



STATE OF CALIFORNIA  
FAIR POLITICAL PRACTICES COMMISSION  
1102 Q Street • Suite 3000 • Sacramento, CA 95811  
(916) 322-5660 • Fax (916) 322-0886

# EXECUTIVE STAFF REPORTS

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*September 19, 2019 Commission Hearing*

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# I. ENFORCEMENT DIVISION

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STAFF: GALENA WEST, CHIEF OF ENFORCEMENT

## I. Overview

During the period of August 1, 2019 through August 31, 2019 the Enforcement Division received 61 complaints, opened 12 for investigation, and rejected 32. The Enforcement Division received 196 late filer referrals during this time. During this time, the Enforcement Division closed a total of 141 cases including:

- 55 warning letters – advertising violations (1), campaign violations (25), lobbying violations (2), and statement of economic interests violations (27);
- 1 advisory letter for an advertisement violation;
- 50 no action closure letters alleging - campaign violations (18), statement of economic interests violations (25), advertisement violations (3), lobbying violations (3), and non-PRA violations (1);
- 20 approved stipulations at the August Commission meeting; and
- 15 committees were administratively terminated.

The Division had 1495 cases in various stages of resolution at the time of the August Monthly Report and currently has approximately 1505 cases in various stages of resolution, including the 46 cases before the Commission as listed in the September 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, 5 remain pending. On October 22, 2015, the Division received the \$50 Annual Fee referrals for 2014, which totaled 1,786. Of those, 11 remain pending. We are receiving 2015, 2016, 2017, and 2018 referrals periodically through the Electronic Complaint System.

## II. 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.

	<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

<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.

#### Advertisements

**[In the Matter of Jason Young; FPPC No. 18/1403.](#)** Staff: Megan A. Van Arsdale, Commission Counsel. Jason Young, as an independent expenditure committee, failed to include the proper advertisement disclosures on social media advertisements distributed prior to the November 6, 2018 General Election, in violation of Government Code Section 84506.5 (1 count). **Total Proposed Penalty: \$111.**

**[In the Matter of Committee to Elect Trish Kelliher District Attorney 2018 and Patricia J. Kelliher; FPPC No. 18/457.](#)** Staff: Megan A. Van Arsdale, Commission Counsel. Patricia J. Kelliher was an unsuccessful candidate for District Attorney of El Dorado County in the June 5, 2018 Primary Election. Elect Trish Kelliher District Attorney 2018 was her candidate-controlled committee. The Committee and Kelliher failed to include the proper advertisement disclosures on robocalls made by the committee prior to the election, in violation of Government Code Section 84310 (1 count). **Total Proposed Penalty: \$104.**

**[In the Matter of Yes on U 2018 – Protect Santa Maria and Glenn Morris; FPPC No. 19/446.](#)** Staff: Megan A. Van Arsdale, Commission Counsel. Yes on U 2018 – Protect Santa Maria is a local primarily formed committee. Glenn Morris is the Committee's principal officer. The Committee and Morris failed to include the proper advertisement disclosures on a social media advertisement distributed by the committee prior to the November 6, 2018 General Election, in violation of Government Code Section 84502 (1 count). **Total Proposed Penalty: \$100.**

#### Lobbying

**[In the Matter of Wireless Infrastructure Association; FPPC No. 18/1549.](#)** Staff: Galena West, Chief of Enforcement and Chloe Hackert, Political Reform Consultant. Wireless Infrastructure Association, a lobbyist employer, failed to timely file a lobbyist employer report for the reporting period of April 1, 2018 through June 30, 2018, in violation of Government Code Section 86117 (1 count). **Total Proposed Penalty: \$485.**

**[In the Matter of American Bail Coalition; FPPC No. 19/903.](#)** Staff: Galena West, Chief of Enforcement and Chloe Hackert, Political Reform Consultant. The respondent was represented by KC Jenkins of Bell, McAndrews, & Hiltachk LLP. American Bail Coalition, a lobbyist employer, failed to timely report a payment to influence legislative or administrative action, for the reporting period of July 1, 2018 through September 30, 2018, in violation of Government Code Section 86116 (1 count). **Total Proposed Penalty: \$158.**

