



NOTICE AND AGENDA Commission Meeting¹

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

**Thursday, May 17, 2012
10:00 A.M.**

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

**Office of the Provost
3551 Trousdale Parkway
University of Southern California
Los Angeles, CA 90089**

One commissioner will participate from this location.

WELCOME AND CHAIR'S REPORT

Ann Ravel, FPPC Chair

PUBLIC COMMENT

1. Public Comment.

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 webcast at [FPPC Commission Meeting Webcast](#).

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.

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 – 10

2. **Approval of April 2012 Commission Meeting Minutes.**
3. **Approval of Form 806, Agency Report of Public Official Appointments.** Staff: Lynda Cassady, Chief, Technical Assistance Division. Staff requests approval of Form 806 which will require public posting of compensation paid to officials serving on appointed public boards.

Campaign Reporting Violation

4. **In the Matter of Kai Stinchcombe, and Vote for Kai – Assembly 2010, FPPC No. 10/652.** Staff: Senior Commission Counsel Angela Brereton, and Special Investigator Annaraine Diaz. Respondent Kai Stinchcombe was a candidate for California State Assembly District 21 in the June 8, 2010, primary election; however, he withdrew as a candidate in approximately December 2009. Respondent Vote for Kai – Assembly 2010 (Respondent Committee) was Respondent Stinchcombe's candidate controlled committee. At all relevant times, Respondent Stinchcombe was the treasurer of Respondent Committee. Respondents failed to file semi-annual campaign statements in a timely manner for the reporting period of July 1, 2009, through December 31, 2009, by the February 1, 2010, due date, and for the reporting periods of January 1, 2010, through June 30, 2010, due on or before August 2, 2010, and July 1, 2010, through December 31, 2010, due on or before February 1, 2011, in violation of Government Code Section 84200, subdivision (a) (2 counts). **Total Proposed Penalty: \$4,000.**

Campaign Reporting Violation - Streamline

5. **In the Matter of Committee to Elect Elvia Aguilar; Elvia Aguilar and Christina Aguilar, Treasurer, FPPC No. 11/1063.** Staff: Political Reform Consultant Jeanette E. Turvill. Respondent Committee to Elect Elvia Aguilar; Elvia Aguilar and Christina

Aguilar, Treasurer, failed to timely file two semiannual campaign statements for the reporting period of January 1, 2011, through June 30, 2011, due August 1, 2011, and July 1, 2011, through December 31, 2011, due January 31, 2011, in violation of Government Code Section 84200 (2 counts). **Total Proposed Penalty: \$400.**

Late Contribution Reporting Violation – Streamline

6. **In the Matter of Sacramento Central Labor Council C.O.P.E., Bill Camp, Treasurer, FPPC No. 11/946.** Staff: Program Specialist William Marland and Political Reform Consultant Jeanette E. Turvill. Respondent Sacramento Central Labor Council-C.O.P.E. is a state general purpose committee and Respondent Bill Camp is the treasurer. The Franchise Tax Board Political Audit Division identified two late contribution reports that Respondents failed to file for contributions of \$17,050 made in connection with the November 4, 2008, election. Respondents also failed to timely file a late contribution report for contributions of \$13,000 given in connection with the June 8, 2010, election; and failed to file two late contribution reports for contributions amounting to \$32,800 given in connection with the November 2, 2010, election, in violation of Government Code Section 84203 (5 counts). **Total Proposed Penalty: \$9,427.**

Mass Mailing Violation

7. **In the Matter of Women’s Voter Guide and Tracey Pomerance-Poirier, FPPC No. 10/1023.** Staff: Senior Commission Counsel Neal Bucknell and Program Specialist Grant Beauchamp. Respondent Women’s Voter Guide is a slate mailer organization. Respondent Tracey Pomerance-Poirier is the organization's treasurer. In 2010, Respondent Women’s Voter Guide produced and sent slate mailers supporting various candidates and ballot measures being voted on in the general election. Some of these candidates and ballot measures did not pay for the support of the slate mailers. Respondents Women’s Voter Guide and Tracey Pomerance-Poirier were required to disclose this on a campaign statement filed for the period ending December 31, 2010, but they failed to provide this required disclosure as to seven candidates and one ballot measure, in violation of Government Code Section 84219, subdivision (e) (1 count). **Total Proposed Penalty: \$2,000.**

