

News from the FPPC



California Fair Political Practices Commission
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The following are enforcement decisions approved by the Fair Political Practices Commission at its regular monthly meeting held on Thursday, December 15, 2016. Decisions are listed by category and include a brief summary of each case and the total amount of any administrative fine in each case.

Additional information on each of the enforcement cases listed below can be found in the December 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 between the FPPC Enforcement Division and 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.

Personal Use of Campaign Funds

Scott Mann was the Mayor of Menifee. On approximately 147 occasions from December 2009 through June 2014, Mann used approximately \$44,894 in campaign funds for personal purposes which were unrelated to any political, legislative, or governmental purpose, in violation of Government Code Section 89512 (11 counts). Mann, Scott Mann for Menifee Mayor 2014, Scott Mann for Menifee Mayor 2012, and Scott A. Mann – Campaign for City Council, failed to maintain required committee records, in violation of Government Code Section 84104 and California Code of Regulations, title 2, section 18401 (1 count). **Fine: \$60,000.**

Campaign Reporting

Albert Robles was a successful candidate for the Water Replenishment District of Southern California, Division 5 in the November 6, 2012 General Election. Friends of Albert Robles Officeholder Account (“Friends Committee”) and Committee to Re-Elect Albert Robles (“Re-Elect Committee”) were Robles’ candidate-controlled committees for the Water District Board. Further, Robles was a successful candidate for the Carson

City Council in the March 5, 2013 election. Robles for Carson City Council 2013 (“City Council Committee”) is his candidate-controlled committee for Carson City Council. Robles is the treasurer for both Water District Committees and his Carson City Council Committee. Robles is currently holding both offices, as a successful candidate for both positions as of the November 8, 2016 General Election. Robles and the Re-Elect Committee failed to timely disclose contributions and expenditures on one semiannual campaign statement for the period January 1, 2012, through June 30, 2012, in violation of Government Code Section 84211, subdivision (a) (1 count). Robles, the Friends Committee and the Re-Elect Committee failed to timely file two pre-election campaign statements disclosing campaign activity for the reporting periods of July 1, 2012, through October 20, 2012, in violation of Government Code Sections 84200.5 and 84200.7 (1 count). Robles, the City Council Committee and the Re-Elect Committee failed to timely file one semiannual campaign statement for the period January 1, 2016, through June 30, 2016, in violation of Government Code Section 84200 (1 count). Robles and the City Council Committee failed to disclose three late contributions received in two separate 24-Hour Contribution Reports, in violation of Government Code Section 84203 (1 count). Additionally, Robles failed to timely file his 2014 Annual Statement of Economic Interest, in violation of Government Code Section 87203 (1 count). **Fine: \$12,000.**

Margie Rice was an unsuccessful Westminster mayoral candidate in the November 8, 2016 General Election. Margie L. Rice for Mayor 2016 is her candidate-controlled committee. Anita Rice is the Committee’s treasurer and an unsuccessful candidate for Midway City Sanitary District in Orange County. Anita Rice’s candidate-controlled committee is Committee to Elect Anita Rice to the Sanitary Board of Midway City 2016. Margie L. Rice for Mayor 2016, Margie Rice, and Anita Rice failed to disclose identifying information on a mass mailing, in violation of Government Code Section 84305 (1 count). Margie Rice, Anita Rice, and their respective committees, failed to timely disclose making and receiving a non-monetary contribution, in violation of Government Code Section 84211, subdivisions (a), (b), (f), and (k) (1 count). **Fine: \$3,000.**

Douglas Hanson was an unsuccessful candidate for re-election to the Indian Wells City Council in the November 8, 2016 General Election. Committee to Re-Elect Hanson for City Council 2016 was his candidate-controlled committee. Claudette Pais was the Committee’s treasurer. During the 90-day period preceding the election, Hanson’s committee received seven contributions of \$1,000 or more, totaling \$8,200. The Committee, Hanson, and Pais failed to file the required 24-hour contribution reports within 24 hours of receiving these contributions, in violation of Government Code Section 84203 (1 count). **Fine: \$2,000.**

Allan Alifano was an unsuccessful candidate for Half Moon Bay City Council in the November 4, 2014 General Election. Re-Elect Allan Alifano City Council was his candidate-controlled committee. Barrett Franklin was the Committee's treasurer. The Committee, Alifano, and Franklin failed to timely file three 24-Hour Contribution Reports, in violation of Government Code Section 84203 (3 counts), and failed to properly report campaign activity on the pre-election campaign statement for the reporting period of October 1, 2014, through October 18, 2014, and one semiannual campaign statement for the reporting period of October 19, 2014 through December 31, 2014, in violation of Government Code Section 84211 (2 counts). **Fine: \$1,129.**

Lobbying Reporting

Deposition Reporters Association of California, a lobbyist employer, failed to timely file three lobbyist employer reports for the reporting periods of January 1, 2014 through September 30, 2014, in violation of Government Code Section 86117 (3 counts). **Fine: \$1,140.**

