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11 Enforcement Division of the Fair Political Practices Commission

12 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION

13 STATE OF CALIFORNIA

14 In the Matter of

15 ERIC PAYNE and ERIC PAYNE  
16 FOR SCCCD 2016 TRUSTEE AREA 2,

17 Respondents.

) FPPC No.: 16/19917

) DEFAULT DECISION AND  
) ORDER

) (Government Code Sections 11506  
) and 11520)

18 Complainant, the Enforcement Division of the Fair Political Practices Commission, hereby  
19 submits this Default Decision and Order for consideration by the Fair Political Practices Commission at  
20 its next regularly scheduled meeting.

21 Pursuant to the California Administrative Procedure Act,<sup>1</sup> Eric Payne (“Payne”) and the  
22 committee Eric Payne for SCCCD 2016 Trustee Area 2 (the “Committee”) have been served with all of  
23 the documents necessary to conduct an administrative hearing regarding the above-captioned matter,  
24 including the following:

- 25 1. An Order Finding Probable Cause;
- 26 2. An Accusation;
- 27 3. A Notice of Defense (Two Copies per Respondent);
- 28 4. A Statement to Respondent; and

<sup>1</sup> The California Administrative Procedure Act, which governs administrative adjudications, is contained in Sections 11370 through 11529 of the Government Code.



## **EXHIBIT 1**

### **INTRODUCTION**

Respondent Eric Payne (“Payne”) has been a member of the Board of Trustees for the State Center Community College District (the “SCCCD”) since his election in 2012. He was re-elected in the November 8, 2016 General Election. Eric Payne for SCCC 2016 Trustee Area 2 (the “Committee”) was Payne’s candidate-controlled recipient committee for both his 2012 election campaign and for his 2016 re-election campaign. Payne served as a treasurer for the Committee during his 2016 campaign.

The Political Reform Act (the “Act”)<sup>1</sup> requires an individual who intends to be a candidate for an elective office to file a statement of intention to be a candidate prior to the solicitation or receipt of any contribution or loan. The Act also requires every recipient committee to amend its statement of organization within ten days of a change. Recipient committees are required to timely file preelection and semi-annual campaign statements as well as 24-hour contribution reports. The Act prohibits receiving contributions of \$100 or more in cash and making expenditures of \$100 or more in cash. The Act requires recipient committees to disclose certain information about the campaign’s financial activity and to maintain supporting records for contributions received and expenditures made. The Act prohibits spending campaign funds on items that are not reasonably related to a political, legislative, or governmental purpose.

The Act requires public officials who manage public investments to annually file statements of economic interests (“SEIs”) disclosing his or her reportable investments, interests in real property, and income.

This matter arose out of a sworn complaint filed with the Fair Political Practices Commission’s (the “Commission”) Enforcement Division.

As a candidate, Payne failed to timely file a statement of intention to be a candidate. As a controlled committee, its candidate, and its treasurer, the Committee and Payne failed to timely amend a statement of organization and failed to timely file two preelection campaign statements, two semi-annual campaign statements, and four 24-hour contribution reports. The Committee and Payne received prohibited cash contributions and made prohibited cash expenditures, failed to accurately report all contributions and expenditures, and failed to maintain campaign records.

As a candidate and officeholder, Payne spent campaign funds to purchase campaign, business, or casual clothing, and failed to timely disclose required economic interests in sources of income and business positions on six SEIs.

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<sup>1</sup> The Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission (“Commission”) are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

## **DEFAULT PROCEEDINGS UNDER THE ADMINISTRATIVE PROCEDURE ACT**

When the Commission determines that there is probable cause for believing that the Act has been violated, it may hold a hearing to determine if a violation has occurred.<sup>2</sup> Notice of the hearing, and the hearing itself, must be conducted in accordance with the Administrative Procedure Act (the “APA”).<sup>3</sup> A hearing to determine whether the Act has been violated is initiated by the filing of an accusation, which shall be a concise written statement of the charges, specifying the statutes and rules which the respondent is alleged to have violated.<sup>4</sup>

Included among the rights afforded a respondent under the APA, is the right to file the Notice of Defense with the Commission within 15 days after service of the accusation, by which the respondent may (1) request a hearing; (2) object to the accusation on the ground it does not state acts or omissions upon which the agency may proceed; (3) object to the form of the accusation on the ground that it is so indefinite or certain that the respondent cannot identify the transaction or prepare a defense; (4) admit the accusation in whole or in part; (5) present new matter by way of a defense; or (6) object to the accusation on the ground that, under the circumstances, compliance with a Commission regulation would result in a material violation of another department’s regulation affecting substantive rights.<sup>5</sup>

The APA provides that a respondent’s failure to file a Notice of Defense within 15 days after service of an accusation constitutes a waiver of the respondent’s right to a hearing.<sup>6</sup> Moreover, when a respondent fails to file a Notice of Defense, the Commission may take action based on the respondent’s express admissions or upon other evidence and affidavits may be used as evidence without any notice to the respondent.<sup>7</sup>

### **PROCEDURAL REQUIREMENTS AND HISTORY**

#### **A. Initiation of the Administrative Action**

The service of the probable cause hearing notice, as required by Section 83115.5, upon the person alleged to have violated starts the administrative action.<sup>8</sup>

A finding of probable cause may not be made by the Commission unless the person alleged to have violated the Act is 1) notified of the violation by service of process or registered mail with return receipt requested; 2) provided with a summary of the evidence; and 3) informed of his or her right to be present in person and represented by counsel at any proceeding of the Commission

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<sup>2</sup> Section 83116.

<sup>3</sup> The California Administrative Procedure Act, which governs administrative adjudications, is contained in Sections 11370 through 11529 of the Government Code; Section 83116.

<sup>4</sup> Section 11503.

<sup>5</sup> Section 11506, subd. (a)(1)–(6).

<sup>6</sup> Section 11506, subd. (c).

<sup>7</sup> Section 11520, subd. (a).

<sup>8</sup> Section 91000.5, subd. (a).

held for the purpose of considering whether probable cause exists for believing the person violated the Act.<sup>9</sup> Additionally, the required notice to the alleged violator shall be deemed made on the date of service, the date the registered mail receipt is signed, or if the registered mail receipt is not signed, the date returned by the post office.<sup>10</sup>

No administrative action pursuant to Chapter 3 of the Act alleging a violation of any of the provisions of the Act may be commenced more than five years after the date on which the violation occurred.<sup>11</sup>

Documents supporting the procedural history are included in the attached Certification of Records (“Certification”) filed herewith at Exhibit 1, A-1 through A-38, and incorporated herein by reference.

In accordance with Sections 83115.5 and 91000.5, the Enforcement Division initiated the administrative action against Payne and the Committee in this matter by serving them with a Report in Support of a Finding of Probable Cause (the “Report”) (Certification, Exhibit A-1) by certified mail.<sup>12</sup> Payne was served with the Report on March 24, 2018, and the Committee was served with the Report on March 26, 2018. (Certification, Exhibit A-2.) The administrative action commenced on March 26, 2018, and the five-year statute of limitations was effectively tolled on this date.

As required by Section 83115.5, the packet served on Payne and the Committee contained a cover letter and a memorandum describing probable cause proceedings, advising that Payne and the Committee had 21 days in which to request a probable cause conference and/or to file a written response to the Report. (Certification, Exhibit A-3.) Payne and the Committee did not request a probable cause conference or submit a written response to the Report.

**B. Ex Parte Request for a Finding of Probable Cause**

Because Payne and the Committee failed to request a probable cause conference or submit a written response to the Report by the statutory deadline, the Enforcement Division submitted an Ex Parte Request for a Finding of Probable Cause and an Order that an Accusation Be Prepared and Served to the Hearing Officer of the Commission on June 27, 2018. (Certification, Exhibit A-4.)

On July 11, 2018, the Hearing Officer, Legal Division, Sukhi Brar, issued a Finding of Probable Cause and an Order to Prepare and Serve an Accusation on Payne and the Committee. (Certification, Exhibit A-5.)

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<sup>9</sup> Section 83115.5.

<sup>10</sup> Section 83115.5.

<sup>11</sup> Section 91000.5.

<sup>12</sup> Section 83115.5.

**C. The Issuance and Service of the Accusation**

Under the Act, if the Hearing Officer makes a finding of probable cause, the Enforcement Division must prepare an accusation pursuant to Section 11503 of the APA, and have it served on the persons who are the subject of the probable cause finding.<sup>13</sup>

Section 11503 states:

A hearing to determine whether a right, authority, license, or privilege should be revoked, suspended, limited, or conditioned shall be initiated by filing an accusation or District Statement of Reduction in Force. The accusation or District Statement of Reduction in Force shall be a written statement of charges that shall set forth in ordinary and concise language the acts or omissions with which the respondent is charged, to the end that the respondent will be able to prepare his or her defense. It shall specify the statutes and rules that the respondent is alleged to have violated, but shall not consist merely of charges phrased in the language of those statutes and rules. The accusation or District Statement of Reduction in Force shall be verified unless made by a public officer acting in his or her official capacity or by an employee of the agency before which the proceeding is to be held. The verification may be on information and belief.

Upon the filing of the accusation, the agency must 1) serve a copy thereof on the respondent as provided in Section 11505, subdivision (c); 2) include a post card or other form entitled Notice of Defense that, when signed by or on behalf of the respondent and returned to the agency, will acknowledge service of the accusation and constitute a notice of defense under Section 11506; 3) include (i) a statement that respondent may request a hearing by filing a notice of defense as provided in Section 11506 within 15 days after service upon the respondent of the accusation, and that failure to do so will constitute a waiver of the respondent's right to a hearing, and (ii) copies of Sections 11507.5, 11507.6, and 11507.7.<sup>14</sup> The APA also sets forth the language required in the accompanying statement to the respondent.<sup>15</sup>

The Accusation and accompanying information may be sent to the respondent by any means selected by the agency, but no order adversely affecting the rights of the respondent may be made by the agency in any case unless the respondent has been served personally or by registered mail as set forth in the APA.<sup>16</sup>

On January 15, 2019, the Commission's Chief of Enforcement, Galena West, issued an Accusation against Payne and the Committee. (Certification, Exhibit A-6.) In accordance with Section 11505, the Accusation and accompanying information, consisting of a Statement to Respondent, two copies of a Notice of Defense Form for each respondent, copies of Government

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<sup>13</sup> Regulation 18361.4, subd. (e).

<sup>14</sup> Section 11505, subd. (a).

<sup>15</sup> Section 11505, subd. (b).

<sup>16</sup> Section 11505, subd. (c).

Code Sections 11506, 11507.5, 11507.6, and 11507.7, were served upon Payne and the Committee by substituted service on January 22, 2019. (Certification, Exhibit A-7.)

Along with the Accusation, the Enforcement Division served Payne and the Committee with a “Statement to Respondent,” which notified them that they could request a hearing on the merits and warned that, unless a Notice of Defense was filed within 15 days of service of the Accusation, they would be deemed to have waived the right to a hearing. (Certification, Exhibit A-8.) Payne and the Committee did not file a Notice of Defense within the statutory time period, which ended on February 6, 2019.

As a result, on May 1, 2019, the Enforcement Division sent a letter to Payne and the Committee advising that this matter would be submitted for a Default Decision and Order at the Commission’s public meeting scheduled for June 13, 2019. (Certification, Exhibit A-37.)

On May 28, 2019, the Enforcement Division sent another letter to Payne and the Committee advising that this matter would be submitted for a Default Decision and Order at the Commission’s public meeting scheduled for June 13, 2019. (Certification, Exhibit A-38.) A copy of the Default Decision and Order, and this accompanying Exhibit 1 with attachments, was included with the letter.

## SUMMARY OF THE LAW

The Act and its regulations are amended from time to time. The violations in this case occurred between 2013 and 2017. For this reason, all legal references and discussions of law pertain to the Act’s provisions as they existed at that time.

An express purpose of the Act is to ensure voters are fully informed and improper practices are inhibited by requiring all candidates, as well as the committees that support or oppose them, to disclose all contributions and expenditures made throughout a campaign.<sup>17</sup> Along these lines, the Act includes a comprehensive campaign reporting system.<sup>18</sup>

The Act requires that prior to the solicitation or receipt of any contribution or loan, an individual who intends to be a candidate for an elective office must file an original statement of intention to be a candidate for a specific office, signed under penalty of perjury.<sup>19</sup>

The Act defines “committee” as any person or combination of persons who receives contributions totaling \$2,000 or more in a calendar year,<sup>20</sup> commonly known as a “recipient committee.” A recipient committee which is controlled directly or indirectly by a candidate, or which acts jointly with a candidate in connection with the making of expenditures, is a “controlled

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<sup>17</sup> Section 81002, subd. (a).

<sup>18</sup> Section 84200, *et seq.*

<sup>19</sup> Section 85200.

<sup>20</sup> Section 82013, subd. (a).

committee.”<sup>21</sup> A candidate controls a committee if he or she, his or her agent, or any other committee he or she controls has a significant influence on the actions or decisions of the committee.<sup>22</sup>

Under the Act, every committee must file a statement of organization within ten days after it qualifies as a recipient committee.<sup>23</sup> So a recipient committee is required to file a statement of organization within ten days after its total amount of contributions received reaches \$2,000 more.<sup>24</sup> The committee must file the original of the statement of organization with the Secretary of State (the “SOS”) and a copy with the local filing officer.<sup>25</sup> Whenever there is a change in any of the information contained in a statement of organization, an amendment shall be filed within ten days to reflect the change.<sup>26</sup> The committee must file the original of the amendment with the SOS and a copy with the local filing officer.<sup>27</sup>

A controlled committee established for a specific local office may be redesignated for a future local election if:

- 1) The future election is for the same elective office;
- 2) The committee funds are not considered "surplus campaign funds" as defined in Government Code Section 89519;
- 3) The candidate amends the statement of organization for the committee to reflect the redesignation for the future election;
- 4) The candidate files a new statement of intention to be a candidate for the specific future election, signed under penalty of perjury; and
- 5) Redesignation of the committee is not otherwise prohibited by law.<sup>28</sup>

No Fresno County rule prohibits such redesignation.<sup>29</sup>

The Act requires candidates and their controlled committees to file campaign statements at specific times disclosing information regarding contributions received and expenditures made by the campaign committees.<sup>30</sup> A controlled committee must file two preelection campaign statements before the election in which the candidate is listed on the ballot.<sup>31</sup> For the November 8, 2016 General Election, a candidate-controlled committee was required to file preelection campaign statements for the period ending September 24, no later than September 29, 2016, and for the period ending October 22, no later than October 27, 2016.<sup>32</sup>

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<sup>21</sup> Section 82016, subd. (a).

<sup>22</sup> Section 82016, subd. (a).

<sup>23</sup> Section 84101, subd. (a).

<sup>24</sup> Section 82013, subd. (a).

<sup>25</sup> Sections 84101, subd. (a); and 84215.

<sup>26</sup> Section 84103, subd. (a).

<sup>27</sup> Sections 84103, subd. (a); and 84215.

<sup>28</sup> Regulation 18521, subd. (b).

<sup>29</sup> See Fresno County Election Campaign Contributions Ordinance, Ord. 0-81-010, § 1; Ord. 557-A-1, § 2 (part), 1976.

<sup>30</sup> See Section 84200, et seq.

<sup>31</sup> Section 84200.5, subd. (a).

<sup>32</sup> Section 84200.8.

A controlled committee must also file two semi-annual campaign statements each year no later than July 31 for the period ending June 30 and no later than January 31 for the period ending December 31.<sup>33</sup> When the deadline falls on a Saturday, Sunday, or official state holiday, the filing deadline for such a statement is extended to the next regular business day.<sup>34</sup> All filing obligations continue until the recipient committee is terminated by filing a statement of termination with the SOS and a copy with the local filing officer receiving the committee's original campaign statements.<sup>35</sup>

Each candidate or committee that makes or receives a late contribution must file a report within 24 hours of making or receiving the contribution.<sup>36</sup> When the deadline falls on a Saturday, Sunday, or official state holiday, the filing deadline for such a report is extended to the next regular business day.<sup>37</sup> A "late contribution" includes a contribution aggregating \$1,000 or more that is made or received by a candidate or his or her controlled committee during the 90-day period preceding an election or on the date of the election.<sup>38</sup>

Under the Act, no contribution of \$100 or more may be made or received in cash.<sup>39</sup> All contributions of \$100 or more must be made in the form of a written instrument containing the name of the contributor and the name of the payee, and drawn from the account of the contributor.<sup>40</sup> The Act also prohibits making an expenditure of \$100 or more in cash.<sup>41</sup>

A contribution is a payment made for political purposes.<sup>42</sup> Candidates and committees must provide information regarding the amounts and sources of campaign contributions on campaign statements. Specifically, the Act requires candidates and committees to disclose the total amount of contributions received during the period covered by the statement.<sup>43</sup> Candidates and committees must disclose the total amount of contributions received from persons who have given \$100 or more during the period covered by the statement.<sup>44</sup> For contributors of \$100 or more, candidates and committees must disclose the following: (1) the contributor's full name; (2) the contributor's street address; (3) the contributor's occupation; (4) the name of the contributor's employer, or if self-employed, the name of the contributor's business; (5) the date and amount of each contribution received from the contributor during the reporting period; and (6) the cumulative amount of contributions received from the contributor.<sup>45</sup>

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<sup>33</sup> Section 84200, subd. (a).

<sup>34</sup> Regulation 18116.

<sup>35</sup> Section 84214; Regulation 18404.

<sup>36</sup> Section 84203.

<sup>37</sup> Regulation 18116.

<sup>38</sup> Section 82036.

<sup>39</sup> Section 84300, subd. (a).

<sup>40</sup> Section 84300, subd. (c).

<sup>41</sup> Section 84300, subd. (b).

<sup>42</sup> Section 82015.

<sup>43</sup> Section 84211, subd. (a).

<sup>44</sup> Section 84211, subd. (c).

<sup>45</sup> Section 84211, subd. (f).

The Act defines “expenditure” as a payment, forgiveness of a loan, payment of a loan by a third party, or an enforceable promise to make a payment, unless it is clear from the surrounding circumstances that it is not made for political purposes.<sup>46</sup> Candidates and committees must disclose the total amount of expenditures made during the period covered by the statement.<sup>47</sup> Candidates and committees must disclose the total amount of expenditures made to persons who have received \$100 or more, and separately, the total amount of expenditures made to persons who have received less than \$100, during the period covered by the statement.<sup>48</sup> For expenditures of \$100 or more, candidates and committees must disclose the following: (1) the recipient’s full name; (2) the recipient’s street address; (3) the amount of each expenditure; (4) the description of the consideration for which each expenditure was made.<sup>49</sup>

To ensure accurate campaign reporting, the Act imposes a mandatory duty on each candidate, treasurer, and elected officer to maintain detailed accounts, records, bills, and receipts necessary to prepare campaign statements, to establish that campaign statements were properly filed, and to comply with the campaign provisions.<sup>50</sup> This requirement includes a duty to maintain detailed information and original source documentation for all contributions and expenditures.<sup>51</sup>

Campaign contributions are held in trust for expenses associated with the election of the candidate, or for expenses associated with holding office.<sup>52</sup> Candidates and elected officials cannot spend campaign funds on items that are not reasonably related to a political, legislative, or governmental purpose.<sup>53</sup> If an expenditure of campaign funds confers a personal benefit of \$200 or more on the candidate or official, the expenditure must be directly related to a political, legislative, or governmental purpose.<sup>54</sup> The Act prohibits the use of campaign funds to purchase campaign, business, or casual clothing.<sup>55</sup>

Another purpose of the Act is to ensure that the assets and income of public officials that may be materially affected by their official actions be disclosed, so that conflicts of interests may be avoided.<sup>56</sup> In furtherance of this purpose, in 2012 through 2016, the Act required public officials who manage public investments to annually file statements of economic interests disclosing his or her reportable investments, interests in real property, and income.<sup>57</sup> The conflict of interest code for the SCCCD specified that members of the Boards of Trustees were public officials who managed public investments.

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<sup>46</sup> Section 82025.

<sup>47</sup> Section 84211, subd. (b).

<sup>48</sup> Section 84211, subd. (i) and (j).

<sup>49</sup> Section 84211, subd (k).

<sup>50</sup> Section 84104.

<sup>51</sup> Regulation 18401.

<sup>52</sup> Section 89510, subd. (b).

<sup>53</sup> Section 89512.

<sup>54</sup> Section 89512, subd. (a).

<sup>55</sup> Section 89513, subd. (d).

<sup>56</sup> Section 81002, subd. (c).

<sup>57</sup> Sections 87200 and 87203.

The public official's SEIs must include all of the public official's reportable economic interests during each preceding calendar year.<sup>58</sup> The Act specified disclosure requirements for investments, business positions, real property interests, and sources of income and gifts received by public officials.<sup>59</sup>

## SUMMARY OF THE EVIDENCE

Payne has been a member of the SCCCD Board of Trustees since his election in 2012. (Certification, Exhibit A-9.) He was re-elected in the November 8, 2016 General Election. (Certification, Exhibit A-10.) The Committee filed an initial statement of organization with the SOS on September 24, 2012, stating that it qualified as a recipient committee on August 23, 2012. (Certification, Exhibit A-11.)

On August 5, 2016, Payne filed a statement of intention to be a candidate for the 2016 election to the SCCCD Board of Trustees. (Certification, Exhibit A-12.) On or about August 2, 2016, Payne and the Committee received a \$3,000 contribution related to Payne's 2016 re-election campaign. (Certification, Exhibit A-13.) Therefore, Payne failed to file the statement of intention prior to the solicitation or receipt of any contribution or loan in connection with the 2016 re-election campaign.

