

News from the FPPC



California Fair Political Practices Commission
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For Immediate Release: August 16, 2012

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FPPC Enforcement Decisions: August 16, 2012

The following are enforcement decisions approved by the Fair Political Practices Commission at its regular monthly meeting held on Thursday, August 16, 2012. Decisions are listed by category and include a brief summary of each case and the total amount of any administrative fine or fines in each case.

Additional information on each of the enforcement cases below can be found in the August agenda on the FPPC website at www.fppc.ca.gov. FPPC agendas are distributed and posted on the agency website at least 10 days prior to each monthly meeting.

The web version of the agenda includes links to the stipulations agreed to by the commission and by the individuals and organizations subject to the fines, or the default decisions proposed to the commission. Exhibits in support of the stipulations and proposed default decisions are also available on the website. If you are unable to access the FPPC website, or need further assistance, please call the FPPC communications office at (916) 322-7761.

Campaign Reporting Violations

Committee for Measure G - Loomis and Paul I. Mineer. Committee for Measure G – Loomis was a primarily formed ballot measure committee formed to support the passage of Measure G in the City of Loomis and Paul I. Mineer was the committee's treasurer. They failed to file semi-annual campaign statements in a timely manner for the July 1, 2008, through December 31, 2008, reporting period, due February 2, 2009; the January 1, 2009, through June 30, 2009, reporting period, due July 31, 2009; and the July 1, 2009, through December 31, 2009, reporting period, due February 1, 2010. **\$1,000 fine.**

Lynwood Teachers Association PAC and Michael Jochum. Lynwood Teachers Association PAC is a county general purpose committee in Los Angeles County and Michael Jochum was the committee's treasurer. Lynwood Teachers Association PAC made an expenditure of campaign funds for purposes other than reasonably related to a political, legislative or governmental purpose; Lynwood Teachers Association PAC and Michael Jochum failed to file in a timely manner, a semi-annual campaign statement for the reporting period July 1, 2010, through December 31, 2010, which was due by January 31, 2011; and Lynwood Teachers Association PAC and Michael Jochum failed to maintain the detailed accounts, records, bills, and receipts necessary to prepare the semi-annual campaign statement, for the reporting period of July 1, 2010, through December 31, 2010, to establish that the campaign statement was properly filed, and to comply with the campaign reporting provisions of the Act. **\$7,500 fine.**

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ProtectMarriage.com - Yes on 8, A Project of California Renewal and David Bauer. This matter originated as a Franchise Tax Board audit. ProtectMarriage.com - Yes on 8, A Project of California Renewal, a state primarily formed committee, and the committee's treasurer, David Bauer, failed to file late contribution reports in a timely manner; failed to file in a timely manner, contributions of \$1,000 or more received during the 90-day election cycle ending on November 4, 2008; failed to file contributions of \$5,000 or more in a timely manner, in an online campaign report within ten business days of receipt; failed to properly dispose of an anonymous \$10,000 contribution received on or about October 28, 2008; and failed to disclose occupation and/or employer information regarding persons who contributed \$100 or more. **\$49,000 fine.**

Alvina Sheeley, and Alvina Sheeley for Election F-SUSD Governing Board 2011. Alvina Sheeley was a candidate for the Fairfield-Suisun Unified School District Board of Education in the November 8, 2011, election, and treasurer for her committee, Alvina Sheeley for Election F-SUSD Governing Board 2011. They failed to file in a timely manner, a first pre-election campaign statement for the reporting period January 1, 2011, through September 24, 2011, due on or before September 29, 2011, and a second pre-election campaign statement for the reporting period September 25, 2011, through October 22, 2011, due on or before October 27, 2011. **\$5,000 fine.**

Committee for Brea Olinda Schools-Yes on Measure E, and Terry Swindle, Treasurer. Committee for Brea Olinda Schools-Yes on Measure E, and the committee's treasurer, Terry Swindle, failed to file a pre-election campaign statement in a timely manner for the reporting period of January 1, 2012, through May 19, 2012, due May 24, 2012. **\$200 fine.**

Victoria A. Medina, a current board member of the Bassett Unified School District, failed to file an annual Form 470 in a timely manner, covering the period of July 1, 2010, through December 31, 2010, due on or before January 31, 2011, with the County of Los Angeles. **\$200 fine.**

