

# 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 June agenda on the FPPC website at [www.fppc.ca.gov](http://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](mailto: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, June 13, 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 Joshua Mitchell, FPPC No. 14/1333.** Staff: Bridgette Castillo, Senior Commission Counsel and Garrett Micheels, Special Investigator. Joshua Mitchell is a former City Council Member and Mayor of the City of Sanger from 2010 to 2015. During this time, he voted to extend a Residential Impact Fee Waiver Program and a development agreement, which had a foreseeable financial effect on his source of income, in violation of Government Code Section 87100 (1 count). Mitchell also failed to disclose a source of income to his business on his 2012 and 2013 Annual Statements of Economic Interest, in violation of Government Code Section 87207 (1 count). **Fine: \$6,000.**

## Campaign Non-Filer

**In the Matter of Harold Fong for School Board 2016 and Harold Fong; FPPC No. 18/744.** Staff: Theresa Gilbertson, Commission Counsel. Harold Fong was a successful candidate for re-election as Trustee to the Sacramento County Board of Education in the November 8, 2016 General Election. Harold Fong for School Board 2016 is his candidate-controlled committee. The Committee and Fong failed to timely file two semiannual campaign statements for the reporting period of January 1, 2018 through June 30, 2018 and July 1, 2018 through December 31, 2018, in violation of Government Code Section 84200 (1 count). **Fine: \$2,000.**

## **Behested Payments**

**In the Matter of Christina Shea; FPPC Case No. 16/101.** Staff: Neal Bucknell, Senior Commission Counsel and Jeffrey Kamigaki, Supervising Special Investigator. The respondent was represented by James Ferguson of the Ferguson Law Firm. Christina Shea, the Mayor of Irvine, failed to timely file two behested payment reports in 2015, in violation of Government Code Section 82015, subdivision (b)(2)(B)(iii). **Fine: \$1,500.**

## **Default Proceedings**

**In the Matter of Eric Payne For SCCCD 2016 Trustee Area 2 and Eric Payne; FPPC No. 16/19917.** Staff: Angela Brereton, Assistant Chief Counsel and Dominika Wojenska, Associate Governmental Program Analyst. Eric Payne has been a member of the Board of Trustees for the State Center Community College District (“SCCCD”) since his election in 2012, and was a successful candidate for re-election in the November 8, 2016 General Election. Eric Payne for SCCCD 2016 Trustee Area 2 was his candidate-controlled committee. Payne was the Committee’s treasurer during the 2016 campaign.

**Payne’s Violations:** Payne failed to timely file the Statement of Intention to be a Candidate prior to the 2016 re-election campaign, in violation of Government Code Section 85200 (1 count); failed to timely file and disclose sources of income and business positions on his 2012, 2013, 2014, 2015 and 2016 Annual Statement of Economic Interests, and his 2016 Candidate Statement of Economic Interests, in violation of Government Code Sections 87200, 87207, and 87209 (6 counts); and misused campaign funds to purchase campaign, business, or casual clothing, in violation of Government Code Section 89513, subdivision (d) (1 count). **Fine: \$25,000.**

**The Committee and Payne’s Violations:** The Committee and Payne failed to timely amend their Statement of Organization to re-designate the Committee, in violation of Government Code Section 84103 (1 count); failed to timely file two semiannual campaign statements, in violation of Government Code Section 84200 (2 counts); failed to timely file two pre-election campaign statements, in violation of Government Code Section 84200.5 and 84200.8 (2 counts); failed to timely file four 24-Hour Reports, in violation of Government Code Section 84203, subdivision (a) (4 counts). The Committee and Payne failed to accurately report all contributions and expenditures on two pre-election campaign statements, in violation of Government Code Section 84211, subdivisions (a) - (d), (f), and (i) - (k) (1 count). The Committee and Payne received prohibited cash contributions and made prohibited cash expenditures, in violation of Government Code Section 84300, subdivision (a) and (b) (2 counts); and the Committee and Payne failed to maintain supporting records for contributions received and expenditures made, in violation of Government Code Section 84104 (1 count). **Fine for the Committee and Payne: \$29,000.**

**In the Matter of Santa Ana Committee for Safe Neighborhoods and Safe Access Supporting Measure BB and Opposing Measure CC, and Van Ton; FPPC No. 15/1004.** Staff: Theresa Gilbertson, Commission Counsel, Marshall Miller, Special Investigator, and Dominika Wojenska, Associate Governmental Program Analyst. Santa Ana Committee for Safe Neighborhoods and Safe Access Supporting Measure BB and Opposing Measure CC was a local primarily formed ballot measure committee. Van Ton was the Committee’s treasurer. The Committee and Ton failed to timely file eight semiannual campaign statements, in violation of

Government Code Section 84200 (8 counts); failed to timely file a pre-election campaign statement, in violation of Government Code Section 84200.5 (1 count); failed to timely file a 24-Hour Report, in violation of Government Code Section 84203 (1 count); and failed to accurately report expenditure information on a pre-election campaign statement and contributor information on a semiannual campaign statement, in violation of Government Code Section 84211 (2 counts). **Fine: \$43,000.**

