

**NOTICE AND AGENDA
Commission Meeting¹**

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

**Thursday, January 16, 2014
10:00 A.M.**

According to (Gov. Code Section 11123) (a) all meetings of a state body shall be open and public and all persons shall be permitted to attend any meeting of a state body except as otherwise provided in this article. The Section further states that the portion of the teleconferenced meeting that is required to be open to the public shall be audible to the public at the location specified in the notice of the meeting.

Vice Chair Eskovitz will attend this meeting of the Commission via teleconference from 355 South Grand Avenue, Los Angeles, CA 90071. Commissioner Wasserman will attend this meeting of the Commission via teleconference from 1230 Crenshaw Blvd, Suite 103, Torrance, CA 90501.

Agendas will be posted at the teleconference location and the teleconference location will conduct the meetings in a manner that protects the rights of any party or member of the public appearing before the state body (Commission).

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 [meeting via YouTube](#).

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

Sean Eskovitz, FPPC Vice 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 – 37

2. Approval of November 2013 Commission Meeting Minutes.

ENFORCEMENT MATTERS

Money Laundering

3. In the Matter of Gustavo Villa, FPPC No. 13/1122. Staff: Senior Commission Counsel Angela Brereton and Special Investigator Beatrice Moore. Respondent, Gustavo Villa, the General Manager of Maywood Mutual Water Company No. 2, violated the Political Reform Act by giving two cash contributions to another individual in order for the individual to write checks to make two contributions in those amounts to campaign committees, and then failing to disclose the true source and intermediary information to the recipients of the contributions. Specifically, Respondent made two campaign contributions, in the amounts of \$2,000 and \$800, in the name of Beatriz Torres rather than his own name, failed to disclose to the recipients of the contributions that he was the true source, failed to disclose to the recipients of the contributions that he was an intermediary for another, and failed to disclose to the recipients of the contributions that Beatriz Torres was an intermediary for another, in violation of Government Code Sections 84300, subdivision (c), 84301 and 84302 (1 count). **Total Proposed Penalty: \$4,500.**

Conflict of Interest

4. In the Matter of Juliet Ellis, FPPC No. 13/194. Staff: Commission Counsel Zachary Norton and Special Investigator Jeffrey Kamigaki. In this matter, Respondent, Juliet Ellis, Assistant General Manager for External Affairs of the San Francisco Public Utilities Commission, attempted to use her official position to influence a governmental decision in which she had a material financial interest, by communicating with San Francisco Public Utilities Commission staff, concerning contracts with a source of income, Green For All, in violation of Government Code Section 87100 (1 count). **Total Proposed Penalty: \$3,500. (Total Proposed Penalty by San Francisco Ethics Commission: \$5,000, for a Combined Proposed Penalty: \$8,500)**

Influencing Prospective Employment

5. In the Matter of Kelli Moors, FPPC No. 13/917. Staff: Senior Commission Counsel Neal Bucknell, Political Reform Consultant Teri Rindahl, and Law Clerk Robert Binning. On or about July 24, 2013, Respondent, Kelli Moors, while acting in her capacity as a member of the Carlsbad Unified School District Board of Trustees, voted to approve a contract with the law firm of Fagen Friedman & Fulfrost, LLP for legal/professional services for the 2013-14 school year (for an amount not to exceed \$100,000). However, the day before the vote, Respondent had received and accepted a job offer from the same law firm. In this way, Respondent violated Government Code Section 87407, which prohibits public officials from making governmental decisions directly relating to anyone with whom they have an arrangement concerning prospective employment (1 count). **Total Proposed Penalty: \$4,000.**

Campaign Contribution Limits

6. In the Matter of Russell Bogh, Russ Bogh for Senate 2010, and Dana Hopkins, FPPC No. 13/005. Staff: Senior Commission Counsel Dave Bainbridge and Program Specialist Luz Bonetti. This case resulted from an audit by the Franchise Tax Board. Respondent, Russell Bogh, ran for state Senate in 2010. Respondent, Russ Bogh for Senate 2010, was his candidate-controlled committee and Respondent, Dana Hopkins, was the committee Treasurer. Respondents accepted a campaign contribution from Bogh Engineering, Inc. that exceeded the campaign contribution limit for candidates for state Senate in violation of Government Code Section 85301, subdivision (a) and California Code of Regulations, title 2, section 18545, subdivision (a)(1). **Total Proposed Penalty: \$3,000.**

