

News from the FPPC



California Fair Political Practices Commission
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Additional information on each of the enforcement cases listed below can be found in the July 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.

I. The following are enforcement decisions approved by the Fair Political Practices Commission at its regular monthly meeting held on Thursday, July 18, 2019. Decisions are listed by category and include a brief summary of each case and the total amount of any administrative fine in each case.

Conflicts of Interest

In the Matter of Juanita Perea; FPPC No. 17/1310. Staff: Christopher Burton, Senior Commission Counsel and Marshall Miller, Special Investigator. The respondent was represented by Nimi Aviad of Crowell & Moring, LLP. Juanita Perea, as Executive Director of the Oasis Charter Public School in Salinas from 2015 to 2017, approved payments to Jimenez Gardening Maintenance and Handyman, a business in which Perea held a financial interest, in violation of Government Code Section 87100 (3 counts). **Fine: \$12,000.**

In the Matter of Linda Fowler; FPPC No. 15/957. Staff: Neal Bucknell, Senior Commission Counsel and Jeffrey Kamigaki, Supervising Special Investigator. The respondent was represented by Timothy Cary and Ryan Zick of Price, Postel & Parma, LLP. Linda Fowler is a member of the Twin Rivers Unified School District (“TRUSD”) Board of Trustees, and she was TRUSD’s appointed representative on the Highlands Community Charter and Technical Schools Board of Directors in 2014. Fowler used her two positions to influence the board’s decision to enter into a contract with her consulting business, in violation of Government Code Section 87100 (1 count). **Fine: \$3,500.**

In the Matter of Lyn Semeta; FPPC No. 16/756. Staff: Michael Hamilton, Commission Counsel. Lyn Semeta, a former member of the Huntington Beach Planning Commission, made a

decision involving No Ka Oi Live Entertainment, and then accepted a contribution from the company that exceeded the contribution limit within three months of making that decision, in violation of Government Code Section 84308, subdivision (b) (1 count). **Fine: \$2,000.**

Advertisements

In the Matter of Sampayan 4 Vallejo Mayor 2016 and Ruperto “Bob” Sampayan; FPPC No. 16/20122. Staff: Christopher Burton, Senior Commission Counsel and Rooney Petersen, Special Investigator. Ruperto “Bob” Sampayan was a successful candidate for Mayor of Vallejo in the November 8, 2016 General Election. Sampayan 4 Vallejo Mayor 2016 is his candidate-controlled committee. The Committee and Sampayan failed to include the proper advertisement disclaimers on two mass mailings distributed by the committee prior to the election, in violation of Government Code Section 84305 (1 count). **Fine: \$1,500.**

Mass Mailings

In the Matter of Cupertino Union School District; FPPC Nos. 16/19863 and 17/521. Staff: Ruth Yang, Commission Counsel. The respondent was represented by William B. Tunick of Dannis Woliver Kelley. In June 2016, October 2016, and May 2017, the District prepared and distributed three mass mailings at the public expense that featured elected members of the District’s Board of Education, in violation of Government Code Section 89001 and Regulation 18901, subdivision (a) (1 count). **Fine: \$2,500.**

Campaign Late Filer

In the Matter of Elevate California: Yes on 2, Marc Levine Ballot Issue Committee, Marc Levine, and Philip Bruce Raful; FPPC No. 17/607. Staff: Angela Brereton, Assistant Chief Counsel and Bob Perna, Program Specialist. This matter arose from an audit performed by the Franchise Tax Board’s Political Reform Audit Program. Marc Levine was a successful candidate for re-election to the California State Assembly District 10, in the November 4, 2014 General Election. Elevate California: Yes on 2, Marc Levine Ballot Issue Committee was his candidate-controlled general purpose committee. For the 2014 General Election, the Committee became Levine’s primarily formed committee supporting Proposition 2. Philip Bruce Raful was the Committee’s treasurer. The Committee, Levine and Raful failed to timely file a \$5,000 Report for two contributions received on or around July 24, 2014, in violation of Government Code Section 85309, subdivision (c) (1 count). The Committee, Levine, and Raful also made a prohibited payment for a TV advertisement featuring Levine, about Proposition 2, after receiving a contribution that exceeded the calendar year contribution limit within 45 days of the election, in violation of Government Code Section 85310, subdivision (c) (1 count). **Fine: \$4,500.**