On December 1, 2016, Payne and the Committee filed the amended statement of organization to redesignate the Committee for the 2016 re-election campaign. (Certification, Exhibit A-14.) Therefore, Payne and the Committee failed to timely file the amended statement of organization on or about August 12, 2016.

According to the Committee's campaign statements, Committee records, and bank records, the Committee received contributions totaling approximately \$14,219, including an unpaid \$1,000 loan received from Payne in 2012, and made expenditures totaling approximately \$14,306 related to the November 8, 2016 General Election.

Payne and the Committee were required to file a preelection campaign statement for the reporting period of July 1, 2016 through September 24, 2016, due on September 29, 2016, and a preelection campaign statement for the reporting period of September 25, 2016 through October 22, 2016, due on October 27, 2016. (Certification, Exhibit A-15.) The Fresno County Clerk contacted Payne and the Committee via U.S. Mail regarding this matter on December 27, 2016. (Certification, Exhibit A-16.)

On November 4, 2016, Payne and the Committee filed a campaign statement for an unidentified reporting period disclosing activity occurring between August 14, 2016 and October 28, 2016. (Certification, Exhibit A-17.) On December 21, 2016, six weeks after the election, Payne and the Committee filed amended campaign statements for the correct reporting

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<sup>58</sup> Regulation 18723, subd. (a).

<sup>59</sup> Sections 87206, 87207, and 87209.

periods of July 1, 2016 through September 24, 2016, and September 25, 2016 through October 22, 2016. (Certification, Exhibit A-18.)

Payne and the Committee were required to file a semi-annual campaign statement for the reporting period of October 23, 2016 through December 31, 2016, due on January 31, 2017 and a semi-annual campaign statement for the reporting period of January 1, 2017 through June 30, 2017, due on July 31, 2017. The Fresno County Clerk contacted Payne and the Committee via U.S. Mail regarding this matter on February 13, 2017; August 8, 2017; August 21, 2017; and February 15, 2018. (Certification, Exhibit A-19.) To date, Payne and the Committee have not filed these semi-annual campaign statements.

Payne and the Committee failed to timely file the following campaign statements.

Statement Type	Reporting Period	Date Due	Date Filed	Days Late	Contributions Received	% of Total	Expenditures Made	% of Total
Preelection	7/1/2016 – 9/24/2016	9/29/2016	11/4/2016 <sup>60</sup>	36	\$6,120	48%	\$3,365	23%
Preelection	9/25/2016 – 10/22/2016	10/27/2016	11/4/2016 <sup>61</sup>	8	\$2,435	19%	\$5,780	40%
Semi-Annual	10/23/2016 – 12/31/2016	1/31/2017	Not Filed	N/A	\$2,750	22%	\$4,801	34%
Semi-Annual	1/1/2017 – 6/30/2017	7/31/2017	Not Filed	N/A	\$1,414 <sup>62</sup>	11%	\$360	3%

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<sup>60</sup> The original campaign statement did not indicate a reporting period, but disclosed activity between August 14 and October 28, 2016. The amended campaign statement was filed on December 21, 2016 for the correct reporting period.

<sup>61</sup> The original campaign statement did not indicate a reporting period, but disclosed activity between August 14 and October 28, 2016. The amended campaign statement was filed on December 21, 2016 for the correct reporting period.

<sup>62</sup> The \$1,414 in contributions received during the January 1, 2017 through June 30, 2017 reporting period were all transfers from Payne's personal bank account which appear to have been necessary to cover overdrafts on the Committee account.

Payne and the Committee also failed to timely file the following 24-hour contribution reports for contributions totaling \$1,000 or more received during the 90-day period before the November 8, 2016 General Election. All the required reports were filed after the election, on November 30, 2016. (Certification, Exhibit A-20.)

<b>Date Made/Received</b>	<b>Amount</b>	<b>Contributor</b>	<b>Date 24-Hour Report Due</b>	<b>Dated Filed</b>	<b>Days Late</b>
9/26/2016	\$1,300	Sheet Metal Workers International Association Local #104	9/27/2016	11/30/2016	64
10/10/2016	\$1,000	IUPAT	10/11/2016	11/30/2016	50
10/14/2016	\$2,000	Coast to Coast Petroleum, LLC	10/17/2016	11/30/2016	44
10/28/2016	\$2,000	Coast to Coast Petroleum, LLC	10/31/2016	11/30/2016	30
<b>TOTAL</b>	<b>\$6,300</b>				

Late contributions received on September 26, 2016; October 10, 2016; and October 28, 2016, were disclosed four days before the election on the Committee’s campaign statement filed on November 4, 2016. (Certification, Exhibit A-17.) The total amount of these late contributions represents about 44% of the Committee’s total contributions received.

Payne and the Committee were prohibited from receiving cash contributions of \$100 or more; however, the Committee received the following contribution in the amount of \$3,000 in the form of a cashier’s check on August 2, 2016. (Certification, Exhibit A-13.) This contribution represents about 21% of the Committee’s total contributions received.

<b>Date</b>	<b>Contributor Name</b>	<b>Check No.</b>	<b>Amount</b>	<b>Type of Contribution</b>
8/2/2016	Form 460 identifies “Sylvesta Hall.” Handwritten notation on cashier’s check states “Blue Ocean Development.”	0019210516	\$3,000.00	Cashier’s check

Payne and the Committee were also prohibited from making cash expenditures of \$100 or more; however, the Committee made the following expenditure in the amount of \$605 with a cashier’s check. (Certification, Exhibit A-21.) This expenditure represents about 4% of the Committee’s total expenditures made.

<b>Withdrawal Date</b>	<b>Payee Name</b>	<b>Check No.</b>	<b>Amount</b>	<b>Type of Payment</b>
8/19/2016	Unknown	Unknown	\$605.00	Cashier’s check

During an interview with the Enforcement Division staff, Payne stated that he was unaware that receiving contributions and making expenditures in cash or cashier's checks of \$100 or more was prohibited, and he could not provide more detail about the contribution and expenditure. (Certification, Exhibit A-22.)

According to the Committee's original and amended campaign statements, Committee records, and bank records, Payne and the Committee failed to accurately report in the Committee's original campaign statement (for an unidentified reporting period) all contributions received and expenditures made during the preelection and semi-annual reporting periods, as shown in the following chart:

Statement Type	Reporting Period	Over/Underreported Amount in Original Campaign Statement		Period Total	% of Total
Preelection	7/1/2016 – 9/24/2016	Contributions	\$(3,000.00)	\$6,120.00	-49% under
		Expenditures	\$(1,881.04)		
Preelection	9/25/2016 – 10/22/2016	Contributions	\$1,250.00	\$3,435.00	36% over
		Expenditures	\$(1,719.50)		
Semi-annual	10/23/2016 – 12/31/2016	Contributions	\$(750.00)	\$3,250.00	-23% under
		Expenditures	\$(3,901.36)		
Semi-annual	1/1/2017 – 6/30/2017	Contributions	\$(1,414.14)	No statement filed	
		Expenditures	\$(360.00)		

For the reporting period of July 1, 2016 through September 24, 2016, the Committee's original campaign statement (filed on November 4, 2016) underreported contributions received by \$3,000.00 and expenditures made by \$1,881.04. Some of the underreported expenditures included payments for transportation and for clothing. For the reporting period covering September 25, 2016 through October 22, 2016, the Committee's original campaign statement over-reported contributions received by \$1,250.00 and underreported expenditures made by \$1,719.50. Most of the underreported expenditures were to Lyft and local restaurants.

Because the Committee's original campaign statement disclosed activity occurring between August 14, 2016 and October 28, 2016, and Payne and the Committee never filed a semi-annual campaign statement for January 1, 2017 through June 30, 2017, activity after October 28, 2016 went unreported. For the reporting period of October 23, 2016 through December 31, 2016, the Committee underreported contributions received by \$750.00 and expenditures made by \$3,901.36 since the Committee only reported activity through October 28, 2016. Expenditures not reported include approximately \$1,800 for a mailer made on November 4, 2016, and over \$1,100 for a rental car made on December 19, 2016. For the reporting period covering January 1, 2017 through June 30, 2017, 100% of the activity, or \$1,414.14 in contributions and \$360.00 in expenditures went unreported. (Certification, Exhibit A-17; Exhibit A-23; Exhibit A-24; and Exhibit A-25.) All of the contributions and expenditures not reported were for bank transfers and fees to cover the overdrawn balance on the account.

On the Committee's original campaign statement filed on November 4, 2016, Payne and the Committee failed to report employer or other information for several contributors, as shown below: (Certification, Exhibit A-17.)

Reporting Period	Contributor	Amount	Missing Information	Amended?
7/1/2016 – 9/24/2016	Sheena Harris/ Vincent Harris	\$150.00	Employer	Yes
7/1/2016 – 9/24/2016	Karla Kirk	\$100.00	Employer	Yes
7/1/2016 – 9/24/2016	IUPAT Political Action Committee	\$1,000.00	Committee ID No.	Yes
9/25/2016 – 10/22/2016	Christopher Townsend	\$500.00	Employer	No
9/25/2016 – 10/22/2016	Miguel Arias	\$150.00	Employer	Yes
9/25/2016 – 10/22/2016	Patricia Brown	\$1,000.00 (cumulative)	Employer	No
	<b>TOTAL</b>	<b>\$2,900.00</b>	(About 20% of total contributions received)	

On the original campaign statement filed on November 4, 2016, Payne and the Committee also failed to disclose complete information for several expenditures, as shown below: (Certification, Exhibit A-17.)

Reporting Period	Description	Amount	Missing Information	Amended?
7/1/2016 – 9/24/2016	Sherry Moud/DC Costoms – T-Shirts and Bags	\$144.60	Street Address and City	Yes
9/25/2016 – 10/22/2016	Downtown Business – Storage/Mailing	\$450.00	Street Address and City	Yes
9/25/2016 – 10/22/2016	Enterprise Rent Fresno – Lit. Drop (Driver)	\$202.79	Street Address and City	Yes
9/25/2016 – 10/22/2016	Cops Voter Guide – Media	\$1,725.00	Street Address and City	Yes
9/25/2016 – 10/22/2016	Truth Branding – Media	\$1,712.89	Street Address and City	Yes
9/25/2016 – 10/22/2016	KSEE/KGPE – Media	\$900.00	Street Address and City	No
	<b>TOTAL</b>	<b>\$5,135.28</b>	(About 36% of total expenditures made)	

Payne and the Committee were required to maintain all supporting records for contributions received and expenditures made. According to the Committee's campaign statements, Committee records, and bank records, the Committee and Payne made 19 expenditures to Lyft totaling approximately \$234. No receipts or other documentation were included in the Committee records to substantiate that these expenditures were related to campaign activity.

During an interview with the Enforcement Division staff, Payne stated that he used Lyft for transportation to campaign events. He also admitted that he did not maintain records for any expenditures made to Lyft for campaign related transportation. (Certification, Exhibit A-22.)

Payne and the Committee hired Don Milligan as treasurer for the Committee on or about November 29, 2016, about one month after the election. (Certification, Exhibit A-18.) But the evidence shows that Payne never provided Milligan and his employee DeeDee Garrelts with sufficient information to complete the campaign statements covering the reporting periods of October 23, 2016 through December 31, 2016, or January 1, 2017 through June 30, 2017. (Certification, Exhibit A-26.)

Payne was prohibited from spending campaign funds to purchase campaign, business, or casual clothing. According to the Committee’s bank records (Certification, Exhibit A-23) and committee records (Certification, Exhibit A-18 and Exhibit A-27), on September 24, 2016, Payne used the Committee’s funds to purchase several items of clothing from Nordstrom Rack: a pair of “casual twill chino” pants, a “sapphire solid” shirt, a “trim straight” shirt, and a “silver spun solid” shirt, among other items, for a total cost of \$471.50. During an interview with the Enforcement Division staff, Payne stated he had committed to reimbursing his committee for that payment, but no reimbursement had been made as of the date of the interview. (Certification, Exhibit A-22.)

According to the SCCCD Conflict of Interest Code, Payne was required to file SEIs and disclose all economic interests under Government Code Section 87200. (Certification, Exhibit A-28 and Exhibit A-29.) As a candidate and officeholder, Payne failed to timely file the following SEIs and failed to disclose reportable income.

<b>Type of Statement</b>	<b>Date Due</b>	<b>Date Filed</b>	<b>Days Late</b>	<b>Reported Interests</b>	<b>Reportable Interests</b>
2012 Annual	4/2/2013	Not filed	N/A	N/A	Housing Authority Foundation – Director of Building Neighborhood Capacity
2013 Annual	4/1/2014	Not filed	N/A	N/A	Toure Associates – Managing Partner
2014 Annual	4/1/2015	Not filed	N/A	N/A	Toure Associates – Managing Partner
2015 Annual	4/1/2016	Not filed	N/A	N/A	Toure Associates – Managing Partner
2016 Candidate	8/4/2016	8/12/2016	8	None	Toure Associates – Managing Partner
2016 Annual	4/3/2017	10/27/2017	207	None	Toure Associates – Managing Partner

On his Candidate SEI filed on August 12, 2016, and his 2016 Annual SEI filed on October 27, 2017, Payne indicated that he had no reportable interests to disclose. (Certification, Exhibit A-30.) In an email sent to the Enforcement Division on December 18, 2017, Payne indicated that he held a position of Director of Building Neighborhood Capacity at the Housing Authority Foundation in 2012 and received gross income between \$10,000 and \$100,000.

(Certification, Exhibit A-31.) Therefore, Payne was required to report this income on the 2012 Annual SEI.

During an interview with the Enforcement Division staff, Payne stated that he worked at Toure Associates as an independent contractor. (Certification, Exhibit A-22.) Toure Associates is located at 1444 Fulton Street, Suite 121, Fresno, CA 93721. (Certification, Exhibit A-32.) According to a map showing the SCCC'D' boundaries, Toure Associates' address is within the SCCC'D's jurisdiction. (Certification, Exhibit A-33.) Therefore, Payne was required to report his income received from Toure Associates on the Annual SEIs for 2013, 2014, 2015, and 2016, as well as the 2016 Candidate SEI.

On or about May 24, 2019, Payne filed Annual SEIs for 2012 – 2015, and an amended 2016 Candidate SEI with the SCCC'D filing officer. (Certification, Exhibit A-34.) These filings disclosed income Payne received during the applicable periods. To date, Payne has not filed an amended 2016 Annual SEI.

It should be noted that Payne timely filed his 2017 Annual SEI disclosing income and gifts he received during 2017. (Certification, Exhibit A-35.) Payne also filed his 2018 Annual SEI disclosing income and gifts, but this SEI was filed 31 days late. (Certification, Exhibit A-36.)

#### Summary of Contact

The Enforcement Division contacted Payne and the Committee numerous times regarding the investigation and possible settlement. At various points, Payne engaged in the process but ultimately failed to complete the terms of the settlement offer.

Overall, the Enforcement Division contacted Payne and the Committee more than fifty times throughout this case, until the date of serving the Default, as follows:

- August 23, 2017: emails and replies between the Enforcement Division and Payne requesting campaign records for activity during reporting periods for which campaign statements were not filed and to file outstanding campaign statements
- August 23, 2017: emails and replies between the Enforcement Division and the Committee's former treasurer requesting campaign records for activity during reporting periods for which campaign statements were not filed
- August 24, 2017: email from the Enforcement Division to Payne regarding the Committee's former treasurer's request for a subpoena
- August 24, 2017: email from Payne to the Enforcement Division requesting in-person meeting
- August 24, 2017: follow-up telephone call between the Enforcement Division and Payne regarding the subpoena for campaign records – Payne could not meet
- August 25, 2017: two emails from the Enforcement Division to Payne following up on the former treasurer's request for the subpoena

- August 29, 2017: email from the Enforcement Division to the former treasurer with the subpoena for campaign records
- August 29, 2017: email from the Enforcement Division to Payne with a customer notice for the subpoena for campaign bank account records
- August 29, 2017: telephone call between the Enforcement Division and Payne regarding subpoenas for campaign records and campaign bank account records
- August 30, 2017: email from the Enforcement Division to Payne regarding the Acknowledgement of Service Form for the customer notice for the subpoena for campaign bank account records
- August 30, 2017: telephone call from the Enforcement Division to the former treasurer regarding the Acknowledgement of Service Form for the subpoena for campaign records – left a message
- August 30, 2017: follow-up email from the Enforcement Division to the former treasurer regarding the Acknowledgement of Service Form for the subpoena for campaign records
- August 31, 2017: follow-up email from the Enforcement Division to Payne regarding the Acknowledgement of Service Form for the customer notice for the subpoena for campaign bank account records
- September 5, 2017: email and reply between the Enforcement Division and Payne regarding the Acknowledgement of Service Form for the customer notice for the subpoena for campaign bank account records – Payne did not sign the scanned copy he sent
- September 6, 2017: follow-up email from the Enforcement Division to Payne regarding whether Payne will send a signed copy of the Acknowledgement of Service Form for the customer notice for the subpoena for campaign bank account records
- September 7, 2017: email and reply between the Enforcement Division and Payne regarding the Acknowledgement of Service Form for the customer notice for the subpoena for campaign bank account records – Payne re-sent the Form, but the Enforcement Division did not receive it
- September 7, 2017: email from the Enforcement Division to Payne regarding a signed copy of the Acknowledgement of Service Form for the customer notice for the subpoena for campaign bank account records – the Enforcement Division still had not received the Form
- September 8, 2017: email from Payne to the Enforcement Division with a signed Acknowledgement of Service Form for the customer notice for the subpoena for campaign bank account records
- October 17, 2017: telephone call from the Enforcement Division to the former treasurer regarding loans from Payne to the Committee
- October 17, 2017: follow-up email from the former treasurer to the Enforcement Division regarding loans from Payne to the Committee
- October 24, 2017: telephone call from the Enforcement Division to Payne regarding records for numerous payments out of the campaign bank account to Lyft
- October 24, 2017: follow-up email from the Enforcement Division to Payne regarding records for numerous payments out of the campaign bank account to Lyft
- October 25, 2017: email from Payne to the Enforcement Division acknowledging request for records for numerous payments out of the campaign bank account to Lyft

- October 27, 2017: emails and replies between the Enforcement Division and Payne regarding an additional subpoena for bank account records and service of Acknowledgement for Service of customer notice by email
- October 30, 2017: follow-up email from the Enforcement Division to Payne regarding the additional subpoena for bank account records and the Acknowledgement for Service Form
- December 4, 2017: emails and replies between the Enforcement Division and Payne setting up Payne's interview
- December 8, 2017: email from the Enforcement Division to Payne regarding a recording of Payne's interview
- December 11, 2017: email from the Enforcement Division to Payne with follow-up questions to Payne's interview regarding reportable sources of income
- December 12, 2017: follow-up email from the Enforcement Division to Payne with questions to Payne's interview regarding reportable sources of income
- December 12, 2017: letter from the Enforcement Division to Payne with a CD of interview recording and follow-up questions to Payne's interview regarding reportable sources of income
- December 13 and 14, 2017: emails and replies between the Enforcement Division and Payne regarding follow-up questions to Payne's interview regarding reportable sources of income
- December 15, 2017: emails and replies between the Enforcement Division and the former treasurer regarding Payne's reportable sources of income
- December 18, 2017: follow-up emails and replies between the Enforcement Division and the former treasurer regarding Payne's reportable sources of income
- December 19, 2017: follow-up emails and replies between the Enforcement Division and Payne regarding Payne's reportable sources of income
- March 2, 2018: email from the Enforcement Division to Payne regarding settlement
- March 2, 2018: telephone call between the Enforcement Division and Payne regarding settlement
- March 23, 2018: telephone call between the Enforcement Division and Payne regarding settlement
- March 24 and 26, 2018: Report in Support of Probable Cause served on Payne and the Committee
- June 27, 2018: copy of Ex Parte Request for a Finding of Probable Cause and an Order that an Accusation Be Prepared and Served mailed and emailed to Payne and the Committee
- June 28, 2018: telephone call from Payne to the Enforcement Division regarding Ex Parte Request for a Finding of Probable Cause and an Order that an Accusation Be Prepared and Served
- July 6, 2018: telephone call the from Enforcement Division to Payne regarding settlement and administrative hearing procedures
- July 27, 2018: telephone call from Payne to the Enforcement Division regarding settlement and administrative hearing procedures
- July 29, 2018: emails and replies between the Enforcement Division and Payne regarding setting up a telephone conference to discuss settlement

- July 31, 2018: telephone call from the Enforcement Division to Payne for scheduled telephone conference to discuss settlement – Payne said he was no longer available, and he would call back to reschedule. No follow-up telephone call received.
- January 22, 2019: Accusation served on Payne and the Committee
- May 1, 2019: letter to Payne and the Committee informing them that a Default Decision and Order would appear on the agenda for the May 16, 2019 Commission meeting as a notice item
- May 1, 2019: voice mail message from Mr. Payne to Enforcement Division – received letter re: Notice of Default, call back tomorrow
- May 2, 2019: telephone call from the Enforcement Division to Payne – left message to call back
- May 6, 2019: voice mail message and email from Payne to Enforcement Division regarding Notice of Default
- May 7, 2019: voice mail message from Payne to Enforcement Division regarding Notice of Default
- May 7, 2019: email from the Enforcement Division to Payne – received notification from Microsoft Outlook that delivery failed
- May 8, 2019: telephone call from Enforcement Division to Payne. Payne said his email inbox had reached capacity, but it’s “ok now.” Payne stated that he wants to work with the Enforcement Division to resolve this case. The Enforcement Division explained that Payne needed to file all outstanding campaign statements and SEIs, then we could talk about settlement. Payne stated he would file, but he wasn’t certain he could pay a penalty.
- May 9, 2019: email from the Enforcement Division to Payne with detailed list of all campaign statements and SEIs that need to be filed in order to settle case.
- May 14, 2019: follow-up email from the Enforcement Division to Payne regarding his estimated date for filing the outstanding campaign statements and SEIs; Response email from Payne to the Enforcement Division did not include an estimated date
- May 15, 2019: email exchange between the Enforcement Division and Payne regarding estimated date for filing statements and SEIs. Payne requested date the Enforcement Division needed the filings. The Enforcement Division told Payne May 23, 2019 in order to have time for settlement negotiations before the agenda deadline of May 30, 2019. The Enforcement Division included links to the blank forms at the FPPC website.
- May 24, 2019: Email from Payne to the Enforcement Division. Payne stated that he filed the SEIs for 2012 – 2016 with the SCCCD filing officer and asked the Enforcement Division to call him regarding filing the campaign statements.
- May 24, 2019: telephone call from the Enforcement Division to Payne. Payne stated he needed the bank account number for the Committee to obtain the bank records to complete the campaign statements. Payne also wanted to know if he could obtain an extension to file the campaign statements. The Enforcement Division explained that Payne should file as soon as possible because the deadlines for the Default and for the Agenda were the next week, and a settlement was not an option until the campaign statements were filed. Payne said he would go to the bank the next day and advise of his progress. The Enforcement Division sent a follow-up email with the bank account number.