Campaign Reporting

7. In the Matter of Timothy Park, FPPC No. 13/243. Staff: Senior Commission Counsel Bridgette Castillo and Political Reform Consultant Jeanette Turvill. Respondent, Timothy Park, qualified as an Independent Expenditure Committee by making independent expenditures in connection with the Cerritos City Council Election held on March 5, 2013. In this matter, Respondent failed to file the pre-election campaign statement for the period covering January 1, 2013, through February 16, 2013, in violation of Section 84200.8, subdivision (b) (1 count). **Total Proposed Penalty: \$2,000.**

8. In the Matter of Jass Singh, the Committee Against the Recall of Jass Singh MHCS D Director 2012, and Renu Singh, FPPC No. 12/805. Staff: Commission Counsel Zachary Norton and Special Investigator Lee Myers. Respondent, Jass Singh, was a candidate for recall as a Director with the Mountain House Community Services District in the November 6, 2012 election. Respondent, Committee Against the Recall of Jass Singh MHCS D Director 2012, was his candidate controlled committee and Renu Singh was the Treasurer for the Respondent Committee. Respondents failed to timely file a second pre-election campaign statement covering the period October 1, 2012, through October 20, 2012, due October 25, 2012, in violation of Government Code Sections 84200.5, subdivision (b), and 84200.7, subdivision (b). **Total Proposed Penalty: \$2,000.**

9. In the Matter of Scott Mann and Scott Mann for Menifee Mayor 2012, FPPC No. 12/585. Staff: Commission Counsel Zachary Norton and Special Investigator Laura Jestes. Respondent, Scott Mann, was a successful candidate for Menifee Mayor in the 2012 election, and Scott Mann for Menifee Mayor 2012 was his controlled committee. Respondents failed to disclose nonmonetary contributions totaling \$982.25 received on or about June 14, 2012, through June 30, 2012, from the Menifee Taxpayers Association, on a first pre-election campaign statement and a semi-annual campaign statement, in violation of Government Code Section 84211, subdivision (f) (1 count). **Total Proposed Penalty: \$1,500.**

10. In the Matter of Independent Democratic Directions Committee and Nancy Rodriguez, FPPC No. 13/028. Staff: Commission Counsel Adam Silver and Political Reform Consultant Teri Rindahl. Respondent, Independent Democratic Directions Committee ("Respondent Committee"), is a slate mailer organization and Respondent, Nancy Rodriguez, was at all times relevant in this case the Treasurer for the slate mailer organization. During the semi-annual reporting period of January 1, 2012, through June 30, 2012, Respondent Committee did not receive any contributions or make any expenditures. Respondents failed to timely file a semi-annual campaign statement covering the period of January 1, 2012, through June 30, 2012, due July 31, 2012, in

violation of Government Code Section 84218, subdivision (a) (1 count). **Total Proposed Penalty: \$400.**

11. In the Matter of Hany Fangary, Friends of H. S. Fangary for Hermosa Beach City Council 2013, and Dina Fangary; FPPC No. 13/1109. Staff: Political Reform Consultant Adrienne Korchmaros. Respondents, Hany Fangary, Friends of H. S. Fangary for Hermosa Beach City Council 2013, and Treasurer, Dina Fangary, failed to timely file campaign statements covering the periods July 1, 2013, through September 21, 2013, due September 26, 2013, and September 22, 2013, through October 19, 2013, due October 24, 2013, with the City of Hermosa Beach in violation of Government Code Section 84200.5 (2 counts). **Total Proposed Penalty: \$400.**

12. In the Matter of Willard H. Murray, Jr., Committee to Elect Willard Murray Water Replenishment Board 2010, and David L. Gould; FPPC No. 13/462. Staff: Political Reform Consultant Adrienne Korchmaros. Respondents, Willard H. Murray, Jr., Committee to Elect Willard Murray Water Replenishment Board 2010, and its Treasurer, David L. Gould, failed to timely file the campaign statement covering the period July 1, 2012, through December 31, 2012, due January 31, 2013, with the County of Los Angeles Clerk-Recorder in violation of Government Code Section 84200 (1 count). **Total Proposed Penalty: \$200.**

