

News from the FPPC



California Fair Political Practices Commission
428 J Street, Suite 620, Sacramento, CA 95814
www.fppc.ca.gov

For Immediate Release: January 16, 2014

Contact: Richard Hertz at (916) 322-7761

FPPC Enforcement Decisions: January 16, 2014

The following are enforcement decisions approved by the Fair Political Practices Commission at its regular monthly meeting held on Thursday, January 16, 2014. 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 January 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 or need further assistance, please contact the FPPC communications office at (916) 322-7761 or press@fppc.ca.gov.

Money Laundering

California law requires those giving or receiving monetary contributions of \$100 or more to affect the outcome of political contests to provide certain information identifying the contributor, their employer and the amount of the contribution. Providing the public with the sources of contributions is a fundamental component of the philosophy of the Political Reform Act. The following concealed the true source of campaign contributions:

Gustavo Villa, as 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, Mr. Villa 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

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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. **\$4,500 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 a governmental decision in which she had a financial interest:

Juliet Ellis, as 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. **\$3,500 fine. (San Francisco Ethics Commission fine: \$5,000, for a Combined fine: \$8,500)**

Influencing Prospective Employment Violations

California law prohibits a public official from making, participating in making, or using his or her official position to influence, any governmental decision directly relating to any person with whom he or she is negotiating, or has any arrangement concerning, prospective employment. The following officials violated this prohibition:

Kelli Moors, while acting in her capacity as a member of the Carlsbad Unified School District Board of Trustees, on or about July 24, 2013, 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, Kelli Moors had received and accepted a job offer from the same law firm. **\$4,000 fine.**

Campaign Contribution Limits

Russell Bogh, Russ Bogh for Senate 2010, and Dana Hopkins, accepted a campaign contribution from Bogh Engineering, Inc. that exceeded the campaign contribution limit for candidates for State Senate. **\$3,000 fine.**

Campaign Reporting

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, Mr. Park failed to file the pre-election campaign statement for the period covering January 1, 2013, through February 16, 2013. **\$2,000 fine.**

Jass Singh, the Committee Against the Recall of Jass Singh MHCSD Director 2012, and Renu Singh, failed to timely file a second pre-election campaign statement covering the period October 1, 2012, through October 20, 2012, due October 25, 2012. **\$2,000 fine.**

Scott Mann and Scott Mann for Menifee Mayor 2012, 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. **\$1,500 fine.**

Independent Democratic Directions Committee and Nancy Rodriguez, failed to timely file a semi-annual campaign statement covering the period of January 1, 2012, through June 30, 2012, due July 31, 2012. **\$400 fine.**

Hany Fangary, Friends of H. S. Fangary for Hermosa Beach City Council 2013, and 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. **\$400 fine.**

Willard H. Murray, Jr., Committee to Elect Willard Murray Water Replenishment Board 2010, and 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. **\$200 fine.**

Lobbying Reporting Violations

California law requires lobbying entities to file registration forms and quarterly reports to provide the public with specified information. The following failed to timely file the required forms or failed to include all required information:

John E. Mendez, Mendez Strategy Group, 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. **\$400 fine.**

Receipt of Gift Over the Limit

California law prohibits state and local elected officeholders, candidates for elective state, local, and judicial offices, and all other officials specified in California Government Code Section 87200 from accepting any gift, from any single source, that is in excess of the adjusted annual gift limit. The following public official received a gift over the limit:

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. **\$400 fine.**

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. **\$400 fine.**

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). **\$200 fine.**

Statement of Economic Interests Violations – Non-Filer

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 individuals failed to timely file an SEI:

Regina Callan, as a Member of the San Francisco Citizens' General Obligation Bond Oversight Committee, failed to timely file an Annual Statement of Economic Interests 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. **\$800 fine.**

Nuno Tavares, as a member of the Deferred Compensation Committee, was required to file Statements of Economic Interests. Nuno Tavares failed to timely file his Assuming Office Statement of Economic Interests covering the period January 31, 2010, through January 31, 2011, due March 2, 2011, failed to timely file his 2011 Annual Statement of Economic Interests 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. **\$600 fine.**

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. **\$200 fine.**

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. **\$200 fine.**

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. **\$200 fine.**

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. **\$200 fine.**

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. **\$200 fine.**

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. **\$200 fine.**

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. **\$200 fine.**

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. **\$200 fine.**

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. **\$200 fine.**

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. **\$200 fine.**

Statement of Economic Interests Violations– Non-Reporting

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 individuals failed to disclose all required economic interests:

Brent Ives, as the mayor of the City of Tracy, holds a sole proprietorship interest in BHI Management Consulting, located in and doing business in the City of Tracy. Mr. Ives failed to timely disclose his investment in BHI Management Consulting on his Annual Statement of Economic Interests. **\$200 fine.**

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. **\$200 fine.**

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. **\$200 fine.**

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. **\$200 fine.**

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. **\$200 fine.**

Phillip 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. **\$200 fine.**

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. **\$200 fine.**

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. **\$200 fine.**

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. **\$200 fine.**

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