Statement of Economic Interests Late Reporter

In the Matter of Abdallah Farrukh, M.D.; FPPC No. 16/071. Staff: Angela Brereton, Assistant Chief Counsel and Paul Rasey, Special Investigator. The respondent was represented by Brian Hildreth of Bell, McAndrews & Hiltachk, LLP. Abdallah Farrukh, M.D., a member of the Antelope Valley Healthcare District Board of Directors, failed to timely disclose investments and sources of income interests on his 2013, 2014, 2015 and 2016 Annual Statements of Economic Interests, in violation of Government Code Sections 87206, 87207, and 87300 (4 counts). **Fine: \$4,000.**

II. The following are enforcement decisions approved through the streamline penalty process and were executed by the Chief of Enforcement per Regulation 18360.2 following the June 13, 2019 meeting. Decisions are listed by category and include a brief summary of each case and the total amount of any administrative fine in each case.

Advertisements

In the Matter of Regina Gage Salinas Valley Memorial Healthcare Board of Directors Zone 1 2018 and Regina Gage; FPPC No. 18/1491. Staff: Commission Counsel Megan Van Arsdale. Regina Gage was a successful candidate for Salinas Valley Memorial Healthcare Board of Directors in the November 6, 2018 General Election. Regina Gage Salinas Valley Memorial Healthcare Board of Directors Zone 1 2018 is her candidate-controlled committee. The Committee and Gage failed to include the proper advertisement disclaimers on a mass mailing distributed by the committee prior to the election, in violation of Government Code Section 84305 (2 counts). **Fine: \$314.**

In the Matter of CAL FIRE Local 2881 Small Contributor PAC, Gary Hawks, Rick Swan, Jim Nolan, Dennis O'Brien, Cliff Allen, and Tom Gardner; FPPC No. 16/19850. Staff: Commission Counsel Megan Van Arsdale. The respondents were represented by Richard Rios of Olson Hagel & Fishburn, LLP. CAL FIRE Local 2881 Small Contributor PAC is a state general purpose committee. Gary Hawks, Rick Swan, Jim Nolan, Dennis O'Brien, Cliff Allen, and Tom Gardner are the Committee's principal officers. The Committee and Hawks, Swan, Nolan, O'Brien, Allen and Gardner, failed to include the proper advertisement disclaimers on a flyer distributed by the committee prior to the November 8, 2016 General Election, in violation of Government Code Section 84506.5 (2 counts). **Fine: \$202.**

In the Matter of CAL FIRE Local 2881 Small Contributor PAC, Gary Hawks, Rick Swan, Jim Nolan, Dennis O'Brien, Cliff Allen, and Tom Gardner; FPPC No. 18/1557. Staff: Commission Counsel Megan Van Arsdale. The respondents were represented by Richard Rios of Olson Hagel & Fishburn, LLP. CAL FIRE Local 2881 Small Contributor PAC is a state general purpose committee. Gary Hawks, Rick Swan, Jim Nolan, Dennis O'Brien, Cliff Allen, and Tom Gardner are the Committee's principal officers. The Committee and Hawks, Swan, Nolan, O'Brien, Allen and Gardner, failed to include the proper advertisement disclaimers on a mass mailing distributed by the committee prior to the November 6, 2018 General Election, in violation of Government Code Section 84506.5 (1 count). **Fine: \$160.**

Campaign Late Filer

In the Matter of Service Employees International Union Local 721 CTW, CLC State & Local and Robert Schoonover; FPPC No. 17/1377. Staff: Chief of Enforcement Galena West and Associate Governmental Program Analyst Dominika Wojenska. The respondent was represented by Richard Rios of Olson Hagel & Fishburn, LLP. This matter arose from an audit performed by the Franchise Tax Board's Political Reform Audit Program. Service Employees International Union Local 721 CTW, CLC State & Local is a state general purpose committee. Robert Schoonover is the Committee's treasurer. The Committee and Schoonover failed to timely file six 24-Hour Reports, in violation of Government Code Section 84203 (6 counts). **Fine: \$1,355.**

In the Matter of Beltran for Mayor 2018, Alma Beltran, and Esteissi Huerta; FPPC No. 19/382. Staff: Chief of Enforcement Galena West and Intake Manager Tara Stock. Alma Beltran was a successful candidate for the re-election of Mayor in the City of Parlier, in the November 6, 2018 General Election. Beltran for Mayor 2018 is her candidate-controlled committee. Esteissi Huerta is the Committee's treasurer. The Committee, Beltran, and Huerta 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); failed to timely file two 24-Hour Reports, in violation of Government Code Section 84203 (2 counts); and failed to timely file a supplemental Candidate Campaign Statement Short Form, in violation of Government Code Section 84206 (1 count). **Fine: \$840.**