Lobbying Reporting

13. In the Matter of John E. Mendez, Mendez Strategy Group, FPPC No. 13/503. Staff: Legal Analyst Tracey Frazier and Law Clerk Liz Smutz. Mendez Strategy Group, a California lobbying firm, and John Mendez, Mendez Strategy Group's President and Responsible Officer, failed to timely file a Report of Lobbying Firm (Form 625) covering the period July 1, 2012, through September 30, 2012, disclosing total payments received for lobbying services in the amount of \$6,147.78, in violation of Government Code Sections 86114, and 86117 (1 count). **Total Proposed Penalty: \$400.**

Receipt of Gift Over the Limit

14. In the Matter of Raymond Buenaventura, FPPC No. 13/815. Staff: Political Reform Consultant Teri Rindahl. In this matter, Respondent, Raymond Buenaventura, as a City Council Member for the City of Daly City, reported accepting a gift of tickets totaling \$1,200 from the Olympic Club on his 2012 Statement of Economic Interests, exceeding the \$420 gift limit applicable in 2012, in violation of Government Code Section 89503 (1 count). **Total Proposed Penalty: \$400.**

15. In the Matter of Jean L. Goebel, FPPC No. 13/1204. Staff: Political Reform Consultant Jeanette Turvill. In this matter, Respondent, Jean L. Goebel, as a Director for the California Housing Workers Compensation Authority, reported accepting a gift of raffle winnings totaling \$806.75 from the NorCal National Assn. of Housing & Redevelopment Officials on her 2012 Statement of Economic Interests, exceeding the \$420 gift limit applicable in 2012, in violation of Government Code Section 89503(1 count). **Total Proposed Penalty: \$400.**

16. In the Matter of Michael Kathleen Self, FPPC No. 13/1203. Staff: Political Reform Consultant Jeanette Turvill. In this matter, Respondent, Michael Kathleen Self, as a former Councilmember for the City of Santa Barbara, reported accepting a gift of 2 Red Feather Ball tickets totaling \$600 from Marborg Industries on her 2012 Statement of Economic Interests, exceeding the \$420 gift limit applicable in 2012, in violation of Government Code Section 89503(1 count). **Total Proposed Penalty: \$200.**

Statement of Economic Interests – Non-Filer

17. In the Matter of Regina Callan, FPPC No. 12/749. Staff: Senior Commission Counsel Dave Bainbridge. Respondent, Regina Callan, serves a Member of the San Francisco Citizens' General Obligation Bond Oversight Committee. Respondent failed to timely file an Annual Statement of Economic Interest for 2011 and 2012 covering the periods January 1, 2011, through December 31, 2011, due April 2, 2012, and January 1, 2012, through December 31, 2012, due April 2, 2013, in violation of Government Code Section 87300 (2 counts). **Total Proposed Penalty: \$800.**

18. In the Matter of Nuno Tavares, FPPC No. 12/811. Staff: Senior Commission Counsel Bridgette Castillo and Political Reform Consultant Jeanette Turvill. Respondent, Nuno Tavares, as a member of the Deferred Compensation Committee, was required to file Statements of Economic Interests. In this matter, Respondent failed to timely file his Assuming Office Statement of Economic Interest covering the period January 31, 2010, through January 31, 2011, due March 2, 2011, failed to timely file his 2011 Annual Statement of Economic Interest covering the period January 1, 2011, through December 31, 2011, due April 2, 2012, and failed to timely file his Annual/Leaving Office Statement of Economic Interests covering the period January 1, 2012, through February 27, 2013, due March 29, 2013, in violation of Government Code Section 87300 (3 Counts). **Total Proposed Penalty: \$600.**

19. In the Matter of Williston Warren, FPPC No. 13/1092. Staff: Political Reform Consultant Adrienne Korchmaros. Respondent, Williston Warren, as a Board Member for the California Professional Engineers & Land Surveyors Board, failed to timely file his 2012 Annual Statement of Economic Interests covering the period January 1, 2012, through December 31, 2012, due April 1, 2013, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

20. In the Matter of Joanne Culverhouse, FPPC No. 13/1302. Staff: Political Reform Consultant Teri Rindahl. Respondent, Joanne Culverhouse, Laguna Beach Unified School District Principal, failed to timely file her 2012 Annual Statement of Economic Interests covering the period January 1, 2012, through December 31, 2012, due April 2, 2013, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

