

(Unapproved and Subject to Change)
CALIFORNIA FAIR POLITICAL PRACTICES COMMISSION
MINUTES OF MEETING, Public Session

October 13, 2011

CALL TO ORDER

Chair Ann Ravel called the meeting to order at 10:00 AM at the Los Angeles County Board of Supervisor's Hearing Room, 500 W. Temple Street, Room 381 B, Los Angeles, CA 90012. Chair Ravel, Commissioners Ronald Rotunda, and Lynn Montgomery were present.

Chair Ravel announced that Commissioner Eskovitz was unable to attend the Commission meeting due to a court obligation and Commissioner Garrett is out of the country.

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.

Chair Ravel asked if anyone in the audience had comments on any items not on the agenda.

John Walsh thanked the Commission for their work on the Kindee Durkee case.

Benjamin Venti had comments regarding the Commission's decision not to investigate his complaint against Martinez. Chair Ravel said she would look into it.

Deanna Reader thanked the Commission for holding the meeting in Southern California.

ITEMS REMOVED FROM CONSENT CALENDAR

Gary Winuk, Chief of Enforcement asked that item 5 be removed from the consent calendar. This item will be heard at the December 2011 Commission Meeting

Conflict of Interest:

In the Matter of David Cole, FPPC No. 06/1148. (Default Decision) Total Proposed Penalty: \$116,000.

PROPOSED CONSENT CALENDAR – Items 2 through 13

Any member of the Commission and/or public may request that items be removed from the consent calendar for discussion and/or vote.

2. **Approval of September 22, 2011 Commission meeting minutes.**

Campaign Reporting Violations:

3. **In the Matter of Monterey County Republican Central Committee and Chris Steinbruner, FPPC No. 08/761. Total Proposed Penalty: \$25,000.**
4. **In the Matter of Maxine Sherard, Sherard for Assembly 2006, and Sherard for Assembly 2008, FPPC No. 10/26 (Default Decision). Total Proposed Penalty: \$20,000.**

Major Donor – Streamline

6. **In the Matter of Thomas C. Ford, FPPC Case No. 11/ 461. Total Proposed Penalty: \$800.**

Statement of Economic Interests Non-filer – Streamlined:

7. **In the Matter of Chris Miley FPPC No. 11/488 Total Proposed Penalty: \$200.**
8. **In the Matter of Risha Jamison, FPPC No. 11/487 Total Proposed Penalty: \$200.**
9. **In the Matter of Benjamin Scott, FPPC No. 11/555. Total Proposed Penalty: \$200.**
10. **In the Matter of Robert Dias, FPPC No. 11/583. Total Proposed Penalty: \$200.**
11. **In the Matter of Michael R. Wright; FPPC No. 11/290. Total Proposed Penalty: \$200.**
12. **In the Matter of Jo-Ellen Spencer, FPPC No. 11/532. Total Proposed Penalty: \$200.**
13. **In the Matter of Patricia Breslin, FPPC No. 11/816. Total Proposed Penalty: \$200.**

Commissioner Rotunda moved to approve the consent calendar.
The motion was seconded by Commissioner Montgomery.
Ayes: Commissioners Rotunda, Montgomery, and Chair Ravel.
The motion passed 3 to 0.

GENERAL ITEMS – Items 14 through 15

14. **Discussion Item: Soliciting general public comments and suggestions on possible Commission responses to recent accounts of wide-spread campaign fraud.** Commission staff. Recent news reports and criminal allegations regarding wide-spread campaign fraud uncovered as a result of proactive audits by the Commission's Enforcement Division have resulted in a number of regulatory questions. The Commission has relocating its October Commission meeting to Los Angeles in order to facilitate public participation, by those directly affected, in the discussion of any actions the Commission may consider taking at future meetings in response to these events.
15. **Adoption of Regulation 18421.31 – Text Message Contributions.** Staff: Senior Commission Counsel Hyla Wagner and General Counsel Zackery P. Morazzini. Proposed Regulation 18421.31 provides that a committee may raise funds through text message contributions under the Act. It sets forth the existing requirements of the Act applicable to a political committee that wishes to create a fundraising program of text message contributions. The regulation does not impose any duties on wireless carriers. The Commission is considering this regulation as part of its efforts to keep the Act current with mobile technology people use daily and to create new ways for Californians to participate in the political process.

Commissioner Montgomery moved to approve Regulation 18421.31 with the deletion of the first sentence.

The motion was seconded by Commissioner Rotunda.

Ayes: Commissioners Rotunda, Montgomery, and Chair Ravel.

The motion passed 3 to 0.

STAFF REPORTS – Items 14 through 19

16. **Legislative Report.** Staff: Legislative Coordinator, Tara Stock – As Submitted
17. **Litigation Report.** Staff: General Counsel, Zackery P. Morazzini – As Submitted
18. **Legal Division.** Staff: General Counsel, Zackery P. Morazzini – As Submitted
19. **Enforcement Division.** Staff: Chief of Enforcement, Gary Winuk – As Submitted
20. **Technical Assistance Division.** Staff: Chief of T.A.D., Lynda Cassady – As Submitted
21. **Administration Division.** Staff: Chief of Administration, Tina Bass – As Submitted

Dated: 10-31-11

Adrienne Tackley, Commission Assistant

Approved: _____
Ann Ravel, Chair
Fair Political Practices Commission