



**NOTICE AND AGENDA
Commission Meeting¹**

**California Fair Political Practices Commission
428 J Street, Suite 800
Sacramento, CA 95814**

**Thursday, July 12, 2012
10:00 A.M.**

This meeting of the Commission will include teleconference participation by two Commissioners (Gov. Code Section 11123). The above address is the Commission meeting location and the teleconference locations are:

**Office of the Provost
3551 Trousdale Parkway
University of Southern California
Los Angeles, CA 90089
One commissioner will participate from this location.**

**355 South Grand Avenue, 35th Floor
Los Angeles, CA 90071-1560
One commissioner will participate from this location.**

**Chapman University School of Law
370 N. Glassell, Street, Room 406
Orange, CA 92866
One commissioner will participate from this location.**

¹You can obtain further information about the meeting by contacting the Commission Assistant, 428 J Street, Suite 620, Sacramento, CA, 95814, 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. The fax number for comment letters is (916) 322-6440.

The agenda and related documents are posted on the FPPC website at 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 (888) 751-0624; access code 723284; or watch the meeting via Webinar at [FPPC Commission Meeting Webinar](#).

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), (916) 322-6440 (facsimile) or in writing. 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 a reasonable period of time between the request and the meeting date.

WELCOME AND CHAIR'S REPORT

Ann Ravel, 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.

PROPOSED CONSENT CALENDAR ITEMS 2-16

2. Approval of May 2012 Commission Meeting Minutes.

Advertisement Violation

- 3. In the Matter of Yes on Proposition A, FPPC No. 12/301.** Staff: Chief of Enforcement Gary Winuk, Political Reform Consultant Adrienne Korchmaros and Executive Fellow Emiko Burchill. Respondent Yes on Proposition A was formed in 2012 as a primarily formed ballot measure committee supporting Proposition A, which was placed on the June 5, 2012, ballot in the City of San Diego. Respondent failed to provide written disclosure for a period of at least five seconds with a reasonable degree of color contrast between the background and text of the disclosure statement on a television advertisement, in violation of Government Code Section 84503 (1 count). **Total Proposed Penalty: \$2,500.**

Campaign Reporting Violations

- 4. In the Matter of Committee for Measure G – Loomis and Paul I. Mineer, FPPC No. 09/0702 (Default Decision).** Staff: Commission Counsel Dave Bainbridge. Respondent Committee for Measure G – Loomis is a primarily formed ballot measure committee formed to support the passage of Measure G in the City of Loomis. Respondent Paul I. Mineer was at all times relevant to this matter the treasurer for the committee. Respondents failed to file semi-annual campaign statements in a timely manner for the reporting periods of July 1, 2008, through

December 31, 2008, due by February 2, 2009; January 1, 2009, through June 30, 2009, due by July 31, 2009; and July 1, 2009, through December 31, 2009, due by February 1, 2010, in violation of Government Code Section 84200, subdivision (a) (3 counts). **Total Proposed Penalty: \$6,000.**

5. **In the Matter of Joe Moreno and the Committee to Re-elect Joe Moreno, FPPC No. 11/1054.** Staff: Commission Counsel Zachary W. Norton and Special Investigator Lee Myers. Respondent Joe Moreno was a candidate for re-election to the Mountain View School District Board in 2009, and treasurer for the Committee to Re-elect Joe Moreno. Respondents failed to file a semi-annual campaign statement in a timely manner for the reporting period of January 1, 2011, through June 30, 2011, due July 31, 2011, and a semi-annual campaign statement for the reporting period July 1, 2011, through December 31, 2011, due January 31, 2012, in violation of Government Code Section 84200, subdivision (b) (1 count). **Total Proposed Penalty: \$1,500.**

