

Sasha Linker

From: Stephen Petzold <[REDACTED]>
Sent: Wednesday, August 07, 2019 9:47 AM
To: CommAsst
Subject: FPPC Warning Letters

Public Comment

August 7, 2019

Dear Members of the FPPC Commission,

My name is Steve Petzold , a resident of California and the Santa Clarita Community College District. During the past few months I have filed a number of complaints with the FPPC against Major Donor Contributors to the Committee for College of the Canyons-Yes on Measure E ID 1384666.

I am quite disillusioned by the decision of FPPC staff to complete the investigation of two cases with Warning Letters being issued to the admitted violators.

The cases are identified for your information as follows

COM 04012019-00709 D'Autremont-Helms and Associates which gave \$18,800 to the Committee.

COM -04012019-00705 Subsurface Designs Inc which made a monetary contribution of \$15,000 to the Committee.

To have the FPPC settle these cases with a Warning Letter is an insult to the considerable time and effort I expended as a citizen to hold these entities responsible for compliance to the applicable campaign finance regulations.

In my opinion , at a minimum, a Streamlined Agreement should have been proposed to impose a penalty and reimburse the FPPC some of the costs for the investigation. There should have been a fine!

I have reviewed Regulation 18360.1 which the Enforcement Division used to settle these case.

Both contributors gave a substantial amount of money to the Committee. The contributors are not unsophisticated, they are incorporated or LLCs. In addition , the Measure E campaign was successful. Each is a vendor to the college on past or future General Obligation bond projects that are worth thousands of dollars.. The owners of these companies are laughing all the way to the bank to have gotten off with a Warning Letter. In addition the public and the press were denied information required by regulation "Major Donor and Late Filing" to consider the money interests supporting the campaign.

It is remarkable that they would blame the Principal Officer/Treasurer of the Committee for not advising them of required filings for Major Donors. Ignorance of the law should not be an excuse. A fine would go a long way towards circulating the word among contractors of their campaign finance obligations.

I had to drive over 100 miles to the Los Angeles County Clerk to pull the campaign finance records and pay for photocopies. I reviewed campaign finance rules and took the time to see whether Major Donor forms were filed with the Secretary of State and the LA County Clerk. I took time and diligently filed a complete complaint form.

At the end of the day I have to ask myself "why bother?" If the FPPC Commission and staff don't care enough to issue even a streamlined settlement , why even have the regulation.

As an aside, a review of the entire Yes on E Committee effort indicates that this was a ""Pay for Play Scheme orchestrated out of the Chancellors office. The bulk of the donations were made my contractors and vendors working on General Obligation bond projects. Some of the contracts were dependent on passage of Measure E.

It is indeed discouraging to a private citizen like myself to see the result of my efforts to help enforce Campaign Finance Regulation diminished by the Enforcement Divisions decision to issue a "go and sin no more" Warning Letter to the violators.

According to my records I have approximately eight more cases pending which make the same allegation regarding Major Donor and Late Filing violations.

It is my desire that the Enforcement Division carefully consider my comments when resolving these cases. I request that if the allegations are found to be valid, that they be resolved with a Streamline Settlement at a minimum.

Respectfully yours,

--

Steve Petzold
Principal Officer
Taxpayers Against Measure E ID 1385037


Pending Cases-Major Donor -Late Filing
College of the Canyons Foundation
College of the Canyons
Valencia Westfield Mall-Westfield LLC
Kanda & Tso Associates
Thierry Cassan/Lisa Phelps*
Steve Dowty/Dorothy Duncan*
Dawn Ziemer/Brett Larson*
Robert McCarty - Committee Principal Officer-Treasurer
R.C. Becker
NE Systems
H&S Electric
Westberg and White

