



## NOTICE AND AGENDA Commission Meeting<sup>1</sup>

California Fair Political Practices Commission  
1102 Q Street, Suite 3800  
Sacramento, CA 95811

Thursday, August 17, 2017  
10:00 A.M.

Under Government Code section 11123(a), all meetings of a state body are open and public, and all persons are permitted to attend any meeting of a state body, except as otherwise provided in that article. The section further states that the portion of the teleconferenced meeting that is required to be open to the public must be audible to the public at the location specified in the notice of the meeting. The Commission may take action on any item listed on this agenda.

### Welcome

Jodi Remke, FPPC Chair

### Public Comment

- 1. Public Comment.** This portion of the meeting is reserved for comment on items not on the agenda. Under the Bagley-Keene Act, the Commission cannot act on items raised during public comment, but may respond briefly to statements made or questions posed; request clarification; or refer the item to staff.

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<sup>1</sup>You can obtain further information about the meeting by contacting the Commission Assistant, 1102 Q Street, Suite 3000, Sacramento, CA, 95811, Tel. (916) 322-5745. Written comments on agenda items should be submitted to the Commission no later than 12:00 p.m. the day before the meeting in order to afford the Commissioners adequate time to fully consider the comments. Email comment letters directly to [CommAsst@fppc.ca.gov](mailto:CommAsst@fppc.ca.gov).

The agenda and related documents are posted on the FPPC website at [www.fppc.ca.gov](http://www.fppc.ca.gov). Materials submitted by the public regarding each agenda item will be made available at the meeting and on the website.

Members of the public may listen to the meeting by phone by calling (877) 411-9748; access code 723284; or watch the meeting via Webinar at [meeting via YouTube](#).

The meeting location is accessible to the disabled. Persons who, due to a disability, need assistance in order to participate in this meeting should, prior to the meeting, contact the Commission Assistant at (916) 322-5745 (voice), [CommAsst@fppc.ca.gov](mailto:CommAsst@fppc.ca.gov) (e-mail) and [ADACoordinator@fppc.ca.gov](mailto:ADACoordinator@fppc.ca.gov). TTY/TDD and Speech-to-Speech users may dial 7-1-1 for the California Relay Service to submit comments on an agenda item or to request special accommodations for persons with disabilities. Please allow three business days between the request and the meeting date.

## Approval of Commission Minutes

### 2. Approval of July 2017 Commission Hearing Minutes.

## Consent Calendar 3 – 27

### **Laundered Campaign Contributions**

**3. In the Matter of The Huntley Hotel; FPPC No. 15/246.** Staff: Commission Counsel Michael W. Hamilton, Special Investigator Ann Flaherty, and Special Investigator Marshall Miller. The Huntley Hotel, a luxury hotel in Santa Monica, made contributions in the names of others instead of its own legal name to support candidates for Santa Monica City Council. In 2012, The Huntley Hotel made the following contributions in the names of others instead of its own legal name: nine contributions to Terry O’Day for City Council 2012, nine contributions to Gleam Davis for City Council 2012, eleven contributions to Richard McKinnon for City Council 2012, eleven contributions to Ted Winterer for City Council 2012, and four contributions to Santa Monicans for Responsible Growth, totaling \$86,650; in violation of Government Code Section 84301 (44 counts). From 2013 through 2015, The Huntley Hotel made the following contributions in the names of others instead of its own legal name: one contribution to Santa Monicans for Renters Rights, one contribution to Santa Monica Coalition for a Livable City and sixteen contributions to McKinnon for City Council 2014, totaling \$10,700; in violation of Government Code Section 84301 (18 counts). **Total Proposed Penalty: \$310,000.**

**4. In the Matter of Richardson Patel and Pure Pilates, Inc.; FPPC No. 17/00182.** Staff: Commission Counsel Michael W. Hamilton, Special Investigator Ann Flaherty, and Special Investigator Marshall Miller. Richardson Patel was a law firm located in Los Angeles, CA until it merged with another law firm in 2015. Pure Pilates, Inc. is a Pilates studio located in Encino, CA. In 2012, Richardson Patel acted as an agent for The Huntley Hotel by making a \$10,000 contribution to Santa Monicans for Responsible Growth in the name of Pure Pilates without disclosing the identity of the true donor, in violation of Government Code Section 84302 (1 count). Pure Pilates acted as an intermediary of The Huntley Hotel and failed to disclose the original contributor information for the \$10,000 contribution to Santa Monicans for Responsible Growth, in violation of Government Code Section 84302 (1 count). **Total Proposed Penalty: \$10,000.**

