



(Unapproved and subject to change)

CALIFORNIA FAIR POLITICAL PRACTICES COMMISSION

MINUTES OF HEARING, Public Session

Thursday, October 15, 2015

CALL TO ORDER

Chair Remke called the meeting to order at 10:00 am on October 15, 2015 at the Fair Political Practices Commission, 428 J Street, Sacramento, CA 95814. Chair Remke and Commissioners Audero, Casher, Wasserman and Wynne were present.

WELCOME

1. Public Comment

Chair Remke welcomed the newest FPPC Commissioner Maria Audero.

2. Approval of September 2015 Commission Hearing Minutes.

Commissioner Casher made a motion to approve item 2, Commissioner Wynne seconded the motion.

Ayes: Commissioners Audero, Casher, Wasserman, Wynne, and Chair Remke
The motion passed 5 to 0.

PROPOSED CONSENT CALENDAR ITEMS 3 – 63
ENFORCEMENT MATTERS

Commissioner Wasserman pulled item 4 from the consent calendar.

Commissioner Wynne commented on items 17-21. She encouraged staff to offer training to improve compliance.

Chief of Enforcement Galena West noted Enforcement was working with Technical Assistance to provide County Clerks with more trainings.

Commissioner Wynne made a motion to approve items 3, and 5-63, Commissioner Casher seconded the motion.

Ayes: Commissioners Audero, Casher, Wasserman, Wynne, and Chair Remke
The motion passed 5 to 0.

Laundered Campaign Contributions

3. In the Matter of George S. Briggeman, Jr.; FPPC No. 13/936. Staff: Senior Commission Counsel Bridgette Castillo and Special Investigator Lee Myers. George S. Briggeman, Jr. is a businessman who lives in Southern California. Briggeman fully funded Green and Clean LLC, located in Cheyenne, Wyoming. Briggeman made three campaign contributions to Taxpayers for Safer Neighborhoods, a general purpose committee who largely supported and opposed local candidates in Anaheim, Lake Forest and Cypress, California in 2012, in the name of Green and Clean LLC instead of his own legal name, in violation of Government Code Section 84301 (3 counts). **Total Proposed Penalty: \$15,000.**

Campaign Non-Filer

4. In the Matter of Michael Aldapa; FPPC No. 13/220. (Default Decision) Staff: Commission Counsel Zachary W. Norton. Michael Aldapa was an unsuccessful candidate for Los Angeles Community College Board of Trustees – District 6 in the March 5, 2013 Primary Election, and an unsuccessful candidate for California State Assembly – District 53 in the June 3, 2014 Primary Election. Aldapa failed to timely file a campaign statement in connection with his 2013 campaign for the Los Angeles Community College Board of Trustees, in violation of Government Code Sections 84200.5, subdivision (c), 84200.8, and 84206, subdivision (a) (1 count); failed to file a preelection campaign statement for the January 1, 2014, through March 17, 2014 reporting period, in connection with his 2014 campaign for State Assembly, in violation of Government Code Sections 84200.5, subdivision (a), and 84200.7 (1 count); failed to file a preelection campaign statement for the March 18, 2014, through May 17, 2014 reporting period, in connection with his 2014 campaign for State Assembly, in violation of Government Code Sections 84200.5, subdivision (a), and 84200.7 (1 count); and failed to file a semiannual campaign statement for the May 18, 2014, through June 30, 2014 reporting period, in connection with his 2014 campaign for State Assembly, in violation of Government Code Section 84200, subdivision (a) (1 count). **Total Proposed Penalty: \$8,000.**

Commissioner Wasserman stated he had no material financial interest with the respondent, but the Los Angeles Community College Board of Trustees has been a longtime client so he would abstain from the vote.

Chair Remke asked why in a default matter Enforcement wasn't seeking the maximum fine of \$17,000. Chief of Enforcement Galena West explained how they determined the fine.