Campaign Reporting Violations – Streamline

6. **In the Matter of Lady Cage-Barile, and Cage for Assembly 2010, FPPC No. 11/101.** Staff: Senior Commission Counsel Angela Brereton. Respondents are Lady Cage-Barile, and her controlled committee, Cage for Assembly 2010 (“Respondent Committee”). Respondent Cage-Barile was a successful candidate for the 47th Assembly District in the June 8, 2010, primary election, and an unsuccessful candidate for the 47th Assembly District in the November 2, 2010, general election. At all relevant times, Respondent Cage-Barile was the treasurer of Respondent Committee. Respondents failed to file in a timely manner one pre-election campaign statement for the reporting period of March 18, 2010, through May 22, 2010, due May 27, 2010, in violation of Government Code Section 84200.5 (1 count); and failed to file one post-election semi-annual campaign statement in a timely manner for the reporting period of May 23, 2010, through June 30, 2010, due August 2, 2010, in violation of Government Code Section 84200 (1 count). **Total Proposed Penalty: \$400.**
7. **In the Matter of Desley Brooks, Friends of Desley Brooks, and Darleen Brooks, Treasurer, FPPC No. 12/209.** Staff: Political Reform Consultant Teri Rindahl. Respondents Desley Brooks, Friends of Desley Brooks and Darleen Brooks, Treasurer, failed to file two semi-annual campaign statements in a timely

manner for the reporting periods of January 1, 2011, through June 30, 2011, due August 1, 2011, and July 1, 2011, through December 31, 2011, due January 31, 2012, in violation of Government Code Section 84200 (2 counts). **Total Proposed Penalty: \$400.**

8. **In the Matter of Kasey Cotulla for Sacramento City Council 2010, and Kasey Cotulla, Treasurer, FPPC No. 12/107.** Staff: Political Reform Consultant Adrienne Korchmaros. Respondent Kasey Cotulla for Sacramento City Council 2010 and Kasey Cotulla, Treasurer, failed to file four semi-annual campaign statements in a timely manner for the reporting periods of March 18, 2010, through June 30, 2010, due August 2, 2010; July 1, 2010, through December 31, 2010, due January 31, 2011; January 1, 2011, through June 30, 2011, due August 1, 2011; and July 1, 2011, through December 31, 2011, due January 31, 2012, in violation of Government Code Section 84200 (4 counts). **Total Proposed Penalty: \$800.**
9. **In the Matter of Malibu Democratic Club, and Jean Goodman, Treasurer, FPPC No. 12/241.** Staff: Political Reform Consultant Teri Rindahl. Respondent Malibu Democratic Club, a state general purpose committee, and Jean Goodman, Treasurer, failed to file paper and electronic semi-annual campaign statements in a timely manner for the period covering July 1, 2011, through December 31, 2011, due January 31, 2012, in violation of Government Code Sections 84200 and 84605 (2 counts). **Total Proposed Penalty: \$400.**

Conflict of Interest

10. **In the Matter of Theodore Park, FPPC No. 11/058.** Staff: Senior Commission Counsel Neal Bucknell, Special Investigator Beatrice Moore, and Law Clerk Kyle Levy. Between the approximate dates of February and June 2010, Respondent Theodore Park, in his capacity as acting deputy director of the Real Estate Services Division of the California Department of General Services, made a series of governmental decisions in which he knew himself to have a financial interest, in violation of Government Code Section 87100 (1 count). **Total Proposed Penalty: \$3,500.**

Late Contribution Reporting Violation

11. **In the Matter of Putting Riverside First – Bill Emmerson for Senate 2010, funded by California Dental Association Independent Expenditure PAC and California Real Estate Independent Expenditure Committee; Thomas W. Hiltachk, Treasurer, FPPC No. 12/212.** Staff: Program Specialist William Marland and Political Reform Consultant Jeanette E. Turvill. This case arose from an audit of Putting Riverside First – Bill Emmerson for Senate 2010, funded by California Dental Association Independent Expenditure PAC and California Real Estate Independent Expenditure Committee (“Respondent Committee”) by the Franchise Tax Board. Respondent Committee received a contribution in the amount of \$10,000 from Quality Health Care for Californians, sponsored by CAHHS, during the late contribution reporting period in connection with the April 13, 2010, special election and failed to report the contribution in a timely manner, in violation of Government Code Section 84203 (1 count). **Total Proposed Penalty: \$1,500.**

