

News from the FPPC



California Fair Political Practices Commission
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For Immediate Release: July 17, 2014 Contact: Jay Wierenga at (916) 322-7761

The following are enforcement decisions approved by the Fair Political Practices Commission at its regular monthly meeting held on Thursday, July 17, 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 July 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

Gary Singh, Gary Singh For City Council 2010, and Joann Lew. Gary Singh has been a member of the Union City Planning Commission since 2006, and was an unsuccessful candidate for Union City Council in the November 2, 2010 election. He is also the owner of Bay Star Auto Care, an automobile repair business, located in Union City. Gary Singh for City Council 2010 was the controlled committee of Gary Singh. Joann Lew was the treasurer for the Committee. Respondent Gary Singh made contributions to the Gary Singh for City Council 2010 committee, in names other than his own and accepted a \$600 campaign contribution from John Pappas, a party to a proceeding involving a decision on a use permit before the Union City Planning Commission, within three months following the date final decisions were rendered in the proceeding. Gary Singh, Gary Singh for City Council 2010, and Joann Lew accepted monetary contributions totaling approximately \$2,100 in the form of four cashier's checks or money orders for \$100 or more, which were not drawn from the bank accounts of the contributors or donors. **\$15,000 fine.**

Gary A. Husk and Jamieson & Gutierrez, Inc. Respondent Gary A. Husk, a registered lobbyist in the State of Arizona at all times relevant to this matter, and his firm, Respondent Jamieson & Gutierrez, Inc., (collectively "Respondents"), made a \$300 contribution to Jerry Sanders for Mayor through Edward Sanchez, also a registered lobbyist and, at the time, Respondents' employee, and failing to disclose to Jerry Sanders for Mayor that Respondents were the true source of the contribution. At the time of the contribution, Respondent Gary A. Husk had already made the maximum contribution allowed by the City of San Diego's

contribution limit. Also at the time of the contribution, businesses were banned by the City of San Diego from making any contributions to candidates for city office. **\$5,000 fine.**

Conflict of Interest

Robert Behee, while a member of the Tuolumne Utilities District Board of Directors, made governmental decisions in which he knew, or had reason to know, he had a financial interest, by voting to approve numerous claim summaries that included prior payments made to Behee Enterprises, a corporation in which Respondent held the position of Director. **\$12,000 fine.**

Phillip Harvey, member of the Sacramento Planning Commission and Vice President of Petrovich Development Company, attempted to use his official position to influence governmental decisions in which he had a material financial interest, by communicating with planning commission staff, concerning the preparation of an addendum to a Negative Declaration and the terms of a tree removal proposal, in connection with the Curtis Park Village project on behalf of his employer. **\$6,000 fine.**

Robocall Disclosure

Kurt Vander Weide, Friends of Kurt Vander Weide, and Carl Fogliani. This matter was part of a joint investigation with the Attorney General's office. In 2008, Respondent Kurt Vander Weide was an incumbent candidate for the Turlock City Council. Respondent Friends of Kurt Vander Weide was his candidate controlled committee. Respondent Carl Fogliani was his campaign consultant. In this matter, Respondents Kurt Vander Weide and Friends of Kurt Vander Weide—with the help of Respondent Carl Fogliani, who aided and abetted—paid for one-half of the cost of a series of four robocalls, but three of the four robocalls falsely purported to be paid for by someone else, and the remaining robocall did not identify who paid for it. Also, Respondents Kurt Vander Weide and Friends of Kurt Vander Weide: (i) failed to maintain required committee records; (ii) falsely reported or failed to report payment for the above-described robocalls on a campaign statement for the period ending October 18, 2008; (iii) failed to report payments to subvendors on campaign statements for the periods ending September 30, October 18, and/or December 31, 2008; and (iv) failed to notify a major donor of the need to file campaign statements. **\$32,500 fine.**

Campaign Reporting

Amy Bublak, Amy Bublak for City Council, and Milton Richards. This matter was part of a joint investigation with the Attorney General's office. In 2008, Respondent Amy Bublak was a non-incumbent candidate for the Turlock City Council. Respondent Amy Bublak for City Council was her candidate controlled committee, and Respondent Milton Richards was her husband and committee treasurer. In this matter, Respondents failed to report a payment in the amount of \$1,000 on a pre-election campaign statement for the period ending September 30, 2008. The payment was to Fogliani Strategies, a campaign consulting business owned by Carl Fogliani. Also, Respondents failed to report required information about four expenditures to subvendors (which totaled approximately \$23,518) on campaign statements for the periods ending September 30, October 18, and/or December 31, 2008. **\$4,000 fine.**