Commissioner Wynne asked if we could encourage filing if we attempted further contact and offered a lower fine. Chief West responded that considerable efforts at contact had been made and were unsuccessful, and Enforcement always attempts to reach a resolution that includes compliance and disclosure.

Commissioners Audero and Casher agreed with the Chair that a higher fine was appropriate.

Chair Remke made a motion to approve item 4, with an increased penalty of \$17,000, Commissioner Casher seconded the motion.

Ayes: Commissioners Audero, Casher, Wynne and Chair Remke

Abstention: Wasserman

The motion passed 4 to 0.

5. In the Matter of Apartment Association of Los Angeles PAC and Trevor Grimm; FPPC No. 14/1359. Staff: Senior Commission Counsel Neal Bucknell and Political Reform Consultant Teri Rindahl. This matter arose from an audit performed by the Political Reform Audit Program of the Franchise Tax Board. In 2012, the Apartment Association of Los Angeles PAC was a general purpose committee, which was sponsored by the Apartment Association of Greater Los Angeles. The committee treasurer was Trevor Grimm. The committee and Grimm failed to file two preelection campaign statements for the January 1, 2012 through March 17, 2012 and March 18, 2012 through May 19, 2012 reporting periods, in violation of Government Code sections 84200.5, subdivision (e), and 84200.7, subdivision (a) (2 counts). **Total Proposed Penalty: \$4,000.**

6. In the Matter of Donesia Gause, Committee to Elect Donesia Gause City Clerk 2015, and Debra Scott, Treasurer; FPPC No. 15/094. Staff: Commission Counsel Milad Dalju. Donesia Gause was an unsuccessful candidate for Carson City Clerk in the March 3, 2015, election. Committee to Elect Donesia Gause City Clerk 2015 was her candidate controlled committee and Debra Scott was the committee's treasurer. Gause, Committee to Elect Donesia Gause City Clerk 2015, and Scott failed to timely file a semiannual campaign statement for the July 1, 2014 through December 31, 2014, reporting period, and two preelection campaign statements for the January 1, 2015 through January 17, 2015 and the January 18, 2015 through February 14, 2015,

reporting periods, in violation of Government Code Sections 84200 and 84200.5 (3 counts). **Total Proposed Penalty: \$1,405.**

7. In the Matter of Culver City Democratic Club and Eric Fine; FPPC Nos. 14/1375 and 15/0710. Staff: Commission Counsel Milad Dalju. Culver City Democratic Club is a state general purpose committee and Eric Fine is its treasurer. Culver City Democratic Club and Eric Fine failed to timely file a semiannual campaign statement for the July 1, 2013 through December 31, 2013 reporting period, in violation of Government Code Section 84200 (1 count), and failed to pay the 2013 \$50 Annual Fee to the Secretary of State's Office, in violation of Government Code Section 84101.5 (1 count). **Total Proposed Penalty: \$632.**

8. In the Matter of Jill Barto and Barto 4 Kids – Cajon Valley Schools 2014; FPPC File No. 15/272. Staff: Staff Services Analyst Garrett F. Micheels. Jill Barto was a successful candidate for Board Member of the Cajon Valley Unified School District in the November 4, 2014 General Election. Barto 4 Kids – Cajon Valley Schools 2014 was her candidate controlled committee and Barto was her own treasurer. Barto and Barto 4 Kids – Cajon Valley Schools 2014 failed to timely file a semiannual campaign statement for the October 19, 2014 through the December 31, 2014 reporting period, in violation of Government Code Section 84200 (1 count). **Total Proposed Penalty: \$205.**

Mass Mailing

9. In the Matter of the City of Redlands; FPPC No. 15/767. Staff: Commission Counsel Zachary W. Norton. The City of Redlands produced a mailer at public expense, in violation of Government Code Section 89001 (1 count). **Total Proposed Penalty: \$2,000.**