### **Contribution Limits**

**5. In the Matter of Gray for Assembly 2014, Adam Gray, and Douglas L. White; FPPC No. 16/455.** Staff: Commission Counsel Christopher Burton and Program Specialist Bob Perna. This matter arose from an audit performed pursuant to the Franchise Tax Board’s Political Reform Audit Program. Adam Gray is a current member of the State Assembly. Gray for Assembly 2014 was his candidate-controlled committee for the November 4, 2014

General Election. Douglas L. White was the Committee's treasurer. The Committee, Gray, and White failed to timely file one 24-Hour Report for two late independent expenditures, in violation of Government Code Section 84204 (1 count); failed to timely file 24-Hour Reports for four late contributions, in violation of Government Code Sections 84203 and 85309, subdivision (a) (1 count); failed to timely file one \$5,000 contribution report, in violation of Government Code Section 85309, subdivision (c) (1 count); and accepted campaign contributions that exceeded contribution limits, in violation of Government Code Section 85301, subdivision (a) and Regulation 18545, subdivision (a)(1) (1 count). **Total Proposed Penalty: \$8,500.**

### **Campaign Non-Filer**

- 6. In the Matter of Contra Costa Supervisor John Gioia 2010 Officeholder Account, Contra Costa Supervisor John Gioia 2014 Officeholder Account, John Gioia, and Jennifer Peck; FPPC Nos. 17/84 and 17/86.** Staff: Commission Counsel Christopher Burton and Program Specialist Grant Beauchamp. This matter arose from an audit performed pursuant to the Franchise Tax Board's Political Reform Audit Program. John Gioia is a current member of the Contra Costa County Board of Supervisors. Contra Costa Supervisor John Gioia 2010 Officeholder Account and Contra Costa Supervisor John Gioia 2014 Officeholder Account are his candidate-controlled committees. Jennifer Peck was previously the treasurer for both Committees. Gioia is the current treasurer for both Committees. The 2010 Committee, Gioia, and Peck failed to timely file seven semiannual campaign statements, in violation of Government Code Section 84200, subdivision (a) (3 counts). The 2014 Committee, Gioia, and Peck failed to timely file seven semiannual campaign statements, in violation of Government Code Section 84200, subdivision (a) (3 counts); failed to timely file two pre-election campaign statements, in violation of Government Code Sections 84200.5, subdivision (a), and 84200.8, subdivisions (a) and (b) (1 count); and failed to timely file a 24-Hour Report, in violation of Government Code Section 84203 (1 count). **Total Proposed Penalty: \$14,000.**
- 7. In the Matter of Fallbrook Firefighters Legislative Action Group and Eddie Jones; FPPC No. 17/00471 (Streamline Settlement).** Staff: Chief of Enforcement Galena West, Political Reform Consultant Teri Rindahl, and Staff Services Analyst Katie Trumbly. Fallbrook Firefighters Legislative Action Group is a county general purpose committee. Eddie Jones is the Committee's treasurer. The Committee and Jones failed to timely file eight semiannual campaign statements with the City of San Diego covering the reporting period of January 1, 2013 through December 31, 2016, in violation of Government Code Section 84200 (8 counts); and failed to timely file two pre-election campaign statements, in violation of Government Code Section 84200.5 (2 counts). **Total Proposed Penalty: \$2,273.**
- 8. In the Matter of Political Committee of IBEW Local Union No. 617 and Kathleen C. Havener; FPPC No. 17/149 (Streamline Settlement).** Staff: Chief of Enforcement Galena

West and Staff Services Analyst Hayley Porter. This matter arose from an audit performed pursuant to the Franchise Tax Board's Political Reform Audit Program. Political Committee of IBEW Local Union No. 617 is a state general purpose committee. Kathleen C. Havener is the Committee's treasurer. The Committee and Havener failed to timely file two 24-Hour Reports, in violation of Government Code Section 84203 (2 counts); and failed to file one supplemental pre-election campaign statement covering the reporting period of July 1, 2013 through October 19, 2013, in violation of Government Code Section 84202.5 (1 count). **Total Proposed Penalty: \$898.**

