CALIFORNIA FORM **700**
FAIR POLITICAL PRACTICES COMMISSION
A PUBLIC DOCUMENT

CG

STATEMENT OF ECONOMIC INTERESTS
COVER PAGE

FAIR POLITICAL PRACTICES COMMISSION
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NAME OF FILER (LAST)	(FIRST)	(MIDDLE)
Gauthier	Lisa	Delphine

1. Office, Agency, or Court

Agency Name *(Do not use acronyms)*
City of East Palo Alto

Division, Board, Department, District, if applicable: City Council

Your Position: Vice Mayor

► If filing for multiple positions, list below or on an attachment. *(Do not use acronyms)*

Agency: _____ Position: _____

2. Jurisdiction of Office *(Check at least one box)*

- ☐ State
- ☐ Multi-County _____
- ☑ City of East Palo Alto
- ☐ Judge or Court Commissioner (Statewide Jurisdiction)
- ☐ County of _____
- ☐ Other _____

3. Type of Statement *(Check at least one box)*

☑ **Annual:** The period covered is January 1, 2014, through December 31, 2014.

-or-

The period covered is ____/____/_____, through December 31, 2014.

☐ **Assuming Office:** Date assumed ____/____/_____

☐ **Candidate:** Election year _____ and office sought, if different than Part 1: _____

☐ **Leaving Office:** Date Left ____/____/_____ *(Check one)*

○ The period covered is January 1, 2014, through the date of leaving office.

○ The period covered is ____/____/_____, through the date of leaving office.

4. Schedule Summary

Check applicable schedules or "None."

► ***Total number of pages including this cover page:*** _____

- ☐ **Schedule A-1** - *Investments* – schedule attached
- ☐ **Schedule A-2** - *Investments* – schedule attached
- ☐ **Schedule B** - *Real Property* – schedule attached
- ☐ **Schedule C** - *Income, Loans, & Business Positions* – schedule attached
- ☑ **Schedule D** - *Income – Gifts* – schedule attached
- ☑ **Schedule E** - *Income – Gifts – Travel Payments* – schedule attached

-or-

☐ **None** - *No reportable interests on any schedule*

5. [redacted]

I certify under penalty of perjury under the laws of the State of C[redacted]

Date Signed 2/26/2015
(month, day, year)

CALIFORNIA FORM 700
FAIR POLITICAL PRACTICES COMMISSION

Name: Lisa Gauthier

SCHEDULE D
Income – Gifts

NAME OF SOURCE *(Not an Acronym)*: Chinese People's Association for Friendship with
ADDRESS *(Business Address Acceptable)*: Foreign Countries 1 Taijichang St., Beijing 100740
BUSINESS ACTIVITY, IF ANY, OF SOURCE: Non-profit

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
06/19/14	$	Cultural Visits (include
/ /	$ 112.00	Great Wall/China
06/25/14	$	Folk Cultural Village)

NAME OF SOURCE *(Not an Acronym)*: Chinese People's Association for Friendship with
ADDRESS *(Business Address Acceptable)*: Foreign Countries 1 Taijichang St., Beijing 100740
BUSINESS ACTIVITY, IF ANY, OF SOURCE: non-profit

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
06/20/14	$ 35.00	Cruise Huangpu River
/ /	$	Shanghai
/ /	$	

NAME OF SOURCE *(Not an Acronym)*: Overseas Chinese Affairs Office of the State Council
ADDRESS *(Business Address Acceptable)*: 35 Fuchengmenwai St., Beijing 100037 PRC
BUSINESS ACTIVITY, IF ANY, OF SOURCE:

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
06/22/14	$ 24.00	Boat cruise, Wuhan
/ /	$	
/ /	$	

NAME OF SOURCE *(Not an Acronym)*:
ADDRESS *(Business Address Acceptable)*:
BUSINESS ACTIVITY, IF ANY, OF SOURCE:

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
/ /	$	
/ /	$	
/ /	$	

NAME OF SOURCE *(Not an Acronym)*:
ADDRESS *(Business Address Acceptable)*:
BUSINESS ACTIVITY, IF ANY, OF SOURCE:

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
/ /	$	
/ /	$	
/ /	$	

NAME OF SOURCE *(Not an Acronym)*:
ADDRESS *(Business Address Acceptable)*:
BUSINESS ACTIVITY, IF ANY, OF SOURCE:

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
/ /	$	
/ /	$	
/ /	$	

Comments: Per FPPC file nos. 10-071, 14-072, 14-078 & 14-079 request to advice, these payments are not subject to the gift limits because they will be provided in connection with a legislative or governmental purpose by both a foreign government and 501 (c) (3) organization. See attached.