Statement of Economic Interests – Non-Reporter

10. In the Matter of Karen Spiegel; FPPC No. 15/1274. Staff: Political Reform Consultant Adrienne Korchmaros and Intern Joshua O'Brien. Karen Spiegel, as a Council Member for the City of Corona, failed to timely disclose her economic interest in her husband's employer, the Corona Chamber of Commerce, on her 2010 - 2015 Annual Statements of Economic Interests, in violation of Government Code Section 87207 (5 counts). **Total Proposed Penalty: \$500.**

11. In the Matter of Jennifer Fitzgerald; FPPC No. 15/1273. Staff: Political Reform Consultant Adrienne Korchmaros and Intern Joshua O'Brien. Jennifer Fitzgerald, as a Council Member for the City of Fullerton and Member of Southern CA Association of

Governments, failed to timely disclose her economic interest in her business position with Curt Pringle & Associates on her 2015 Annual Statement of Economic Interests, in violation of Government Code Section 87209 (1 count). **Total Proposed Penalty: \$100.**

Statement of Economic Interests – Non-Filer

12. In the Matter of Terry Smith; FPPC No. 15/1280. Staff: Political Reform Consultant Teri Rindahl. Terry Smith, as a Board Member with the Siskiyou County Grenada Irrigation District, failed to timely file his 2011, 2012, 2013 and 2014 Annual Statements of Economic Interests, in violation of Government Code Section 87300 (4 counts). **Total Proposed Penalty: \$800.**

13. In the Matter of John Bidart; FPPC No. 15/826. Staff: Senior Commission Counsel Dave Bainbridge and Law Clerk Amanda Kelly. John Bidart, as Member of the Milk Producer Review Board, failed to timely file his 2013 and 2014 Annual Statements of Economic Interests, in violation of Government Code Section 87300 (2 counts). **Total Proposed Penalty: \$400.**

14. In the Matter of John Richter; FPPC File No. 15/011. Staff: Senior Commission Counsel Dave Bainbridge and Law Clerk Amanda Kelly. John Richter, as a Senior Construction Manager for the City of Los Angeles, failed to timely file his 2013 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

15. In the Matter of Julie Waters; FPPC No. 15/1167. Staff: Senior Commission Counsel Dave Bainbridge and Law Clerk Amanda Kelly. Julie Waters, as a Senior Field Representative for Assembly Staff, failed to timely file her 2014 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

16. In the Matter of Roger Crawford; FPPC No. 15/1223. Staff: Political Reform Consultant Adrienne Korchmaros and Intern Joshua O'Brien. Roger Crawford, as Deputy Director of Human Resources for Marin County, failed to timely file his 2014 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

17. In the Matter of William Sloan; FPPC No. 15/1288. Staff: Political Reform Consultant Teri Rindahl. William Sloan, as a Secretary with the Fresno County Oro Loma Water District, failed to timely file his 2014 Annual Statement of Economic

Interests, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

18. In the Matter of Marci Fahey; FPPC No. 15/1282. Staff: Political Reform Consultant Teri Rindahl. Marci Fahey, as a Board Member with the Fresno County Oro Loma Water District, failed to timely file her 2014 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

19. In the Matter of Earlynn Miles; FPPC No. 15/1290. Staff: Political Reform Consultant Teri Rindahl. Earlynn Miles, as a Board Member with the Fresno County Oro Loma Water District, failed to timely file her 2014 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

20. In the Matter of Randall Miles; FPPC No. 15/1283. Staff: Political Reform Consultant Teri Rindahl. Randall Miles, as a Board Member with the Fresno County Oro Loma Water District, failed to timely file his 2014 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

21. In the Matter of Stephen Sloan; FPPC No. 15/1289. Staff: Political Reform Consultant Teri Rindahl. Stephen Sloan, as a Board Member with the Fresno County Oro Loma Water District, failed to timely file his 2014 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