Slate Mailer Reporting Violation

12. **In the Matter of Election Education Guide and Tracey Pomerance-Poirier, FPPC No. 10/980.** Staff: Senior Commission Counsel Neal Bucknell and Program Specialist Grant Beauchamp. Respondent Election Education Guide is a slate mailer organization. Respondent Tracey Pomerance-Poirier is the organization’s treasurer. In this matter, for the reporting periods ending June 30, 2010, and December 31, 2010, Respondents failed to report in a timely manner, subvendor information for payments totaling approximately \$652,549, in violation of Government Code Section 84219, subdivision (h)(5) (1 count). **Total Proposed Penalty: \$2,000.**

Statement of Economic Interests – Failure to Report – Streamline

13. **In the Matter of Gary Townsend, FPPC No. 12/291.** Staff: Political Reform Consultant Teri Rindahl. Respondent Gary Townsend, Chief Deputy Assessor for the County of Los Angeles, failed to disclose an interest in a source of income on his Statement of Economic Interests for the reporting period of January 1, 2010, through December 31, 2010, due April 1, 2011, in violation of Government Code Section 87207 (1 count). **Total Proposed Penalty: \$200.**

Statement of Economic Interests – Non-Filer – Streamline

- 14. In the Matter of Ivan Altamirano, FPPC No. 11/927.** Staff: Commission Counsel Zachary W. Norton. Respondent Ivan Altamirano, a member of the City of Commerce Planning Commission, failed to file a Statement of Economic Interests in a timely manner for the period covering January 1, 2010, through December 31, 2010, in violation of Government Code Section 87203 (1 count). **Total Proposed Penalty: \$200.**
- 15. In the Matter of Chad Anderson, FPPC No. 11/1107.** Staff: Chief of Enforcement Gary Winuk, Political Reform Consultant Jeanette Turvill and Executive Fellow Emiko Burchill. Respondent Chad Anderson, a planning group member of the Ramona Community Planning Group, failed to file a Statement of Economic Interests in a timely manner for the reporting period January 1, 2010, through December 31, 2010, due April 1, 2011, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**
- 16. In the Matter of Inez Rozar, FPPC No. 11/036.** Staff: Gary Winuk, Chief of Enforcement and Tracey Frazier, Legal Analyst. Respondent Inez Rozar, Registered Nursing Board member for the California Department of Consumer Affairs, failed to file an annual and leaving office Statement of Economic Interests in a timely manner, covering the period January 1, 2009, through August 31, 2010, by the September 30, 2010, due date, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

GENERAL ITEM

- 17. Adoption of Amendment to Regulation 18640:** Staff: General Counsel Zackery P. Morazzini and Commission Counsel Jack Woodside. Staff proposes to amend the Regulation 18640, subdivision (b), to make the valuation of an official's "drop-in" visit to an invitation-only event sponsored by a lobbyist or lobbying firm consistent with the valuation of a "drop-in" visit by an official under the recently amended Regulation 18946.2, subdivision (e).

EXECUTIVE STAFF REPORTS ITEM 18

Executive Director's Report. Staff: Executive Director, John Wallace

Legislative Report. Staff: Legislative Coordinator, Tara Stock

Litigation Report. Staff: General Counsel, Zackery P. Morazzini

Legal Division Report. Staff: General Counsel, Zackery P. Morazzini

Enforcement Division Report. Staff: Chief of Enforcement, Gary Winuk

Technical Assistance Division Report. Staff: Chief of T.A.D., Lynda Cassady

Administrative Division Report. Staff: Chief of Administration, Tina Bass