- May 28, 2019: Notice of Intent to Enter Default Decision and Order to Payne and the Committee informing them that the Default Decision and Order would be presented at the June 13, 2019 meeting for Commission action

## **VIOLATIONS**

Payne committed eight violations of the Act, and Payne and the Committee committed thirteen violations of the Act as follows:

### **COUNT 1**

#### **Failure to Timely File a Statement of Intention (Payne only)**

Payne had a duty to timely file a statement of intention prior to the solicitation or receipt of any contribution or loan in connection with the 2016 re-election campaign. By failing to timely file the statement of intention prior to the solicitation or receipt of any contribution or loan in connection with the 2016 re-election campaign, Payne violated Government Code Section 85200.

### **COUNT 2**

#### **Failure to Timely Amend a Statement of Organization**

Payne and the Committee had a duty to timely file an amended statement of organization to redesignate the Committee for the 2016 re-election campaign, due on or about August 12, 2016. By failing to file the amended statement of organization to redesignate the Committee for the 2016 re-election campaign by August 12, 2016, Payne and the Committee violated Government Code Section 84103.

### **COUNT 3**

#### **Failure to Timely File a Pre-election Campaign Statement by September 29, 2016**

Payne and the Committee had a duty to timely file a preelection campaign statement for the reporting period of July 1, 2016 through September 24, 2016, due on September 29, 2016. By failing to file the preelection campaign statement by September 29, 2016, Payne and the Committee violated Government Code Section 84200.5 and 84200.8.

### **COUNT 4**

#### **Failure to Timely File a Pre-election Campaign Statement by October 27, 2016**

Payne and the Committee had a duty to timely file a preelection campaign statement for the reporting period of September 25, 2016 through October 22, 2016, due on October 27, 2016.

By failing to file the preelection campaign statement by October 27, 2016, Payne and the Committee violated Government Code Section 84200.5 and 84200.8.

COUNT 5

**Failure to Timely File a Semi-Annual Campaign Statement by January 31, 2017**

Payne and the Committee had a duty to timely file a semi-annual campaign statement for the reporting period of October 23, 2016 through December 31, 2016, due on January 31, 2017. By failing to file the semi-annual campaign statement by January 31, 2017, Payne and the Committee violated Government Code Section 84200.

COUNT 6

**Failure to Timely File a Semi-Annual Campaign Statement by July 31, 2017**

Payne and the Committee had a duty to timely file a semi-annual campaign statement for the reporting period January 1, 2017 through June 30, 2017, due on July 31, 2017. By failing to file the semi-annual campaign statement by July 31, 2017, Payne and the Committee violated Government Code Section 84200.

COUNT 7

**Failure to Timely File a 24-Hour Contribution Report**

Payne and the Committee had a duty to timely file a 24-hour contribution report for a \$1,300 contribution received on September 26, 2016, due on September 27, 2016. By failing to file the 24-hour contribution report by September 27, 2016, Payne and the Committee violated Government Code Section 84203, subdivision (a).

COUNT 8

**Failure to Timely File a 24-Hour Contribution Report**

Payne and the Committee had a duty to timely file a 24-hour contribution report for a \$1,000 contribution received on October 10, 2016, due on October 11, 2016. By failing to file the 24-hour contribution report by October 11, 2016, Payne and the Committee violated Government Code Section 84203, subdivision (a).

COUNT 9

**Failure to Timely File a 24-Hour Contribution Report**

Payne and the Committee had a duty to timely file a 24-hour contribution report for a \$2,000 contribution received on October 14, 2016, due on October 17, 2016. By failing to file the

24-hour contribution report by October 17, 2016, Payne and the Committee violated Government Code Section 84203, subdivision (a).

COUNT 10

**Failure to Timely File a 24-Hour Contribution Report**

Payne and the Committee had a duty to timely file a 24-hour contribution report for a \$2,000 contribution received on October 28, 2016, due on October 31, 2016. By failing to file the 24-hour contribution report by October 31, 2016, Payne and the Committee violated Government Code Section 84203, subdivision (a).

COUNT 11

**Prohibited Cash Contributions**

Payne and the Committee were prohibited from receiving cash contributions of \$100 or more. By receiving cash contributions of \$100 or more, totaling approximately \$3,000, in or about August 2016, Payne and the Committee violated Government Code Section 84300, subdivision (a).

COUNT 12

**Prohibited Cash Expenditures**

Payne and the Committee were prohibited from making cash expenditures of \$100 or more. By making cash expenditures of \$100 or more, totaling approximately \$605, in or about August 2016, Payne and the Committee violated Government Code Section 84300, subdivision (b).

COUNT 13

**Inaccurate Disclosure on Campaign Statements**

Payne and the Committee had a duty to accurately report all contributions and expenditures and to disclose all required contributor and payee information on the Committee's campaign statements for the reporting periods of July 1, 2016 through September 24, 2016, and September 25, 2016 through October 22, 2016.

By failing to accurately report all contributions and expenditures and failing to disclose all required contributor and payee information on the Committee's campaign statements for the reporting periods of July 1, 2016 through September 24, 2016, and September 25, 2016 through October 22, 2016, Payne and the Committee violated Government Code Section 84211, subdivisions (a), (b), (c), (d), (f), (i), (j), and (k).

COUNT 14

**Failure to Maintain Campaign Records**

For reporting periods in 2016, Payne and the Committee had a duty to maintain supporting records for contributions received and expenditures made. By failing to maintain supporting records for contributions received and expenditures made, Payne and the Committee violated Government Code Section 84104.

COUNT 15

**Prohibited Personal Use of Committee Funds (Payne only)**

Payne was prohibited from spending campaign funds to purchase campaign, business, or casual clothing. By spending campaign funds to purchase campaign, business, or casual clothing totaling \$471.50, on or about September 24, 2016, Payne violated Government Code Section 89513, subdivision (d).

COUNT 16

**SEI Non-Disclosure (Payne only)**

Payne had a duty to timely file his 2012 Annual SEI, due on April 2, 2013, and to timely disclose required economic interests in sources of income and business positions. By failing to timely file his 2012 Annual SEI, due on April 2, 2013, and failing to timely disclose required economic interests in sources of income and business positions, Payne violated Government Code Sections 87200, 87207, and 87209.

COUNT 17

**SEI Non-Disclosure (Payne only)**

Payne had a duty to timely file his 2013 Annual SEI, due on April 1, 2014, and to timely disclose required economic interests in sources of income and business positions. By failing to timely file his 2013 Annual SEI, due on April 1, 2014, and failing to timely disclose required economic interests in sources of income and business positions, Payne violated Government Code Sections 87200, 87207, and 87209.

COUNT 18

**SEI Non-Disclosure (Payne only)**

Payne had a duty to timely file his 2014 Annual SEI, due on April 1, 2015, and to timely disclose required economic interests in sources of income and business positions. By failing to

timely file his 2014 Annual SEI, due on April 1, 2015, and failing to timely disclose required economic interests in sources of income and business positions, Payne violated Government Code Sections 87200, 87207, and 87209.

COUNT 19

**SEI Non-Disclosure (Payne only)**

Payne had a duty to timely file his 2015 Annual SEI, due on April 1, 2016, and to timely disclose required economic interests in sources of income and business positions. By failing to timely file his 2015 Annual SEI, due on April 1, 2016, and failing to timely disclose required economic interests in sources of income and business positions, Payne violated Government Code Sections 87200, 87207, and 87209.

COUNT 20

**SEI Non-Disclosure (Payne only)**

Payne had a duty to timely file his 2016 Candidate SEI, due on August 4, 2016, and to timely disclose required economic interests in sources of income and business positions. By failing to timely file his 2016 Candidate SEI, due on August 4, 2016, and failing to timely disclose required economic interests in sources of income and business positions, Payne violated Government Code Sections 87200, 87207, and 87209.

COUNT 21

**SEI Non-Disclosure (Payne only)**

Payne had a duty to timely file his 2016 Annual SEI, due on April 3, 2017, and to timely disclose required economic interests in sources of income and business positions. By failing to timely file his 2016 Annual SEI, due on April 3, 2017, and failing to timely disclose required economic interests in sources of income and business positions, Payne violated Government Code Sections 87200, 87207, and 87209.

**CONCLUSION**

This matter consists of 21 counts of violating the Act, which carry a maximum total administrative penalty of \$105,000.<sup>63</sup>

In determining the appropriate penalty for a particular violation of the Act, the Enforcement Division considers the typical treatment of a violation in the overall statutory scheme of the Act, with an emphasis on serving the purposes and intent of the Act. Additionally, the Enforcement

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<sup>63</sup> Section 83116, subd. (c).

Division considers the facts and circumstances of the violation in the context of the following factors set forth in Regulation 18361.5 subdivision (d)(1) through (6): (1) The seriousness of the violation; (2) The presence or absence of any intention to conceal, deceive or mislead; (3) Whether the violation was deliberate, negligent or inadvertent; (4) Whether the violator demonstrated good faith by consulting the Commission staff or any other governmental agency in a manner not constituting complete defense under Government Code Section 83114(b); (5) Whether the violation was isolated or part of a pattern and whether the violator has a prior record of violations of the Political Reform Act or similar laws; and (6) Whether the violator, upon learning of a reporting violation, voluntarily filed amendments to provide full disclosure.

In this matter, Payne failed to timely file a statement of intention to be a candidate, and Payne and the Committee failed to timely amend a statement of organization and failed to timely file two preelection campaign statements, two semi-annual campaign statements, and four 24-hour contribution reports.

The failure to comply with campaign filing obligations resulted in a lack of complete and accurate information for the voting public regarding Payne's and the Committee's campaign activity before the November 8, 2016 General Election. Payne and the Committee disclosed partial campaign activity through October 28, 2016, and the disclosed activity was not reported until four days before the election. Approximately 14% of the Committee's total expenditures occurred between October 28, 2016 and November 8, 2016, and none of these have been disclosed to date. Payne and the Committee have not filed the post-election semi-annual campaign statement, or the semi-annual campaign statement for the first half of 2017, even though the Committee had campaign activity during both of these reporting periods. Payne and the Committee did not file any 24-hour contribution reports before the election, and the late contributions received during the 90-day period represent about 44% of the Committee's total contributions received.

Payne and the Committee also failed to accurately report all contributions and expenditures. The original campaign statement that was filed failed to include all campaign activity that occurred. And the campaign statements that were filed contained inaccurate or incomplete information.

Payne and the Committee received prohibited cash contributions and made prohibited cash expenditures. While Payne and the Committee disclosed the identity of the cash contributor on the Committee's campaign statement, no information is available regarding the cash expenditure, and the recipient of the expenditure cannot be identified. The prohibited cash transactions were exacerbated by the fact that Payne and the Committee didn't maintain campaign records to corroborate the reporting. Payne's campaign brought in and spent a significant amount of money for a local district board election, and the full nature and extent of the campaign activity was not disclosed to the public before the date of the election.

Payne had been a candidate before, he is currently in office, and he was and is aware that the Act required disclosure of the Committee's campaign activity.

Personal use of campaign funds violates the trust of the contributors giving to that campaign, and purchasing clothing is a prohibited use of campaign funds. In this case, Payne purchased nearly \$500 worth of clothing with committee funds.

Payne failed to timely file four consecutive Annual SEIs and failed to disclose his economic interests in the two he did file. The public harm inherent in SEI reporting violations is that the public is deprived of important information about the assets and income of public officials. These types of violations make it harder to detect other violations, such as conflicts of interests.

Payne failed to disclose his sources of income and business positions for the majority of the time he has held office. The violations in this matter, taken as a whole, resulted in incomplete disclosure before the election regarding Payne's and the Committee's campaign activity.

Payne and the Committee have no prior record of violations of the Act for campaign finance or statements of economic interests violations. Also, Payne contends that he did not know the rules regarding cash contributions, cash expenditures, and the proper uses of campaign funds.

The Enforcement Division also takes into consideration previous cases that were approved by the Commission in determining penalties. In this matter, the following cases were used as guidelines.

#### Count 1

- *In the Matter of Mike Briggs, Briggs for Assembly, and Sharon Nisbett*, FPPC No. 05/771. (The Commission approved a default decision on December 10, 2009). The respondent, among other violations, failed to file a statement of intention prior to receipt of any contribution or loan. The Commission imposed a penalty of \$2,000 for this violation.

#### Count 2

- *In the Matter of Maxine Sherard, Sherard for Assembly 2006, and Sherard for Assembly 2008*, FPPC No. 10/026. (The Commission approved a default decision on October 13, 2011.) The respondents, among other violations, failed to timely amend a statement of organization. The Commission imposed a penalty of \$2,500 per count.

#### Counts 3-4

- *In the Matter of Ralph Denney and Vote Ralph Denney 2012 Committee to Elect Ralph Denney to the Assembly – 78th District*, FPPC No. 15/156. (The Commission approved a default decision on April 20, 2017.) The respondents, among other violations, failed to timely file two preelection campaign statements. The respondents filed the required statements in electronic format, albeit late and well after the election. The Commission imposed a penalty of \$4,000 per count. Payne and the Committee also failed to timely file two preelection campaign statements; however, they provided some disclosure before the relevant election.

### Counts 5-6

- *In the Matter of Gloria Olmos, Re-Elect Gloria Olmos for School Board 2013, and Committee to Elect Gloria Olmos for South El Monte City Council Member 2015*, FPPC No. 14/1263. (The Commission approved a default decision on April 19, 2018.) The respondents, among other violations, failed to file two semi-annual campaign statements. Like Olmos, Payne was a successful candidate and failed to file the required statements despite being contacted multiple times regarding this matter. The Commission imposed a penalty of \$4,000 per count.

### Counts 7-10

- *In the Matter of Angel Santiago, Friends of Angel Santiago for Inland Empire Utilities Agency Director Division 4, and Valerie Santiago*, FPPC No. 13/547. (The Commission approved a default decision on December 17, 2015.) The respondents, among other violations, failed to timely file four 24-hour contribution reports for contributions in the amount of \$1,500; \$5,000; \$1,000; and \$3,000. The Commission imposed a penalty of \$4,000 per count, \$16,000 in total for this violation. Like Santiago, Payne was a successful candidate and had a reason to be aware of his filing obligations. However, Santiago failed to provide any disclosure before the election while Payne disclosed three out of four late contributions received on his campaign statement filed before the election. And the total amount of the late contributions is lower, at \$6,300.

### Counts 11-12

- *In the Matter of Violeta Alvarez, Re-Elect Violeta Alvarez for Bell City Council 2015, and Mario Estrada*, FPPC No. 15/150. (The Commission approved a default decision on October 18, 2018.) The respondents, among other violations, received cash contributions in the amount of more than \$700 and made cash expenditures in the amount of more than \$3,820. Alvarez, similarly to Payne, stated she was unaware that accepting cash contributions of \$100 or more and making cash expenditures of \$100 or more was prohibited. Alvarez did not recall the source of the contributions and what cash withdrawals were spent on. The Commission imposed a penalty of \$1,500 for this violation. Here, Payne received a cash contribution totaling \$3,000, and spent cash totaling \$650, and these violations are not combined because Payne was a successful incumbent candidate.

### Count 13

- *In the Matter of Gloria Olmos, Re-Elect Gloria Olmos for School Board 2013, and Committee to Elect Gloria Olmos for South El Monte City Council Member 2015*, FPPC No. 14/1263. (The Commission approved a default decision on April 19, 2018.) The respondents, among other violations, failed to timely and accurately disclose \$5,340 in expenditures made on a pre-election campaign statement and \$4,918 in expenditures made and \$1,700 in accrued expenses on a semi-annual campaign statement. Olmos reported the

activity on the Summary Page but failed to include the required Schedules. The Commission imposed a penalty of \$4,000 per count, \$8,000 in total for this violation. Payne included the required Schedules but failed to report occupation and/or employer information for several contributors and street address and city for several payees. Also, the amount of contributions and expenditures in question (\$8,035.28) is lower than the one in Olmos case (\$11,958.00)

#### Count 14

- *In the Matter of Violeta Alvarez, Re-Elect Violeta Alvarez for Bell City Council 2015, and Mario Estrada*, FPPC No. 15/150. (The Commission approved a default decision on October 18, 2018.) The respondents, among other violations, failed to maintain supporting records for contributions received and expenditures made. In response to the Enforcement Division's subpoena, the Committee produced no records; therefore, the full nature and extent of the campaign activity could not be verified. The Commission imposed a penalty of \$1,000 for this violation. Payne failed to provide supporting records for expenditures related to campaign transportation.

#### Count 15

- *In the Matter of John Lindner and Franklin-McKinley for Our Kids—Yes on Measure J 2010*, FPPC No. 16/286. (The Commission approved a stipulation on October 19, 2017.) The respondent used campaign funds in the amount of \$9,301.43 for his personal use and did not pay back the Committee. The respondents also failed to disclose these expenditures on the Committee's campaign statements. Lindner engaged in false campaign reporting to purposely and fraudulently conceal his violations. The Commission imposed a penalty of \$5,000 per count, \$15,000 in total for this violation. Payne spent \$471.50 to purchase campaign, business, or casual clothing, but disclosed the expenditure on the campaign statement.

#### Counts 16-21

- *In the Matter of Lola Skelton*, FPPC No. 16/19779. (The Commission approved a default decision on February 15, 2018.) The respondent failed to timely file two SEIs despite being contacted several times regarding this matter. The Commission imposed a penalty of \$5,000 per count, \$10,000 in total for this violation. Like Skelton, Payne is aware of his obligation to file and remains in office. Payne failed to file four SEIs and failed to disclose his economic interests on two SEIs which were filed late.