In the Matter of Art Barrios for City Council 2015, Art Barrios, and Maryann Guidera Barrios; FPPC No. 18/1447. Staff: Chief of Enforcement Galena West and Associate Governmental Program Analyst Dominika Wojenska. This matter arose from an audit performed by the Franchise Tax Board's Political Reform Audit Program. Art Barrios was an unsuccessful candidate for El Monte City Council in the November 3, 2015 General Election. Art Barrios for City Council 2015 was his candidate-controlled committee. Maryann Guidera Barrios was the Committee's treasurer. The Committee, Barrios, and Barrios failed to maintain accurate records for contributions and expenditures during the reporting period of October 18, 2015 through December 31, 2015, in violation of Government Code Section 84104 (1 count); and failed to timely file two 24-Hour Reports, in violation of Government Code Section 84203 (2 counts). **Fine: \$733.**

In the Matter of Better High Schools for Salinas – Yes on B 2014 and Jesse Lopez; FPPC No. 18/607. Staff: Chief of Enforcement Galena West, Special Investigator Lance Hachigian, and Associate Governmental Program Analyst Dominika Wojenska. Better High Schools for Salinas – Yes on B 2014 is a local primarily formed committee. Jesse Lopez is the Committee's treasurer. The Committee and Lopez failed to timely file three semiannual campaign statements for the reporting periods of July 1, 2016 through December 31, 2016, January 1, 2017 through June 30, 2017, and July 1, 2017 through December 31, 2017, in violation of Government Code Section 84200 (3 counts). **Fine: \$600.**

In the Matter of Scott Voigts for Lake Forest City Council 2018, Scott Voigts, and John Fugatt; FPPC No. 17/1367. Staff: Chief of Enforcement Galena West and Associate Governmental Program Analyst Dominika Wojenska. Scott Voigts was a successful candidate for Lake Forest City Council in the November 6, 2018 General Election. Scott Voigts for Lake Forest City Council 2018 is his candidate-controlled committee. John Fugatt is the Committee's treasurer. The Committee, Voigts, and Fugatt failed to timely file an amended Statement of Organization, in violation of Government Code Section 84103 (1 count). Voigts also failed to timely file a Statement of Intention prior to receiving contributions related to the election, in violation of Government Code Section 85200 (1 count). **Fine: \$400.**

In the Matter of Fontana Teachers Association and Troy Liggins; FPPC No. 19/388. Staff: Chief of Enforcement Galena West and Political Reform Consultant Chloe Hackert. Fontana Teachers Association is a local general purpose committee. Troy Liggins is the Committee's treasurer. The Committee and Liggins failed to timely file a semiannual campaign statement for the reporting period of October 1, 2018 through December 31, 2018, in violation of Government Code Section 84200 (1 count). **Fine: \$318.**

In the Matter of Carlos Taboada for West Contra Costa School Board 2018, Carlos Taboada, and Ruscal Cayangyang; FPPC No. 18/977. Staff: Chief of Enforcement Galena West and Intake Manager Tara Stock. Carlos Taboada was an unsuccessful candidate for West Contra Costa School Board in the November 6, 2018 General Election. Carlos Taboada for West Contra Costa School Board 2018 is his candidate-controlled committee. Ruscal Cayangyang is the Committee's treasurer. The Committee, Taboada, and Cayangyang 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). **Fine: \$228.**

Statement of Economic Interests Late Filer

In the Matter of Elizabeth Shivell; FPPC No. 16/20060. Staff: Commission Counsel Megan Van Arsdale. Elizabeth Shivell, an Emeritus Member of the Child Abuse Council in the County of Santa Clara, failed to timely file a 2015 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Fine: \$600.**

In the Matter of Michelle Molina; FPPC No. 18/483. Staff: Chief of Enforcement Galena West and Staff Services Analyst Cheng Saetern. Michelle Molina, as Board Member for Downtown Long Beach Associates, failed to timely file a 2017 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Fine: \$400.**

In the Matter of Preeti Hehmeyer; FPPC No. 19/461. Staff: Chief of Enforcement Galena West and Staff Services Analyst Cheng Saetern. Preeti Hehmeyer, a Planning Commissioner for the City of Mountain View, failed to timely file a 2017 Annual Statement of Economic Interests, in violation of Government Code Section 87203 (1 count). **Fine: \$200.**

In the Matter of Liang Chao; FPPC No. 19/418. Staff: Chief of Enforcement Galena West and Political Reform Consultant Ginny Lambing. Liang Chao, a member of the Cupertino City Council, failed to timely file an Assuming Office Statement of Economic Interests, in violation of Government Code Section 87202 (1 count). **Fine: \$200.**