22. In the Matter of Gary Ross; FPPC No. 15/351. Staff: Political Reform Consultant Jeanette Turvill. Gary Ross, as a Commissioner with the City of Beverly Hills Health & Safety Commission, failed to timely file his 2014 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

23. In the Matter of Terry Wagner; FPPC No. 15/356. Staff: Political Reform Consultant Jeanette Turvill. Terry Wagner, as a Facilities Maintenance Manager with the City of Beverly Hills, failed to timely file his 2014 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

\$50 Annual Fee Cases

- 24. In the Matter of Carlsbad Unified Teachers PAC; FPPC No. 15/456.** Staff: Senior Commission Counsel Bridgette Castillo. Carlsbad Unified Teachers PAC failed to pay the 2013 \$50.00 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$400.**
- 25. In the Matter of Friends of Jim Cartmill Legal Defense Fund; FPPC No. 15/481.** Staff: Senior Commission Counsel Bridgette Castillo. Jim Cartmill Legal Defense Fund failed to pay the 2013 \$50.00 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$400.**
- 26. In the Matter of Franklin-McKinley for Our Kids; FPPC No. 15/582.** Staff: Senior Commission Counsel Bridgette Castillo. Franklin-McKinley for Our Kids failed to pay the 2013 \$50.00 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$400.**
- 27. In the Matter of Local No. 324 Laborers International Union of North America; FPPC No. 15/782.** Staff: Commission Counsel Michael W. Hamilton. Local No. 324 Laborers International Union of North America failed to pay the 2013 \$50.00 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$400.**
- 28. In the Matter of Friends of John Linder for Franklin-McKinley School Board 2012; FPPC No. 15/802.** Staff: Commission Counsel Michael W. Hamilton. Friends of John Linder for Franklin-McKinley School Board 2012 failed to pay the 2013 \$50.00 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$400.**
- 29. In the Matter of Golden State Mobilehome Owners League PAC; FPPC No. 15/611.** Staff: Senior Commission Counsel Bridgette Castillo. Golden State Mobilehome Owners League PAC failed to pay the 2013 \$50.00 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**
- 30. In the Matter of Yvonne Horton for City Clerk 2015; FPPC No. 15/655.** Staff: Senior Commission Counsel Bridgette Castillo. Yvonne Horton for City Clerk 2015 failed to pay the 2013 \$50.00 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

- 31. In the Matter of Karina Cervantez for City Council 2012; FPPC No. 15/488.** Staff: Senior Commission Counsel Bridgette Castillo. Karina Cervantez for City Council 2012 failed to pay the 2013 \$50.00 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**
- 32. In the Matter of Friends of Steve Aspel for Mayor 2013; FPPC No. 15/428.** Staff: Senior Commission Counsel Bridgette Castillo. Steve Aspel for Mayor 2013 failed to pay the 2013 \$50.00 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**
- 33. In the Matter of Elect Rachel Canchola (Governing School Board-EI Rancho Unified); FPPC No. 15/453.** Staff: Senior Commission Counsel Bridgette Castillo. In this matter Elect Rachel Canchola (Governing School Board-EI Rancho Unified) failed to pay the 2013 \$50.00 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**
- 34. In the Matter of Re-Elect Rachel Canchola for School Board 2013; FPPC No. 15/454.** Staff: Senior Commission Counsel Bridgette Castillo. Re-Elect Rachel Canchola for School Board 2013 failed to pay the 2013 \$50.00 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**
- 35. In the Matter of Friends of Art Gonzalez; FPPC No. 15/615.** Staff: Senior Commission Counsel Bridgette Castillo. Friends of Art Gonzalez failed to pay the 2013 \$50.00 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**
- 36. In the Matter of Canales for Artesia City Council 2011; FPPC No. 15/452.** Staff: Senior Commission Counsel Bridgette Castillo. Canales for Artesia City Council 2011 failed to pay the 2013 \$50.00 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**
- 37. In the Matter of Vincent Dionicio Chang for MP City Clerk 2013; FPPC No. 15/492.** Staff: Senior Commission Counsel Bridgette Castillo. Vincent Dionicio Chang for MP City Clerk 2013 failed to pay the 2013 \$50.00 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