Andrew Ammon and Committee to Elect Andrew Ammon to the San Gabriel School Board 2011. Respondent Andrew Ammon ("Respondent Ammon") was a successful candidate in the November 8, 2011 San Gabriel School Board Election. Respondent Committee to Elect Andrew Ammon to the San Gabriel School Board 2011 ("Respondent Committee") was the controlled committee of Respondent Ammon's 2011 campaign. Respondent Ammon acted as the treasurer for Respondent Committee. In this matter, Respondent Committee made a cash

expenditure of \$100 or more in connection with Respondent Ammon's 2011 campaign totaling \$1,000; and failed to maintain proper records to support the campaign statements filed in connection with Respondent Ammon's 2011 campaign. Respondents have a prior enforcement history. **\$4,000 fine.**

Operative Plasterers and Cement Masons International Association Local 200 PAC, and Tom Castleman. Respondent Operative Plasterers and Cement Masons International Association Local 200 PAC is a state general purpose committee sponsored by the Operative Plasterers and Cement Masons International Association Local 200 and Tom Castleman is the treasurer for the Committee. Respondents failed to timely file a semi-annual campaign statement for the reporting period January 1, 2013 through June 30, 2013 due on July 31, 2013, and a semi-annual campaign statement for the reporting period July 1, 2013 through December 31, 2013 due on January 31, 2014. **\$2,000 fine.**

Albert Muratsuchi, Muratsuchi For Assembly 2012, Gary S. Kuwahara, and Jane Leiderman. Respondent Albert Muratsuchi, a successful candidate for California State Assembly, 66th District, in the June 5, 2012 primary election, and the November 6, 2012 general election, his controlled committee, and the committee treasurers, failed to file four \$5,000 online reports due on or about October 27, 2011, July 17, 2012, August 8, 2012, and August 20, 2012, during the periods outside the election cycles for the applicable elections. **\$800 fine.**

Lynwood Teachers Association PAC, failed to timely file two semi-annual campaign statements for the reporting periods January 1, 2013, through June 30, 2013, due on July 31, 2013, and July 1, 2013, through December 31, 2013, due on January 31, 2014, with the Los Angeles County Registrar-Recorder/County Clerk. **\$800 fine.**

Protect Walnut and Dana L. Hopkins, Treasurer. Respondents, Citizens to Protect Walnut and Treasurer Dana L. Hopkins, failed to timely file the pre-election campaign statement covering the period January 1, 2014, through March 22, 2014, due on March 27, 2014, with the City of Walnut. **\$200 fine.**

Rick Ledesma, Ledesma for OUSD School Board, and Rocio Lievanos-Ledesma, failed to timely file campaign statements covering the period October 17, 2010, through June 30, 2013, with the County of Orange Registrar of Voters. **\$200 fine.**

John Lindner, Friends of John Lindner for Franklin-McKinley School Board 2012, and John Lindner, Treasurer, failed to timely file a semi-annual campaign statement covering the period July 1, 2013 through December 31, 2013, due on January 31, 2014, with the Santa Clara County Registrar of Voters. **\$200 fine.**

Statement of Economic Interests – Non-Filer

Jane Karathanasis, as a member of the Valley Charter Schools' Board of Directors, failed to timely file a 2012 Annual Statement of Economic Interests with the Los Angeles Unified School District, due on April 2, 2013. **\$400 fine.**

Weining Wang, as EDP System & Program Analyst for the Clerk, Recorder Assessor's Office for the County of Santa Barbara, failed to timely file the 2012 Annual Statement of Economic, due on April 1, 2013, as well as the 2013 Annual Statement of Economic due on April 1, 2014, with the County Clerk, Recorder and Assessor Elections Division County of Santa Barbara. **\$400 fine.**

Jack Arthur Corwin, as a Julian Community Planning Group Member, failed to timely file a 2012 Annual Statement of Economic Interests with the County of San Diego Registrar of Voters, due on April 2, 2013, **\$200 fine**.

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