In the Matter of Robert Glynn; FPPC No. 19/455. Staff: Chief of Enforcement Galena West and Staff Services Analyst Cheng Saetern. Robert Glynn, a Planning Commissioner for the City of Wheatland, failed to timely file a 2017 Annual Statement of Economic Interests, in violation of Government Code Section 87203 (1 count). **Fine: \$200.**

In the Matter of George Beck; FPPC No. 18/1528. Staff: Chief of Enforcement Galena West and Staff Services Analyst Shaina Elkin. George Beck, the Treasurer for Canebrake County Water District, failed to timely file a 2017 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Fine: \$200.**

In the Matter of Craig Taylor; FPPC No. 19/305. Staff: Chief of Enforcement Galena West and Staff Services Analyst Cheng Saetern. Craig Taylor, a Planning Commissioner for the City of Portola Valley, failed to timely file an Assuming Office Statement of Economic Interests, in violation of Government Code Section 87202 (1 count). **Fine: \$200.**

In the Matter of Mario Fonda-Bonardi; FPPC No. 19/451. Staff: Chief of Enforcement Galena West and Staff Services Analyst Cheng Saetern. Mario Fonda-Bonardi, a Planning

Commissioner for the City of Santa Monica, failed to timely file a 2017 Annual Statement of Economic Interests, in violation of Government Code Section 87203 (1 count). **Fine: \$200.**

In the Matter of Lillian Perez; FPPC No. 19/037. Staff: Chief of Enforcement Galena West and Staff Services Analyst Cheng Saetern. Lillian Perez, a Principal for Fallbrook Union Elementary School District, failed to timely file a 2017 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Fine: \$200.**

In the Matter of Marilyn Surakus; FPPC No. 17/504. Staff: Commission Counsel Jenna Rinehart. Marilyn Surakus, Capital Projects Coordinator with Public Works for the City of Long Beach, failed to timely file an Assuming Office Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Fine: \$200.**

In the Matter of Michael Dunne; FPPC No. 17/988. Staff: Chief of Enforcement Galena West and Intake Manager Tara Stock. Michael Dunne, a Board Member for the California Travel and Tourism Commission, failed to timely file an Assuming Office Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Fine: \$200.**

In the Matter of Michael Diepenbrock; FPPC No. 19/466. Staff: Chief of Enforcement Galena West and Staff Services Analyst Cheng Saetern. Michael Diepenbrock, a Consultant for the California State Teacher's Retirement System, failed to timely file an Assuming Office Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Fine: \$200**

Statement of Economic Interest Late Reporter

In the Matter of Doddanna Krishna, M.D.; FPPC No. 16/072. Staff: Assistant Chief Counsel Angela Brereton and Special Investigator Paul Rasey. The respondent was represented by Brian Hildreth of Bell, McAndrews & Hiltachk, LLP. Doddanna Krishna, M.D., as a member of the Antelope Valley Healthcare District Board of Directors, failed to timely disclose sources of income on his 2013, 2014 and 2015 Annual Statements of Economic Interests; and his Leaving Office Statement of Economic Interests, in violation of Government Code Section 87300 (22 counts). **Fine: \$2,200.**

In the Matter of Micah Posner; FPPC No. 16/288. Staff: Assistant Chief Counsel Angela Brereton and Special Investigator Roone Peterson. Micah Posner, as a member of the Santa Cruz City Council, failed to timely disclose investments, real property, and/or business positions on his 2013 and 2014 Annual Statements of Economic Interests, in violation of Government Code Sections 87206 and 87209 (4 counts). **Fine: \$400.**

In the Matter of Tina Shull; FPPC No. 19/640. Staff: Chief of Enforcement Galena West and Intake Manager Tara Stock. Tina Shull, the Assistant City Manager for the City of Santa Cruz, failed to timely disclose two investment interests held by her spouse, and a source of income to her spouse on her 2017 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (3 counts). **Fine: \$300.**

In the Matter of Mukund Shah, M.D.; FPPC No. 16/070. Staff: Assistant Chief Counsel Angela Brereton and Special Investigator Paul Rasey. The respondent was represented by Brian Hildreth of Bell, McAndrews & Hiltachk, LLP. Mukund Shah, M.D., as a member of the

Antelope Valley Healthcare District Board of Directors, failed to timely disclose leasehold interests on his 2015 and 2016 Annual Statements of Economic Interests, in violation of Government Code Section 87300 (2 counts). **Fine: \$200.**