- 38. In the Matter of Bail Action Committee PAC; FPPC No. 15/465.** Staff: Senior Commission Counsel Bridgette Castillo. Bail Action Committee PAC failed to pay the 2013 \$50.00 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**
- 39. In the Matter of Coalition of Citizens for Educational Excellence; FPPC No. 15/527.** Staff: Senior Commission Counsel Bridgette Castillo. Coalition of Citizens for Educational Excellence failed to pay the 2013 \$50.00 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**
- 40. In the Matter of Gonzalez for Lynwood School Board 2011; FPPC No. 15/614.** Staff: Senior Commission Counsel Bridgette Castillo. Gonzalez for Lynwood School Board 2011 failed to pay the 2013 \$50.00 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**
- 41. In the Matter of Argudo for City Council 2014; FPPC No. 15/401.** Staff: Senior Commission Counsel Bridgette Castillo. Argudo for City Council 2014 failed to pay the 2013 \$50.00 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**
- 42. In the Matter of 54th Assembly District Democratic Club; FPPC No. 15/379.** Staff: Senior Commission Counsel Bridgette Castillo. 54th Assembly District Democratic Club failed to pay the 2013 \$50.00 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**
- 43. In the Matter of Committee on Jobs-Candidate Advocacy Fund; FPPC No. 15/1414.** Staff: Senior Commission Counsel Bridgette Castillo. Committee on Jobs-Candidate Advocacy Fund failed to pay the 2013 \$50.00 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**
- 44. In the Matter of Committee on Jobs Government Reform Fund; FPPC No. 15/1413.** Staff: Senior Commission Counsel Bridgette Castillo. In this matter Committee on Jobs Government Reform Fund failed to pay the 2013 \$50.00 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

- 45. In the Matter of Citizens for Patient Rights; FPPC No. 15/510.** Staff: Senior Commission Counsel Bridgette Castillo. Citizens for Patient Rights failed to pay the 2013 \$50.00 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**
- 46. In the Matter of Neighbors for Contra Costa Supervisor John Gioia 2014; FPPC No. 15/607.** Staff: Senior Commission Counsel Bridgette Castillo. Neighbors for Contra Costa Supervisor John Gioia 2014 failed to pay the 2013 \$50.00 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**
- 47. In the Matter of Council Member Beard 2012; FPPC No. 15/473.** Staff: Senior Commission Counsel Bridgette Castillo. Council Member Beard 2012 failed to pay the 2013 \$50.00 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**
- 48. In the Matter of Friends of Joaquin Lim for Council 2012; FPPC No. 15/801.** Staff: Commission Counsel Michael W. Hamilton. Friends of Joaquin Lim for Council 2012 failed to pay the 2013 \$50.00 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**
- 49. In the Matter of Friends of Tony Madrigal; FPPC No. 15/832.** Staff: Commission Counsel Michael W. Hamilton. Friends of Tony Madrigal failed to pay the 2013 \$50.00 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**
- 50. In the Matter of the Committee to Elect Hal Martin for Vallecitos Water District 2012; FPPC No. 15/837.** Staff: Commission Counsel Michael W. Hamilton. Committee to Elect Martin for Vallecitos Water District 2012 failed to pay the 2013 \$50.00 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**
- 51. In the Matter of Luis Melliz for City Council 2013; FPPC No. 15/860.** Staff: Commission Counsel Michael W. Hamilton. Luis Melliz for City Council 2013 failed to pay the 2013 \$50.00 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**
- 52. In the Matter of Milpitas Firefighters PAC; FPPC No. 15/869.** Staff: Commission Counsel Michael W. Hamilton. Milpitas Firefighters PAC failed to pay the

