

News from the FPPC



California Fair Political Practices Commission
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The following are enforcement decisions approved by the Fair Political Practices Commission at its regular monthly meeting held on Thursday, May 17, 2018. Decisions are listed by category and include a brief summary of each case and the total amount of any administrative fine in each case.

Additional information on each of the enforcement cases listed below can be found in the May agenda on the FPPC website at www.fppc.ca.gov. FPPC agendas are distributed and posted on the agency website at least 10 days prior to each monthly meeting.

The web version of the agenda includes links to the stipulations agreed to between the FPPC Enforcement Division and the individuals and organizations subject to the fines, or the default decisions proposed to the Commission. Exhibits in support of the stipulations and proposed default decisions are also available on the website. If you or need further assistance, please contact the FPPC communications office at (916) 322-7761 or press@fppc.ca.gov.

San Bernardino County Ordinance – Campaign Contribution Limit Violations

In the Matter of Wyn Holmes; FPPC No. 16/589. Staff: Commission Counsel Michael W. Hamilton and Special Investigator Paul Rasey. Wyn Holmes, a real estate developer in Southern California, made contributions over the limit to San Bernardino County Board of Supervisor Candidates Bill Holland and Paul Russ prior to the June 7, 2016 Primary Election in San Bernardino County, in violation of San Bernardino Ordinance 12.4305, subdivision (a) (2 counts). Holmes failed to timely file major donor campaign statements to report the contributions made in 2015 and 2016, in violation of Government Code Section 84200 (1 count); and failed to file one 24-Hour Report, in violation of Government Code Section 84203 (1 count). **Fine: \$10,500.**

Personal Use

In the Matter of Jackie Wong for School Board 2016 and Jackie Wong; FPPC No. 17/621. Staff: Commission Counsel Theresa Gilbertson and Supervising Special Investigator Jay Martin. Jackie Wong was a successful candidate for the Washington Unified School District Board Member in the November 8, 2016 General Election. Jackie Wong for School Board 2016 was her candidate-controlled committee. The Committee and Wong made expenditures of campaign

funds not related to a political, legislative, or governmental purpose, in violation of Governmental Code Sections 89512 and 89517 (1 count). **Fine: \$3,000.**

One Bank Account Rule

In the Matter of Barbadillo for Milpitas City Council 2014 and Garry Barbadillo; FPPC No. 15/248. Staff: Commission Counsel Theresa Gilbertson and Program Specialist Patricia Ballantyne. Garry Barbadillo was a successful candidate for the Milpitas City Council in the November 4, 2014 General Election. Barbadillo for Milpitas City Council 2014 was his candidate-controlled committee. The Committee and Barbadillo failed to pay campaign expenditures from the designated campaign bank account, in violation of Government Code Section 85201 (1 count). **Fine: \$2,000.**

Lobbying Non-Filer

In the Matter of The Brimley Group; FPPC No. 17/1392 (Streamline Settlement). Staff: Chief of Enforcement Galena West and Intake Manager Tara Stock. The Brimley Group, a lobbying firm, failed to timely file three lobbying firm reports covering the periods of January 1, 2017 through September 30, 2017, in violation of Government Code Section 86114 (3 counts). **Fine: \$971.**

Campaign Reporting

In the Matter of Pam Bertani for Solano County Supervisor 2014 and Pam Bertani; FPPC No. 14/1112. Staff: Senior Commission Counsel Bridgette Castillo and Staff Services Analyst Dominika Wojenska. Pam Bertani was a successful candidate for Solano County Board of Supervisors in the June 3, 2014 Primary Election and an unsuccessful candidate in the November 4, 2014 General Election. Bertani has been a member of the Fairfield City Council since 2011. Pam Bertani for Solano County Supervisor 2014 was her candidate-controlled committee for the 2014 elections. The Committee and Bertani failed to timely disclose contributions, expenditures, and contributor information on two pre-election and one semiannual campaign statements for the reporting periods of January 1, 2014 through June 30, 2014, in violation of Government Code Section 84211, subdivisions (a)-(f) (2 counts); and failed to timely file three 24-Hour Reports, in violation of Government Code Sections 84203 and 84203.3 (1 count). **Fine: \$7,500.**

Campaign Non-Filer

In the Matter of Global Investment & Development, LLC; FPPC No. 17/622 (Streamline Settlement). Staff: Commission Counsel Christopher Burton and Political Reform Consultant Teri Rindahl. Global Investment & Development, LLC was a major donor committee for the years of 2013 through 2017. The Committee failed to timely file six semiannual campaign statements covering the reporting periods of January 1, 2013 through December 31, 2016, in violation of Government Code Section 84200, subdivision (b) (6 counts); failed to timely file nineteen 24-Hour Reports, in violation of Government Code Section 84203 (19 counts); and failed to timely report expenditures on a semiannual campaign statement, in violation of Government Code Section 84211, subdivisions (b), (i), and (k) (1 count). **Fine: \$6,734.**