Dennis Mountjoy, Dennis Mountjoy for Senate 2008, and Peggy Mew, Treasurer. Dennis Mountjoy, his candidate controlled committee, Dennis Mountjoy for Senate 2008, and Peggy Mew, the committee's treasurer, failed to file in a timely manner with the Secretary of State, two semi-annual campaign statements for the periods of July 1, 2010, through December 31, 2010, due January 31, 2011, and January 1, 2011, through June 30, 2011, due August 1, 2011. **\$400 fine.**

Orange Park Association and Laura Thomas, President, failed to file in a timely manner, the Form 460 campaign statement covering the period January 1, 2011, through December 31, 2011, due January 31, 2012, with the City of Orange. **\$200 fine.**

Sal Torres; Friends of Sal Torres; and Leslie Torres, Treasurer. Sal Torres, his candidate controlled committee, Friends of Sal Torres, and Leslie Torres, the committee's treasurer, failed to file two semi-annual campaign statements in a timely manner for the reporting periods of July 1, 2010, through December 31, 2010, due January 31, 2011; and July 1, 2011, through December 31, 2011, due January 31, 2012. **\$400 fine.**

Friends of Terri Valladolid for Southwestern College Board 2010, and Terri Valladolid, Treasurer, failed to file two semi-annual campaign statements in a timely manner for the reporting periods of October 17, 2010, through December 31, 2010, due January 31, 2011, and January 1, 2011, through June 30, 2011, due August 2, 2011. **\$800 fine.**

Conflict of Interest Violation

California law states that, absent an exception, a public official may not make, participate in making or in any way attempt to use his or her official position to influence a governmental decision in which he or she knows or has reason to know he or she has a financial interest. The following official made governmental decisions in which he had a financial interest:

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Thomas Bartee, a Vallejo Redevelopment Agency member, made a governmental decision in which he had a material financial interest, by voting on a design contract for the Downtown Vallejo Square Sidewalk and Street Improvement Project, Phase I. **\$3,000 fine.**

Barbara Delgleize is an appointed member of the Huntington Beach Planning Commission. She was also an unsuccessful candidate for Huntington Beach City Council in the November 2, 2010, election. On or about October 30, 2010, Respondent Delgleize received a contribution in the amount \$520 from Sares-Regis Group, a developer and provider of comprehensive commercial and residential real estate services throughout the western United States, which is based in Irvine, CA. During the February 8, 2011, Huntington Beach Planning Commission meeting, Respondent Delgleize voted to approve Agenda Item No. B-2: Site Plan Review No. 10-004 (Boardwalk Mixed Use Project). This was the Huntington Beach Planning Commission's initial approval for Sares-Regis Group's Application No. 2010-184 to develop a mixed use project consisting of apartments, commercial/retail space, office space, recreation buildings and a park. Respondent Delgleize failed to disclose on the record that she received a contribution from Sares-Regis Group, and failed to recuse herself from the proceeding. **\$2,000 fine.**

Sares-Regis Group is a developer and provider of comprehensive commercial and residential real estate services throughout the western United States, which is based in Irvine, CA. On October 28, 2010, Respondent Sares-Regis Group made a contribution in the amount of \$520 to Barbara Delgleize, an unsuccessful candidate for Huntington Beach City Council in the November 2, 2010, election. At all relevant times, Barbara Delgleize was also an appointed member of the Huntington Beach Planning Commission. During its February 8, 2011, meeting, the Huntington Beach Planning Commission voted to approve Agenda Item No. B-2: Site Plan Review No. 10-004 (Boardwalk Mixed Use Project). This was the Huntington Beach Planning Commission's initial approval for Sares-Regis Group's Application No. 2010-184 to develop a mixed use project consisting of apartments, commercial/retail space, office space, recreation buildings and a park. Respondent Sares-Regis Group failed to disclose on the record that it made a contribution to Barbara Delgleize. **\$3,500 fine.**

Edmund Sotelo, City Manager for the City of Oxnard, received gifts exceeding the reporting threshold of \$50 in 2007, 2008, and 2009, and failed to report these gifts on his annual Statements of Economic Interests for reporting periods January 1, 2007, through December 31, 2007, due April 1, 2008; January 1, 2008, through December 31, 2008, due April 1, 2009, and January 1, 2009, through December 31, 2009, due April 1, 2010. Additionally, he received gifts exceeding the applicable gift limit from one source in 2007 and two sources in 2008. He impermissibly made, participated in the making, or influenced a governmental decision by approving a Revised Development Schedule regarding the RiverPark Project, an affiliated entity of J.F. Shea Co., & Affiliated Companies, which was the source of a gift that exceeded the annual gift limit. **\$12,500 fine.**