2013 \$50.00 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

53. In the Matter of the National Women's Political Caucus of Pasadena; FPPC No. 15/892. Staff: Commission Counsel Michael W. Hamilton. National Women's Political Caucus of Pasadena failed to pay the 2013 \$50.00 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

54. In the Matter of Nelsen for Visalia City Council 2009 Campaign; FPPC No 15/893. Staff: Commission Counsel Michael W. Hamilton. Nelsen for Visalia City Council 2009 Campaign failed to pay the 2013 \$50.00 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

55. In the Matter of Northern California District Council – International Longshoreman's & Warehousemen's Union; FPPC No. 15/908. Staff: Commission Counsel Michael W. Hamilton. Northern California District Council – International Longshoreman's & Warehousemen's Union failed to pay the 2013 \$50.00 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

56. In the Matter of the Committee for the Re-Election of Dr. Don Parazo, AV Hospital Board, 2014; FPPC No. 15/926. Staff: Commission Counsel Michael W. Hamilton. Committee for the Re-Election of Dr. Don Parazo, AV Hospital Board, 2014, failed to pay the 2013 \$50.00 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

57. In the Matter of Kermit Marsh for Council; FPPC No. 15/930. Staff: Commission Council Michael W. Hamilton. Kermit Marsh for Council failed to pay the 2013 \$50.00 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

58. In the Matter of Elect Alfred Renteria for School Board 2011; FPPC No. 15/965. Staff: Commission Counsel Michael W. Hamilton. Elect Alfred Renteria for School Board 2011 failed to pay the 2013 \$50.00 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

59. In the Matter of S.A.V.E. – Support Antelope Valley Education; FPPC No. 15/988. Staff: Commission Counsel Michael W. Hamilton. S.A.V.E. – Support Antelope Valley Education failed to pay the 2013 \$50.00 annual fee to the Secretary of State’s Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

60. In the Matter of the San Fernando Valley Republican Club; FPPC No. 15/997. Staff: Commission Counsel Michael W. Hamilton. San Fernando Valley Republican Club failed to pay the 2013 \$50.00 annual fee to the Secretary of State’s Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

61. In the Matter of the Committee to Elect Judge Randa Trapp; FPPC No. 15/1068. Staff: Commission Counsel Michael W. Hamilton. Committee to Elect Judge Randa Trapp failed to pay the 2013 \$50.00 annual fee to the Secretary of State’s Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

62. In the Matter of the Committee to Elect Stanton Director 2010 Cameron Park CSD; FPPC No. 15/1368. Staff: Commission Counsel Michael W. Hamilton. Committee to Elect Stanton Director 2010 Cameron Park CSD failed to pay the 2013 \$50.00 annual fee to the Secretary of State’s Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

63. In the Matter of AnaMarie Avila Farias for Martinez City Council 2012; FPPC No. 15/564. Staff: Senior Commission Counsel Bridgette Castillo. AnaMarie Avila Farias for Martinez City Council 2012 failed to pay the 2013 \$50.00 annual fee to the Secretary of State’s Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

General Item 64

64. Amend Regulation Amend Independent Expenditures Regulation 18225.7 - Made at the behest of; Repeal Regulation 18550.1 - Independent and Coordinated Expenditures. Staff: General Counsel Hyla Wagner. Amendments to Regulation 18225.7 are proposed to strengthen the Act’s rules governing independent expenditures and include several additional situations where an expenditure is presumed to be coordinated with a candidate or committee. To consolidate the two overlapping regulations addressing independent expenditures into one, staff proposes the repeal of Regulation 18550.1.

General Counsel Hyla P. Wagner briefed the Commission and proposed minor amendments to clarify intent of changes to regulation 18255.7.

Chair Remke stated that the additional language on Page 1 line 10 was to address concerns and clarify the scope of the regulation.

