESSA HON, CHIEF OF ADMINISTRATION

New Employee Report

Administration and Technology Division

Laura Mandler, Staff Services Analyst

Elwyn Yabut, Information Technology Associate (Promotion)

Enforcement Division

Judy Liu, Staff Services Management Auditor

Legal Division

Brianne Kilbane, Political Reform Consultant (Promotion)

Alana Jeydel, Staff Services Manager (Promotion)