Dr. Thomas Holden, Mayor of the City of Oxnard, received gifts exceeding the reporting threshold of \$50 in 2007, 2008, and 2009, and failed to report these gifts on his annual Statements of Economic Interests for the reporting periods of January 1, 2007, through December 31, 2007, due April 1, 2008; January 1, 2008, through December 31, 2008, due April 1, 2009; and January 1, 2009, through December 31, 2009, due April 1, 2010. Additionally, he received gifts exceeding the applicable gift limit in 2007 and 2009. He impermissibly made, participated in the making, or influenced a governmental decision when he voted to approve an ordinance to authorize the location of a theatre in a Specific Plan and voted to grant authority to himself to approve a Memorandum of Understanding with J.F. Shea Co., & Affiliated Companies, which was the source of a gift that exceeded the annual gift limit. **\$10,500 fine.**

Lobbying Violation

California law requires lobbyist employers to file reports to provide the public with specified information. The following failed to timely file the required forms:

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Vitas Innovative Hospice Care and Ronald Fried. Vitas Innovative Hospice Care, a registered California lobbyist employer, and Ronald Fried, Senior Vice President and responsible filing officer, failed to file Lobbyist Employer Reports in a timely manner for reporting periods July 1, 2010, through September 30, 2010, due by November 1, 2010, and October 1, 2010, through December 31, 2010, due January 31, 2011. **\$600 fine.**

Statement of Economic Interests Violations

California law requires elected officials, certain board members and governmental employees, and consultants employed by governmental entities to complete and file Statements of Economic Interests (SEIs or Form 700s). SEIs serve a dual purpose: they make a filer aware of personal economic interests relative to a governmental decision, and they are an important disclosure document for the public and media. The following individual failed to include all economic interests that were required to be disclosed in his Statement of Economic Interests:

Curtis Cannon, Community Development Director for the City of Oxnard, received gifts exceeding the reporting threshold of \$50 in each of the years 2007 through 2010, and failed to report these gifts on his annual Statements of Economic Interests for reporting periods, January 1, 2007, through December 31, 2007, due April 1, 2008; January 1, 2008, through December 31, 2008, due April 1, 2009; January 1, 2009, through December 31, 2009, due April 1, 2010, and January 1, 2010, through December 31, 2010, due April 1, 2011. **\$4,000 fine.**

Brian DeForge has been a member of the Beaumont City Council since 1999, and is the sole owner of Brian E. DeForge Construction. As a city council member, he is required to file Statements of Economic Interests ("SEI"). He failed to disclose sources of income to his business, Brian E. DeForge Construction, where the gross receipts from a single person were equal or greater than \$10,000, on his 2007 SEI, for the reporting period January 1, 2007, through December 31, 2007, due April 1, 2008. **\$1,000 fine.**

Frank Lopez, Jr., a member of the Vista City Council, failed to report Cameron Glenn Estates, LLC as a source of income on his 2007 and 2008 Statements of Economic Interests for reporting periods January 1, 2007, through December 31, 2007, due April 1, 2008, and January 1, 2008, through December 31, 2008, due April 1, 2009. **\$1,000 fine.**

The following individuals failed to file their Statement of Economic Interests forms on time:

Doreen Cease, a commissioner with the California Mental Health Planning Council since 1998, failed to file two Statements of Economic Interests in a timely manner – one for the reporting period of January 1, 2009, through December 31, 2009, due April 1, 2010, and one for the reporting period of January 1, 2010, through December 31, 2010, due April 1, 2011. **\$4,000 fine.**

Angel Colon, Planning Commissioner for the City of South Gate, failed to file a Statement of Economic Interests in a timely manner for the reporting period January 1, 2009, through December 31, 2009, by the April 1, 2010, due date. **\$200 fine.**

Yvonne Franco, Planning Commissioner for the City of Coachella, failed to file in a timely manner, an assuming office Statement of Economic Interests for the reporting period April 2, 2010, through April 2, 2011, by the May 2, 2011, due date. **\$200 fine.**

Mary Moran, former committee member of the Medical Board of California, who left her position on July 31, 2011, failed to file in a timely manner her leaving office Statement of Economic Interests by the August 30, 2011, due date. **\$200 fine.**