Commissioner Wasserman asked for clarification on the term rebuttable presumption. General Counsel Wagner responded.

Commissioner Wasserman asked for clarification on burden of proof, and the timeframe for the presumptions. General Counsel Wagner responded.

Commissioner Wasserman asked for a definition of an advisory position, and the scope of the ban on employees and whether the ban extends to an employee at a candidates business. Chair Remke clarified that it was a ban on candidate employees or candidate staff.

Commissioner Wasserman asked for clarification for the term immediate family members. General Counsel Wagner answered that immediate family is defined in the Act.

Commissioner Wynne asked about the input from the regulated community throughout the regulation amendment process. She stated it was difficult to make thoughtful decisions when the Commissioners receive comment letters the night before a decision.

Chair Remke expressed concerns with the current process of receiving and making changes to the amended regulations at the last minute, and strongly encouraged the regulated community to comment earlier in the process.

Trudy Shaffer with the League of Women Voters of CA strongly supported these amendments.

Paul Ryan with the Campaign Legal Center strongly supported these amendments and suggested additional ways to strengthen deterring coordination.

Matthew Alvarez with the Sutton Law Firm stated he believed the proposed regulations do not make significant changes and were unnecessary.

Richard Rios with Olson Hagel and Fishburn asked for clarification of intent of section 85310. General Counsel Wagner replied. Mr. Rios suggested an amendment to change the 12-month ban to 120 days to be aligned with federal policy.

Kevin Wolff with the CA Clean Money Action Fund suggested the regulations will need to be tightened to get rid of any loopholes that are discovered, including banning collusion.

Commissioner Wynne asked what Mr. Wolff believes is the largest loophole. Mr. Wolff responded.

Commissioner Wasserman asked if Mr. Wolff was asking for an irrebutable presumption. Mr. Wolff stated he wanted to ban collusion.

Commissioner Wasserman asked for clarification on what is outside of the scope of communication. General Counsel Wagner referred the Commissioner to section 85310 with the reporting requirements.

Commissioner Wasserman asked for clarification of the scope of the fundraising presumption if organizations are not primarily formed committees.

General Counsel Wagner answered that if the committee was not primarily formed to make independent expenditures for that candidate, the fundraising presumption would not apply.

Commissioner Wynne made a motion to approve item 64 with staff recommended amendments, Commissioner Casher seconded the motion.

Ayes: Commissioners Audero, Casher, Wasserman, Wynne, Chair Remke
The motion passed 5 to 0.

CLOSED SESSION ITEM 65

65. Pending Litigation (Gov. Code Sec. 11126(e)(1).) Deliberation upon *Board of Pilot Commissioners v. FPPC*, Sacramento Superior Court Case No: 34-2015-80002029. No reportable action.

Executive Staff Reports Item 66

- **Legislative Report.** Staff: Senior Commission Counsel and Legislative Coordinator, Sukhi Brar.
- **Legal Division Report.** Staff: General Counsel, Hyla P. Wagner
- **Enforcement Division Report.** Staff: Chief of Enforcement, Galena West
- **Technical Assistance Division Report.** Staff: Chief of Technical Assistance Division, Lynda Cassady

Executive Director Erin Peth read a resolution to celebrate and congratulate the retirement of Chief of Technical Assistance Division Lynda Cassady.

Commissioners praised Chief Cassady.

Commissioner Wynne asked about the veto message for AB10.

Senior Commission Counsel and Legislative Coordinator Sukhi Brar responded.

Chair Remke made a motion to adjourn the meeting. Commissioner Wynne seconded the motion.

Ayes: Commissioners Audero, Casher, Wasserman, Wynne, Chair Remke
The motion passed 5 to 0.

The meeting adjourned at 11:51am.

Respectfully Submitted,
Dated:

John Kim
Commission Assistant
Approved November 19, 2015

Joann Remke, Chair
Fair Political Practices Commission