CALIFORNIA FORM **700**
FAIR POLITICAL PRACTICES COMMISSION

Name: Lisa Gauthier

SCHEDULE E
Income – Gifts
Travel Payments, Advances, and Reimbursements

- **Mark either the gift or income box.**
- **Mark the "501(c)(3)" box for a travel payment received from a nonprofit 501(c)(3) organization or the "Speech" box if you made a speech or participated in a panel. These payments are not subject to the $440 gift limit, but may result in a disqualifying conflict of interest.**

► NAME OF SOURCE *(Not an Acronym)*
Overseas Chinese Affairs Office of the State Council
ADDRESS *(Business Address Acceptable)*
35 Fuchengmenwai St.
CITY AND STATE
Beijing 100037 PRC
BUSINESS ACTIVITY, IF ANY, OF SOURCE ☐ 501 (c)(3)

DATE(S): 06/22/14 - 06/23/14 *(If gift)* AMT: $128.00

TYPE OF PAYMENT: (must check one) ☑ Gift ☐ Income

☐ Made a Speech/Participated in a Panel

☑ Other - Provide Description
Two nights stay at the East Lake Conference Center Wuhan

► NAME OF SOURCE *(Not an Acronym)*
Chinese People's Association for Friendship with
ADDRESS *(Business Address Acceptable)*
Foreign Countires 1 Taijichang St.
CITY AND STATE
Beijing 100740 PRC
BUSINESS ACTIVITY, IF ANY, OF SOURCE ☐ 501 (c)(3)
non-profit

DATE(S): 06/24/14 - 06/24/14 *(If gift)* AMT: $151.00

TYPE OF PAYMENT: (must check one) ☑ Gift ☐ Income

☐ Made a Speech/Participated in a Panel

☑ Other - Provide Description
flight CA3353 WUH to SZX

► NAME OF SOURCE *(Not an Acronym)*
Chinese People's Association for Friendship with
ADDRESS *(Business Address Acceptable)*
Foreign Countries 1 Taijichang St.
CITY AND STATE
Beijing 100740 PRC
BUSINESS ACTIVITY, IF ANY, OF SOURCE ☐ 501 (c)(3)
non-profit

DATE(S): 06/22/14 - 06/22/14 *(If gift)* AMT: $152.00

TYPE OF PAYMENT: (must check one) ☑ Gift ☐ Income

☐ Made a Speech/Participated in a Panel

☑ Other - Provide Description
flight MU2508 SHA to WUH

► NAME OF SOURCE *(Not an Acronym)*
Chinese People's Association for Friendship with
ADDRESS *(Business Address Acceptable)*
Foreign Countries 1 Taijichang St.
CITY AND STATE
Beijing 100740 PRC
BUSINESS ACTIVITY, IF ANY, OF SOURCE ☐ 501 (c)(3)
non-profit

DATE(S): 06/24/14 - 06/26/14 *(If gift)* AMT: $372.00

TYPE OF PAYMENT: (must check one) ☑ Gift ☐ Income

☐ Made a Speech/Participated in a Panel

☑ Other - Provide Description
Three nights stay at the Shenzhenair International Hotel Shenzhen

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Comments: Per FPPC file Nos. 14-071, 14-072, 14-078 & 14-079 request for advice, these payments are not subject to the gift limits because they will be provided in connection with a legislative or governmental purpose by both a foreign government and 501(c)(3) organization. See attached.