///

## PROPOSED PENALTY

After considering the factors of Regulation 18361.5 and the penalties imposed in prior cases, the following penalties are proposed:

Counts	Violations: Payne Only	Proposed Penalty per Count
1	Failure to Timely File a Statement of Intention	\$2,000
15	Prohibited Personal Use of Committee Funds	\$5,000
16-21	SEI Non-Disclosure	\$5,000
	<b>Total:</b>	<b>\$37,000</b>

Counts	Violations: Payne and the Committee	Proposed Penalty per Count
2	Failure to Timely Amend a Statement of Organization	\$2,000
3-4	Failure to Timely File Pre-election Campaign Statements	\$3,000
5-6	Failure to Timely File Semi-Annual Campaign Statements	\$3,000
7-10	Failure to Timely File 24-Hour Contribution Reports	\$2,500
11	Prohibited Cash Contributions	\$1,500
12	Prohibited Cash Expenditures	\$1,500
13	Inaccurate Disclosure on Campaign Statements	\$1,000
14	Failure to Maintain Campaign Records	\$1,000
	<b>Total:</b>	<b>\$29,000</b>



**DECLARATION OF CUSTODIAN OF RECORDS  
CALIFORNIA FAIR POLITICAL PRACTICES COMMISSION  
Enforcement Division**

**CERTIFICATION OF RECORDS**

The undersigned declares and certifies as follows:

1. I am employed as an Associate Governmental Program Analyst by the California Fair Political Practices Commission (Commission). My business address is: California Fair Political Practices Commission, 1102 Q St, Ste 3000, Sacramento, CA 95811.
2. I am a duly authorized custodian of the records maintained by the Commission in the Enforcement Division. As such, I am authorized to certify copies of those records as being true and correct copies of the original business records which are in the custody of the Commission.
3. I have reviewed documents maintained in *FPPC Case No. 16/19917; Eric Payne and Eric Payne for SCCCD 2016 Trustee Area 2*, and have caused copies to be made of documents contained therein. I certify that the copies attached hereto are true and correct copies of the documents prepared in the normal course of business and which are contained in files maintained by the Commission. The attached documents are as follows:

EXHIBIT A-1: Report in Support of a Finding of Probable Cause, dated March 22, 2018

EXHIBIT A-2: Proof of Service for the Report in Support of a Finding of Probable Cause and applicable statutes and regulations, dated March 22, 2018, and accompanying certified mail receipts and USPS tracking

EXHIBIT A-3: Cover letter to the Respondents regarding the Report in Support of a Finding of Probable Cause, dated March 22, 2018, memorandum describing Probable Cause Proceedings, and applicable statutes and regulations

EXHIBIT A-4: Ex Parte Request for a Finding of Probable Cause and an Order that an Accusation Be Prepared and Served, dated June 27, 2018

EXHIBIT A-5: Finding of Probable Cause and Order to Prepare and Serve an Accusation, dated July 11, 2018

- EXHIBIT A-6: Accusation, dated January 15, 2019
- EXHIBIT A-7: Proof of Service on January 22, 2019, for Accusation and accompanying documents from process server, dated January 23, 2019
- EXHIBIT A-8: Statement to Respondents, Notices of Defense, applicable statutes, and Proof of Service for Accusation and accompanying documents, dated January 16, 2019
- EXHIBIT A-9: November 6, 2012 General Election Results
- EXHIBIT A-10: November 6, 2018 General Election Results
- EXHIBIT A-11: Initial statement of organization, filed on September 24, 2012
- EXHIBIT A-12: Candidate intention statement, filed on August 5, 2016
- EXHIBIT A-13: Cashier's check in the amount of \$3,000, dated August 2, 2016
- EXHIBIT A-14: Amended statement of organization, filed on December 1, 2016
- EXHIBIT A-15: Filing Schedule for Candidates and Controlled Committees for Local Office Being Voted on November 8, 2016
- EXHIBIT A-16: Letter from the Fresno County Clerk, dated December 27, 2016
- EXHIBIT A-17: Campaign statement for an unidentified reporting period, filed on November 4, 2016
- EXHIBIT A-18: Pre-election campaign statements for the reporting periods of July 1, 2016 through September 24, 2016, and September 25, 2016 through October 22, 2016, filed on December 21, 2016
- EXHIBIT A-19: Letters from the Fresno County Clerk, dated February 13, 2017; August 8, 2017; August 21, 2017; and February 15, 2018
- EXHIBIT A-20: 24-hour contribution reports for contributions received on September 26, 2016; October 10, 2016; October 14, 2016; and October 28, 2016, filed on November 30, 2016
- EXHIBIT A-21: Bank Statement for the period of August 5, 2016 through August 22, 2016
- EXHIBIT A-22: Investigation Report – Interview Summary, dated December 11, 2017
- EXHIBIT A-23: Bank Statements for the periods of August 5, 2016 through March 22, 2017

- EXHIBIT A-24: Checks deposited into the campaign bank account, deposit slips, and a declaration from Wells Fargo Bank, dated September 20, 2017
- EXHIBIT A-25: Checks written from the campaign bank account
- EXHIBIT A-26: Letters from the Committee's previous treasurer, dated January 30, 2017, and July 17, 2017
- EXHIBIT A-27: Campaign Expenditure Voucher, Nordstrom Rack Receipt, dated September 24, 2016, and an email from Payne, dated November 30, 2016
- EXHIBIT A-28: Email from the State Center Community College District to Marshall Miller, Enforcement Division Special Investigator, dated December 8, 2017
- EXHIBIT A-29: State Center Community College District Conflict of Interest Code, dated August 18, 2008
- EXHIBIT A-30: Candidate Statement of Economic Interests, filed on August 12, 2016, and Annual Statement of Economic Interests for 2016, filed on October 27, 2017
- EXHIBIT A-31: Email from Payne to Marshall Miller, Enforcement Division Special Investigator, dated December 18, 2017
- EXHIBIT A-32: Toure Associates Website, dated December 11, 2017
- EXHIBIT A-33: Map showing the State Center Community College District's boundaries, dated December 6, 2011
- EXHIBIT A-34: Annual Statements of Economic Interests for 2012 – 2015 and an amended 2016 Candidate Statement of Economic Interests, filed on May 24, 2019
- EXHIBIT A-35: Annual Statement of Economic Interests for 2017, filed on April 2, 2018
- EXHIBIT A-36: Annual Statement of Economic Interests for 2018, filed on May 2, 2019
- EXHIBIT A-37: Notice of Default Decision and Order, dated May 1, 2019
- EXHIBIT A-38: Notice of Intent to Enter Default Decision and Order, dated May 28, 2019

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on May 28, 2019, at Sacramento, California.

  
Dominika Wojenska  
Associate Governmental Program Analyst  
Enforcement Division  
Fair Political Practices Commission

**Exhibit A-1**

1 GALENA WEST  
Chief of Enforcement  
2 ANGELA J. BRERETON  
Senior Commission Counsel  
3 **FAIR POLITICAL PRACTICES COMMISSION**  
1102 Q Street, Suite 3000  
4 Sacramento, CA 95811  
Telephone: (916) 322-5771  
5 Email: [abrereton@fppc.ca.gov](mailto:abrereton@fppc.ca.gov)

6 Attorneys for Complainant  
Enforcement Division of the Fair Political Practices Commission  
7

8 **BEFORE THE FAIR POLITICAL PRACTICES COMMISSION**

9 **STATE OF CALIFORNIA**

10  
11 In the Matter of ) FPPC No. 16/19917  
12 )  
13 ) **REPORT IN SUPPORT OF A FINDING OF**  
ERIC PAYNE and ERIC PAYNE FOR ) **PROBABLE CAUSE**  
14 )  
SCCCD 2016 TRUSTEE AREA 2, ) Conference Date: TBA  
15 ) Conference Time: TBA  
16 ) Conference Location: Commission Offices  
Respondents. ) 1102 Q Street, Suite 3000  
Sacramento, CA 95811  
17 )

18 **INTRODUCTION**

19 Respondent Eric Payne has been a member of the Board of Trustees for the State Center  
20 Community College District ("SCCCD") since his election in 2012. He was re-elected in the November  
21 8, 2016 General Election. Respondent Eric Payne for SCCCD 2016 Trustee Area 2 ("Committee") was  
22 Payne's candidate-controlled recipient committee for both his 2012 election campaign and for his 2016  
23 re-election campaign. Payne served as treasurer for the Committee during his 2016 campaign.

24 The Political Reform Act ("Act")<sup>1</sup> requires candidates and committees to timely file and amend

25  
26 <sup>1</sup> The Political Reform Act is contained in Government Code Sections 81000 through 91014, and all statutory  
27 references are to this code. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through  
18997 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

1 campaign statements and reports, including statements of intention and statements of organization. The  
2 Act prohibits candidates and committees from accepting cash contributions and making cash  
3 expenditures of \$100 or more. The Act also requires candidates and committees to disclose all  
4 contributions received and expenditures made during the period covered by the campaign statement and  
5 to maintain campaign records regarding all campaign contributions and expenditures. Payne and the  
6 Committee violated these provisions of the Act.

7 The Act prohibits candidates from making personal expenditures with the committees' funds and  
8 requires public officials to annually file statements of economic interests ("SEIs") disclosing required  
9 economic interests. Payne violated these provisions of the Act.

## 10 SUMMARY OF THE LAW

11 All legal references and discussions of law pertain to the Act's provisions as they existed at the  
12 time of the stated violations.

### 13 Jurisdiction

14 The Fair Political Practices Commission (the "Commission") has administrative jurisdiction to  
15 enforce the provisions of the Act.<sup>2</sup>

### 16 Probable Cause Proceedings

17 Prior to the Enforcement Division commencing an administrative action, the General Counsel of  
18 the Commission or his designee (the "hearing officer"), must make a finding that there is probable cause  
19 to believe the respondent has violated the Act.<sup>3</sup> After a finding of probable cause, the Commission may  
20 hold a noticed hearing in accordance with the Administrative Procedure Act<sup>4</sup> to determine whether  
21 violations occurred, and levy an administrative penalty of up to \$5,000 for each violation.<sup>5</sup>

### 22 Standard for Finding Probable Cause

23 To make a finding of probable cause, the hearing officer must be presented with sufficient  
24

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25 <sup>2</sup> Section 83116.

26 <sup>3</sup> Section 83115.5 and Regulations 18361 and 18361.4.

27 <sup>4</sup> Section 11500, et seq.

28 <sup>5</sup> Section 83116 and Regulation 18361.4, subd. (e).

1 evidence to lead a person of ordinary caution and prudence to believe, or entertain a strong suspicion,  
2 that a respondent committed or caused a violation.<sup>6</sup>

3 Need for Liberal Construction and Vigorous Enforcement of the Political Reform Act

4 When enacting the Political Reform Act, the people of the state of California found and declared  
5 previous laws regulating political practices suffered from inadequate enforcement by state and local  
6 authorities.<sup>7</sup> To that end, the Act must be liberally construed to achieve its purposes.<sup>8</sup>

7 There are many purposes of the Act. One purpose is to ensure that receipts and expenditures in  
8 election campaigns are fully and truthfully disclosed so that voters are fully informed and improper  
9 practices are inhibited.<sup>9</sup> Another purpose is to ensure that the assets and income of public officials, which  
10 may be materially affected by their official actions, be disclosed, so that conflicts of interest may be  
11 avoided.<sup>10</sup> Another is to provide adequate enforcement mechanisms so that the Act will be “vigorously  
12 enforced.”<sup>11</sup>

13 Duty to File Statement of Intention

14 Prior to the solicitation or receipt of any contribution or loan, an individual who intends to be a  
15 candidate for an elective office must file an original statement of intention to be a candidate for a specific  
16 office, signed under penalty of perjury.<sup>12</sup>

17 Definition of Controlled Committee

18 A candidate includes, in relevant part, an individual who is listed on the ballot for election to any  
19 elective office.<sup>13</sup> A “committee” includes any person or combination of persons who receives  
20 contributions totaling \$2,000 or more in a calendar year,<sup>14</sup> commonly known as a “recipient committee.”  
21 A recipient committee which is controlled directly or indirectly by a candidate, or which acts jointly with

22  
23 <sup>6</sup> Section 18361.4, subd. (e).

<sup>7</sup> Section 81001, subd. (h).

<sup>8</sup> Section 81003.

<sup>9</sup> Section 81002, subd. (a).

<sup>10</sup> Section 81002, subd. (c).

<sup>11</sup> Section 81002, subd. (f).

<sup>12</sup> Section 85200.

<sup>13</sup> Section 82007.

<sup>14</sup> Section 82013, subd. (a).

1 a candidate in connection with the making of expenditures, is a "controlled committee."<sup>15</sup> A candidate  
2 controls a committee if he or she, his or her agent, or any other committee he or she controls has a  
3 significant influence on the actions or decisions of the committee.<sup>16</sup> A committee may be controlled by  
4 one or more candidates.<sup>17</sup>

#### 5 Duty to File Statement of Organization

6 Every committee must file a statement of organization within ten days after it qualifies as a  
7 committee.<sup>18</sup> So a recipient committee was required to file a statement of organization within ten days  
8 after its total amount of contributions received reached \$2,000 more.<sup>19</sup> The committee must file the  
9 original of the statement of organization with the Secretary of State ("SOS") and a copy with the local  
10 filing officer.<sup>20</sup>

11 Whenever there is a change in any of the information contained in a statement of organization, an  
12 amendment shall be filed within ten days to reflect the change.<sup>21</sup> The committee must file the original of  
13 the amendment with the SOS and a copy with the local filing officer.<sup>22</sup>

#### 14 Redesignation of Controlled Committee

15 A controlled committee established for a specific local office may be redesignated for a future  
16 local election if:

- 17 1) The future election is for the same elective office;
- 18 2) The committee funds are not considered "surplus campaign funds" as defined in  
Government Code Section 89519.
- 19 3) The candidate amends the statement of organization for the committee to reflect the  
redesignation for the future election;
- 20 4) The candidate files a new statement of intention to be a candidate for the specific future  
election, signed under penalty of perjury; and
- 21 5) Redesignation of the committee is not otherwise prohibited by law.<sup>23</sup>

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22 <sup>15</sup> Section 82016, subd. (a).

23 <sup>16</sup> Section 82016, subd. (a).

24 <sup>17</sup> Section 84102, subd. (e); Regulations 18402 subd. (c), and 18430.

25 <sup>18</sup> Section 84101, subd. (a).

26 <sup>19</sup> Section 82013, subd. (a).

27 <sup>20</sup> Sections 84101, subd. (a); and 84215.

28 <sup>21</sup> Section 84103, subd. (a).

<sup>22</sup> Sections 84103, subd. (a); and 84215.

<sup>23</sup> Regulation 18521, subd. (b).

1 No Fresno County rule prohibits such redesignation.<sup>24</sup>

2 Duty to File Campaign Statements

3 The Act requires candidates and their controlled committees to file campaign statements at  
4 specific times disclosing information regarding contributions received and expenditures made by the  
5 campaign committees.<sup>25</sup>

6 Duty to File Preelection Campaign Statements

7 A controlled committee must file two preelection campaign statements before the election in  
8 which the candidate is listed on the ballot.<sup>26</sup> For the November 8, 2016 General Election, a candidate-  
9 controlled committee was required to file preelection campaign statements for the period ending  
10 September 24, no later than September 29, 2016, and for the period ending October 22, no later than  
11 October 27, 2016.<sup>27</sup>

12 Duty to File Semi-Annual Campaign Statements

13 A controlled committee must file two semi-annual campaign statements each year no later than  
14 July 31 for the period ending June 30 and no later than January 31 for the period ending December 31.<sup>28</sup>  
15 When the deadline falls on a Saturday, Sunday, or official state holiday, the filing deadline for such a  
16 statement is extended to the next regular business day.<sup>29</sup> All filing obligations continue until the recipient  
17 committee is terminated by filing a statement of termination with the SOS and a copy with the local filing  
18 officer receiving the committee's original campaign statements.<sup>30</sup>

19 Duty to File 24-Hour Contribution Reports

20 Each candidate or committee that makes or receives a late contribution must file a report within  
21 24 hours of making or receiving the contribution.<sup>31</sup> When the deadline falls on a Saturday, Sunday, or  
22

23 <sup>24</sup> See Fresno County Election Campaign Contributions Ordinance, Ord. 0-81-010, § 1; Ord. 557-A-1, § 2 (part), 1976.

24 <sup>25</sup> See Section 84200, et seq.

25 <sup>26</sup> Section 84200.5, subd. (a).

26 <sup>27</sup> Section 84200.8.

27 <sup>28</sup> Section 84200, subd. (a).

28 <sup>29</sup> Regulation 18116.

29 <sup>30</sup> Section 84214; Regulation 18404.

30 <sup>31</sup> Section 84203.

1 official state holiday, the filing deadline for such a report is extended to the next regular business day.<sup>32</sup>

2 A “late contribution” includes a contribution aggregating \$1,000 or more that is made or received by a  
3 candidate or his or her controlled committee during the 90-day period preceding an election or on the  
4 date of the election.<sup>33</sup> The 90-day period for the November 8, 2016 General Election was August 10  
5 through November 7, 2016.

6 Prohibited Cash Contributions of \$100 or More

7 No contribution of \$100 or more may be made or received in cash.<sup>34</sup> All contributions of \$100 or  
8 more must be made in the form of a written instrument containing the name of the contributor and the  
9 name of the payee, and drawn from the account of the contributor.<sup>35</sup>

10 Prohibited Cash Expenditures of \$100 or More

11 The Act prohibits making an expenditure of \$100 or more in cash.<sup>36</sup> The Act defines  
12 “expenditure” as a payment, forgiveness of a loan, payment of a loan by a third party, or an enforceable  
13 promise to make a payment, unless it is clear from the surrounding circumstances that it is not made for  
14 political purposes.<sup>37</sup>

15 Required Reporting of Campaign Contributions

16 A contribution is a payment made for political purposes.<sup>38</sup> Candidates and committees must  
17 provide information regarding the amounts and sources of campaign contributions on campaign  
18 statements. Specifically, the Act requires candidates and committees to disclose the total amount of  
19 contributions received during the period covered by the statement.<sup>39</sup> Candidates and committees must  
20 disclose the total amount of contributions received from persons who have given \$100 or more during  
21 the period covered by the statement.<sup>40</sup> For contributors of \$100 or more, candidates and committees must

22 \_\_\_\_\_  
<sup>32</sup> Regulation 18116.

23 <sup>33</sup> Section 82036.

24 <sup>34</sup> Section 84300, subd. (a).

25 <sup>35</sup> Section 84300, subd. (c).

26 <sup>36</sup> Section 84300, subd. (b).

27 <sup>37</sup> Section 82025.

28 <sup>38</sup> Section 82015.

<sup>39</sup> Section 84211, subd. (a).

<sup>40</sup> Section 84211, subd. (c).

1 disclose the following: (1) the contributor's full name; (2) the contributor's street address; (3) the  
2 contributor's occupation; (4) the name of the contributor's employer, or if self-employed, the name of  
3 the contributor's business; (5) the date and amount of each contribution received from the contributor  
4 during the reporting period; and (6) the cumulative amount of contributions received from the  
5 contributor.<sup>41</sup>

#### 6 Required Reporting of Campaign Expenditures

7 An expenditure is any payment, unless it is clear from the surrounding circumstances that it is not  
8 made for political purposes.<sup>42</sup> Candidates and committees must disclose the total amount of expenditures  
9 made during the period covered by the statement.<sup>43</sup> Candidates and committees must also disclose the  
10 total amount of expenditures made to persons who have received \$100 or more, and separately, the total  
11 amount of expenditures made to persons who have received less than \$100, during the period covered by  
12 the statement.<sup>44</sup> For expenditures of \$100 or more, candidates and committees must disclose the  
13 following: (1) the recipient's full name; (2) the recipient's street address; (3) the amount of each  
14 expenditure; (4) the description of the consideration for which each expenditure was made.<sup>45</sup>

#### 15 Duty to Maintain Campaign Records

16 To ensure accurate campaign reporting, the Act imposes a mandatory duty on each candidate,  
17 treasurer, and elected officer to maintain detailed accounts, records, bills, and receipts necessary to  
18 prepare campaign statements, to establish that campaign statements were properly filed, and to comply  
19 with the campaign provisions.<sup>46</sup> This requirement includes a duty to maintain detailed information and  
20 original source documentation for all contributions and expenditures.<sup>47</sup>

21  
22 ///

23 <sup>41</sup> Section 84211, subd. (f).

24 <sup>42</sup> Section 82025.

25 <sup>43</sup> Section 84211, subd. (b).

26 <sup>44</sup> Section 84211, subd. (i) and (j).

27 <sup>45</sup> Section 84211, subd (k).

28 <sup>46</sup> Section 84104.

<sup>47</sup> Regulation 18401.

1 Joint and Several Liability of Candidate, Committee, and Treasurer

2 Every committee must have a treasurer.<sup>48</sup> It is the duty of a committee's treasurer to ensure that  
3 the committee complies with all of the requirements of the Act concerning the receipt and expenditure of  
4 funds and the reporting of such funds.<sup>49</sup> A committee's treasurer may be held jointly and severally liable  
5 with the candidate and the committee for violations committed by the committee.<sup>50</sup>

6 Prohibited Personal Use of Campaign Funds

7 Campaign contributions are held in trust for expenses associated with the election of the  
8 candidate, or for expenses associated with holding office.<sup>51</sup> Candidates and elected officials cannot spend  
9 campaign funds on items that are not reasonably related to a political, legislative, or governmental  
10 purpose.<sup>52</sup> If an expenditure of campaign funds confers a personal benefit of \$200 or more on the  
11 candidate or official, the expenditure must be directly related to a political, legislative, or governmental  
12 purpose.<sup>53</sup> The Act prohibits the use of campaign funds to purchase campaign, business, or casual  
13 clothing.<sup>54</sup>

14 Duty to File Statements of Economic Interests and Disclose Economic Interests

15 In 2012 through 2016, the Act required public officials who manage public investments to  
16 annually file SEIs disclosing his or her reportable investments, interests in real property, and income.<sup>55</sup>  
17 The conflict of interest code for SCCCD specified that members of the Boards of Trustees were public  
18 officials who managed public investments.

19 The public official's SEIs must include all of the public official's reportable economic interests  
20 during each preceding calendar year.<sup>56</sup> The Act specified disclosure requirements for investments,  
21

22 \_\_\_\_\_  
23 <sup>48</sup> Section 84100.

24 <sup>49</sup> Section 84104 and Regulation 18427, subd. (a).

25 <sup>50</sup> Sections 83116.5 and 91006.

26 <sup>51</sup> Section 89510, subd. (b).

27 <sup>52</sup> Section 89512.

28 <sup>53</sup> Section 89512, subd. (a).

<sup>54</sup> Section 89513, subd. (d).

<sup>55</sup> Sections 87200 and 87203.

<sup>56</sup> Regulation 18723, subd. (a).

1 business positions, real property interests, and sources of income and gifts received by public officials.<sup>57</sup>

## 2 SUMMARY OF THE EVIDENCE

3 Payne has been a member of the SCCCD Board of Trustees since his election in 2012. He was  
4 re-elected in the November 8, 2016 General Election and has announced that he will run for re-election  
5 in 2020.

### 6 Statement of Intention and Statement of Organization

7 The Committee filed an initial statement of organization with the SOS on September 24, 2012,  
8 stating that it qualified as a recipient committee on August 23, 2012. Payne and the Committee received  
9 a \$3,000 contribution related to Payne's 2016 re-election campaign on or about August 2, 2016. Payne  
10 never filed a statement of intention to be a candidate for the 2016 election to the SCCCD Board of  
11 Trustees. And Payne and the Committee filed campaign statements related to Payne's 2016 re-election  
12 campaign, but failed to file an amended statement of organization with the SOS to redesignate the  
13 Committee for the 2016 election until December 1, 2016.