Campaign Non-Filers

Maria Quinonez was a successful candidate for Lynwood City Clerk in the November 8, 2011 and November 3, 2015 General Elections. Committee to Elect Maria Quinonez is her candidate-controlled committee. The Committee and Quinonez failed to timely file five semiannual campaign statements for the reporting periods of January 1, 2012 through June 30, 2014, in violation of Government Code Section 84200 (5 counts); and failed to timely pay the 2013, 2014, and 2015 \$50 Annual Fees to the Secretary of State's Office, in violation of Government Code Section 84101.5 (3 counts). **Fine: \$1,600.**

California Local Energy – Advancing Renewables (“CLEAR”) is a 501(c)(3) non-profit organization. CLEAR qualified as a major donor committee when it made a late contribution to a primarily formed ballot measure committee for the purpose of making contributions to oppose Measure B in San Diego County, on the November 8, 2016 General Election ballot. As a major donor, CLEAR failed to timely file a 24-hour contribution report for a \$110,000 contribution, in violation of Government Code Section 84203, subdivisions (a) and (b) (1 count). **Fine: \$1,500.**

West Lilac Farms, LLC and West Lilac Farms II, LLC (“West Lilac Farms” collectively) are affiliated California real estate investment entities. West Lilac Farms qualified as a major donor committee when it made two late contributions to a primarily formed ballot measure committee opposing Measure B in San Diego County, on the November 8, 2016 General Election ballot. As a major donor, West Lilac Farms failed to timely file two 24-hour contribution reports for two contributions totaling \$40,000, in violation of

Government Code Section 84203, subdivisions (a) and (b) (1 count). **Fine: \$1,500.**

Richard S. Colman is the principal officer of Orindans for Better Roads. Colman and the Committee failed to timely file three 24-hour reports, in violation of Government Code Section 84204 (3 counts), and one 10-day report, in violation of Government Code Section 84213, subdivision (b) (1 count). **Fine: \$865.**

American Federation of State, County, and Municipal Employees Local 2700 is a state general purpose committee. Mendoza and the Committee failed to timely file two semiannual campaign statements covering the reporting periods of July 1, 2015 through June 30, 2016, in violation of Government Code Section 84200 (2 counts). **Fine: \$484.**

Dhruva Hardas, as a major donor committee failed to timely file a semiannual major donor campaign statement covering the period January 1, 2014 through December 31, 2014 with the City of Brea, in violation of Government Code Section 84200 (1 count). **Fine: \$450.**

Jeremy J. Coe was a successful candidate for Lathrop-Manteca Fire Protection District Board in the November 8, 2016 General Election. Committee to Elect Jeremy J. Coe for Lathrop-Manteca Fire Board 2016 is his candidate-controlled committee. Duncan is the Committee's treasurer. The Committee, Coe, and Duncan failed to timely file two pre-election campaign statements for the reporting periods of July 1, 2016 through October 22, 2016, in violation of Government Code Section 84200.5 (2 counts). **Fine: \$437.**

Tony Berchtold was an unsuccessful candidate for Manteca Unified School District Board of Trustees in the November 8, 2016 General Election. Berchtold for Manteca USD Trustee Area 2, 2016 is his candidate-controlled committee. The Committee and Berchtold failed to timely file two pre-election campaign statements for the reporting periods of July 1, 2016 through October 22, 2016, in violation of Government Code Section 84200.5 (2 counts). **Fine: \$429.**

Nicholas Caton was a successful candidate for Escalon Unified School District Board of Trustees in the November 8, 2016 General Election. Caton for Escalon School Board 2016 is his candidate-controlled committee. The Committee and Caton failed to timely file two pre-election campaign statements for the reporting periods of July 1, 2016 through October 22, 2016, in violation of Government Code Section 84200.5 (2 counts). **Fine: \$425.**

Sondra Gilbert was a successful candidate for Tracy Unified School District Elementary Schools Board of Trustees in the November 8, 2016 General Election. Sondra Gilbert for TUSD Trustee 2016 is her candidate-controlled committee. The Committee and Gilbert failed to timely file two pre-election campaign statements for the reporting periods of July 1, 2016 through October 22, 2016, in violation of Government Code Section 84200.5 (2 counts). **Fine: \$421.**

Jeremy Meyers was a successful candidate for El Dorado County Superintendent of Schools. Jeremy Meyers for Superintendent 2014 was his candidate-controlled committee. The Committee and Meyers failed to timely file two semiannual campaign statements covering the periods from January 1, 2015 through December 31, 2015, in violation of Government Code Section 84200 (2 counts). **Fine: \$401.**