CALIFORNIA FORM **700**
FAIR POLITICAL PRACTICES COMMISSION

Name: Lisa Gauthier

SCHEDULE E
Income – Gifts
Travel Payments, Advances, and Reimbursements

- **Mark either the gift or income box.**
- **Mark the "501(c)(3)" box for a travel payment received from a nonprofit 501(c)(3) organization or the "Speech" box if you made a speech or participated in a panel. These payments are not subject to the $440 gift limit, but may result in a disqualifying conflict of interest.**

► NAME OF SOURCE *(Not an Acronym)*
Overseas Chinese Affairs Office of the State Council
ADDRESS *(Business Address Acceptable)*
35 Fuchengmenwai St.
CITY AND STATE
Beijing 100037 PRC
BUSINESS ACTIVITY, IF ANY, OF SOURCE ☐ 501 (c)(3)

DATE(S): 06/22/14 - 06/24/14 *(If gift)* AMT: $ 39.00

TYPE OF PAYMENT: (must check one) ☑ Gift ☐ Income

☐ Made a Speech/Participated in a Panel

☑ Other - Provide Description
3 days fo bus rental fees in Wuhan

► NAME OF SOURCE *(Not an Acronym)*
ADDRESS *(Business Address Acceptable)*
CITY AND STATE
BUSINESS ACTIVITY, IF ANY, OF SOURCE ☐ 501 (c)(3)

DATE(S): ___/___/___ - ___/___/___ *(If gift)* AMT: $

TYPE OF PAYMENT: (must check one) ☐ Gift ☐ Income

☐ Made a Speech/Participated in a Panel

☐ Other - Provide Description

► NAME OF SOURCE *(Not an Acronym)*
Overseas Chinese Affairs Office of the State Council
ADDRESS *(Business Address Acceptable)*
35 Fuchengmenwai St.
CITY AND STATE
Beijing 100037 PRC
BUSINESS ACTIVITY, IF ANY, OF SOURCE ☐ 501 (c)(3)

DATE(S): 06/22/14 - 06/24/14 *(If gift)* AMT: $ 72.00

TYPE OF PAYMENT: (must check one) ☑ Gift ☐ Income

☐ Made a Speech/Participated in a Panel

☑ Other - Provide Description
3 days of meals for Wuhan

► NAME OF SOURCE *(Not an Acronym)*
ADDRESS *(Business Address Acceptable)*
CITY AND STATE
BUSINESS ACTIVITY, IF ANY, OF SOURCE ☐ 501 (c)(3)

DATE(S): ___/___/___ - ___/___/___ *(If gift)* AMT: $

TYPE OF PAYMENT: (must check one) ☐ Gift ☐ Income

☐ Made a Speech/Participated in a Panel

☐ Other - Provide Description

Comments: Per FPPC file Nos. 14-071, 14-072, 14-078 & 14-079 request for advice, these payments are not subject to the gift limits because they will be provided in connection with a legislative or governmental purpose by both a foreign government and 501(c)(3) organization. See attached.

CALIFORNIA FORM **700**
FAIR POLITICAL PRACTICES COMMISSION

Name: Lisa Gauthier

SCHEDULE E
Income – Gifts
Travel Payments, Advances, and Reimbursements

- **Mark either the gift or income box.**
- **Mark the "501(c)(3)" box for a travel payment received from a nonprofit 501(c)(3) organization or the "Speech" box if you made a speech or participated in a panel. These payments are not subject to the $440 gift limit, but may result in a disqualifying conflict of interest.**

► NAME OF SOURCE *(Not an Acronym)*
American Asian Economic & Cultural Association
ADDRESS *(Business Address Acceptable)*
3140 De La Cruz Blvd. #200
CITY AND STATE
Santa Clara, CA 95054
BUSINESS ACTIVITY, IF ANY, OF SOURCE ☑ 501 (c)(3)
non-profit
DATE(S): 06/16/14 - 06/17/14 *(If gift)* AMT: $ 675.00
TYPE OF PAYMENT: (must check one) ☑ Gift ☐ Income
☐ Made a Speech/Participated in a Panel
☑ Other - Provide Description
flight CA986 SFO to PEK

► NAME OF SOURCE *(Not an Acronym)*
Chinese People's Association for Friendship with
ADDRESS *(Business Address Acceptable)*
Foreign Countires 1 Taijichang St.
CITY AND STATE
Beijing 100740 PRC
BUSINESS ACTIVITY, IF ANY, OF SOURCE ☐ 501 (c)(3)
non-profit
DATE(S): 06/19/14 - 06/19/14 *(If gift)* AMT: $ 148.00
TYPE OF PAYMENT: (must check one) ☑ Gift ☐ Income
☐ Made a Speech/Participated in a Panel
☑ Other - Provide Description
HIgh Speed Train Beijing to Shanghai