### 14 Preelection and Semi-Annual Campaign Statements

15 According to the Committee's campaign statements, Committee records, and bank records, the  
16 Committee received contributions totaling approximately \$12,719, including an unpaid \$1,000 loan  
17 received from Payne in 2012, and made expenditures totaling approximately \$14,306 related to the  
18 November 8, 2016 General Election.

19 In connection with the November 8, 2016 General Election, Payne and the Committee failed to  
20 timely file the following campaign statements:

21 Statement Type	Reporting Period	Date Due	Date Filed	Days Late	Contributions Received	% of Total	Expenditures Made	% of Total
22 Preelection	7/1/2016 – 9/24/2016	9/29/2016	12/21/2016	83	\$6,120	48%	\$3,365	23%
23 Preelection	9/25/2016 – 10/22/2016	10/27/2016	11/4/2016 <sup>58</sup>	8	\$2,435	19%	\$5,780	40%

25 <sup>57</sup> Sections 87206, 87207, and 87209.

26 <sup>58</sup> Payne and the Committee filed a campaign statement on November 4, 2016, for an unidentified reporting period  
27 disclosing activity occurring between August 14, 2016 and October 28, 2016.

Statement Type	Reporting Period	Date Due	Date Filed	Days Late	Contributions Received	% of Total	Expenditures Made	% of Total
Semi-Annual	10/23/2016 – 12/31/2016	1/31/2017	Not Filed	N/A	\$2,750	22%	\$4,801	34%
Semi-Annual	1/1/2017 – 6/30/2017	7/31/2017	Not Filed	N/A	\$1,414	11%	\$360	3%

Notably, the \$1,414 in contributions received during the January 1 through June 30, 2017 reporting period were all transfers from Payne’s personal bank account which appear to have been necessary to cover overdrafts on the Committee account.

24-Hour Contribution Reports

Payne and the Committee were required to file 24-hour contribution reports for all contributions received totaling \$1,000 or more in the 90-day period before the November 8, 2016 General Election. Payne and the Committee received four such contributions and failed to timely file 24-hour contribution reports as follows:

Date Made/Received	Amount	Contributor	Date 24-Hour Report Due	Dated Filed	Days Late
9/26/2016	\$1,300	Sheet Metal Workers International Association Local #104	9/27/2016	11/29/2016	63
10/10/2016	\$1,000	IUPAT	10/11/2016	11/29/2016	49
10/14/2016	\$2,000	Coast to Coast Petroleum, LLC	10/17/2016	Not Filed	485
10/28/2016	\$2,000	Coast to Coast Petroleum, LLC	10/31/2016	11/29/2016	31
<b>TOTAL</b>	<b>\$6,300</b>				

None of these reports were filed before the November 8, 2016 General Election. But the late contributions received September 26, October 10, and October 28 were disclosed four days before the election in the Committee’s late-filed preelection campaign statement. The total amount of these late contributions represents nearly 50% of the Committee’s total contributions received.

///

1 Prohibited Cash Contributions and Expenditures

2 The Committee received a contribution in the form of a cashier's check of \$100 or more as  
 3 follows:

Date	Contributor Name	Check No.	Amount	Type of Contribution
8/2/2016	Form 460 identifies "Sylvesta Hall" Handwritten notation on cashier's check states "Blue Ocean Development"	0019210516	\$3,000.00	Cashier's check

8 This represents nearly 24% of the Committee's total contributions received.

9 The Committee also paid an expenditure with a cashier's check of \$100 or more as follows:

Check Date	Withdrawal Date	Payee Name	Check No.	Amount	Type of Payment
8/5/2016	8/19/2016	Unknown	Unknown	\$605.00	Cashier's check

12 This represents approximately 4% of the Committee's total expenditures made.

13 During an interview with the Enforcement Division staff, Payne stated that he was unaware that  
 14 receiving contributions and making expenditures in cash or cashier's checks of \$100 or more was  
 15 prohibited, and he could not provide more detail about the contribution and expenditure.

16 Inaccurate Disclosure on Campaign Statements

17 Comparing the Committee's bank statements with the Committee's filed campaign statements,  
 18 Payne and the Committee inaccurately disclosed contributions and expenditures, as shown in the chart  
 19 below:

Statement Type	Reporting Period	Over/ Underreported Amount	Period Total	% of Total
Preelection	7/1/2016 – 9/24/2016	\$ (3,000.00)	\$6,120.00	-49% under
		\$ (1,881.04)	\$3,365.04	-56% under
Preelection	9/25/2016 – 10/22/2016	\$1,250.00	\$2,435.00	51% over
		\$ (1,719.50)	\$5,780.18	-30% under
Semi-annual	10/23/2016 – 12/31/2016	\$ (250.00)	\$2,750.00	-9% under
		\$ (3,901.36)	\$4,801.36	-81% under
Semi-annual	1/1/2017 – 6/30/2017	\$ (1,414.14)	No statement filed	
		\$ (360.00)		

1 For the period covering July 1 through September 24, 2016, the Committee's original preelection  
 2 campaign statement underreported contributions received by \$3,000.00 and payments made by  
 3 \$1,881.04. For the period covering September 25 through October 22, 2016, the Committee's original  
 4 preelection campaign statement over-reported contributions received by \$1,250.00 and underreported  
 5 payments made by \$1,719.50.

6 Payne and the Committee originally filed a campaign statement on November 4, 2016, for an  
 7 unidentified reporting period which only disclosed activity occurring between August 14, 2016 and  
 8 October 28, 2016, and the Committee never filed semi-annual campaign statements covering the required  
 9 reporting periods of October 23 through December 31, 2016, and January 1 through June 30, 2017,  
 10 thereby causing additional activity to go unreported. Specifically, for the reporting period of October 23  
 11 through December 31, 2016, the Committee underreported payments made by \$3,901.36 and  
 12 contributions received by \$250.00 since they only reported activity through October 28, 2016. And for  
 13 the January 1 through June 30, 2017 reporting period, 100% of the activity, or \$1,414.14 in contributions  
 14 and \$360.00 in payments, went unreported.

15 Additionally, the evidence shows that Payne and the Committee failed to report the occupation  
 16 and/or employer information for several contributors in their original campaign statements as follows:

Reporting Period	Contributor	Amount	Missing Information
7/1/2016 – 9/24/2016	Sheena Harris	\$150.00	Employer
7/1/2016 – 9/24/2016	Karla Kirk	\$100.00	Employer
7/1/2016 – 9/24/2016	IUPAT Political Action Committee	\$1,000.00	Committee ID No.
9/25/2016 – 10/22/2016	Christopher Townsend	\$500.00	Employer
9/25/2016 – 10/22/2016	Miguel Arias	\$150.00	Employer
9/25/2016 – 10/22/2016	Patricia Brown	\$1,000.00	Employer

25 ///

1 The evidence also shows that Payne and the Committee failed to disclose complete information  
2 for several expenditures in their original campaign statements as follows:

3 Reporting Period	Description	Amount	Missing Information
4 7/1/2016 – 9/24/2016	Sherry Moud/DC Costoms – T-Shirts and Bags	\$144.60	Street Address and City
5 9/25/2016 – 10/22/2016	Downtown Business – Storage/Mailing	\$450.00	Street Address and City
6 9/25/2016 – 10/22/2016	Enterprise Rent Fresno – Lit. Drop (Driver)	\$202.79	Street Address and City
7 9/25/2016 – 10/22/2016	Cops Voter Guide – Media	\$1,725.00	Street Address and City
8 9/25/2016 – 10/22/2016	Truth Branding – Media	\$1,712.89	Street Address and City
9 9/25/2016 – 10/22/2016	KSEE/KGPE – Media	\$900.00	Street Address and City

#### 10 Recordkeeping

11 The evidence shows that Payne and the Committee failed to maintain all campaign records. Payne  
12 admitted in an interview with the Enforcement Division staff that he did not maintain records for any  
13 expenditures made to Lyft for campaign related transportation. Additionally, Payne and the Committee  
14 hired Don Milligan as treasurer for the Committee on December 5, 2016. But Payne never provided  
15 Milligan and his employee DeeDee Garrelts with sufficient information to complete the campaign  
16 statements covering the reporting periods of October 23 through December 31, 2016, or January 1  
17 through June 30, 2017.

#### 18 Prohibited Personal Use of Campaign Funds

19 According to bank records and available Committee records, on September 24, 2016, Payne used  
20 the Committee’s funds to purchase several items of clothing from Nordstrom Rack: a pair of “casual twill  
21 chino” pants, a “sapphire solid” shirt, a “trim straight” shirt, and a “silver spun solid” shirt, among other  
22 items, for a total cost of \$471.50. Payne stated that the clothing items purchased were intended for his  
23 use at campaign events – barbeques, coffee meetings, evening events, and breakfasts – because he did  
24 not want to wear tennis shoes and shorts to these events.

26 ///

1 SEI Non-Disclosure

2 Payne failed to timely file several SEIs and failed to disclose reportable income as follows:

3

Type of Statement	Date Due	Date Filed	Days Late	Reported Interests	Reportable Interests
2012 Annual	4/2/2013	Not filed	N/A	N/A	Housing Authority Foundation – Director of Building Neighborhood Capacity
2013 Annual	4/1/2014	Not filed	N/A	N/A	Toure Associates – Managing Partner
2014 Annual	4/1/2015	Not filed	N/A	N/A	Toure Associates – Managing Partner
2015 Annual	4/1/2016	Not filed	N/A	N/A	Toure Associates – Managing Partner
2016 Candidate	8/4/2016	8/12/2016	8	None	Toure Associates – Managing Partner
2016 Annual	4/3/2017	10/27/2017	207	None	Toure Associates – Managing Partner

4  
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9

10  
11 **VIOLATIONS**

12 Count 1: Failure to Timely File a Statement of Intention (Payne only)

13 Payne failed to timely file a statement of intention prior to the solicitation or receipt of any  
14 contribution or loan in connection with the 2016 re-election campaign, violating Government Code  
15 Section 85200.

16 Count 2: Failure to Timely Amend a Statement of Organization

17 Payne and the Committee failed to timely file an amended statement of organization to  
18 redesignate the Committee for the 2016 re-election campaign, due on or about August 12, 2016, violating  
19 Government Code Section 84103.

20 Count 3: Failure to Timely File a Preelection Campaign Statement

21 Payne and the Committee failed to timely file a preelection campaign statement for the reporting  
22 period of July 1, 2016 through September 24, 2016, due on September 29, 2016, violating Government  
23 Code Section 84200.5 and 84200.8.

24  
25  
26 ///

1 Count 4: Failure to Timely File a Preelection Campaign Statement

2 Payne and the Committee failed to timely file a preelection campaign statement for the reporting  
3 period of September 25, 2016 through October 22, 2016, due on October 27, 2016, violating Government  
4 Code Section 84200.5 and 84200.8.

5 Count 5: Failure to Timely File a Semi-Annual Campaign Statement

6 Payne and the Committee failed to timely file a semi-annual campaign statement for the reporting  
7 period of October 23, 2016 through December 31, 2016, due on January 31, 2017, violating Government  
8 Code Section 84200.

9 Count 6: Failure to Timely File a Semi-Annual Campaign Statement

10 Payne and the Committee failed to timely file a semi-annual campaign statement for the reporting  
11 period of January 1, 2017 through June 30, 2017, due on July 31, 2017, violating Government Code  
12 Section 84200.

13 Count 7: Failure to Timely File a 24-Hour Contribution Report

14 Payne and the Committee failed to timely file a 24-hour contribution report for a \$1,300  
15 contribution received on September 26, 2016, due on September 27, 2016, violating Government Code  
16 Section 84203, subdivision (a).

17 Count 8: Failure to Timely File a 24-Hour Contribution Report

18 Payne and the Committee failed to timely file a 24-hour contribution report for a \$1,000  
19 contribution received on October 10, 2016, due on October 11, 2016, violating Government Code Section  
20 84203, subdivision (a).

21 Count 9: Failure to Timely File a 24-Hour Contribution Report

22 Payne and the Committee failed to timely file a 24-hour contribution report for a \$2,000  
23 contribution received on October 14, 2016, due on October 17, 2016, violating Government Code Section  
24 84203, subdivision (a).

25  
26 ///

1 Count 10: Failure to Timely File a 24-Hour Contribution Report

2 Payne and the Committee failed to timely file a 24-hour contribution report for a \$2,000  
3 contribution received on October 28, 2016, due on October 31, 2016, violating Government Code Section  
4 84203, subdivision (a).

5 Count 11: Prohibited Cash Contributions

6 In or about August 2016, Payne and the Committee received cash contributions of \$100 or more  
7 totaling approximately \$3,000, violating Government Code Section 84300, subdivision (a).

8 Count 12: Prohibited Cash Expenditures

9 In or about August 2016, Payne and the Committee made cash expenditures of \$100 or more,  
10 totaling approximately \$605, violating Government Code Section 84300, subdivision (b).

11 Count 13: Inaccurate Disclosure on Campaign Statements

12 Payne and the Committee failed to accurately report all contributions and expenditures, and failed  
13 to disclose all required contributor and payee information, on the Committee's campaign statements for  
14 the reporting periods of July 1 through September 24, 2016, and September 25 through October 22, 2016,  
15 violating Government Code Section 84211, subdivisions (a), (b), (c), (d), (f), (i), (j), and (k).

16 Count 14: Failure to Maintain Campaign Records

17 Payne and the Committee failed to maintain supporting records for contributions received and  
18 expenditures made, violating Government Code Section 84104.

19 Count 15: Prohibited Personal Use of Committee Funds (Payne only)

20 On or about September 24, 2016, Payne spent campaign funds to purchase campaign, business,  
21 or casual clothing totaling \$471.50, violating Government Code Section 89513, subdivision (d).

22 Count 16: SEI Non-Disclosure (Payne only)

23 Payne failed to timely file his 2012 Annual SEI, due on April 2, 2013, and failed to timely disclose  
24 required economic interests in sources of income and business positions, violating Government Code  
25 Sections 87200, 87207, and 87209.

1 Count 17: SEI Non-Disclosure (Payne only)

2 Payne failed to timely file his 2013 Annual SEI, due on April 1, 2014, and failed to timely disclose  
3 required economic interests in sources of income and business positions, violating Government Code  
4 Sections 87200, 87207, and 87209.

5 Count 18: SEI Non-Disclosure (Payne only)

6 Payne failed to timely file his 2014 Annual SEI, due on April 1, 2015, and failed to timely disclose  
7 required economic interests in sources of income and business positions, violating Government Code  
8 Sections 87200, 87207, and 87209.

9 Count 19: SEI Non-Disclosure (Payne only)

10 Payne failed to timely file his 2015 Annual SEI, due on April 1, 2016, and failed to timely disclose  
11 required economic interests in sources of income and business positions, violating Government Code  
12 Sections 87200, 87207, and 87209.

13 Count 20: SEI Non-Disclosure (Payne only)

14 Payne failed to timely file his 2016 Candidate SEI, due on August 4, 2016, and failed to timely  
15 disclose required economic interests in sources of income and business positions, violating Government  
16 Code Sections 87200, 87207, and 87209.

17 Count 21: SEI Non-Disclosure (Payne only)

18 Payne failed to timely file his 2016 Annual SEI, due on April 3, 2017, and failed to timely disclose  
19 required economic interests in sources of income and business positions, violating Government Code  
20 Sections 87200, 87207, and 87209.

21 **EXCULPATORY OR MITIGATING INFORMATION**

22 The Committee has no prior record of violations of the Act for campaign finance or statements of  
23 economic interests violations. Payne contends that he did not know the rules regarding cash contributions,  
24 cash expenditures, and the proper uses of campaign funds.

25  
26 ///

1 **OTHER RELEVANT MATERIAL**

2 In this case, Payne and the Committee failed to timely file a statement of intention, an amended  
3 statement of organization, two preelection campaign statements, two semi-annual campaign statements,  
4 and four 24-hour contribution reports. Their failure to timely file these campaign statements resulted in  
5 a lack of complete and accurate information for the voting public regarding Payne's and the Committee's  
6 campaign activity. Only one of the preelection campaign statements was filed before the election, and  
7 the contributions received in the 24-hour period represent nearly 50% of the Committee's total  
8 contributions received. Additionally, the campaign statements that were filed contained inaccurate  
9 information.

10 Payne and the Committee also received prohibited cash contributions and made prohibited cash  
11 expenditures. While Payne and the Committee disclosed the identity of the cash contributor in the  
12 Committee's campaign statement, no information is available regarding the cash expenditure, and the  
13 recipient of the expenditure cannot be identified.

14 Personal use of campaign funds violates the trust of the contributors giving to that campaign, and  
15 purchasing clothing is a prohibited use of campaign funds. In this case, Payne purchased nearly \$500  
16 worth of clothing.

17 The public harm inherent in SEI reporting violations is that the public is deprived of important  
18 information about the assets and income of public officials. These types of violations make it harder to  
19 detect other violations, such as conflicts of interests. Payne failed to file four consecutive Annual SEIs  
20 and failed to disclose his economic interests in the two he did file.

21 Although the campaign was small, the full nature and extent of the campaign activity was not  
22 disclosed to the public before the date of the election. Payne had been a candidate before, and he was  
23 aware that the Act required disclosure of the Committee's campaign activity. And Payne failed to disclose  
24 his sources of income and business positions for the majority of the time he has held office. The violations  
25 in this matter, taken as a whole, resulted in incomplete disclosure before the election regarding Payne's  
26 and the Committee's campaign activity.

1 **CONCLUSION**

2 Probable cause exists to believe that Payne and the Committee violated the Act as described  
3 above. The Enforcement Division respectfully requests an order finding probable cause pursuant to  
4 Section 83115.5 and Regulation 18361.4.

5  
6 Dated: 3-22-2018

7  
8 Respectfully Submitted,

9 **FAIR POLITICAL PRACTICES COMMISSION**  
10 Galena West  
11 Enforcement Chief



12 By: Angela J. Brereton  
13 Senior Commission Counsel  
14 Enforcement Division

**Exhibit A-2**

**PROOF OF SERVICE**

At the time of service, I was over 18 years of age and not a party to this action. My business address is Fair Political Practices Commission, 1102 Q Street, Suite 3000, Sacramento, CA 95811. On March 22, 2018, I served the following document(s):

1. Letter dated March 22, 2018, from Angela J. Brereton;
2. FPPC No. 16/19917 Report in Support of a Finding of Probable Cause;
3. Probable Cause Fact Sheet
4. Selected Sections of the California Government Code regarding Probable Cause Proceedings for the Fair Political Practices Commission; and
5. Selected Regulations of the Fair Political Practices Commission regarding Probable Cause Proceedings

By Personal Delivery. I personally delivered the document(s) listed above to the person(s) at the address(es) as shown on the service list below.

By United States Postal Service. I enclosed the document(s) in a sealed envelope or package addressed to the person(s) at the addresses listed below and placed the envelope or package for collection and mailing by certified mail, return receipt requested, following my company's ordinary business practices. I am readily familiar with this business' practice for collection and processing correspondence for mailing with the United States Postal Service. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail in Sacramento County, California.

**SERVICE LIST**

Certified Mail, Return Receipt Requested

Eric Payne  
[REDACTED]

Fresno, CA [REDACTED]

Certified Mail, Return Receipt Requested

Eric Payne for SCCCDC 2016 Trustee Area 2  
1444 Fulton Street, Suite 121  
Fresno, CA 93721

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on March 22, 2018.

[REDACTED]  
\_\_\_\_\_  
Dominika Wojenska

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on **Eric Payne**

1. Article Number (Transfer from service label)  
 [Redacted]  
 Fresno, CA [Redacted]



9590 9402 3691 7335 8471 52

2. Article Number (Transfer from service label)  
**7015 0640 0001 8383 9063**

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
**X** [Redacted]  Agent  Addressee

B. Received by (Printed Name)  
 [Redacted] **Ney**

C. Date of Delivery  
 [Redacted]

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

[Redacted]

3. Service Type
- |  |   |
|--|---|
| <input type="checkbox"/> Adult Signature                               | <input type="checkbox"/> Priority Mail Express®                     |
| <input type="checkbox"/> Adult Signature Restricted Delivery           | <input type="checkbox"/> Registered Mail™                           |
| <input checked="" type="checkbox"/> Certified Mail®                    | <input type="checkbox"/> Registered Mail Restricted Delivery        |
| <input type="checkbox"/> Certified Mail Restricted Delivery            | <input checked="" type="checkbox"/> Return Receipt for Merchandise  |
| <input type="checkbox"/> Collect on Delivery                           | <input type="checkbox"/> Signature Confirmation™                    |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery       | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Insured Mail                                  |   |
| <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) |   |

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece. **Eric Payne for SCCCD 2016 Trustee Area 2**

1444 Fulton Street, Suite 121  
 Fresno, CA 93721



9590 9402 3691 7335 8471 45

2. Article Number (Transfer from service label)  
**7015 0640 0001 8383 9070**

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
**X** [Redacted]  Agent  Addressee

B. Received by (Printed Name)  
 [Redacted] **VIMAS**

C. Date of Delivery  
**9/2/15**

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type
- |  |   |
|--|---|
| <input type="checkbox"/> Adult Signature                               | <input type="checkbox"/> Priority Mail Express®                     |
| <input type="checkbox"/> Adult Signature Restricted Delivery           | <input type="checkbox"/> Registered Mail™                           |
| <input checked="" type="checkbox"/> Certified Mail®                    | <input type="checkbox"/> Registered Mail Restricted Delivery        |
| <input type="checkbox"/> Certified Mail Restricted Delivery            | <input checked="" type="checkbox"/> Return Receipt for Merchandise  |
| <input type="checkbox"/> Collect on Delivery                           | <input type="checkbox"/> Signature Confirmation™                    |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery       | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Insured Mail                                  |   |
| <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) |   |

## Track Another Package +

**Tracking Number:** 70150640000183839063

Remove X

Your item was delivered to an individual at the address at 12:03 pm on March 24, 2018 in FRESNO, CA 93706.