## Campaign Late Filer

**In the Matter of National Women's Political Caucus Los Angeles Westside PAC and Karriann Farrell Hinds; FPPC No. 18/174.** Staff: Jenna Rinehart, Commission Counsel and Shaina Elkin, Staff Services Analyst. The National Women's Political Caucus Los Angeles Westside PAC is a local general purpose committee. Karriann Farrell Hinds is the Committee's treasurer. The Committee and Hinds failed to timely file six semiannual campaign statements for the reporting periods of July 1, 2015 through December 31, 2015, 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, and January 1, 2018 through June 30, 2018, in violation of Government Code Section 84200 (6 counts). **Total Proposed Penalty: \$1,302.**

**In the Matter of Pomona Valley Democratic Club; FPPC No. 18/170.** Staff: Galena West, Chief of Enforcement and Chloe Hackert, Political Reform Consultant. Pomona Valley Democratic Club is a local general purpose committee. The respondent was represented by Leilani Rudow Beaver of Kaufman Legal Group. The Committee failed to timely file four semiannual campaign statements for the reporting periods of July 1, 2015 through December 31, 2015, July 1, 2016 through December 31, 2016, July 1, 2017 through December 31, 2017, and January 1, 2018 through June 30, 2018, in violation of Government Code Section 84200 (4 counts). The committee also failed to timely file a pre-election campaign statement for the reporting period of July 1, 2016 through September 24, 2016, in violation of Government Code Section 84200.5 (1 count). **Total Proposed Penalty: \$1,218.**

**In the Matter of Alhambra Teachers Association Political Action Committee and Javier Gutierrez; FPPC No. 18/221.** Staff: Galena West, Chief of Enforcement and Dominika Wojenska, Associate Governmental Program Analyst. Alhambra Teachers Association Political Action Committee is a local general purpose committee. Javier Gutierrez is the Committee's treasurer. The Committee and Gutierrez failed to timely file two pre-election campaign statements for the reporting periods of July 1, 2018 through September 22, 2018 and September 23, 2018 through October 20, 2018, in violation of Government Code Section 84200.5 (2 counts) and failed to timely file a 24-Hour Report, in violation of Government Code Section 84203 (1 count). **Total Proposed Penalty: \$830.**

**In the Matter of Yes on AESD Measure E and Sylvia Nelson; FPPC No. 18/1010.** Staff: Galena West, Chief of Enforcement and Tara Stock, Intake Manager. Yes on AESD Measure E was a local primarily formed ballot measure committee supporting Measure E in the November 6, 2018 Election. Sylvia Nelson was the Committee's Treasurer. The Committee and Ms. Nelson 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 two 24-Hour Reports, in violation of Government Code Section 84203 (2 counts). **Total Proposed Penalty: \$646.**

**In the Matter of Yes on Measure V Committee for Calexico Schools and Ismael Lopez; FPPC No. 16/19807.** Staff: Jenna Rinehart, Commission Counsel and Jeffrey Kamigaki, Supervising Special Investigator. Yes on Measure V Committee for Calexico Schools was a local primarily formed ballot measure committee supporting Measure V in the November 8, 2016

General Election. Ismael Lopez was the Committee's treasurer. The Committee and Lopez failed to timely file a statement of organization, in violation of Government Code Section 84101 (1 count) and failed to timely file a 24-Hour Report, in violation of Government Code Section 84203 (1 count). **Total Proposed Penalty: \$572.**

**In the Matter of Egger for City Council 2018 and Kevin Egger; FPPC No. 18/382.** Staff: Galena West, Chief of Enforcement and Tara Stock, Intake Manager. Kevin Egger was an unsuccessful candidate for Fresno City Council in the June 5, 2018 Primary Election. Egger for Council 2018 was his candidate-controlled committee. The Committee and Egger failed to timely file two pre-election campaign statements for the reporting periods of January 1, 2018 through April 21, 2018 and April 22, 2018 through May 19, 2018, in violation of Government Code Section 84200.5 (2 counts). **Total Proposed Penalty: \$490.**

**In the Matter of Chula Vista Firefighter's Local 2180 PAC and Dangkhwa Nguyen; FPPC No. 19/069.** Staff: Galena West, Chief of Enforcement and Tara Stock, Intake Manager. Chula Vista Firefighter's Local 2180 PAC is a local general purpose committee. Dangkhwa Nguyen is the Committee's treasurer. The Committee and Nguyen failed to timely file two 24-Hour Reports, in violation of Government Code Section 84204 (2 counts). **Total Proposed Penalty: \$445.**