**In the Matter of Re-Elect Terry Cox for Central Unified School District Trustee Area 6, 2016, Terry Cox, and Julie Lim; FPPC No. 17/382.** Staff: Christopher Burton, Senior Commission Counsel and Dominika Wojenska, Associate Governmental Program Analyst. Terry Cox was a successful candidate for re-election to the Central Unified School District Board of Trustees in the November 8, 2016 General Election. Re-Elect Terry Cox for Central Unified School District Trustee Area 6, 2016 was her candidate-controlled committee. Julie Lim was the Committee's treasurer. The Committee, Cox, and Lim failed to timely file three semiannual campaign statements for the reporting periods of October 23, 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: \$9,000.**

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.

### **Recordkeeping**

**In the Matter of Javier Perez for Judge 2016, Javier Perez, and David Gould; FPPC No. 18/1439.** Staff: Chief of Enforcement Galena West and Staff Services Analyst Shaina Elkin. This matter arose from an audit performed by the Franchise Tax Board's Political Reform Audit Program. Javier Perez was an unsuccessful candidate for Los Angeles County Superior Judge in the November 8, 2016 General Election. Javier Perez for Judge 2016 was his candidate-controlled committee. David Gould was the Committee's treasurer during relevant times. The Committee, Perez, and Gould failed to maintain records verifying the source of a cash deposit made into the candidate's bank account, in violation of Government Code Section 84104 (1 count). **Fine: \$200.**

### **Advertisements**

**In the Matter of Stop Taxing Our Property, A Committee Against Measure P and Jennifer W. Zeiter; FPPC No. 18/1560.** Staff: Commission Counsel Megan A. Van Arsdale. Stop Taxing Our Property, A Committee Against Measure P is a local primarily formed committee. Jennifer W. Zeiter is the Committee's principal officer and treasurer. The Committee and Zeiter failed to include the proper advertisement disclaimers on yard signs distributed by the committee prior to the November 6, 2018 General Election, in violation of Government Code Section 84502 (1 count). **Fine: \$123.**

**In the Matter of Roberto Plamenco for Oak Grove School District Board, T5, 2018 and Roberto Plamenco; FPPC No. 18/1031.** Staff: Senior Commission Counsel Chris Burton, Special Investigator Roone Petersen, and Commission Counsel Megan A. Van Arsdale. Roberto Plamenco was an unsuccessful candidate for Oak Grove School District Board of Trustees in the November 6, 2018 General Election. Roberto Plamenco for Oak Grove School District Board, T5, 2018 is his candidate-controlled committee. The Committee and Plamenco failed to include the proper advertisement disclaimers on mailers distributed by the committee prior to the November 6, 2018 General Election, in violation of Government Code Section 84305 (1 count). **Fine: \$113.**

**In the Matter of Gennawey for Laguna Niguel Council 2018 and Elaine Gennawey; FPPC No. 18/1485.** Staff: Commission Counsel Megan A. Van Arsdale. Elaine Gennawey was a successful candidate for re-election to Laguna Niguel City Council in the November 6, 2018 General Election. Elaine Gennawey for Laguna Niguel Council 2018 is her candidate-controlled committee. The Committee and Gennawey failed to include the proper advertisement disclaimers on a mass email distributed by the committee prior to the November 6, 2018 General Election, in violation of Government Code Section 84305 (1 count). **Fine: \$100.**

## Campaign Late Filer

**In the Matter of Southwest Teachers Association PAC and Michelle Gates; FPPC No. 18/1051.** Staff: Chief of Enforcement Galena West and Associate Governmental Program Analyst Dominika Wojenska. Southwest Teachers Association PAC is a local general purpose committee. Michelle Gates is the Committee's treasurer. The Committee and Gates failed to timely file three 24-Hour Reports, in violation of Government Code Section 84204 (3 counts). **Fine: \$651**

**In the Matter of Committee to Elect Gracie Torres Director VMWD II 2018, Gracie Torres, and Ron Hope; FPPC No. 19/027.** Staff: Chief of Enforcement Galena West and Associate Governmental Program Analyst Dominika Wojenska. Gracie Torres was a successful candidate for Western Municipal Water District Director in the November 6, 2018 General Election. Committee to Elect Gracie Torres Director VMWD II 2018 is her candidate-controlled committee. Ron Hope is the Committee's treasurer. The Committee, Torres, and Hope 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). **Fine: \$586.**

**In the Matter of Hesperia Teacher's Association PAC and James Fogo; FPPC No. 18/1041.** Staff: Chief of Enforcement Galena West and Political Reform Consultant Chloe Hackert. Hesperia Teacher's Association PAC is a local general purpose committee. James Fogo is the Committee's treasurer. The Committee and Fogo 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: \$480.**