All are Principals or employees of Kruger Benson Ziemer Architects-Santa Barbara

Respondent	Case Number	Amount	Resolution	
College of the Canyons Foundation	03272019-00676	\$150,000	Active	
Kanda & Tso Associates	03292019-00689	\$12,000	Active	
Thierry/Cassan/Lisa Phelps	03312019-00701	\$10,000	Active	
Steve Dowty/Dorothy Duncan	03312019-00702	\$10,000	Active	
Dawn Ziemer/ Brett Larson	03312019-00702	\$10,000	Active	
Robert McCarty	03312019-00703	Treasurer		
R.C. Becker	04012019-00704	\$10,000	Active	
Subsurface Designs	04012019-00705	\$10,000	Warning	
NE Systems	04012019-00706	\$10,000	Active	
H&S Electric	04012019-00707	\$15,000	Active	
D 'Autremont Helms and Assoc.	04012019-0079	\$18,800	Warning	
College of the Canyons	06052019-01088	Undetermined	Active	
Westfield LLC	06062019-01116	\$25,000	Active	Non Monetary Contribution
Westberg and White	08012019-01428	\$10,000	Just Filed	

COMPLAINT RECEIVED

The Enforcement Division of the Fair Political Practices Commission received the enclosed complaint, COM-04012019-00709, on 4/2/2019 10:40:00 AM. The information filed in the complaint is below and any attachments filed will be included.

The Complaint was formally filed against:

D'Autremont-Helms and Associates
Respondent

Stephen Petzold
Complainant

Kevin Chen
Respondent

The Violations alleged are:

Campaign Statements Not Filed
Independent Expenditure Committee and Major Donor Committee Campaign Statement
(84200)

I allege that the respondent made a monetary donation of \$18,800 to the Committee for College of the Canyons - Yes on Measure E #1384666 (2016) on May 9, 2016. Despite my best efforts to locate a Major Donor form for the donation through Cal Access and the Los Angeles County Clerk's office (562) 462-2339 I have not been successful. It is my belief that the respondent did not file the required Major Donor form for the donation.



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3000 • Sacramento, CA 95811

June 7, 2019

d'Autremont-Helms & Associates
c/o Kevin Chen
Via e-mail: kchen@dhacalpec.com

Warning Letter Re: FPPC No. 2019-00502, d'Autremont-Helms & Associates

Dear Mr. Chen:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the "Act").¹ This letter is in response to a sworn complaint alleging that d'Autremont-Helms & Associates failed to timely file a major donor campaign statement (Form 461) for the reporting period of January 1, 2016 through June 30, 2016.

The Enforcement Division has completed its review of the facts in this case. Specifically, we found that d'Autremont-Helms & Associates qualified as a major donor committee as a result of a contribution made in the amount of \$18,800 to a ballot measure committee, Committee for College of the Canyons – Yes on Measure E, on May 5, 2016. d'Autremont-Helms & Associates failed to file a Form 461 for the reporting period of January 1, 2016 through June 30, 2016, by the August 1, 2016 deadline.

Under the Act, an individual or entity that makes contributions totaling \$10,000 or more in a calendar year qualifies as a major donor committee and incurs filing obligations.² If the \$10,000 threshold is met in the first six months of the calendar year, a major donor committee must file Form 461 covering the period of January 1 through June 30 by July 31 of that calendar year.

d'Autremont-Helms & Associates' actions violated the Act because they failed to timely file Form 461 by the August 1, 2016 deadline (July 31, 2016 fell on Sunday so the deadline was extended to the next business day). However, the Enforcement Division has decided to close this case with this warning letter rather than a fine for the following reasons: d'Autremont-Helms & Associates filed Form 461 immediately after being contacted by the Enforcement Division; the

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014, and all statutory references are to this code. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

² Section 82013(c).

committee that received the contribution, Committee for College of the Canyons - Yes on Measure E, timely disclosed the contribution; it does not appear the Measure E committee notified d'Autremont-Helms & Associates of its potential filing obligations; d'Autremont-Helms & Associates has not previously qualified as a Major Donor; and d'Autremont-Helms & Associates has no Enforcement history.

This letter serves as a written warning. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future will result in monetary penalties of up to \$5,000 for each violation.