21. In the Matter of Noel Russell-Unterburger, FPPC No. 13/995. Staff: Political Reform Consultant Teri Rindahl. Respondent, Noel Russell-Unterburger, Magnolia Educational & Research Foundation Board Member, failed to timely file his 2012 Annual Statement of Economic Interests covering the period January 1, 2012, through December 31, 2012, due April 2, 2013, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

22. In the Matter of Jeanne Huybrechts, FPPC No. 13/1014. Staff: Political Reform Consultant Teri Rindahl. Respondent, Jeanne Huybrechts, Bright Star Secondary Academy Board Member, failed to timely file her 2012 Annual Statement of Economic Interests covering the period January 1, 2012, through December 31, 2012, due April 2, 2013, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

23. In the Matter of Andy Quach, FPPC No. 13/1301. Staff: Political Reform Consultant Teri Rindahl. Respondent, Andy Quach, West Orange County Water Board Member, failed to timely file his 2012 Annual Statement of Economic Interests covering the period January 1, 2012, through December 31, 2012, due April 2, 2013, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

24. In the Matter of Marc Mitchell, FPPC No. 13/1012. Staff: Political Reform Consultant Teri Rindahl. Respondent, Marc Mitchell, Bright Star Secondary Academy Board Member, failed to timely file his 2012 Annual Statement of Economic Interests covering the period January 1, 2012, through December 31, 2012, due April 2, 2013, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

25. In the Matter of Nancy Zoepfl, FPPC No. 13/1015. Staff: Political Reform Consultant Teri Rindahl. Respondent, Nancy Zoepfl, Birmingham Community Charter HS Director of Curriculum, failed to timely file her 2012 Annual Statement of Economic Interests covering the period January 1, 2012, through December 31, 2012, due April 2, 2013, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

26. In the Matter of Tracie Bowdoin, FPPC No. 13/1022. Staff: Political Reform Consultant Teri Rindahl. Respondent, Tracie Bowdoin, Birmingham Community Charter HS Director/Assistant Principal, failed to timely file her 2012 Annual Statement of Economic Interests covering the period January 1, 2012, through December 31, 2012, due April 2, 2013, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

27. In the Matter of Colleen Milar, FPPC No. 13/1016. Staff: Political Reform Consultant Teri Rindahl. Respondent, Colleen Milar, Birmingham Community Charter HS Board Member, failed to timely file her 2012 Annual Statement of Economic Interests covering the period January 1, 2012, through December 31, 2012, due April 2, 2013, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

28. In the Matter of Irvin Castaneda, FPPC No. 13/1021. Staff: Political Reform Consultant Teri Rindahl. Respondent, Irvin Castaneda, Birmingham Community Charter HS Director/Assistant Principal, failed to timely file his 2012 Annual Statement of Economic Interests covering the period January 1, 2012, through December 31, 2012, due April 2, 2013, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

Statement of Economic Interests – Non-Reporting

29. In the Matter of Brent Ives, FPPC No. 13/1075. Staff: Political Reform Consultant Jeanette Turvill. Respondent, Brent H. Ives, is the mayor of the City of Tracy. Respondent held a sole proprietorship interest in BHI Management Consulting, located in and doing business in the City of Tracy. Respondent failed to timely disclose his investment in BHI Management Consulting on his Annual Statement of Economic Interests in violation of Government Code Section 87206 (1 count). **Total Proposed Penalty: \$200.**

Proactive Non-Reporting Gift Cases

30. In the Matter of James Goins, FPPC No. 13/605. Staff: Political Reform Consultant Teri Rindahl, Legal Analyst Tracey Frazier, and Law Clerk Selena Farnesi. In this matter, Respondent, James Goins, as the Director of Finance/Treasurer for the City of Richmond, failed to timely disclose gift(s) of: three meals totaling \$204.40 on his 2010 Statement of Economic Interests. All gifts were from E.J. De La Rosa & Co., Inc. and all omissions were in violation of Government Code Section 87207 (1 count). **Total Proposed Penalty: \$200.**

31. In the Matter of Richard Steinke, FPPC No. 13/730. Staff: Legal Analyst Tracey Frazier and Law Clerk Rob Binning. In this matter, Respondent, Richard Steinke, as the Executive Director of the City of Long Beach Harbor Department, failed to timely disclose gift(s) of: golf valued at \$167.49 on his 2010 Statement of Economic Interests. All gifts were from E.J. De La Rosa & Co., Inc. and all omissions were in violation of Government Code Section 87207 (1 count). **Total Proposed Penalty: \$200.**