**In the Matter of Campaign for Kyle Samuels North Monterey County Unified School District Area 2 2017 and Kyle Samuels; FPPC No. 18/1303.** Staff: Galena West, Chief of Enforcement and Ginny Lambing, Political Reform Consultant. Kyle Samuels was a successful candidate for North Monterey County Unified School District in the November 7, 2017 General Election. Campaign for Kyle Samuels North Monterey County Unified School District Area 2 2017 was his candidate-controlled committee. The Committee and Samuels failed to timely file two semiannual campaign statements for the reporting periods of October 22, 2017 through December 31, 2017 and January 1, 2018 through June 30, 2018, in violation of Government Code Section 84200 (2 counts). **Total Proposed Penalty: \$439.**

**In the Matter of Halferty for Supervisor 2018 and Jennifer Halferty; FPPC No. 18/656.** Staff: Galena West, Chief of Enforcement and Tara Stock, Intake Manager. Jennifer Halferty was a successful candidate for Mono County Supervisor in the June 5, 2018 Primary Election. Halferty for Supervisor 2018 was her candidate-controlled committee. The Committee and Halferty failed to timely file a semiannual campaign statement for the reporting period of May 20, 2018 through June 30, 2018, in violation of Government Code Section 84200 (1 count), and 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: \$418.**

**In the Matter of Escondido Democratic Club Sponsored Committee and Julie Frank; FPPC No. 18/890.** Staff: Galena West, Chief of Enforcement and Dominika Wojenska, Associate Governmental Program Analyst. Escondido Democratic Club Sponsored Committee is a local general purpose committee. Julie Frank is the Committee's treasurer. The Committee and Frank 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: \$275.**

**In the Matter of Dr. Deborah S. LeBlanc for Trustee 2018 and Deborah S. LeBlanc; FPPC No. 18/1018.** Staff: Galena West, Chief of Enforcement and Ginny Lambing, Political Reform Consultant. Deborah S. LeBlanc was a successful candidate for Trustee Area 4 of Compton Community College District in the November 6, 2018 General Election. Deborah S. LeBlanc for Trustee 2018 was her candidate-controlled committee. The Committee and LeBlanc 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: \$264.**

**In the Matter of Sarah Butler for CCC Board of Education 2018 and Sarah Butler; FPPC No. 19/585.** Staff: Galena West, Chief of Enforcement and Ginny Lambing, Political Reform Consultant. Sarah Butler was a successful candidate for Contra Costa County Board of Education in the November 6, 2018 General Election. Sarah Butler for CCC Board of Education 2018 was her candidate-controlled committee. The Committee and Butler 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: \$238.**

**In the Matter of Deidre Siguenza for School Board 2018, Deidre Siguenza, and Dylan Radke; FPPC No. 18/978.** Staff: Galena West, Chief of Enforcement and Tara Stock, Intake Manager. Deidre Siguenza was a successful candidate for Martinez Unified School District Board in the November 6, 2018 General Election. Deidre Siguenza for School Board 2018 was her candidate-controlled committee. Dylan Radke was the Committee's Treasurer. The Committee, Siguenza, and Radke 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: \$202.**

**In the Matter of Friends of Patricia Martinez-Roach and Patricia Martinez-Roach; FPPC No. 18/942.** Staff: Galena West, Chief of Enforcement and Dominika Wojenska, Associate Governmental Program Analyst. Patricia Martinez-Roach was an unsuccessful candidate for East Side Union High School District Board in the November 6, 2018 General Election. Friends of Patricia Martinez-Roach is her candidate-controlled committee. The Committee and Martinez-Roach 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: \$200.**

**In the Matter of Kirk Andrus for District Attorney 2018 and Kirk Andrus; FPPC No. 18/410.** Staff: Galena West, Chief of Enforcement and Tara Stock, Intake Manager. Kirk Andrus was a successful candidate for Siskiyou County District Attorney in the June 5, 2018 Primary Election. Kirk Andrus for District Attorney 2018 was his candidate-controlled committee. The Committee and Andrus failed to timely file a pre-election campaign statement for the reporting period of April 22, 2018 through May 19, 2018, in violation of Government Code Section 84200.5 (1 count). **Total Proposed Penalty: \$200.**

## Statement of Economic Interests Late Filer

**In the Matter of Kenneth Swearinger; FPPC No. 18/855.** Staff: Jenna Rinehart, Commission Counsel. Kenneth Swearinger, a Governing Board Member Trustee of Area 2 for Stony Creek Joint Unified School District, failed to timely file a 2017 and 2018 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (2 counts). **Total Proposed Penalty: \$400.**