A warning letter is an Enforcement Division case resolution without administrative prosecution or fine. The Commission has adopted Regulation 18360.1 to authorize the Enforcement Division to issue warning letters to conclude cases in specified circumstances. However, the warning letter resolution does not provide you with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Commission. If you wish to avail yourself of these proceedings by requesting that your case proceed with prosecution rather than a warning, please notify us within ten (10) days from the date of this letter. Upon this notification, the Enforcement Division will rescind this warning letter and proceed with administrative prosecution of this case. If we do not receive such notification, this warning letter will be posted on the Commission's website ten (10) days from the date of this letter

If you need forms or a manual, or guidance regarding your obligations, please call the Commission's Toll-Free Advice Line at 1-866-275-3772 or visit our website at www.fppc.ca.gov.

Please feel free to contact Ginny Lambing at 916-322-8064 or glambing@fppc.ca.gov with any questions you may have regarding this letter.

Sincerely,



Galena West, Chief
Enforcement Division

GW/gal

cc: Stephen Petzold [REDACTED]

COMPLAINT RECEIVED

The Enforcement Division of the Fair Political Practices Commission received the enclosed complaint, COM-04012019-00705, on 4/2/2019 9:55:00 AM. The information filed in the complaint is below and any attachments filed will be included.

The Complaint was formally filed against:

Subsurface Designs Inc.
Respondent

Stephen Petzold
Complainant

The Violations alleged are:

Campaign Statements Not Filed
Independent Expenditure Committee and Major Donor Committee Campaign Statement
(84200)

Subsurface Designs made a monetary contribution of \$15,000 to the College of the Canyons-Yes on Measure E committee 1384666 in 2016. After searching Cal Access and the LA County Clerk office (562)462-2339 I am unable to find that the respondent filed the required Major Donor form for 2016.



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3000 • Sacramento, CA 95811

May 24, 2019

SubSurface Designs, Inc.
c/o Jon Mahn
Via e-mail: jon@subsurfacedesigns.com

Warning Letter Re: FPPC No. 2019-00497, SubSurface Designs, Inc.

Dear Mr. Mahn:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the "Act").¹ This letter is in response to a sworn complaint alleging that SubSurface Designs, Inc. failed to timely file a major donor campaign statement (Form 461) for the reporting period of January 1, 2016 through June 30, 2016.

The Enforcement Division has completed its review of the facts in this case. Specifically, we found that SubSurface Designs qualified as a major donor committee as a result of a contribution made in the amount of \$10,000 to a ballot measure committee, Committee for College of the Canyons – Yes on Measure E, on March 29, 2016. SubSurface Designs failed to file a Form 461 for the reporting period of January 1, 2016 through June 30, 2016, by the August 1, 2016 deadline.

Under the Act, an individual or entity that makes contributions totaling \$10,000 or more in a calendar year qualifies as a major donor committee and incurs filing obligations.² If the \$10,000 threshold is met in the first six months of the calendar year, a major donor committee must file Form 461 covering the period of January 1 through June 30 by July 31 of that calendar year.

SubSurface Designs' actions violated the Act because they failed to timely file Form 461 by the August 1, 2016 deadline (July 31, 2016 fell on Sunday so the deadline was extended to the next business day). However, the Enforcement Division has decided to close this case with this warning letter rather than a fine for the following reasons: SubSurface Designs filed Form 461 immediately after being contacted by the Enforcement Division; the committee that received the

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014, and all statutory references are to this code. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

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contribution, Committee for College of the Canyons - Yes on Measure E, timely disclosed the contribution; it does not appear the Measure E committee notified SubSurface Designs of its potential filing obligations; SubSurface Designs has not previously qualified as a Major Donor; and SubSurface Designs has no Enforcement history.

This letter serves as a written warning. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future will result in monetary penalties of up to \$5,000 for each violation.

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Sincerely,



Galena West, Chief
Enforcement Division

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cc: Stephen Petzold ([REDACTED])

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