### **Delivered**

March 24, 2018 at 12:03 pm  
Delivered, Left with Individual  
FRESNO, CA 93706

**Get Updates** v

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**Text & Email Updates**



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**Tracking History**



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**Product Information**



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**See Less** ^

## Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

**FAQs** (<http://faq.usps.com/?articleId=220900>) **How can I help you?**

## Track Another Package +

**Tracking Number:** 70150640000183839070

Remove X

Your item was delivered to an individual at the address at 12:05 pm on March 26, 2018 in FRESNO, CA 93721.

### **Delivered**

March 26, 2018 at 12:05 pm  
Delivered, Left with Individual  
FRESNO, CA 93721

**Get Updates** v

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**Text & Email Updates**



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**Tracking History**



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**Product Information**



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**See Less** ^

## Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

**FAQs** (<http://faq.usps.com/?articleId=220900>)

**Exhibit A-3**



## FAIR POLITICAL PRACTICES COMMISSION

1102 Q Street • Suite 3000 • Sacramento, CA 95811

March 22, 2018

### **CERTIFIED MAIL, RETURN RECEIPT REQUESTED**

Eric Payne  
[REDACTED]  
Fresno, CA [REDACTED]  
[REDACTED]

Eric Payne for SCCCD 2016 Trustee Area 2  
1444 Fulton Street, Suite 121  
Fresno, CA 93721

### **In the Matter of ERIC PAYNE and ERIC PAYNE FOR SCCCD 2016 TRUSTEE AREA 2; FPPC No. 16/19917**

Dear Mr. Payne and Eric Payne for SCCCD 2016 Trustee Area 2:

The Enforcement Division of the Fair Political Practices Commission (the "Commission") is proceeding with an administrative action against you for your failure to comply with the filing and disclosure provisions of the Political Reform Act (the "Act"). The enclosed Report in Support of a Finding of Probable Cause (the "Report") contains a summary of the alleged violations and the relevant law and evidence.

You have the right to file a written response to the Report. That response may contain any information you think is relevant and that you wish to bring to the attention of the Hearing Officer. In your response, please indicate whether you would like the Hearing Officer to make a determination of probable cause based on the written materials alone (the Report and your response) or request a conference, during which you may orally present your case to the Hearing Officer. Probable cause conferences are held in our office, which is located at 1102 Q Street, Suite 3000, Sacramento, CA 95811. You may appear at the conference in person or by telephone and you are entitled to be represented by counsel. *If you wish to submit a written response or request a probable cause conference, it must be filed with the Commission Assistant at the address listed above within 21 days from the date of service of this letter.* You can reach the Commission Assistant at (916) 327-8269.

Please note that probable cause conferences are not settlement conferences. The sole purpose of a probable cause conference is to determine whether there is probable cause to believe that the Act was violated. However, settlement discussions are encouraged by the Commission and may take place at any time except during a probable cause conference. *If you are interested in reaching a settlement in this matter, please contact me at (916) 322-5771 or [REDACTED]*

Finally, you have the right to request discovery of the evidence in possession of, and relied upon by, the Enforcement Division. ***This request must also be filed with the Commission Assistant within 21 days from the date of service of this letter.*** Should you request discovery, the Enforcement Division will provide the evidence by service of process or certified mail. From the date you are served with the evidence, you would have an additional 21 days to file a written response to the Report, just as described above.

***Should you take no action within 21 days from the date of service of this letter, your rights to respond and to request a conference are automatically waived and the Enforcement Division will independently pursue the issuance of an accusation.***

For your convenience, I have enclosed a fact sheet on probable cause proceedings and copies of the most relevant statutes and regulations.

Sincerely,



Angela J. Brereton  
Senior Commission Counsel  
Enforcement Division

Enclosures

## **PROBABLE CAUSE FACT SHEET**

---

### **INTRODUCTION**

The Fair Political Practices Commission is required by law to determine whether probable cause exists to believe that the Political Reform Act (the "Act") was violated before a public administrative accusation may be issued.

The probable cause proceedings before the Fair Political Practices Commission are unique, and most respondents and their attorneys are unfamiliar with them. Therefore, we have prepared this summary to acquaint you with the process.

### **THE LAW**

Government Code sections 83115.5 and 83116 set forth the basic requirement that a finding of probable cause be made in a "private" proceeding before a public accusation is issued and a public hearing conducted in accordance with the Administrative Procedure Act.

The Commission has promulgated regulations further defining the probable cause procedure and delegating to the General Counsel (the "Hearing Officer" for purposes of these proceedings) the authority to preside over such proceedings and decide probable cause. A copy of these statutes and regulations are attached for your convenience.

In summary, the statutes and regulations entitle you to the following:

- a) A written probable cause report containing a summary of the law alleged to have been violated, and a summary of the evidence, including any exculpatory and mitigating information and any other relevant material and arguments;
- b) The opportunity to request discovery, respond in writing, and to request a probable cause conference within 21 days of service of the probable cause report;
- c) If the Commission met to consider whether a civil lawsuit should be filed in this matter, a copy of any staff memoranda submitted to the Commission and a transcript of staff discussions with the Commission at any such meeting; and
- d) If a timely request was made, a non-public conference with the General Counsel and the Enforcement Division staff to consider whether or not probable cause exists to believe the Act was violated.

### **THE PROCEDURE**

#### **Probable Cause Report**

Administrative enforcement proceedings are commenced with the service, by registered or certified mail or in person, of a probable cause report. The report will contain a summary of the law and the evidence, including any exculpatory and mitigating information of which the staff has knowledge and any other relevant material and arguments. It is filed with the Hearing Officer.

## **Discovery**

Within 21 calendar days following the service of the probable cause report, you may request discovery of the evidence in the possession of the Enforcement Division. This is not a right to full discovery of the Enforcement Division file, but to the evidence relied upon by the Division along with any exculpatory or mitigating evidence<sup>1</sup>.

This request must be sent by registered or certified mail to the Commission Assistant.

## **Response to Probable Cause Report**

Within 21 calendar days following the service of the probable cause report (or, if you timely requested discovery, within 21 calendar days from the service of the evidence) you may submit a response to the Report. By regulation, the written response may contain, "... a summary of evidence, legal arguments, and any mitigating or exculpatory information." (Cal. Code Regs., tit. 2, § 18361.4, subd. (c).)

You must file your response with the Commission Assistant and provide a copy, by service of process or registered or certified mail with return receipt requested, to all other proposed respondents listed in the probable cause report.

## **Staff Reply**

Within 10 calendar days following the date the response was filed with the Commission Assistant, Commission staff may submit any evidence or argument in rebuttal. You will be served with a copy of any such reply.

## **Probable Cause Conference**

Probable cause conferences are held at the offices of the Fair Political Practices Commission, which is located at 1102 Q Street, Suite 3000, Sacramento, CA 95811. You may appear at the conference in person or by telephone. The proceedings are not public unless all proposed respondents agree to open the conference to the public. Otherwise, the probable cause report, any written responses, and the probable cause conference itself are confidential.

Unless the probable cause conference is public, the only persons who may attend are the staff of the Commission, any proposed respondent and his or her attorney or representative, and, at the discretion of the Hearing Officer, witnesses.

The Hearing Officer may, but need not, permit testimony from witnesses. Probable cause conferences are less formal than court proceedings. The rules of evidence do not apply. The conferences will be recorded and a copy of the recording will be provided upon request.

Since it has the burden of proof, the Enforcement Division is permitted to open and close the conference presentations. The Hearing Officer may also hold the record open to receive additional evidence or arguments.

Probable cause conferences are not settlement conferences. The sole purpose of a probable cause conference is to determine whether or not there is probable cause to believe that the

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<sup>1</sup> But see Title 2, California Code of Regulations, Section 18362, which states that the Commission provides access to complaints, responses to complaints, and investigative files and information in accordance with the requirements of the Public Records Act. (Govt. Code § 6250, et seq.)

Political Reform Act was violated. Anyone who wishes to discuss settlement with the Enforcement Division may do so before or after the probable cause conference but not during the conference.

Pursuant to Title 2, California Code of Regulations, Section 18361.4, subdivision (e), the Hearing Officer will find probable cause "if the evidence is sufficient to lead a person of ordinary caution and prudence to believe or entertain a strong suspicion that a proposed respondent committed or caused a violation."

Ordinarily, probable cause determinations are made based upon the written probable cause report, any written response by the respondent, any written reply by the Enforcement Division, and the oral arguments presented at the conference. Timely written presentations are strongly recommended.

### **Probable Cause Order and Accusation**

Once the matter is submitted to the Hearing Officer, the probable cause decision will normally be made within ten days. If the Hearing Officer finds probable cause, he will issue a Finding of Probable Cause, which will be publicly announced at the next Commission Meeting. An accusation will be issued soon after the Finding of Probable Cause is publicly announced.

### **Continuances**

Every reasonable effort is made to accommodate the schedules of parties and counsel. However, once a date has been set it is assumed to be firm and will not be continued except upon the order of the Hearing Officer after a showing of good cause. Settlement negotiations will be considered good cause only if the Hearing Officer is presented with a fully executed settlement, or is convinced that settlement is imminent.

### **Settlements**

Settlement discussions may take place at any time except during the probable cause conference. In order to open settlement discussions, a proposed respondent or his or her counsel or representative should present a written offer to settle stating, where appropriate, the violations to be admitted, and the monetary penalty or other remedy to be tendered.

The Enforcement Division attorney assigned to the case will negotiate any potential settlement on behalf of the Fair Political Practices Commission, and will draft the language of the settlement agreement. The Hearing Officer will not directly participate in the negotiations, but will be represented by Enforcement Division attorneys. Staff attorneys will present settlement offers to the Hearing Officer for his/her approval.

### **CONCLUSION**

This fact sheet was intended to give you a brief summary of the probable cause process at the Fair Political Practices Commission. Such a summary cannot answer every question that might arise in such proceedings. Therefore, if you have any questions that are not addressed by this fact sheet or the copies of the law and regulations we have attached, feel free to contact the attorney whose name appears on the probable cause report.

*Attachments: Relevant Sections of (1) California Government Code , and (2) Regulations of the Fair Political Practices Commission, Title 2, Division 6 of the California Code of Regulations.*

## CALIFORNIA GOVERNMENT CODE

### Probable Cause Statutes

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#### **§ 83115.5. Probable cause; violation of title; notice of violation; summary of evidence; notice of rights; private proceedings**

No finding of probable cause to believe this title has been violated shall be made by the commission unless, at least 21 days prior to the commission's consideration of the alleged violation, the person alleged to have violated this title is notified of the violation by service of process or registered mail with return receipt requested, provided with a summary of the evidence, and informed of his right to be present in person and represented by counsel at any proceeding of the commission held for the purpose of considering whether probable cause exists for believing the person violated this title. Notice to the alleged violator shall be deemed made on the date of service, the date the registered mail receipt is signed, or if the registered mail receipt is not signed, the date returned by the post office. A proceeding held for the purpose of considering probable cause shall be private unless the alleged violator files with the commission a written request that the proceeding be public.

#### **§ 83116. Violation of title; probable cause; hearing; order**

When the Commission determines there is probable cause for believing this title has been violated, it may hold a hearing to determine if a violation has occurred. Notice shall be given and the hearing conducted in accordance with the Administrative Procedure Act (Chapter 5 (commencing with Section 11500), Part 1, Division 3, Title 2, Government Code). The Commission shall have all the powers granted by that chapter. When the Commission determines on the basis of the hearing that a violation has occurred, it shall issue an order that may require the violator to do all or any of the following:

- (a) Cease and desist violation of this title.
- (b) File any reports, statements, or other documents or information required by this title.
- (c) Pay a monetary penalty of up to five thousand dollars (\$5,000) per violation to the General Fund of the state. When the Commission determines that no violation has occurred, it shall publish a declaration so stating.

**REGULATIONS OF THE FAIR POLITICAL PRACTICES COMMISSION  
TITLE 2, DIVISION 6 OF THE CALIFORNIA CODE OF REGULATIONS**

**Probable Cause Regulations**

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**§ 18361 (b). Delegation by the Executive Director Pertaining to Enforcement Proceedings and Authority to Hear Probable Cause Proceedings.**

Probable cause proceedings under Regulation 18361.4 shall be heard by the General Counsel or an attorney from the Legal Division. The General Counsel may delegate the authority to hear probable cause proceedings, in writing, to an administrative law judge.

**§ 18361.4. Probable Cause Proceedings**

(a) Probable Cause Report. If the Chief of the Enforcement Division decides to commence probable cause proceedings pursuant to Sections 83115.5 and 83116, he or she shall direct the Enforcement Division staff to prepare a written report, hereafter referred to as “the probable cause report.” The probable cause report shall contain a summary of the law and evidence gathered in connection with the investigation, including any exculpatory and mitigating information of which the staff has knowledge and any other relevant material and arguments. The evidence recited in the probable cause report may include hearsay, including declarations of investigators or others relating the statements of witnesses or concerning the examination of physical evidence.

(b) No probable cause hearing will take place until at least 21 calendar days after the Enforcement Division staff provides the following, by service of process or registered or certified mail with return receipt requested, to all proposed respondents:

- (1) A copy of the probable cause report;
- (2) Notification that the proposed respondents have the right to respond in writing to the probable cause report and to request a probable cause conference at which the proposed respondent may be present in person and represented by counsel, and;
- (3) If the Commission met in executive session on this matter pursuant to Regulation 18361.2, a copy of any staff memoranda submitted to the Commission at that time along with the recording of any discussion between the Commission and the staff at the executive session as required in subdivision (b) of Regulation 18361.2.

(c) Response to Probable Cause Report.

- (1) Each proposed respondent may submit a written response to the probable cause report. The response may contain a summary of evidence, legal arguments, and any mitigating or exculpatory information. A proposed respondent who submits a response must file it with the Commission Assistant who will forward the response to the General Counsel or an attorney in the Legal Division (the “hearing officer”) and provide a copy, by service of process or registered or certified mail with return receipt requested, to all other proposed respondents listed in the probable cause report not later than 21 days following service of the probable cause report.
- (2) Within 21 calendar days following the service of the probable cause report, a proposed

respondent may request discovery of evidence in the possession of the Enforcement Division. This request must be sent by registered or certified mail to the Commission Assistant. Upon receipt of the request, the Enforcement Division shall provide discovery of evidence relied upon by the Enforcement Division sufficient to lead a person of ordinary caution and prudence to believe or entertain a strong suspicion that a proposed respondent committed or caused a violation, along with any exculpatory or mitigating evidence. This is not a right to full discovery of the Enforcement Division file. The Enforcement Division shall provide access to documents for copying by the Respondent, or upon agreement among the parties, the Enforcement Division will provide copies of the requested documents upon payment of a fee for direct costs of duplication. The Enforcement Division shall provide such evidence by service of process or registered or certified mail with return receipt requested to all respondents, with a copy to the Commission Assistant. A respondent may submit a written response to the probable cause report described in subsection (1) no later than 21 calendar days after service of discovery.

- (3) The Commission staff may submit any evidence or argument in rebuttal to the response. When the Commission staff submits evidence or argument in rebuttal to the response, it shall provide a copy, by service of process or registered or certified mail with return receipt requested, to all proposed respondents listed in the probable cause report not later than 10 calendar days following the date the response was filed with the Commission Assistant. The hearing officer may extend the time limitations in this section for good cause. At any time prior to a determination of probable cause, the hearing officer may allow additional material to be submitted as part of the initial response or rebuttal.

(d) Probable Cause Conference. Any proposed respondent may request a probable cause conference. The request shall be served upon the Commission Assistant and all other proposed respondents not later than 21 days after service of the probable cause report unless the hearing officer extends the time for good cause. The Commission Assistant shall fix a time for the probable cause conference and the hearing officer shall conduct the conference informally. The conference shall be closed to the public unless a proposed respondent requests and all other proposed respondents agree to a public conference. If the conference is not public, only members of the Commission staff, any proposed respondent and his or her legal counsel or representative shall have the right to be present and participate. The hearing officer may allow witnesses to attend and participate in part or all of the probable cause conference. In making this determination, the hearing officer shall consider the relevancy of the witness' proposed testimony, whether the witness has a substantial interest in the proceedings, and whether fairness requires that the witness be allowed to participate. Representatives of any civil or criminal prosecutor with jurisdiction may attend the conference at the discretion of the hearing officer if they agree to respect the confidential nature of the proceedings. If the conference is not open to the public and none of the parties and the presiding officer object, the conference may be conducted in whole or in part by telephone. The probable cause conference shall be recorded. The hearing officer may determine whether there is probable cause based solely on the probable cause report, any responses or rebuttals filed and any arguments presented at the probable cause conference by the interested parties. If the hearing officer requires additional information before determining whether there is probable cause, he or she may permit any party to submit additional evidence at the probable cause conference.

(e) Finding of Probable Cause. The hearing officer may find there is probable cause to believe a violation has occurred if the evidence is sufficient to lead a person of ordinary caution and prudence to believe or entertain a strong suspicion that a proposed respondent committed or caused a violation. A finding of probable cause by the hearing officer does not constitute a finding that a violation has actually occurred. The hearing officer shall not make a finding of probable cause if he or she is presented with clear and convincing evidence that, at a time prior to the alleged violation, the violator consulted with the staff of the Commission in good faith, disclosed truthfully all the material facts, and committed the acts complained of either in reliance on the advice of the staff or because of the staff's failure to provide advice. If the hearing officer makes a finding of probable cause, the Enforcement Division shall prepare an Accusation pursuant to Section 11503 and have it served upon the person or persons who are subjects of the probable cause finding. The hearing officer shall publicly announce the finding of probable cause. The announcement shall contain a summary of the allegations and a cautionary statement that the respondent is presumed to be innocent of any violation of the Act unless a violation is proved in a subsequent proceeding. The Chief of the Enforcement Division shall be responsible for the presentation of the case in support of the Accusation at an administrative hearing held pursuant to Section 83116.

#### **§ 18362. Access to Enforcement Records**

(a) Production of Enforcement Records. The Commission will make complaints, investigative files, and related records available to the public and members of the media in accordance with the Public Records Act (Government Code Section 6250, et seq.) Enforcement records requests should specifically identify the documents sought.

(b) Format of Enforcement Records. The Commission will make records available for inspection at its office during office hours. The Commission may provide copies of requested records either in paper or electronic format to the person that requested the records in lieu of inspecting the records at the Commission offices. Any person requesting paper copies of records must reimburse the Commission ten cents (\$0.10) per page to pay the cost of copying, or supply copying equipment and make copies in the offices of the Commission. Original records of the Commission may not be removed from the offices of the Commission.

(c) Complaint Notice Period. The Commission may not provide or make available complaints or related records until after the disclosure periods provided in Regulation 18360.

#### **§ 18361.2. Memorandum Respecting Civil Litigation.**

(a) If the Executive Director concludes civil litigation should be initiated, he or she shall submit to the Commission a written memorandum, which shall be first reviewed by the General Counsel, or an attorney from the Legal Division, summarizing the facts and the applicable law of the case and recommending the initiation of a lawsuit. The memorandum shall include all exculpatory and mitigating information known to the staff.

(b) The Commission shall review the memorandum at an executive session. The General

Counsel, or an attorney from the Legal Division, and the Commission Assistant shall be in attendance. No other member of the staff may be present unless the Commission meets with a member of the staff for that person to answer questions. The Commission may not resume its deliberations until the person is no longer present. Any communication between the Commission and the person during the executive session shall be recorded. After review of the memorandum, the Commission may direct the Executive Director to do any of the following:

- (1) Initiate civil litigation.
  - (2) Decide whether probable cause proceedings should be commenced pursuant to 2 Cal. Code of Regulations Section 18361.4.
  - (3) Return the matter to the staff for further investigation.
  - (4) Take no further action on the matter or take any other action it deems appropriate.
- (c) If the Commission decides to initiate civil litigation, the Commission may then permit other members of the staff to attend the executive session.
- (d) If the Executive Director deems it necessary, he or she may call a special meeting of the Commission to review a staff memorandum recommending the initiation of civil litigation.
- (e) It is the intent of the Commission in adopting this section to preserve for the members of the Commission the authority to decide whether alleged violations should be adjudicated in administrative hearings or in civil litigation, while at the same time avoiding the possibility that discussions with members of the staff might cause members of the Commission to prejudge a case that might be heard by the Commission under Government Code Section 83116.