John Mackey was a successful candidate for the Oak Grove School District Board of Trustees on the November 8, 2016 General Election ballot in Santa Clara County. Elect John Mackey OGSD Board 2016 is his candidate-controlled committee. Brian LoBue is the Committee's treasurer. The Committee, Mackey, and LoBue failed to timely file a pre-election campaign statement for the reporting period of July 1, 2016 through September 24, 2016, in violation of Government Code Section 84200.5 (1 count). **Fine: \$400.**

Friends of Arcata School District – Yes on Measures H and I is a county primarily formed committee. Levy is the Committee's treasurer. Levy and the Committee failed to timely file one pre-election campaign statement for the reporting period of September 25, 2016 through October 22, 2016, in violation of Government Code Section 84200.5 (1 count). **Fine: \$250.**

Coalition for Excellence Political Action Committee was a state general purpose committee. Lewis was the Committee's treasurer. The Committee and Lewis failed to timely file a semiannual campaign statement for the reporting period of January 1, 2015 through June 30, 2015, in violation of Government Code Section 84200 (1 count). **Fine: \$241.**

Trailnow.org is a county primarily formed committee. Peoples is the Committee's treasurer. The Committee and Peoples failed to timely file one pre-election campaign statement for the reporting period of September 25, 2016 through October 22, 2016, in violation of Government Code Section 84200.5 (1 count). **Fine: \$228.**

Douglas Vigil was a candidate for Stockton Unified School District Board of Trustees in the November 8, 2016 General Election. Vigil for School Board SUSD Trustee 4 – 2016 is his controlled recipient committee. The Committee and Vigil failed to timely file one pre-election campaign statement for the reporting period of September 25, 2016 through October 22, 2016, in violation of Government Code Section 84200.5 (1 count). **Fine: \$215.**

Arvin Teachers Association Political Action Fund is a local general purpose committee. Diana Anthony is the Committee's treasurer. The Committee and Anthony failed to timely file one pre-election statement, in violation of Government Code Section 84200.5 (1 count). **Fine: \$211.**

Garlenia Davis was an unsuccessful candidate for Palmdale City Council on the November 8, 2016 General Election ballot. Garlenia Davis for Council District 2 – 2016 is her candidate-controlled committee. The Committee and Davis failed to timely file a pre-election statement, in violation of Government Code Section 84200.5 (1 count). **Fine: \$201.**

Campaign Non-Reporter

Carla Castilla was an unsuccessful candidate for Ventura County Supervisor in the November 8, 2016 General Election. Carla Castille for Supervisor 2016 was her candidate-controlled committee. Herrera was the Committee's treasurer. The Committee, Castilla, and Herrera failed to report accrued expenses totaling approximately \$3,285 on one semiannual campaign statement for the reporting period ending on December 31, 2015, in violation of Government Code Section 84211 (1 count). **Fine: \$232.**

Statement of Economic Interests Non-Filer

Shannon Matlock, Assistant Director of Hospital Nursing for the Ventura County Health Care Agency, failed to file a 2014 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Fine: \$5,000.**

James Yoder, a former Alternate Member of the Glenn County Transportation, failed to file an Assuming Office Statement of Economic Interests, covering the period of January 23, 2014 through January 23, 2015, in violation of Government Code Section 87300 (1 count). **Fine: \$4,000.**

J. Darby Howard, Jr., as a Consultant for the City of Livermore, failed to timely file his Assuming Office Statement of Economic Interests covering the period of October 12, 2014 through October 12, 2015, due November 11, 2015, in violation of Government Code Section 87300 (1 count). **Fine: \$200.**

Billy Richie Reyes, an unsuccessful candidate for the Sativa-Los Angeles County Water District Board of Directors in the November 3, 2015 special election, failed to timely file a Candidate Statement of Economic Interests, in violation of Government Code Section 87302.3 (1 count). **Fine: \$200.**

Statement of Economic Interests Non-Reporter

Luciana Corrales, a former Governing Board Member of the San Ysidro School District in San Diego County, failed to disclose the source of her salary on her Assuming Office, Candidate and 2014 Annual Statements of Economic Interests, in violation of Government Code Sections 87300, 87302, and 87302.3 (3 counts). **Fine: \$300.**

Jim Macey, as Former Director of Keeler Community Services District, failed to disclose an interest in real property on his 2015 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Fine: \$100.**

Jane Farkas failed to timely report income on her Assuming Office Statement of Economic Interests covering the period of August 6, 2014 through August 6, 2015, in violation of Government Code Section 87300 (1 count). **Fine: \$100.**

Susan Novasel, a member of the El Dorado County Board of Supervisors, failed to disclose sources of income on her Candidate Statement of Economic Interests, in violation of Government Code Section 87207. (1 count). **Fine \$100.**

Annual Fee

Eric Payne is a member of the State Center Community College District Board of Trustees in Fresno County. Eric Payne for SCCD 2012 – Trustee Area 2 is his candidate-controlled committee. The Committee and Payne 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). **Fine: \$200.**