32. In the Matter of Antonio Medrano, FPPC No. 13/581. Staff: Political Reform Consultant Jeanette Turvill and Legal Analyst Tracey Frazier. In this matter, Respondent, Antonio Medrano, as a Trustee of the West Contra Costa Unified School Board, failed to timely disclose gift(s) of: three meals totaling \$115.29 on his 2010 Statement of Economic Interests. All gifts were from E.J. De La Rosa & Co., Inc. and all omissions were in violation of Government Code Section 87207 (1 counts). **Total Proposed Penalty: \$200.**

33. In the Matter of Lisa Kaplan, FPPC No. 13/631. Staff: Political Reform Consultant Teri Rindahl, Legal Analyst Tracey Frazier, and Law Clerk Selena Farnesi. In this matter, Respondent, Lisa Kaplan, as the Assistant Executive Officer for the Natomas Unified School District, failed to timely disclose gift(s) of: two meals totaling \$137.97 on her 2009 Statement of Economic Interests. All gifts were from E.J. De La Rosa & Co., Inc. and all omissions were in violation of Government Code Section 87207 (1 count). **Total Proposed Penalty: \$200.**

34. In the Matter of Phillip Davis, FPPC No. 13/438. Staff: Political Reform Consultant Jeanette Turvill and Legal Analyst Tracey Frazier. In this matter, Respondent, Phillip A. Davis, Assistant Director of Finance for the City of Chula Vista, failed to timely disclose gift(s) of: two meals totaling \$149.01 on his 2010 Statement of Economic Interests. All gifts were from E.J. De La Rosa & Co., Inc. and all omissions were in violation of Government Code Section 87207 (1 count). **Total Proposed Penalty: \$200.**

35. In the Matter of Robert Barrios, FPPC No. 13/903. Staff: Legal Analyst Tracey Frazier and Law Clerk Selena Farnesi. In this matter, Respondent, Robert Barrios, as a Member of the El Monte City School District Board, failed to timely disclose gift(s) of: two meals totaling \$242.50 on his 2009 Statement of Economic Interests. All gifts were from E.J. De La Rosa & Co., Inc. and all omissions were in violation of Government Code Section 87207 (1 count). **Total Proposed Penalty: \$200.**

36. In the Matter of Jesus Nava, FPPC No. 13/592. Staff: Political Reform Consultant Jeanette Turvill and Legal Analyst Tracey Frazier. In this matter, Respondent, Jesus Nava, as a former Finance Director for the City of Burlingame, failed to timely disclose gift(s) of: three meals totaling \$104.72 on his 2010 Statement of Economic Interests. All gifts were from E.J. De La Rosa & Co., Inc. and all omissions were in violation of Government Code Section 87207 (1 count). **Total Proposed Penalty: \$200.**

37. In the Matter of Ted Martinez, FPPC No. 13/431. Staff: Political Reform Consultant Jeanette Turvill and Legal Analyst Tracey Frazier. In this matter, Respondent, Ted Martinez, as the Superintendent of Rio Hondo Community College, failed to timely disclose gift(s) of: one meal valued at \$87.81 and refreshments valued at \$39.22 on his 2011 Statement of Economic Interests. All gifts were from E.J. De La Rosa & Co., Inc. and all omissions were in violation of Government Code Section 87207 (1 count). **Total Proposed Penalty: \$200.**

GENERAL ITEMS 38 – 40

- 38. End of Year Enforcement Report.** Presentation of the Enforcement Division's End of Year Report for 2013 to the Commission for review and comment. No action required. Staff: Gary Winuk

- 39. Adoption of Revisions to Form 801 Payment to Agency Report and the Campaign Forms 460 and 450 instructions for reporting online communication expenditures.** Staff: Lynda Cassady

- 40. Adoption of Campaign Manual for Independent Expenditure Committees.**
Staff: Lynda Cassady

EXECUTIVE STAFF REPORTS ITEM 41

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

Legislative Report. Staff: Senior Commission Counsel and Legislative Coordinator, Sukhi Brar

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 Technical Assistance Division, Lynda Cassady