**Exhibit A-4**

1 GALENA WEST  
Chief of Enforcement  
2 ANGELA J. BRERETON  
Senior Commission Counsel  
3 **FAIR POLITICAL PRACTICES COMMISSION**  
1102 Q Street, Suite 3000  
4 Sacramento, CA 95811  
Telephone: (916) 322-5771  
5 Email: [abreron@fppc.ca.gov](mailto:abreron@fppc.ca.gov)

6 Attorneys for Complainant

7  
8 **BEFORE THE FAIR POLITICAL PRACTICES COMMISSION**  
9 **STATE OF CALIFORNIA**

10 In the Matter of ) FPPC No. 16/19917  
11 )  
12 ERIC PAYNE and ERIC PAYNE FOR ) EX PARTE REQUEST FOR A FINDING OF  
SCCCD 2016 TRUSTEE AREA 2, ) PROBABLE CAUSE AND AN ORDER THAT  
13 ) AN ACCUSATION BE PREPARED AND  
Respondents. ) SERVED  
14 ) Gov. Code § 83115.5  
15 )

16 **TO THE HEARING OFFICER OF THE FAIR POLITICAL PRACTICES COMMISSION:**

17 Pursuant to Section 83115.5 of the Political Reform Act (the “Act”)<sup>1</sup> and Regulation 18361.4, the  
18 respondents Eric Payne (“Payne”) and Eric Payne for SCCCD 2016 Trustee Area 2 (the “Committee”)  
19 were served with a copy of a report in support of a finding of probable cause (the “Report”) in the above-  
20 entitled matter.<sup>2</sup> The Report, attached as “Exhibit A,” was part of a packet of materials, including a cover  
21 letter and a memorandum describing probable cause proceedings, which was sent to Payne and the  
22 Committee on March 22, 2018, by certified mail, with a return receipt requested, and received by Payne  
23 on March 24, 2018, and the Committee on March 26, 2018. A copy of the proof of service, return receipts,  
24 and the proof of delivery is attached as “Exhibit B.”

25  
26 <sup>1</sup> The Political Reform Act is contained in Government Code §§ 81000 through 91014, and all statutory references are  
27 to this code. The regulations of the Fair Political Practices Commission are contained in §§ 18110 through 18997 of Title 2 of  
the California Code of Regulations, and all regulatory references are to this source.

28 <sup>2</sup> Gov. Code § 83115.5; Cal. Code Reg., tit. 2, § 18361.4.

1 In the cover letter dated March 22, 2018, and the enclosed materials, attached as "Exhibit C,"  
2 Payne and the Committee were advised that they could respond in writing to the Report and orally present  
3 the case to the Hearing Officer at a probable cause conference to be held in Sacramento. Payne and the  
4 Committee were further advised that in order to have a probable cause conference, they needed to make a  
5 written request for one on or before 21 days of the date they received the Report. Additionally, Payne and  
6 the Committee were advised that if they did not request a probable cause conference, such a conference  
7 would not be held and probable cause would be determined based solely on the Report and any written  
8 response that they submitted within 21 days of the date they were served with the Report. To date, Payne  
9 and the Committee have not submitted a written response or requested a probable cause conference.

10 WHEREFORE, based on the attached Report, the Enforcement Division requests a finding by the  
11 Hearing Officer that probable cause exists to believe that Payne and the Committee committed violations  
12 of the Act, stated as follows:

13 Count 1: Payne failed to timely file a statement of intention prior to the solicitation or receipt of any  
14 contribution or loan in connection with the 2016 re-election campaign, in violation of  
Section 85200.

15 Count 2: Payne and the Committee failed to timely file an amended statement of organization to  
16 redesignate the Committee for the 2016 re-election campaign, due on or about August 12,  
17 2016, in violation of Section 84103.

18 Count 3: Payne and the Committee failed to timely file a preelection campaign statement for the  
19 reporting period of July 1, 2016 through September 24, 2016, due on September 29, 2016,  
in violation of Section 84200.5 and 84200.8.

20 Count 4: Payne and the Committee failed to timely file a preelection campaign statement for the  
21 reporting period of September 25, 2016 through October 22, 2016, due on October 27,  
2016, in violation of Section 84200.5 and 84200.8.

22 Count 5: Payne and the Committee failed to timely file a semi-annual campaign statement for the  
23 reporting period of October 23, 2016 through December 31, 2016, due on January 31, 2017,  
in violation of Section 84200.

24 Count 6: Payne and the Committee failed to timely file a semi-annual campaign statement for the  
25 reporting period of January 1, 2017 through June 30, 2017, due on July 31, 2017, in  
26 violation of Section 84200.

1 Count 7: Payne and the Committee failed to timely file a 24-hour contribution report for a \$1,300  
2 contribution received on September 26, 2016, due on September 27, 2016, in violation of  
3 Section 84203, subdivision (a).

4 Count 8: Payne and the Committee failed to timely file a 24-hour contribution report for a \$1,000  
5 contribution received on October 10, 2016, due on October 11, 2016, in violation of Section  
6 84203, subdivision (a).

7 Count 9: Payne and the Committee failed to timely file a 24-hour contribution report for a \$2,000  
8 contribution received on October 14, 2016, due on October 17, 2016, in violation of Section  
9 84203, subdivision (a).

10 Count 10: Payne and the Committee failed to timely file a 24-hour contribution report for a \$2,000  
11 contribution received on October 28, 2016, due on October 31, 2016, in violation of Section  
12 84203, subdivision (a).

13 Count 11: In or about August 2016, Payne and the Committee received cash contributions of \$100 or  
14 more totaling approximately \$3,000, in violation of Section 84300, subdivision (a).

15 Count 12: In or about August 2016, Payne and the Committee made cash expenditures of \$100 or  
16 more, totaling approximately \$605, in violation of Section 84300, subdivision (b).

17 Count 13: Payne and the Committee failed to accurately report all contributions and expenditures,  
18 and failed to disclose all required contributor and payee information, on the Committee's  
19 campaign statements for the reporting periods of July 1 through September 24, 2016, and  
20 September 25 through October 22, 2016, in violation of Section 84211, subdivisions (a),  
21 (b), (c), (d), (f), (i), (j), and (k).

22 Count 14: Payne and the Committee failed to maintain supporting records for contributions received  
23 and expenditures made, in violation of Section 84104.

24 Count 15: On or about September 24, 2016, Payne spent campaign funds to purchase campaign,  
25 business, or casual clothing totaling \$471.50, in violation of Section 89513, subdivision  
26 (d).

27 Count 16: Payne failed to timely file his 2012 Annual SEI, due on April 2, 2013, and failed to timely  
28 disclose required economic interests in sources of income and business positions, in  
violation of Sections 87200, 87207, and 87209.

Count 17: Payne failed to timely file his 2013 Annual SEI, due on April 1, 2014, and failed to timely  
disclose required economic interests in sources of income and business positions, in  
violation of Sections 87200, 87207, and 87209.

Count 18: Payne failed to timely file his 2014 Annual SEI, due on April 1, 2015, and failed to timely  
disclose required economic interests in sources of income and business positions, in  
violation of Sections 87200, 87207, and 87209.

1 Count 19: Payne failed to timely file his 2015 Annual SEI, due on April 1, 2016, and failed to timely  
2 disclose required economic interests in sources of income and business positions, in  
violation of Sections 87200, 87207, and 87209.

3 Count 20: Payne failed to timely file his 2016 Candidate SEI, due on August 4, 2016, and failed to  
4 timely disclose required economic interests in sources of income and business positions, in  
violation of Sections 87200, 87207, and 87209.

5 Count 21: Payne failed to timely file his 2016 Annual SEI, due on April 3, 2017, and failed to timely  
6 disclose required economic interests in sources of income and business positions, in  
violation of Sections 87200, 87207, and 87209.

7 Additionally, after finding probable cause exists, the Enforcement Division requests an order by  
8 the Hearing Officer that an accusation be prepared against Payne and the Committee and served upon  
9 them.<sup>3</sup>

10 A copy of this Request was mailed via U.S. Mail to Payne and the Committee, on June 27, 2018,  
11 at the last known address, as follows:

12 Eric Payne  
13 [REDACTED]  
14 Fresno, CA [REDACTED]

15 Eric Payne for SCCC 2016 Trustee Area 2  
16 1444 Fulton Street, Suite 121  
17 Fresno, CA 93721

18 Dated: 6-27-2018

Respectfully Submitted,

19  
20 **FAIR POLITICAL PRACTICES COMMISSION**  
21 Galena West  
22 Chief of Enforcement

[REDACTED]

23 By: Angela J. Brereton  
24 Senior Commission Counsel  
25 Enforcement Division

26  
27 <sup>3</sup> Gov. Code § 11503.

# **EXHIBIT A**

1 GALENA WEST  
Chief of Enforcement  
2 ANGELA J. BRERETON  
Senior Commission Counsel  
3 **FAIR POLITICAL PRACTICES COMMISSION**  
1102 Q Street, Suite 3000  
4 Sacramento, CA 95811  
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5 Email: [abrereeton@fppc.ca.gov](mailto:abrereeton@fppc.ca.gov)

6 Attorneys for Complainant  
Enforcement Division of the Fair Political Practices Commission

8  
9 **BEFORE THE FAIR POLITICAL PRACTICES COMMISSION**  
10 **STATE OF CALIFORNIA**

11 In the Matter of	) FPPC No. 16/19917
	)
	) <b>REPORT IN SUPPORT OF A FINDING OF</b>
	) <b>PROBABLE CAUSE</b>
13 ERIC PAYNE and ERIC PAYNE FOR	)
14 SCCCD 2016 TRUSTEE AREA 2,	) Conference Date: TBA
	) Conference Time: TBA
15 Respondents.	) Conference Location: Commission Offices
	) 1102 Q Street, Suite 3000
	) Sacramento, CA 95811

18 **INTRODUCTION**

19 Respondent Eric Payne has been a member of the Board of Trustees for the State Center  
20 Community College District (“SCCCD”) since his election in 2012. He was re-elected in the November  
21 8, 2016 General Election. Respondent Eric Payne for SCCCD 2016 Trustee Area 2 (“Committee”) was  
22 Payne’s candidate-controlled recipient committee for both his 2012 election campaign and for his 2016  
23 re-election campaign. Payne served as treasurer for the Committee during his 2016 campaign.

24 The Political Reform Act (“Act”)<sup>1</sup> requires candidates and committees to timely file and amend

25 \_\_\_\_\_  
26 <sup>1</sup> The Political Reform Act is contained in Government Code Sections 81000 through 91014, and all statutory  
27 references are to this code. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through  
18997 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

1 campaign statements and reports, including statements of intention and statements of organization. The  
2 Act prohibits candidates and committees from accepting cash contributions and making cash  
3 expenditures of \$100 or more. The Act also requires candidates and committees to disclose all  
4 contributions received and expenditures made during the period covered by the campaign statement and  
5 to maintain campaign records regarding all campaign contributions and expenditures. Payne and the  
6 Committee violated these provisions of the Act.

7 The Act prohibits candidates from making personal expenditures with the committees' funds and  
8 requires public officials to annually file statements of economic interests ("SEIs") disclosing required  
9 economic interests. Payne violated these provisions of the Act.

## 10 SUMMARY OF THE LAW

11 All legal references and discussions of law pertain to the Act's provisions as they existed at the  
12 time of the stated violations.

### 13 Jurisdiction

14 The Fair Political Practices Commission (the "Commission") has administrative jurisdiction to  
15 enforce the provisions of the Act.<sup>2</sup>

### 16 Probable Cause Proceedings

17 Prior to the Enforcement Division commencing an administrative action, the General Counsel of  
18 the Commission or his designee (the "hearing officer"), must make a finding that there is probable cause  
19 to believe the respondent has violated the Act.<sup>3</sup> After a finding of probable cause, the Commission may  
20 hold a noticed hearing in accordance with the Administrative Procedure Act<sup>4</sup> to determine whether  
21 violations occurred, and levy an administrative penalty of up to \$5,000 for each violation.<sup>5</sup>

### 22 Standard for Finding Probable Cause

23 To make a finding of probable cause, the hearing officer must be presented with sufficient  
24

25 <sup>2</sup> Section 83116.

26 <sup>3</sup> Section 83115.5 and Regulations 18361 and 18361.4.

27 <sup>4</sup> Section 11500, et seq.

28 <sup>5</sup> Section 83116 and Regulation 18361.4, subd. (e).

1 evidence to lead a person of ordinary caution and prudence to believe, or entertain a strong suspicion,  
2 that a respondent committed or caused a violation.<sup>6</sup>

### 3 Need for Liberal Construction and Vigorous Enforcement of the Political Reform Act

4 When enacting the Political Reform Act, the people of the state of California found and declared  
5 previous laws regulating political practices suffered from inadequate enforcement by state and local  
6 authorities.<sup>7</sup> To that end, the Act must be liberally construed to achieve its purposes.<sup>8</sup>

7 There are many purposes of the Act. One purpose is to ensure that receipts and expenditures in  
8 election campaigns are fully and truthfully disclosed so that voters are fully informed and improper  
9 practices are inhibited.<sup>9</sup> Another purpose is to ensure that the assets and income of public officials, which  
10 may be materially affected by their official actions, be disclosed, so that conflicts of interest may be  
11 avoided.<sup>10</sup> Another is to provide adequate enforcement mechanisms so that the Act will be “vigorously  
12 enforced.”<sup>11</sup>

### 13 Duty to File Statement of Intention

14 Prior to the solicitation or receipt of any contribution or loan, an individual who intends to be a  
15 candidate for an elective office must file an original statement of intention to be a candidate for a specific  
16 office, signed under penalty of perjury.<sup>12</sup>

### 17 Definition of Controlled Committee

18 A candidate includes, in relevant part, an individual who is listed on the ballot for election to any  
19 elective office.<sup>13</sup> A “committee” includes any person or combination of persons who receives  
20 contributions totaling \$2,000 or more in a calendar year,<sup>14</sup> commonly known as a “recipient committee.”  
21 A recipient committee which is controlled directly or indirectly by a candidate, or which acts jointly with

22  
23 <sup>6</sup> Section 18361.4, subd. (e).

<sup>7</sup> Section 81001, subd. (h).

<sup>8</sup> Section 81003.

<sup>9</sup> Section 81002, subd. (a).

<sup>10</sup> Section 81002, subd. (c).

<sup>11</sup> Section 81002, subd. (f).

<sup>12</sup> Section 85200.

<sup>13</sup> Section 82007.

<sup>14</sup> Section 82013, subd. (a).

1 a candidate in connection with the making of expenditures, is a "controlled committee."<sup>15</sup> A candidate  
2 controls a committee if he or she, his or her agent, or any other committee he or she controls has a  
3 significant influence on the actions or decisions of the committee.<sup>16</sup> A committee may be controlled by  
4 one or more candidates.<sup>17</sup>

#### 5 Duty to File Statement of Organization

6 Every committee must file a statement of organization within ten days after it qualifies as a  
7 committee.<sup>18</sup> So a recipient committee was required to file a statement of organization within ten days  
8 after its total amount of contributions received reached \$2,000 more.<sup>19</sup> The committee must file the  
9 original of the statement of organization with the Secretary of State ("SOS") and a copy with the local  
10 filing officer.<sup>20</sup>

11 Whenever there is a change in any of the information contained in a statement of organization, an  
12 amendment shall be filed within ten days to reflect the change.<sup>21</sup> The committee must file the original of  
13 the amendment with the SOS and a copy with the local filing officer.<sup>22</sup>

#### 14 Redesignation of Controlled Committee

15 A controlled committee established for a specific local office may be redesignated for a future  
16 local election if:

- 17 1) The future election is for the same elective office;
- 18 2) The committee funds are not considered "surplus campaign funds" as defined in  
Government Code Section 89519.
- 19 3) The candidate amends the statement of organization for the committee to reflect the  
redesignation for the future election;
- 20 4) The candidate files a new statement of intention to be a candidate for the specific future  
election, signed under penalty of perjury; and
- 21 5) Redesignation of the committee is not otherwise prohibited by law.<sup>23</sup>

22 <sup>15</sup> Section 82016, subd. (a).

23 <sup>16</sup> Section 82016, subd. (a).

24 <sup>17</sup> Section 84102, subd. (e); Regulations 18402 subd. (c), and 18430.

25 <sup>18</sup> Section 84101, subd. (a).

26 <sup>19</sup> Section 82013, subd. (a).

27 <sup>20</sup> Sections 84101, subd. (a); and 84215.

28 <sup>21</sup> Section 84103, subd. (a).

<sup>22</sup> Sections 84103, subd. (a); and 84215.

<sup>23</sup> Regulation 18521, subd. (b).

1 No Fresno County rule prohibits such redesignation.<sup>24</sup>

2 Duty to File Campaign Statements

3 The Act requires candidates and their controlled committees to file campaign statements at  
4 specific times disclosing information regarding contributions received and expenditures made by the  
5 campaign committees.<sup>25</sup>

6 Duty to File Preelection Campaign Statements

7 A controlled committee must file two preelection campaign statements before the election in  
8 which the candidate is listed on the ballot.<sup>26</sup> For the November 8, 2016 General Election, a candidate-  
9 controlled committee was required to file preelection campaign statements for the period ending  
10 September 24, no later than September 29, 2016, and for the period ending October 22, no later than  
11 October 27, 2016.<sup>27</sup>

12 Duty to File Semi-Annual Campaign Statements

13 A controlled committee must file two semi-annual campaign statements each year no later than  
14 July 31 for the period ending June 30 and no later than January 31 for the period ending December 31.<sup>28</sup>  
15 When the deadline falls on a Saturday, Sunday, or official state holiday, the filing deadline for such a  
16 statement is extended to the next regular business day.<sup>29</sup> All filing obligations continue until the recipient  
17 committee is terminated by filing a statement of termination with the SOS and a copy with the local filing  
18 officer receiving the committee's original campaign statements.<sup>30</sup>

19 Duty to File 24-Hour Contribution Reports

20 Each candidate or committee that makes or receives a late contribution must file a report within  
21 24 hours of making or receiving the contribution.<sup>31</sup> When the deadline falls on a Saturday, Sunday, or  
22

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23 <sup>24</sup> See Fresno County Election Campaign Contributions Ordinance, Ord. 0-81-010, § 1; Ord. 557-A-1, § 2 (part), 1976.

24 <sup>25</sup> See Section 84200, et seq.

25 <sup>26</sup> Section 84200.5, subd. (a).

26 <sup>27</sup> Section 84200.8.

27 <sup>28</sup> Section 84200, subd. (a).

28 <sup>29</sup> Regulation 18116.

29 <sup>30</sup> Section 84214; Regulation 18404.

30 <sup>31</sup> Section 84203.

1 official state holiday, the filing deadline for such a report is extended to the next regular business day.<sup>32</sup>

2 A “late contribution” includes a contribution aggregating \$1,000 or more that is made or received by a  
3 candidate or his or her controlled committee during the 90-day period preceding an election or on the  
4 date of the election.<sup>33</sup> The 90-day period for the November 8, 2016 General Election was August 10  
5 through November 7, 2016.

6 Prohibited Cash Contributions of \$100 or More

7 No contribution of \$100 or more may be made or received in cash.<sup>34</sup> All contributions of \$100 or  
8 more must be made in the form of a written instrument containing the name of the contributor and the  
9 name of the payee, and drawn from the account of the contributor.<sup>35</sup>

10 Prohibited Cash Expenditures of \$100 or More

11 The Act prohibits making an expenditure of \$100 or more in cash.<sup>36</sup> The Act defines  
12 “expenditure” as a payment, forgiveness of a loan, payment of a loan by a third party, or an enforceable  
13 promise to make a payment, unless it is clear from the surrounding circumstances that it is not made for  
14 political purposes.<sup>37</sup>

15 Required Reporting of Campaign Contributions

16 A contribution is a payment made for political purposes.<sup>38</sup> Candidates and committees must  
17 provide information regarding the amounts and sources of campaign contributions on campaign  
18 statements. Specifically, the Act requires candidates and committees to disclose the total amount of  
19 contributions received during the period covered by the statement.<sup>39</sup> Candidates and committees must  
20 disclose the total amount of contributions received from persons who have given \$100 or more during  
21 the period covered by the statement.<sup>40</sup> For contributors of \$100 or more, candidates and committees must

22 \_\_\_\_\_  
<sup>32</sup> Regulation 18116.

23 <sup>33</sup> Section 82036.

24 <sup>34</sup> Section 84300, subd. (a).

25 <sup>35</sup> Section 84300, subd. (c).

26 <sup>36</sup> Section 84300, subd. (b).

27 <sup>37</sup> Section 82025.

28 <sup>38</sup> Section 82015.

<sup>39</sup> Section 84211, subd. (a).

<sup>40</sup> Section 84211, subd. (c).

1 disclose the following: (1) the contributor's full name; (2) the contributor's street address; (3) the  
2 contributor's occupation; (4) the name of the contributor's employer, or if self-employed, the name of  
3 the contributor's business; (5) the date and amount of each contribution received from the contributor  
4 during the reporting period; and (6) the cumulative amount of contributions received from the  
5 contributor.<sup>41</sup>

#### 6 Required Reporting of Campaign Expenditures

7 An expenditure is any payment, unless it is clear from the surrounding circumstances that it is not  
8 made for political purposes.<sup>42</sup> Candidates and committees must disclose the total amount of expenditures  
9 made during the period covered by the statement.<sup>43</sup> Candidates and committees must also disclose the  
10 total amount of expenditures made to persons who have received \$100 or more, and separately, the total  
11 amount of expenditures made to persons who have received less than \$100, during the period covered by  
12 the statement.<sup>44</sup> For expenditures of \$100 or more, candidates and committees must disclose the  
13 following: (1) the recipient's full name; (2) the recipient's street address; (3) the amount of each  
14 expenditure; (4) the description of the consideration for which each expenditure was made.<sup>45</sup>

#### 15 Duty to Maintain Campaign Records

16 To ensure accurate campaign reporting, the Act imposes a mandatory duty on each candidate,  
17 treasurer, and elected officer to maintain detailed accounts, records, bills, and receipts necessary to  
18 prepare campaign statements, to establish that campaign statements were properly filed, and to comply  
19 with the campaign provisions.<sup>46</sup> This requirement includes a duty to maintain detailed information and  
20 original source documentation for all contributions and expenditures.<sup>47</sup>

21  
22 ///

23 <sup>41</sup> Section 84211, subd. (f).