**In the Matter of Associated Chino Teachers (A.C.T.) PAC; FPPC No. 18/1040.** Staff: Chief of Enforcement Galena West and Political Reform Consultant Chloe Hackert. Associated Chino Teachers (A.C.T.) PAC is a local general purpose committee. The Committee 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: \$457.**

**In the Matter of Louis Dominguez for State Senate 2014, Louis Dominguez, and Suzanne Dominguez; FPPC No. 16/15632.** Staff: Commission Counsel Jenna Rinehart. Louis Dominguez was an unsuccessful candidate for Senate in the December 9, 2014 Special Election. Louis Dominguez for State Senate 2014 was his candidate-controlled committee. Suzanne Dominguez was the Committee's treasurer. The Committee, Dominguez, and Dominguez failed to timely file two semiannual campaign statements for the reporting periods of January 1, 2015 through June 30, 2015 and July 1, 2015 through December 31, 2015, in violation of Government Code Section 84200 (2 counts). **Fine: \$452.**

**In the Matter of Friends of Tzeitel Paras-Caracci for Duarte City Council 2018, Tzeitel Paras-Caracci, and Russel M. Paras; FPPC No. 19/421.** Staff: Chief of Enforcement Galena West and Political Reform Consultant Ginny Lambing. Tzeitel Paras-Caracci was a successful candidate for Duarte City Council in the November 6, 2018 General Election. Friends of Tzeitel Paras-Caracci for Duarte City Council 2018 is her candidate-controlled committee. Russel M. Paras is the Committee's treasurer. The Committee, Paras-Caracci, and Paras failed to timely file a 24-Hour Report, in violation of Government Code Section 84203 (1 count). **Fine: \$244.**

**In the Matter of Contra Costa Young Democrats and Jerome Pandell; FPPC No. 16/759.** Staff: Commission Counsel Ruth Yang and Special Investigator Garrett Micheels. Contra Costa Young Democrats is a local general purpose committee. Jerome Pandell is the Committee's treasurer. The Committee and Pandell failed to timely file a 24-Hour Report, in violation of Government Code Section 84203 (1 count). **Fine: \$210.**

#### **Statement of Economic Interests Late Filer**

**In the Matter of Alvin Velasquez; FPPC No. 16/19750.** Staff: Commission Counsel Ruth Yang and Associate Governmental Program Analyst Dominika Wojenska. Alvin Velasquez, a Water and Sewage Plant Supervisor with the California Department of Parks and Recreation, failed to timely file a 2015 and 2016 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (2 counts). **Fine: \$1,600.**

**In the Matter of Marcel Weiland; FPPC No. 19/486.** Staff: Chief of Enforcement Galena West and Staff Services Analyst Cheng Saetern. Marcel Weiland, a former Planning Commissioner for the City of Citrus Heights, failed to timely file a 2017 and 2018 Annual Statement of Economic Interests, in violation of Government Code Section 87203 (1 count); and failed to timely file a Leaving Office Statement of Economic Interests, in violation of Government Code Section 87204 (1 count). **Fine: \$400.**

**In the Matter of Ronald Russak; FPPC No. 19/212.** Staff: Chief of Enforcement Galena West and Political Reform Consultant Chloe Hackert. Ronald Russak, a Senior Landscape Architect with the California Department of Transportation, 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 Kenneth Arnold; FPPC No. 19/465.** Staff: Chief of Enforcement Galena West and Staff Services Analyst Cheng Saetern. Kenneth Arnold, a Planning Commissioner for the City of Santa Fe Springs, 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 Bruce Delgado; FPPC No. 19/436.** Staff: Chief of Enforcement Galena West and Political Reform Consultant Chloe Hackert. Bruce Delgado, Mayor of the City of Marina, 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 Kelly Krueger; FPPC No. 18/672.** Staff: Commission Counsel Jenna Rinehart. Kelly Krueger, a Clinical Psychologist with California Correctional Health Care Services, 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 Norman Gonsalves; FPPC No. 17/1025.** Staff: Chief of Enforcement Galena West and Intake Manager Tara Stock. Norman Gonsalves, a Senior Transportation Engineer with the California Department of Transportation, failed to timely file a 2016 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Fine: \$200.**

**In the Matter of Damon Sandoval; FPPC No. 17/967.** Staff: Commission Counsel Jenna Rinehart. Damon Sandoval, a member of the Transportation Committee for the Southern California Association of Governments, failed to timely file a 2016 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Fine: \$200.**

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

**In the Matter of Marina Khubesrian; FPPC No. 19/420.** Staff: Chief of Enforcement Galena West and Intake Manager Tara Stock. Marina Khubesrian, Mayor of the City of South Pasadena, failed to timely disclose her home office business on her 2017 and 2018 Annual Statements of Economic Interests, in violation of Government Code Section 87206 (2 counts). **Fine: \$200.**

**In the Matter of Elena Adams; FPPC No. 16/19832.** Staff: Chief of Enforcement Galena West and Intake Manager Tara Stock. Elena Adams, a Trustee for the Grossmont-Cuyamaca Community College District, failed to timely disclose spousal income on her 2017 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Fine: \$100.**