**In the Matter of Courtney Power; FPPC No. 19/017.** Staff: Galena West, Chief of Enforcement and Chloe Hackert, Political Reform Consultant. Courtney Power, a Director for the Hasting College of Law Board of Directors, 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 Richard Covera-Hernandez; FPPC No. 19/245.** Staff: Galena West, Chief of Enforcement and Cheng Saetern, Staff Services Analyst. Richard Covera-Hernandez, a Planning Commissioner for the City of Cudahy, failed to timely file a 2017 Annual Statement of Economic Interests, in violation of Government Code Section 87203 (1 count). **Total Proposed Penalty: \$400.**

**In the Matter of Patricia Fauble; FPPC No. 19/96.** Staff: Galena West, Chief of Enforcement and Cheng Saetern, Staff Services Analyst. Patricia Fauble, a Board Member for Jacumba Community Sponsor Group, 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 Mark Zacovic; FPPC No. 19/457.** Staff: Galena West, Chief of Enforcement and Cheng Saetern, Staff Services Analyst. Mark Zacovic, a Member of the Citizen's Bond Oversight Committee, 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 Judith Hasko; FPPC No. 19/306.** Staff: Galena West, Chief of Enforcement and Cheng Saetern, Staff Services Analyst. Judith Hasko, a Planning Commissioner for the City of Portola Valley, 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 Victor Martinez; FPPC No. 19/271.** Staff: Galena West, Chief of Enforcement and Cheng Saetern, Staff Services Analyst. Victor Martinez, a City Council Member for the City of Mendota, 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 Terrence Slatic; FPPC No. 19/807.** Staff: Galena West, Chief of Enforcement and Chloe Hackert, Political Reform Consultant. Terrence Slatic, as a Board Member for the Fresno Unified School District, failed to timely file his Assuming Office Statement of Economic Interests, in violation of Government Code Section 87203 (1 count). **Total Proposed Penalty: \$200.**



**In the Matter of Windy Van Dam; FPPC No. 19/798.** Staff: Galena West, Chief of Enforcement and Teri Rindahl, Political Reform Consultant. Windy Van Dam, a Veterinary Diagnostics Laboratory Board Member for the Department of Food & Agriculture, failed to timely file a 2018 Annual Statement of Economic Interests, in violation of Government Code Section 87300

(1 count). **Total Proposed Penalty: \$200.**

#### **Statement of Economic Interests Late Reporter**

**In the Matter of Bruce McPherson; FPPC No. 19/207.** Staff: Galena West, Chief of Enforcement and Tara Stock, Intake Manager. Bruce McPherson, a Supervisor for the County of Santa Cruz, failed to timely disclose a source of income on his 2017 Annual Statement of Economic Interests, in violation of Government Code Section 87207 (1 counts). **Total Proposed Penalty: \$100.**

## II. LEGAL DIVISION

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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. Gavin Newsom, 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 court heard oral argument on July 17, 2019. On August 26, 2019, the court affirmed the trial court's order invalidating SB 1107. The deadline to file a petition for review in the California Supreme Court is October 4, 2019.

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

- Senior Commission Counsel Zachary Norton gave a presentation covering the campaign committee audit process, training and outreach opportunities, and contract renewal to the Sacramento Ethic Commission on August 26th. The presentation was made at the request of the Ethics Commission and the City Clerk to provide an update on the FPPC's work under the Campaign Law Enforcement Agreement entered into with the City in 2018. Attendees included members of the Ethics Commission, the City Clerk, and the City Attorney.
- Political Reform Consultants, Alex Castillo and Katie Trumbly, presented workshops to candidates and treasurers, and campaign filing officers, respectively. The workshops were held in FPPC's office in Sacramento. Additionally, Alex Castillo helped a walk-in customer who wanted information on candidate/treasurer responsibilities, and Political Reform Consultant, Aly Larson helped a walk-in customer who wanted information on lobbying.
- Video Tutorials: Commission video tutorials were accessed a total of 274 times in August; Form 700 videos were viewed 154 times, the Candidate/Treasurer video was viewed 86 times, and the filing officer videos were viewed 34 times.
- Filing Schedules: Staff posted filing schedules for the State and Local elections of November 2020.

### **C. Advice**

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

- **Education Program:** The Education Program responded to 459 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 582 e-mail and telephone requests for advice, 25 of which were not responded to within 24 hours.