**9. In the Matter of Neighbors United and Gino C. Bastianon; FPPC No. 16/19932 (Streamline Settlement).** Staff: Commission Counsel Christopher Burton and Special Investigator Paul Rasey. Neighbors United is a local general purpose committee. Gino C. Bastianon is the treasurer of the Committee. The Committee and Mr. Bastianon failed to timely file one semiannual campaign statement, in violation of Government Code Section 84200, subdivision (a) (1 count); and failed to timely file two pre-election campaign statements, in violation of Government Code Sections 84200.5, subdivision (a), and 84200.5, subdivisions (a) and (b) (2 counts). **Total Proposed Penalty: \$798.**

**10. In the Matter of California American Council of Engineering Companies Political Action Committee (CA ACEC PAC), Brad Diede, and Paul J. Meyer; FPPC No. 17/00143 (Streamline Settlement).** Staff: Chief of Enforcement Galena West and Staff Services Analyst Hayley Porter. This matter arose from an audit performed by the Franchise Tax Board's Political Reform Audit Program. California American Council of Engineering Companies Political Action Committee (CA ACEC PAC) is a state general purpose committee. Brad Diede is the Committee's treasurer. Paul J. Meyer was the Committee's treasurer at the time of the violations. The Committee, Diede and Meyer failed to timely file two 24-Hour Reports, in violation of Government Code Section 84203 (2 counts). **Total Proposed Penalty: \$691.**

**11. In the Matter of Pat Gacoscos for City Council 2014 and Pat Gacoscos; FPPC No. 17/00036 (Streamline Settlement).** Staff: Chief of Enforcement Galena West and Political Reform Consultant Teri Rindahl. This matter arose from an audit performed by the Franchise Tax Board's Political Reform Audit Program. Pat Gacoscos was a successful candidate for Union City Council in the November 4, 2014 General Election. Bert Padua was the Committee's treasurer. Pat Gacoscos for City Council 2014 was her candidate-controlled committee. The Committee, Padua, and Gacoscos failed to file three 24-Hour Reports, in violation of Government Code Section 84203 (3 counts). **Total Proposed Penalty: \$658.**

**12. In the Matter of Palfini for Supervisor 2014 and Kenneth S. Palfini; FPPC No. 17/00034 (Streamline Settlement).** Staff: Chief of Enforcement Galena West and Political Reform

Consultant Teri Rindahl. This matter arose from an audit performed by the Franchise Tax Board's Political Reform Audit Program. Kenneth S. Palfini was an unsuccessful candidate for Siskiyou County Supervisor, District 3, in the June 3, 2014 Primary Election. Palfini for Supervisor 2014 was his candidate-controlled committee. The Committee and Palfini failed to timely file one pre-election campaign statement covering the reporting period of March 18, 2014 through June 17, 2014, 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: \$657.**

**13. In the Matter of Olivia Balderrama for City Council 2015, Olivia Balderrama, and Marlena Gutierrez; FPPC No. 15/2244 (Streamline Settlement).** Staff: Commission Counsel Christopher Burton and Program Specialist Luz Bonetti. Olivia Balderrama was an unsuccessful candidate for the Perris City Council in the November 3, 2015 General Election. Olivia Balderrama for City Council 2015 was her candidate-controlled committee. Marlena Gutierrez was the Committee's treasurer. The Committee, Balderrama, and Gutierrez failed to timely file three 24-Hour Reports, in violation of Government Code Section 84203 (3 counts). **Total Proposed Penalty: \$648.**

**14. In the Matter of Community for James Morales Jr. East Valley Water District 2013 and James Morales Jr.; FPPC 16/196 (Streamline Settlement).** Staff: Chief of Enforcement Galena West and Staff Services Analyst Dominika Wojenska. James Morales Jr. was a successful candidate for the East Valley Water District Board of Directors in the August 27, 2013 Special Election. Community for James Morales Jr. East Valley Water District 2013 is his candidate-controlled committee. The Committee and Morales failed to timely file three semiannual campaign statements for the reporting periods of August 10, 2013 through December 31, 2014, in violation of Government Code Section 84200 (3 counts). **Total Proposed Penalty: \$626.**