► NAME OF SOURCE *(Not an Acronym)*
Chinese People's Association for Friendship with
ADDRESS *(Business Address Acceptable)*
Foreign Countries 1 Taijichang St.
CITY AND STATE
Beijing 100740 PRC
BUSINESS ACTIVITY, IF ANY, OF SOURCE ☐ 501 (c)(3)
non-profit
DATE(S): 06/17/14 - 06/18/14 *(If gift)* AMT: $ 206.00
TYPE OF PAYMENT: (must check one) ☑ Gift ☐ Income
☐ Made a Speech/Participated in a Panel
☑ Other - Provide Description
Two nights stay at the Park Plaza Hotel Beijing

► NAME OF SOURCE *(Not an Acronym)*
Chinese People's Association for Friendship with
ADDRESS *(Business Address Acceptable)*
Foreign Countries 1 Taijichang St.
CITY AND STATE
Beijing 100740 PRC
BUSINESS ACTIVITY, IF ANY, OF SOURCE ☐ 501 (c)(3)
non-profit
DATE(S): 06/19/14 - 06/21/14 *(If gift)* AMT: $ 357.00
TYPE OF PAYMENT: (must check one) ☑ Gift ☐ Income
☐ Made a Speech/Participated in a Panel
☑ Other - Provide Description
Three nights stay at the Jinjiang Hotel Shanghai

Comments: Per FPPC file Nos. 14-071, 14-072, 14-078 & 14-079 request for advice, these payments are not subject to the gift limits because they will be provided in connection with a legislative or governmental purpose by both a foreign government and 501(c)(3) organization. See attached.

CALIFORNIA FORM **700**
FAIR POLITICAL PRACTICES COMMISSION

Name: Lisa Grauthier

SCHEDULE E
Income – Gifts
Travel Payments, Advances, and Reimbursements

- **Mark either the gift or income box.**
- **Mark the "501(c)(3)" box for a travel payment received from a nonprofit 501(c)(3) organization or the "Speech" box if you made a speech or participated in a panel. These payments are not subject to the $440 gift limit, but may result in a disqualifying conflict of interest.**

► NAME OF SOURCE *(Not an Acronym)*
American Asian Economic & Cultural Association
ADDRESS *(Business Address Acceptable)*
3140 De La Cruz Blvd. #200
CITY AND STATE
Santa Clara, CA 95054
BUSINESS ACTIVITY, IF ANY, OF SOURCE ☐ 501 (c)(3)

DATE(S): 06/27/14 - 06/27/14 *(If gift)* AMT: $ 379.10

TYPE OF PAYMENT: (must check one) ☑ Gift ☐ Income

☐ Made a Speech/Participated in a Panel

☑ Other - Provide Description
flight CA1308 SZX to PEK

► NAME OF SOURCE *(Not an Acronym)*
Chinese People's Association for Friendship with
ADDRESS *(Business Address Acceptable)*
Foreign Countires 1 Taijichang St.
CITY AND STATE
Beijing 100740 PRC
BUSINESS ACTIVITY, IF ANY, OF SOURCE ☐ 501 (c)(3)
non-profit

DATE(S): 06/18/14 - 06/27/14 *(If gift)* AMT: $ 266.00

TYPE OF PAYMENT: (must check one) ☑ Gift ☐ Income

☐ Made a Speech/Participated in a Panel

☑ Other - Provide Description
8 days of meals for Beijing, Shanghai, and Shenzhen

► NAME OF SOURCE *(Not an Acronym)*
American Asian Economic & Cultural Association
ADDRESS *(Business Address Acceptable)*
3140 De La Cruz Blvd. #200
CITY AND STATE
Santa Clara, CA 95054
BUSINESS ACTIVITY, IF ANY, OF SOURCE ☐ 501 (c)(3)
non-profit

