



NOTICE AND AGENDA Commission Meeting¹

California Fair Political Practices Commission
1102 Q Street, Suite 3800
Sacramento, CA 95811

Thursday, January 18, 2024
10:00 A.M.

Under Government Code section 11123(a), all meetings of a state body are open and public, and all persons are permitted to attend any meeting of a state body, except as otherwise provided in that article. The section further states that the portion of the teleconferenced meeting that is required to be open to the public must be audible to the public at the location specified in the notice of the meeting. Members of the public may listen to the meeting by phone by calling (877) 411-9748; access code 723284; or watch the meeting via Webinar at [YouTube](#). To participate in real time, visit <http://mediasite.fppc.ca.gov/> or call (877) 411-9748; access code 723284.

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), CommAsst@fppc.ca.gov (e-mail) and ADACoordinator@fppc.ca.gov. 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.

The Commission may take action on any item listed on this agenda.

Welcome

Richard C. Miadich, Chair

Public Comment

- 1. Public Comment for Items not on Agenda.** During this comment period, any person is invited to speak on any topic that is not listed on this agenda. Action may not be taken on any matter raised during this public comment period until the matter is specifically listed on a future agenda. Those who wish to comment on an item that has been listed on this agenda may comment when that item has been opened for consideration by the Commission and before any action is taken.

¹You can obtain further information about the meeting by contacting the Commission Assistant, 1102 Q Street, Suite 3050, Sacramento, CA, 95811, 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. Email comment letters directly to CommAsst@fppc.ca.gov. To participate in real time, visit <http://mediasite.fppc.ca.gov/>.

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 on the website.

Approval of Commission Minutes

2. Approval of November 2023 Commission Meeting Minutes.

Consent Calendar 3-9

Items on the consent calendar will be taken up and voted on as a group. A Commissioner may request that an item be removed from consent, in which case it will be discussed separately in the meeting.

Laundered Campaign Contributions

- 3. In the Matter of Alex Villanueva, Villanueva for Los Angeles Sheriff 2018, Cine D. Ivery, and Manuel Gomez; FPPC No. 18/1097.** Staff: Neal Bucknell, Senior Commission Counsel and George Aradi, Special Investigator. Alex Villanueva and Alex Villanueva for Los Angeles Sheriff 2018 are represented by Brian Hildreth of Bell, McAndrews & Hiltachk. Cine D. Ivery is represented by Beverly Grossman Palmer of Strumwasser & Woocher, LLP. Manuel Gomez is represented by Kirt J. Hopson. Alex Villanueva for Los Angeles Sheriff 2018 was Villanueva's candidate-controlled committee. Cine D. Ivery served as the Committee's treasurer. In August and September 2018, Gomez made 14 campaign contributions in the names of persons other than themselves to Villanueva for Los Angeles Sheriff 2018, in violation of Government Code Section 84301 (10 counts). The Committee, Villanueva, and Ivery failed to report required occupation and employer information for a contribution received from Gomez, in violation of Government Code Section 84211, subdivision (f) (1 count). Also, they failed to report similar information for a contribution that was reported as received from Gomez's son-in-law and failed to return the contribution, in violation of Government Code Sections 84211, subdivision (f); 85700; and California Code of Regulations, Title 2, Section 18570 (1 count). **Total Proposed Penalty: \$57,500.**
- 4. In the Matter of North Star Alliances, LLC, Ernesto Morales, and Lauren Morales-Chitay; FPPC No. 20/77.** Staff: Theresa Gilbertson, Senior Commission Counsel and Ann Flaherty, Special Investigator. The respondents are represented by Dmitry Gorin of Eisner and Gorin LLP. Respondents made contributions in the name of another and failed to disclose that they were acting as an intermediary, in violation of Government Code Sections 84301 and 84302 (5 counts). **Total Proposed Penalty: \$22,500.**

Recordkeeping

- 5. In the Matter of Fiona Ma for State Treasurer 2018, Fiona Ma, and James Santos; FPPC No. 22/195.** Staff: Jenna C. Rinehart, Commission Counsel and Jay Gehres, Special Investigator. This matter arose from an audit performed by the Franchise Tax Board's Political Reform Audit Program. The respondents are represented by James Sutton of The Sutton Law Firm. Fiona Ma was a successful candidate for California State Treasurer in the June 5, 2018 Primary Election and November 6, 2018 General Election. Fiona Ma for State Treasurer 2018 was Fiona Ma's candidate-controlled committee. James Santos served as the Committee's treasurer. The Committee, Ma, and Santos failed to timely disclose and itemize subvendor payments, in violation of Government Code Sections 84303 and 84211 (1 count). Additionally, the Committee, Ma, and Santos failed to maintain campaign records for subvendor payments, in violation of Government Code Section 84104 (1 count); and failed to timely disclose individual credit card charges, in violation of Government Code Section 84211 and Regulation 18421.9 (1 count). **Total Proposed Penalty: \$11,500.**