Money Laundering

8. **In the Matter of Glen Gerson and Malibu Conference Center, Inc., FPPC No. 11/803 (Default Decision).** Staff: Senior Commission Counsel Neal Bucknell and Special Investigator Janet Seely. Respondent Glen Gerson is the Chief Executive Officer, President, Chief Financial Officer, Secretary, and sole Director of Respondent Malibu Conference Center, Inc. In July and October 2008, Respondents made five contributions—in the amount of \$1,000 each—to the Committee to Reelect Barbra Williamson (to the Simi Valley City Council). At the time, the local contribution limit for this election was \$1,000, but Respondents circumvented this limit by making each contribution in the name of another (one affiliated corporation and four management level employees of Respondents), in violation of Government Code Section 84301 (5 counts). **Total Proposed Penalty: \$25,000.**

Statement of Economic Interests – Failure to Report – Streamline

9. **In the Matter of David Pallinger, FPPC No. 12/164. Staff: Political Reform Consultant Adrienne Korchmaros.** Respondent David Pallinger, Planning Commissioner for the County of San Diego, failed to disclose an interest in a source of income on his Statement of Economic Interests for the reporting period 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

10. **In the Matter of John K. Anderson, FPPC No. 12/055. Staff: Chief of Enforcement Gary Winuk and Law Clerk Brad Morrow.** Respondent John K. Anderson, former Finance Director for the City of Dunsmuir left his position with the City of Dunsmuir on April 1, 2010. Respondent failed to file in a timely manner a leaving office Statement of Economic Interests by the May 31, 2010, due date, in violation of Government Code Section 87204 (1 count). **Total Proposed Penalty: \$200.**

GENERAL ITEM 11

11. **Adoption of Regulation 18313.6: Online Posting: Redacting Personal Information.** Staff: General Counsel Zackery P. Morazzini and Commission Counsel Brian G. Lau. This item continues the discussion of privacy-related concerns regarding the online posting of statements of economic interests under Regulation 18313.5 that occurred at the March 2012 Commission Meeting. During the March Meeting, the Commission discussed online posting as applied to judges upon the request of representatives of affected judges who had asked the Commission to exempt judges from the requirement. At the request of the Commission, staff returns with proposed Regulation 18313.6 establishing general guidelines for the redaction of certain personal information applicable to all officials subject to online posting by the Commission.

DISCUSSION ITEM 12

12. **Conflict-of-Interest Codes and Disclosure.** Staff: General Counsel Zackery Morazzini and Senior Commission Counsel William J. Lenkeit. Staff is planning on reviewing and updating the Conflict of Interest Code Process, including the Regulations 18730, 18750, 18750.1, 18750.2, 18751, 18752, 18753, 18754, and 18755. This discussion item will describe the current process; note some problems in the current process, and lay out a plan to start fact-finding, including holding one or more Interested Persons Meetings.

STAFF REPORTS ITEMS 13 – 19

13. **Executive Director's Report.** Staff: Executive Director, John Wallace
14. **Legislative Report.** Staff: Legislative Coordinator, Tara Stock
15. **Litigation Report.** Staff: General Counsel, Zackery P. Morazzini
16. **Legal Division Report.** Staff: General Counsel, Zackery P. Morazzini
17. **Enforcement Division Report.** Staff: Chief of Enforcement, Gary Winuk
18. **Technical Assistance Division Report.** Staff: Chief of T.A.D., Lynda Cassady
19. **Administrative Division Report.** Staff: Chief of Administration, Tina Bass