In the Matter of No on Measure M 2016, Damien Goodmon, Lewis Hall, and Thomas D. Carter; FPPC No. 17/290 (Streamline Settlement). Staff: Commission Counsel Christopher Burton and Intake Manager Tara Stock. No on Measure M 2016 was a primarily formed ballot measure committee opposing Los Angeles County Metropolitan Transportation Authority Measure M on the November 8, 2016 General Election ballot. Damien Goodmon was the Committee's principal officer. Lewis Hall served as both the Committee's treasurer and principal officer. Thomas D. Carter was the Committee's treasurer. The Committee, Goodmon, Hall, and Carter failed to timely file two semiannual campaign statements covering the reporting period of October 23, 2016 through June 30, 2017, in violation of Government Code Section 84200, subdivision (b) (2 counts); and failed to timely file nine 24-Hour Reports, in violation of Government Code Section 84203 (9 counts). **Fine: \$2,829.**

In the Matter of Clark & Sullivan Builders and Kevin Stroupe; FPPC No. 17/1430 (Streamline Settlement). Staff: Chief of Enforcement Galena West and Staff Services Analyst Hayley Porter. Clark & Sullivan Builders, a real estate developer in Northern California and a major donor committee for the years 2014 and 2016. The Committee failed to timely file two semiannual campaign statements covering the reporting periods of January 1, 2014 through December 31, 2014, and January 1, 2016 through December 31, 2016, in violation of Government Code Section 84200 (2 counts) and failed to file four 24-Hour Reports, in violation of Government Code Section 84203 (4 counts). **Fine: \$2,808.**

In the Matter of Committee to Elect Al Murray Berkeley City Council 2016 and Al G. Murray; FPPC No. 16/19757. Staff: Assistant Chief Counsel David Bainbridge, Commission Counsel Ruth Yang, and Associate Governmental Program Analyst Dominika Wojenska. Al G. Murray was an unsuccessful candidate for Berkeley City Council District 3 in the November 8, 2016 General Election. Committee to Elect Al Murray Berkeley City Council 2016 is his candidate-controlled committee. The Committee and Murray failed to timely file one pre-election campaign statement covering the reporting period of July 1, 2016 through September 24, 2016, in violation of Government Code sections 84200.5, subdivision (a), and 84200.8, subdivision (a). (1 count). **Fine: \$2,500.**

In the Matter of Committee to Elect Debbie Ponte for Supervisor 2012, Debbie Ponte, and Robin Fleming; FPPC No. 17/0541 (Streamline Settlement). Staff: Commission Counsel Theresa Gilbertson. Debbie Ponte was a successful candidate for the Board of Supervisors in Calaveras County in the November 6, 2012 General Election. Committee to Elect Debbie Ponte for Supervisory 2012 was her candidate-controlled committee. Robin Fleming was the Committee's treasurer. The Committee, Ponte, and Fleming failed to timely file seven semiannual statements covering the reporting periods of January 1, 2013 through June 30, 2016, in violation of Government Code 84200 (7 counts). **Fine: \$1,488.**

In the Matter of Kenneth M. Foley for Superior Court Judge 2014 and Kenneth Foley; FPPC No. 16/642 (Streamline Settlement). Staff: Commission Counsel Theresa Gilbertson and Program Specialist Grant Beauchamp. Kenneth Foley unsuccessfully ran for Superior Court Judge in Calaveras County in June 3, 2014 Primary Election. Foley was the Committee's treasurer. The Committee and Foley failed to timely file one pre-election campaign statement covering the reporting period of March 18, 2014 through May 17, 2014, in violation of Government Code Section 84200.5 (1 count); and failed to timely file one semiannual campaign statement covering the reporting period of May 18, 2014 through June 30, 2014, in violation of Government Code Section 84200 (1 count). **Fine: \$446.**

Statement of Economic Interests Non-Filer

In the Matter of Aaron F.B. Medina; FPPC No. 16/19737. Staff: Commission Counsel Christopher Burton, Political Reform Consultant Teri Rindahl, and Staff Services Analyst Katie Trumbly. Aaron F.B. Medina, a former Commissioner of the California Travel and Tourism Commission, failed to timely file his 2015 and 2016 Annual Statements of Economic Interests, in violation of Government Section Code 87300 (2 counts). **Fine: \$2,000.**

In the Matter of Karl Jacobson; FPPC No. 16/31 (Streamline Settlement). Staff: Commission Counsel Ruth Yang and Political Reform Consultant Teri Rindahl. Karl Jacobson, a board member of the Orchard School District, failed to timely file his 2014 Annual Statement of Economic Interests with the County of Santa Clara, in violation of Government Code 87300 (1 count). **Fine: \$200.**

In the Matter of Kirk Brown; FPPC No. 18/136 (Streamline Settlement). Staff: Chief of Enforcement Galena West and Political Reform Consultant Chloe Hackert. Kirk Brown, as a Board Member of the Freewater County Water District, failed to timely file his Assuming Office Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Fine: \$200.**