Conflict of Interests

- 6. In the Matter of Kellie Schneider; FPPC No. 19/1775.** Staff: Theresa Gilbertson, Senior Commission Counsel and Lance Hachigian, Special Investigator. Kellie Schneider was a former official at the California Earthquake Authority. In that capacity, Schneider had a conflict of interest under

Government Code Section 87100 of the Political Reform Act and Government Code Section 1090 when she participated in and authorized a contract between the California Earthquake Authority and her financial interest, WeidnerCA (1 count.) Additionally, Schneider failed to timely report a financial interest on a statement of economic interest, in violation of Government Code Section 87300 (1 count.) **Total Proposed Penalty: \$5,500.**

Cash and In-Kind Contributions

- 7. In the Matter of Kern Citizens for Patient Rights, Larry Hiestand, and Jeff Jarvis; FPPC No. 23/819.** Staff: Commission Counsel, Marissa Corona and Special Investigator, Kaitlin Osborn. Kern Citizens for Patient Rights was a local general purpose ballot measure committee. Larry Hiestand served as the Committee's treasurer and Jeff Jarvis served as the Committee's principal officer. The Committee, Hiestand and Jarvis failed to timely file two pre-election campaign statements and one semi-annual campaign statement, in violation of Government Code Sections 84200 and 84200.5 (1 count); and improperly accepted cash contributions of \$100 or more, in violation of Government Code Section 84300 (1 count). **Total Proposed Penalty: \$5,000.**

Default Proceedings

Default Proceedings Requesting Commission Action

- 8. In the Matter of Anna Song and Friends of Anna Song for County Board of Education 2020; FPPC No. 20/950.** Staff: Jenna C. Rinehart, Commission Counsel and Roone Petersen, Special Investigator. Anna Song was an unsuccessful incumbent candidate for Santa Clara County Board of Education, Trustee of Area 5, in the November 3, 2020 General Election. Friends of Anna Song for County Board of Education for 2020 is Song's candidate-controlled committee. Song served as the Committee's treasurer. The Committee and Song failed to timely file eight semi-annual campaign statements, in violation of Government Code Section 84200 (4 counts). Additionally, the Committee and Song failed to timely file four pre-election campaign statements, in violation of Government Code Sections 84200.5 and 84200.8, and Regulation 18405 (3 counts). Further, the Committee and Song failed to timely file eleven 24-hour reports, in violation of Government Code Sections 84203 and 84203.3 (8 counts). **Total Proposed Penalty: \$63,500.**
- 9. Regulation Projects and Schedule for 2024.** Staff: Dave Bainbridge, General Counsel. Staff proposes for Commission consideration a list of regulation projects for 2024 and a schedule for presenting these regulation projects to the Commission for pre-notice discussion and adoption.

Staff Memo

General Items 10-14

- 10. Discussion of Regulation 18537.1(c) Defining "Subsequent Election..."** Staff: Zachary W. Norton, Senior Commission Counsel. Staff will provide a summary of the Commission's considerations in adopting Regulation 18537.1 in 2002. Specifically, this item will address the Commission's regulatory definition of the term "subsequent election for the same elective state office" found in Government Code section 85317, which contains an exception permitting a candidate to transfer campaign funds from one committee to another without attributing the funds to contributors in certain circumstances.

Staff Memo

Memo, July 9, 2001

Meeting Minutes; July 9, 2001

Memo, August 3, 2001, meeting

Meeting Minutes; August 3, 2001

Memo, October 11, 2001, meeting

Meeting Minutes; October 11, 2001

**Comment Letter from Chuck Bell
Memo, December 7, 2001, Meeting
Meeting Minutes; December 7, 2001
Comment Letter from John Burton
Memo, March 14, 2002, Meeting
Meeting Minutes; March 14, 2002
Comment letter from Thomas Montgomery, August 30, 2023**

- 11. Fiscal Year 2023/2024 First Quarter Expenditure Report.** Staff: Loressa Hon, Chief of Administration.

Expenditure Report

- 12. Legislative Update.** Staff: Lindsey Nakano, Senior FPPC Legislative Counsel. The Commission will review and discuss potential sponsored and other legislation. The Commission may provide direction to staff regarding the same.

Legislative Update

- 13. Executive Staff Reports.**

Enforcement Division. James M. Lindsay, Chief.
Audits and Assistance Division. Shrdha Shah, Chief.
Legal Division. Dave Bainbridge, General Counsel.
Administration and Technology Division. Loressa Hon, Chief.
Executive Director Update. Galena West, Executive Director.

Executive Staff Report

Supplemental Legislative Report

- 14. Commissioner Comments and Proposed Future Agenda Items.**

Note: Although any Commissioner may identify a topic of interest, the Commission may not substantially discuss or take action on any matter raised during the meeting that is not included on this agenda, except to decide to place the matter on the agenda of a future meeting. (Government Code Sections 11125 & 11125.7(a).)