**15. In the Matter of Friends of Magdalena Carrasco for East Side Union High School Board of Trustees 2012; FPPC No. 15/1271 (Streamline Settlement).** Staff Assistant Chief of Enforcement David Bainbridge and Staff Services Analyst Katie Trumbly. Magdalena Carrasco was a successful candidate for the East Side Union High School Board of Trustees in the November 6, 2012 General Election. Friends of Magdalena Carrasco for East Side Union High School Board of Trustees 2012 was her candidate-controlled committee. The Committee and Carrasco failed to file two semiannual campaign statements for the reporting periods of July 1, 2014 through December 31, 2014; and July 1, 2015 through December 31, 2015, in violation of Government Code Section 84200 (2 counts). **Total Proposed Penalty: \$565.**

- 16. In the Matter of Melody O. Ngaue-Tuuholoaki, Committee to Elect Melody Ngaue-Tuuholoaki For School Board 2017, and Siniva T. Walker; FPPC No. 17/00303 (Streamline Settlement).** Staff: Chief of Enforcement Galena West and Enforcement Division Intake Manager Adrienne Korchmaros. Melody O. Ngaue-Tuuholoaki was a successful candidate for Seat 3 on the Inglewood Unified School District School board in the April 4, 2017 Special Election. Committee to Elect Melody Ngaue-Tuuholoaki For School Board 2017 is her candidate-controlled committee. Siniva T. Walker is the Committee's treasurer. The Committee, Ngaue-Tuuholoaki and Walker failed to timely file one pre-election campaign statement covering the reporting period of January 1, 2017 through February 18, 2017, in violation of Government Code Section 84200.5 (1 count). **Total Proposed Penalty: \$404.**
- 17. In the Matter of Dennis DeYoung for Assembly and Dennis DeYoung; FPPC No. 15/1404 (Streamline Settlement).** Staff: Commission Counsel Michael W. Hamilton and Program Specialist Bob Perna. This matter arose from an audit performed by the Franchise Tax Board's Political Reform Audit Program. Dennis DeYoung was an unsuccessful candidate for Assembly District 45 in the September 17, 2013 Special Election. DeYoung failed to file one pre-election statement for the reporting period of January 1, 2013 through August 3, 2013, in violation of Government Code Section 84200.5 (1 count). **Total Proposed Penalty: \$283.**
- 18. In the Matter of Committee to Re-Elect Joyce Dalessandro Trustee 2016, Joyce Dalessandro, and Cynthia B. Parti; FPPC No. 17/00248 (Streamline Settlement).** Staff: Chief of Enforcement Galena West and Political Reform Consultant Chloe Hackert. Joyce Dalessandro was a successful candidate for Trustee of San Dieguito Union High School District in the November 8, 2016 General Election. Committee to Re-Elect Joyce Dalessandro Trustee 2016 was her candidate-controlled committee. Cynthia B. Parti was the Committee's treasurer. The Committee, Dalessandro, and Parti failed to timely file one semiannual campaign statement for the reporting period of October 23, 2016 through December 31, 2016, in violation of Government Code Section 84200 (1 count). **Total Proposed Penalty: \$257.**
- 19. In the Matter of Silicon Valley Latino Democratic Forum and Lee Ross Gomez, Jr.; FPPC No. 16/19714 (Streamline Settlement).** Staff: Commission Counsel Ruth Yang and Political Reform Consultant Tara Stock. The Silicon Valley Latino Democratic Forum is a local general purpose committee. Lee Ross Gomez, Jr. is the Committee's treasurer. The Committee and Gomez failed to timely file one semiannual campaign statement for the reporting period covering January 1, 2016 through June 30, 2016, in violation of Government Code Section 84200 (1 count). **Total Proposed Penalty: \$209.**

**20. In the Matter of South County Airport Promotion PAC and Rodney Pharis; FPPC No. 16/19616 (Streamline Settlement).** Staff: Commission Counsel Ruth Yang and Enforcement Intake Manager Adrienne Korchmaros. The South County Airport Promotion PAC is a local general purpose committee. Rodney Pharis is the Committee's treasurer. The Committee and Pharis failed to timely file one semiannual campaign statement for the reporting period of January 1, 2016 through June 30, 2016, in violation of Government Code Section 84200 (1 count). **Total Proposed Penalty: \$206.**