DATE(S): 06/27/14 - 06/27/14 *(If gift)* AMT: $ 525.00

TYPE OF PAYMENT: (must check one) ☑ Gift ☐ Income

☐ Made a Speech/Participated in a Panel

☑ Other - Provide Description
flight CA985 PEK to SFO

► NAME OF SOURCE *(Not an Acronym)*
Chinese People's Association for Friendship with
ADDRESS *(Business Address Acceptable)*
Foreign Countries 1 Taijichang St.
CITY AND STATE
Beijing 100740 PRC
BUSINESS ACTIVITY, IF ANY, OF SOURCE ☐ 501 (c)(3)
non-profit

DATE(S): 06/17/14 - 06/27/14 *(If gift)* AMT: $ 137.00

TYPE OF PAYMENT: (must check one) ☑ Gift ☐ Income

☐ Made a Speech/Participated in a Panel

☑ Other - Provide Description
8 days of bus rental fee for Beijing, Shanghai, and Shenzhen

Comments: Per FPPC file Nos. 14-071, 14-072, 14-078 & 14-079 request for advice, these payments are not subject to the gift limits because they will be provided in connection with a legislative or governmental purpose by both a foreign government and 501(c)(3) organization. See attached.

FAIR POLITICAL PRACTICES COMMISSION
428 J Street • Suite 620 • Sacramento, CA 95814-2329
(916) 322-5660 • Fax (916) 322-0886

May 9, 2014

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Re: Your Requests for Advice
Our File Nos. 14-071, 14-072, 14-078 & 14-079

Dear Counsel:

This letter responds to your collective requests for advice regarding the gift provisions of the Political Reform Act (the "Act").[1] Please note that the Fair Political Practices Commission (the "Commission") does not act as a finder of fact when it renders advice, (*In re Oglesby* (1975) 1 FPPC Ops. 71), and our advice is based solely on the provisions of the Act.

[1] The Political Reform Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

QUESTION

Are payments for travel, lodging and subsistence made to the Mayors participating in the Silicon Valley Mayors' China Trip in June 2014 subject to reporting and gift limits?[2]

CONCLUSION

Payments for the Mayors' travel, lodging and subsistence are reportable gifts, not subject to gift limits because they will be provided in connection with a legislative or governmental purpose by both a foreign government and a 501(c)(3) organization. Any other payments will be reportable gifts subject to gift limits.

FACTS

Twelve Mayors have been invited to travel to China from June 16-27, 2014, as part of the Silicon Valley Mayors' China Trip. The purpose of this all-expenses paid trip is to facilitate investment and international trade between China and the Silicon Valley region. While in China, the delegation will visit Beijing, Shanghai, Wuhan and Shenzhen. In addition, they will have the opportunity to participate in meetings with local government officials and CEOs from top local high tech companies.

As mentioned, this is an all-expenses paid trip. The international air travel expenses to and from China, approximately $2,000 per person, will be covered by the American Asian Economic and Cultural Association ("AAECA"), a 501(c)(3) tax exempt organization. The remaining expenses which include travel, lodging and meals within China, approximately $3,000 per person, will be paid for by the city governments of the four cities visited by the Mayors. Thus, the estimated market value of the trip is roughly $5,000 per participant.[3]

The principal purpose of the trip involves facilitating investment and international trade between China and the Silicon Valley, and the Mayors are attending in their official capacities to

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[2] We received requests for advice on behalf of Mayors Dutra-Vernaci, Mueller and Mayor Pro Tem Salinas. Because the requests all share the same facts and issues, we are treating them as a single request. Also, this advice applies to the remaining Mayors traveling as part of the delegation to China from June 16-27, 2014, assuming the sources of funding are the same as those provided herein.

[3] We note that initially there was some confusion as to whether China Silicon Valley Business Development ("China SV") and/or another organization, Chinese People's Association for Friendship with Foreign Countries ("CPAFFC"), were paying for these expenses. However, it was confirmed by counsel for Mayor Dutra-Vernaci that China SV is only coordinating and sponsoring the trip, not providing any funds or services with monetary value. In addition, the city governments of the four cities being visited are coordinating their payments of the participants' expenses while in China through CPAFFC, making the four city governments the true source of those payments. (See Regulation 18945(a) ["The person who makes the gift to the official(s) is the source of the gift unless that person is acting as an intermediary"].) Based on the facts provided, CPAFFC is simply an intermediary for the payments provided by the four city governments.