- **Advice Letters:** The Legal Division received eight advice letter requests under the Political Reform Act and completed 18 letters.
- **Section 1090 Letters:** The Legal Division received five advice letter requests concerning Section 1090 and completed 12 letters. This year to date, we have received 52 advice requests regarding Section 1090.

#### **D. Miscellaneous Decisions**

None to report.

#### **E. Potential Upcoming Regulations**

*October 17<sup>th</sup>, 2019*

- Regulation 18702.4: Conflict of Interest Analysis, Source of Gift Materiality Threshold. (Prenotice Discussion.)
- Regulation 18702.5: Conflict of Interest Analysis, Personal Financial Effect Materiality Threshold. (Prenotice Discussion.)
- 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.)

*November 21<sup>st</sup>, 2019*

- Disclose Act Related Regulation Package. (Adoption.)

*December 19<sup>th</sup>, 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.)

#### **F. Conflict of Interest Codes**

##### **Adoptions and Amendments**

*State Agency Conflict of Interest Codes*

None to report.

*Multi-County Agency Conflict of Interest Codes*

- Independent Cities Risk Management 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 Armenian National Committee Political Action Committee Ancpac and Viken K. Pakradouni, FPPC No. 18/01139.*** On August 21, 2019, probable cause was found to believe Respondents committed the following violations of the Act:

Count 1: The Committee and Pakradouni 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 Sections 84200 and 84605.

Count 2: The Committee and Pakradouni 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 Sections 84200 and 84605.

Count 3: The Committee and Pakradouni 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 Government Code Sections 84200 and 84605.

Count 4: The Committee and Pakradouni failed to pay the 2015 annual fee by the January 15, 2015 due date, and failed to pay the resulting \$150 penalty, in violation of Government Code Section 84101.5, subdivisions (c) and (d).

Count 5: The Committee and Pakradouni failed to pay the 2019 annual fee by the January 15, 2019 due date, and failed to pay the resulting \$150 penalty, in violation of Government Code Section 84101.5, subdivisions (c) and (d).

2. ***In the Matter of Heidi Shink for West Hollywood City Council 2015, Heidi Shink, and David Gould, FPPC No. 15/264.*** On August 7, 2019, probable cause was found to believe Respondents committed the following violations of the Act:

- Count 1: The Committee, Shink, and Gould failed to timely report itemized expenditures of \$999 made by Shink to David Daigle on semi-annual campaign statement for reporting period ending on June 30, 2014, due July 31, 2014, in violation of Government Code Section 84211, subdivision (k).
- Count 2: The Committee, Shink, and Gould failed to timely report itemized expenditures of \$6,795.55 made by Shink to David Daigle on a semi-annual campaign statement for the reporting period ending December 31, 2014, due by February 2, 2015, in violation of Government Code Section 84211, subdivision (k).
- Count 3: On or about June 17, 2014 the bank statements identify Howard Goldfarb, Marci Goldfarb, and Sam Gold Farb each contributed \$432.45 in addition to their earlier contributions on June 2, 2014. However, on a semi-annual campaign statement for the period ending June 30, 2014, the Committee, Shink, and Gould incorrectly reported that the Committee received these contributions from Jacob Goldfarb, Matthew Goldfarb, and Gail Lindo Goldfarb. In this way, the Committee, Shink, and Gould violated Government Code Section 84211, subdivision (f).
- Count 4: On around June 21, 2014, a fundraiser was held for Shink's campaign, which was labeled "The Taste of Change." Shink hired her spouse, Stansbury, as the campaign event coordinator, and the Committee and Shink paid Stansbury \$500 on or around June 17, 2014 for her role as an event coordinator. Additionally, on or around June 30, 2014, the Committee and Shink issued a second check in the amount of \$500 to Stansbury through Shortcuts Inc., with the memo section of the check reading, "Food & Wine for Fundraiser Event." In this way, the Committee and Shink violated Government Code Section 84307.5.

## III. ADMINISTRATION & TECHNOLOGY DIVISION

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STAFF: LORESSA HON, CHIEF OF ADMINISTRATION

### **New Employee Report**

#### **Administration and Technology Division**

Nate McGaughey, Associate Budget Analyst

#### **Enforcement Division**

Patricia Ballantyne, Program Specialist II (Promotion)

#### **Legal Division**

Karen Harrison, Senior Commission Counsel (Promotion)