#### **Slate Mailer Organization**

**21. In the Matter of San Francisco League of Conservation Voters and Ian Wren, Treasurer; FPPC No. 15/1410 (Streamline Settlement).** Staff: Chief of Enforcement Galena West and Staff Services Analyst Dominika Wojenska. San Francisco League of Conservation Voters is a local general purpose committee. Ian Wren is the Committee's treasurer. The Committee and Wren failed to timely file three semiannual campaign statements covering the reporting periods of July 1, 2014 through December 31, 2014; and July 1, 2015 through June 30, 2016, in violation of Government Code Section 84200 (3 counts). The Committee also qualified as a slate mailer organization. The Committee and Wren failed to timely file two slate mailer organization reports, in violation of Government Code Section 84220 (2 counts). **Total Proposed Penalty: \$1,311.**

#### **Campaign Non-Reporter**

**22. In the Matter of Consumer Advocates for Safe Food and Water, Sponsored by Food & Water Watch and Jesse Mainardi; FPPC No. 16/037.** Staff: Senior Commission Counsel Bridgette Castillo and Program Specialist Grant Beauchamp. This matter arose from an audit performed by the Franchise Tax Board's Political Reform Audit Program. Consumer Advocates for Safe Food and Water, Sponsored by Food & Water Watch was a state general purpose committee. Jesse Mainardi was the Committee's treasurer. The Committee and Mainardi failed to timely report subvendor information for payments made by the Committee, in violation of Government Code Sections 84211, subdivision (k) and 84303. **Total Proposed Penalty: \$2,000.**

**23. In the Matter of Long Beach Area Republican Party and Michele Morris; FPPC No. 15/810 (Streamline Settlement).** Staff: Chief of Enforcement Galena West and Staff Services Analyst Dominika Wojenska. Long Beach Area Republican Party is a local general purpose committee. Michele Morris is the Committee's treasurer. The Committee and Morris failed to timely report financial activity on one semiannual campaign statement for the reporting period of July 1, 2015 through December 31, 2015, in violation of Government Code Section 84211 (1 count). **Total Proposed Penalty: \$353.**

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

**24. In the Matter of William Larson; FPPC No. 17/458 (Streamline Settlement).** Staff: Chief of Enforcement Galena West and Political Reform Consultant Chloe Hackert. William Larson, a board member of the Bixby Knolls Parking & Business Improvement Area Association, failed to timely file Annual Statements of Economic Interests for the years of 2015 and 2016 with the City of Long Beach, in violation of Government Code Section 87300 (2 counts). **Total Proposed Penalty: \$400.**

**25. In the Matter of Mark Little; FPPC No. 16/244 (Streamline Settlement).** Staff: Chief of Enforcement Galena West and Political Reform Consultant Chloe Hackert. Mark Little, an Investment Money Manager Consultant for the Los Angeles City Employee's Retirement Systems, failed to timely file an Annual Statement of Economic Interests for the year of 2014, in violation of Government Code Section 87203 (1 count). **Total Proposed Penalty: \$200.**

**26. In the Matter of Craig Knight; FPPC No. 16/751 (Streamline Settlement).** Staff: Chief of Enforcement Galena West and Political Reform Consultant Teri Rindahl. Craig Knight, a Planning Commissioner with the City of Firebaugh, failed to timely file an Annual Statement of Economic Interests for the year of 2015, in violation of Government Code Section 87203 (1 count). **Total Proposed Penalty: \$200.**

**27. In the Matter of Kevin Fat; FPPC No. 16/19734 (Streamline Settlement).** Staff: Commission Counsel Ruth Yang and Political Reform Consultant Teri Rindahl. Kevin Fat, a member of the California Travel and Tourism Commission, failed to timely file an Annual Statement of Economic Interests for the year 2015 with the Secretary of State's Office, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

## **General Items 28-29**

**28. In re Rios Opinion Request.** Staff: General Counsel Jack Woodside and Commission Counsel Ryan O'Conner. After the Commission voted to grant Mr. Rios's request for an opinion at the July meeting, the Commission will now consider whether to adopt a draft opinion concluding that contribution limits do not apply when state candidates make contributions to a recall committee controlled by another state candidate

**29. Adoption of Amendment to Regulation 18351** Staff: Sukhi K. Brar, Senior Counsel, Legal Division. Staff proposes to amend Regulation 18351 to update the positions and disclosure categories in the FPPC's conflict of interest code.



## **Executive Staff Reports Item 30**

### **30. Executive Staff Reports.**

Administration and Technology Division. Loressa Hon, Chief

Enforcement Division. Galena West, Enforcement Chief

Legal Division. Jack Woodside, General Counsel

External Affairs and Education. Courtney Miller, Manager

Legislative and External Affairs. Phillip Ung, Director