24 <sup>42</sup> Section 82025.

25 <sup>43</sup> Section 84211, subd. (b).

26 <sup>44</sup> Section 84211, subd. (i) and (j).

27 <sup>45</sup> Section 84211, subd (k).

28 <sup>46</sup> Section 84104.

<sup>47</sup> Regulation 18401.

1 Joint and Several Liability of Candidate, Committee, and Treasurer

2 Every committee must have a treasurer.<sup>48</sup> It is the duty of a committee's treasurer to ensure that  
3 the committee complies with all of the requirements of the Act concerning the receipt and expenditure of  
4 funds and the reporting of such funds.<sup>49</sup> A committee's treasurer may be held jointly and severally liable  
5 with the candidate and the committee for violations committed by the committee.<sup>50</sup>

6 Prohibited Personal Use of Campaign Funds

7 Campaign contributions are held in trust for expenses associated with the election of the  
8 candidate, or for expenses associated with holding office.<sup>51</sup> Candidates and elected officials cannot spend  
9 campaign funds on items that are not reasonably related to a political, legislative, or governmental  
10 purpose.<sup>52</sup> If an expenditure of campaign funds confers a personal benefit of \$200 or more on the  
11 candidate or official, the expenditure must be directly related to a political, legislative, or governmental  
12 purpose.<sup>53</sup> The Act prohibits the use of campaign funds to purchase campaign, business, or casual  
13 clothing.<sup>54</sup>

14 Duty to File Statements of Economic Interests and Disclose Economic Interests

15 In 2012 through 2016, the Act required public officials who manage public investments to  
16 annually file SEIs disclosing his or her reportable investments, interests in real property, and income.<sup>55</sup>  
17 The conflict of interest code for SCCCD specified that members of the Boards of Trustees were public  
18 officials who managed public investments.

19 The public official's SEIs must include all of the public official's reportable economic interests  
20 during each preceding calendar year.<sup>56</sup> The Act specified disclosure requirements for investments,  
21

22 \_\_\_\_\_  
23 <sup>48</sup> Section 84100.

24 <sup>49</sup> Section 84104 and Regulation 18427, subd. (a).

25 <sup>50</sup> Sections 83116.5 and 91006.

26 <sup>51</sup> Section 89510, subd. (b).

27 <sup>52</sup> Section 89512.

28 <sup>53</sup> Section 89512, subd. (a).

<sup>54</sup> Section 89513, subd. (d).

<sup>55</sup> Sections 87200 and 87203.

<sup>56</sup> Regulation 18723, subd. (a).

1 business positions, real property interests, and sources of income and gifts received by public officials.<sup>57</sup>

## 2 SUMMARY OF THE EVIDENCE

3 Payne has been a member of the SCCCD Board of Trustees since his election in 2012. He was  
4 re-elected in the November 8, 2016 General Election and has announced that he will run for re-election  
5 in 2020.

### 6 Statement of Intention and Statement of Organization

7 The Committee filed an initial statement of organization with the SOS on September 24, 2012,  
8 stating that it qualified as a recipient committee on August 23, 2012. Payne and the Committee received  
9 a \$3,000 contribution related to Payne's 2016 re-election campaign on or about August 2, 2016. Payne  
10 never filed a statement of intention to be a candidate for the 2016 election to the SCCCD Board of  
11 Trustees. And Payne and the Committee filed campaign statements related to Payne's 2016 re-election  
12 campaign, but failed to file an amended statement of organization with the SOS to redesignate the  
13 Committee for the 2016 election until December 1, 2016.

### 14 Preelection and Semi-Annual Campaign Statements

15 According to the Committee's campaign statements, Committee records, and bank records, the  
16 Committee received contributions totaling approximately \$12,719, including an unpaid \$1,000 loan  
17 received from Payne in 2012, and made expenditures totaling approximately \$14,306 related to the  
18 November 8, 2016 General Election.

19 In connection with the November 8, 2016 General Election, Payne and the Committee failed to  
20 timely file the following campaign statements:

21 Statement Type	Reporting Period	Date Due	Date Filed	Days Late	Contributions Received	% of Total	Expenditures Made	% of Total
22 Preelection	7/1/2016 – 9/24/2016	9/29/2016	12/21/2016	83	\$6,120	48%	\$3,365	23%
23 Preelection	9/25/2016 – 10/22/2016	10/27/2016	11/4/2016 <sup>58</sup>	8	\$2,435	19%	\$5,780	40%

25 <sup>57</sup> Sections 87206, 87207, and 87209.

26 <sup>58</sup> Payne and the Committee filed a campaign statement on November 4, 2016, for an unidentified reporting period  
27 disclosing activity occurring between August 14, 2016 and October 28, 2016.

Statement Type	Reporting Period	Date Due	Date Filed	Days Late	Contributions Received	% of Total	Expenditures Made	% of Total
Semi-Annual	10/23/2016 – 12/31/2016	1/31/2017	Not Filed	N/A	\$2,750	22%	\$4,801	34%
Semi-Annual	1/1/2017 – 6/30/2017	7/31/2017	Not Filed	N/A	\$1,414	11%	\$360	3%

Notably, the \$1,414 in contributions received during the January 1 through June 30, 2017 reporting period were all transfers from Payne's personal bank account which appear to have been necessary to cover overdrafts on the Committee account.

24-Hour Contribution Reports

Payne and the Committee were required to file 24-hour contribution reports for all contributions received totaling \$1,000 or more in the 90-day period before the November 8, 2016 General Election. Payne and the Committee received four such contributions and failed to timely file 24-hour contribution reports as follows:

Date Made/Received	Amount	Contributor	Date 24-Hour Report Due	Dated Filed	Days Late
9/26/2016	\$1,300	Sheet Metal Workers International Association Local #104	9/27/2016	11/29/2016	63
10/10/2016	\$1,000	IUPAT	10/11/2016	11/29/2016	49
10/14/2016	\$2,000	Coast to Coast Petroleum, LLC	10/17/2016	Not Filed	485
10/28/2016	\$2,000	Coast to Coast Petroleum, LLC	10/31/2016	11/29/2016	31
<b>TOTAL</b>	<b>\$6,300</b>				

None of these reports were filed before the November 8, 2016 General Election. But the late contributions received September 26, October 10, and October 28 were disclosed four days before the election in the Committee's late-filed preelection campaign statement. The total amount of these late contributions represents nearly 50% of the Committee's total contributions received.

///

1 Prohibited Cash Contributions and Expenditures

2 The Committee received a contribution in the form of a cashier's check of \$100 or more as  
 3 follows:

Date	Contributor Name	Check No.	Amount	Type of Contribution
8/2/2016	Form 460 identifies "Sylvesta Hall" Handwritten notation on cashier's check states "Blue Ocean Development"	0019210516	\$3,000.00	Cashier's check

8 This represents nearly 24% of the Committee's total contributions received.

9 The Committee also paid an expenditure with a cashier's check of \$100 or more as follows:

Check Date	Withdrawal Date	Payee Name	Check No.	Amount	Type of Payment
8/5/2016	8/19/2016	Unknown	Unknown	\$605.00	Cashier's check

12 This represents approximately 4% of the Committee's total expenditures made.

13 During an interview with the Enforcement Division staff, Payne stated that he was unaware that  
 14 receiving contributions and making expenditures in cash or cashier's checks of \$100 or more was  
 15 prohibited, and he could not provide more detail about the contribution and expenditure.

16 Inaccurate Disclosure on Campaign Statements

17 Comparing the Committee's bank statements with the Committee's filed campaign statements,  
 18 Payne and the Committee inaccurately disclosed contributions and expenditures, as shown in the chart  
 19 below:

Statement Type	Reporting Period	Over/ Underreported Amount	Period Total	% of Total
Preelection	7/1/2016 – 9/24/2016	\$(3,000.00)	\$6,120.00	-49% under
		\$(1,881.04)	\$3,365.04	-56% under
Preelection	9/25/2016 – 10/22/2016	\$1,250.00	\$2,435.00	51% over
		\$(1,719.50)	\$5,780.18	-30% under
Semi-annual	10/23/2016 – 12/31/2016	\$(250.00)	\$2,750.00	-9% under
		\$(3,901.36)	\$4,801.36	-81% under
Semi-annual	1/1/2017 – 6/30/2017	\$(1,414.14)	No statement filed	
		\$(360.00)		

1 For the period covering July 1 through September 24, 2016, the Committee's original preelection  
 2 campaign statement underreported contributions received by \$3,000.00 and payments made by  
 3 \$1,881.04. For the period covering September 25 through October 22, 2016, the Committee's original  
 4 preelection campaign statement over-reported contributions received by \$1,250.00 and underreported  
 5 payments made by \$1,719.50.

6 Payne and the Committee originally filed a campaign statement on November 4, 2016, for an  
 7 unidentified reporting period which only disclosed activity occurring between August 14, 2016 and  
 8 October 28, 2016, and the Committee never filed semi-annual campaign statements covering the required  
 9 reporting periods of October 23 through December 31, 2016, and January 1 through June 30, 2017,  
 10 thereby causing additional activity to go unreported. Specifically, for the reporting period of October 23  
 11 through December 31, 2016, the Committee underreported payments made by \$3,901.36 and  
 12 contributions received by \$250.00 since they only reported activity through October 28, 2016. And for  
 13 the January 1 through June 30, 2017 reporting period, 100% of the activity, or \$1,414.14 in contributions  
 14 and \$360.00 in payments, went unreported.

15 Additionally, the evidence shows that Payne and the Committee failed to report the occupation  
 16 and/or employer information for several contributors in their original campaign statements as follows:

Reporting Period	Contributor	Amount	Missing Information
7/1/2016 – 9/24/2016	Sheena Harris	\$150.00	Employer
7/1/2016 – 9/24/2016	Karla Kirk	\$100.00	Employer
7/1/2016 – 9/24/2016	IUPAT Political Action Committee	\$1,000.00	Committee ID No.
9/25/2016 – 10/22/2016	Christopher Townsend	\$500.00	Employer
9/25/2016 – 10/22/2016	Miguel Arias	\$150.00	Employer
9/25/2016 – 10/22/2016	Patricia Brown	\$1,000.00	Employer

25 ///

1 The evidence also shows that Payne and the Committee failed to disclose complete information  
2 for several expenditures in their original campaign statements as follows:

3 Reporting Period	Description	Amount	Missing Information
4 7/1/2016 – 9/24/2016	Sherry Moud/DC Costoms – T-Shirts and Bags	\$144.60	Street Address and City
5 9/25/2016 – 10/22/2016	Downtown Business – Storage/Mailing	\$450.00	Street Address and City
6 9/25/2016 – 10/22/2016	Enterprise Rent Fresno – Lit. Drop (Driver)	\$202.79	Street Address and City
7 9/25/2016 – 10/22/2016	Cops Voter Guide – Media	\$1,725.00	Street Address and City
8 9/25/2016 – 10/22/2016	Truth Branding – Media	\$1,712.89	Street Address and City
9 9/25/2016 – 10/22/2016	KSEE/KGPE – Media	\$900.00	Street Address and City

### 10 Recordkeeping

11 The evidence shows that Payne and the Committee failed to maintain all campaign records. Payne  
12 admitted in an interview with the Enforcement Division staff that he did not maintain records for any  
13 expenditures made to Lyft for campaign related transportation. Additionally, Payne and the Committee  
14 hired Don Milligan as treasurer for the Committee on December 5, 2016. But Payne never provided  
15 Milligan and his employee DeeDee Garrelts with sufficient information to complete the campaign  
16 statements covering the reporting periods of October 23 through December 31, 2016, or January 1  
17 through June 30, 2017.

### 18 Prohibited Personal Use of Campaign Funds

19 According to bank records and available Committee records, on September 24, 2016, Payne used  
20 the Committee's funds to purchase several items of clothing from Nordstrom Rack: a pair of "casual twill  
21 chino" pants, a "sapphire solid" shirt, a "trim straight" shirt, and a "silver spun solid" shirt, among other  
22 items, for a total cost of \$471.50. Payne stated that the clothing items purchased were intended for his  
23 use at campaign events – barbeques, coffee meetings, evening events, and breakfasts – because he did  
24 not want to wear tennis shoes and shorts to these events.

26 ///

1 SEI Non-Disclosure

2 Payne failed to timely file several SEIs and failed to disclose reportable income as follows:

3

Type of Statement	Date Due	Date Filed	Days Late	Reported Interests	Reportable Interests
2012 Annual	4/2/2013	Not filed	N/A	N/A	Housing Authority Foundation – Director of Building Neighborhood Capacity
2013 Annual	4/1/2014	Not filed	N/A	N/A	Toure Associates – Managing Partner
2014 Annual	4/1/2015	Not filed	N/A	N/A	Toure Associates – Managing Partner
2015 Annual	4/1/2016	Not filed	N/A	N/A	Toure Associates – Managing Partner
2016 Candidate	8/4/2016	8/12/2016	8	None	Toure Associates – Managing Partner
2016 Annual	4/3/2017	10/27/2017	207	None	Toure Associates – Managing Partner

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10  
11 **VIOLATIONS**

12 Count 1: Failure to Timely File a Statement of Intention (Payne only)

13 Payne failed to timely file a statement of intention prior to the solicitation or receipt of any  
14 contribution or loan in connection with the 2016 re-election campaign, violating Government Code  
15 Section 85200.

16 Count 2: Failure to Timely Amend a Statement of Organization

17 Payne and the Committee failed to timely file an amended statement of organization to  
18 redesignate the Committee for the 2016 re-election campaign, due on or about August 12, 2016, violating  
19 Government Code Section 84103.

20 Count 3: Failure to Timely File a Preelection Campaign Statement

21 Payne and the Committee failed to timely file a preelection campaign statement for the reporting  
22 period of July 1, 2016 through September 24, 2016, due on September 29, 2016, violating Government  
23 Code Section 84200.5 and 84200.8.

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26 ///

1 Count 4: Failure to Timely File a Preelection Campaign Statement

2 Payne and the Committee failed to timely file a preelection campaign statement for the reporting  
3 period of September 25, 2016 through October 22, 2016, due on October 27, 2016, violating Government  
4 Code Section 84200.5 and 84200.8.

5 Count 5: Failure to Timely File a Semi-Annual Campaign Statement

6 Payne and the Committee failed to timely file a semi-annual campaign statement for the reporting  
7 period of October 23, 2016 through December 31, 2016, due on January 31, 2017, violating Government  
8 Code Section 84200.

9 Count 6: Failure to Timely File a Semi-Annual Campaign Statement

10 Payne and the Committee failed to timely file a semi-annual campaign statement for the reporting  
11 period of January 1, 2017 through June 30, 2017, due on July 31, 2017, violating Government Code  
12 Section 84200.

13 Count 7: Failure to Timely File a 24-Hour Contribution Report

14 Payne and the Committee failed to timely file a 24-hour contribution report for a \$1,300  
15 contribution received on September 26, 2016, due on September 27, 2016, violating Government Code  
16 Section 84203, subdivision (a).

17 Count 8: Failure to Timely File a 24-Hour Contribution Report

18 Payne and the Committee failed to timely file a 24-hour contribution report for a \$1,000  
19 contribution received on October 10, 2016, due on October 11, 2016, violating Government Code Section  
20 84203, subdivision (a).

21 Count 9: Failure to Timely File a 24-Hour Contribution Report

22 Payne and the Committee failed to timely file a 24-hour contribution report for a \$2,000  
23 contribution received on October 14, 2016, due on October 17, 2016, violating Government Code Section  
24 84203, subdivision (a).

25  
26 ///

1 Count 10: Failure to Timely File a 24-Hour Contribution Report

2 Payne and the Committee failed to timely file a 24-hour contribution report for a \$2,000  
3 contribution received on October 28, 2016, due on October 31, 2016, violating Government Code Section  
4 84203, subdivision (a).

5 Count 11: Prohibited Cash Contributions

6 In or about August 2016, Payne and the Committee received cash contributions of \$100 or more  
7 totaling approximately \$3,000, violating Government Code Section 84300, subdivision (a).

8 Count 12: Prohibited Cash Expenditures

9 In or about August 2016, Payne and the Committee made cash expenditures of \$100 or more,  
10 totaling approximately \$605, violating Government Code Section 84300, subdivision (b).

11 Count 13: Inaccurate Disclosure on Campaign Statements

12 Payne and the Committee failed to accurately report all contributions and expenditures, and failed  
13 to disclose all required contributor and payee information, on the Committee's campaign statements for  
14 the reporting periods of July 1 through September 24, 2016, and September 25 through October 22, 2016,  
15 violating Government Code Section 84211, subdivisions (a), (b), (c), (d), (f), (i), (j), and (k).

16 Count 14: Failure to Maintain Campaign Records

17 Payne and the Committee failed to maintain supporting records for contributions received and  
18 expenditures made, violating Government Code Section 84104.

19 Count 15: Prohibited Personal Use of Committee Funds (Payne only)

20 On or about September 24, 2016, Payne spent campaign funds to purchase campaign, business,  
21 or casual clothing totaling \$471.50, violating Government Code Section 89513, subdivision (d).

22 Count 16: SEI Non-Disclosure (Payne only)

23 Payne failed to timely file his 2012 Annual SEI, due on April 2, 2013, and failed to timely disclose  
24 required economic interests in sources of income and business positions, violating Government Code  
25 Sections 87200, 87207, and 87209.

1 Count 17: SEI Non-Disclosure (Payne only)

2 Payne failed to timely file his 2013 Annual SEI, due on April 1, 2014, and failed to timely disclose  
3 required economic interests in sources of income and business positions, violating Government Code  
4 Sections 87200, 87207, and 87209.

5 Count 18: SEI Non-Disclosure (Payne only)

6 Payne failed to timely file his 2014 Annual SEI, due on April 1, 2015, and failed to timely disclose  
7 required economic interests in sources of income and business positions, violating Government Code  
8 Sections 87200, 87207, and 87209.

9 Count 19: SEI Non-Disclosure (Payne only)

10 Payne failed to timely file his 2015 Annual SEI, due on April 1, 2016, and failed to timely disclose  
11 required economic interests in sources of income and business positions, violating Government Code  
12 Sections 87200, 87207, and 87209.

13 Count 20: SEI Non-Disclosure (Payne only)

14 Payne failed to timely file his 2016 Candidate SEI, due on August 4, 2016, and failed to timely  
15 disclose required economic interests in sources of income and business positions, violating Government  
16 Code Sections 87200, 87207, and 87209.

17 Count 21: SEI Non-Disclosure (Payne only)

18 Payne failed to timely file his 2016 Annual SEI, due on April 3, 2017, and failed to timely disclose  
19 required economic interests in sources of income and business positions, violating Government Code  
20 Sections 87200, 87207, and 87209.

21 **EXCULPATORY OR MITIGATING INFORMATION**

22 The Committee has no prior record of violations of the Act for campaign finance or statements of  
23 economic interests violations. Payne contends that he did not know the rules regarding cash contributions,  
24 cash expenditures, and the proper uses of campaign funds.

25  
26 ///

1 **OTHER RELEVANT MATERIAL**

2 In this case, Payne and the Committee failed to timely file a statement of intention, an amended  
3 statement of organization, two preelection campaign statements, two semi-annual campaign statements,  
4 and four 24-hour contribution reports. Their failure to timely file these campaign statements resulted in  
5 a lack of complete and accurate information for the voting public regarding Payne's and the Committee's  
6 campaign activity. Only one of the preelection campaign statements was filed before the election, and  
7 the contributions received in the 24-hour period represent nearly 50% of the Committee's total  
8 contributions received. Additionally, the campaign statements that were filed contained inaccurate  
9 information.

10 Payne and the Committee also received prohibited cash contributions and made prohibited cash  
11 expenditures. While Payne and the Committee disclosed the identity of the cash contributor in the  
12 Committee's campaign statement, no information is available regarding the cash expenditure, and the  
13 recipient of the expenditure cannot be identified.

14 Personal use of campaign funds violates the trust of the contributors giving to that campaign, and  
15 purchasing clothing is a prohibited use of campaign funds. In this case, Payne purchased nearly \$500  
16 worth of clothing.

17 The public harm inherent in SEI reporting violations is that the public is deprived of important  
18 information about the assets and income of public officials. These types of violations make it harder to  
19 detect other violations, such as conflicts of interests. Payne failed to file four consecutive Annual SEIs  
20 and failed to disclose his economic interests in the two he did file.

21 Although the campaign was small, the full nature and extent of the campaign activity was not  
22 disclosed to the public before the date of the election. Payne had been a candidate before, and he was  
23 aware that the Act required disclosure of the Committee's campaign activity. And Payne failed to disclose  
24 his sources of income and business positions for the majority of the time he has held office. The violations  
25 in this matter, taken as a whole, resulted in incomplete disclosure before the election regarding Payne's  
26 and the Committee's campaign activity.

1 **CONCLUSION**

2 Probable cause exists to believe that Payne and the Committee violated the Act as described  
3 above. The Enforcement Division respectfully requests an order finding probable cause pursuant to  
4 Section 83115.5 and Regulation 18361.4.

5  
6 Dated: 3-22-2018

7  
8 Respectfully Submitted,

9 **FAIR POLITICAL PRACTICES COMMISSION**  
10 Galena West  
11 Enforcement Chief

12   
13 By: Angela J Brereton  
14 Senior Commission Counsel  
15 Enforcement Division  
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# **EXHIBIT B**

**PROOF OF SERVICE**

At the time of service, I was over 18 years of age and not a party to this action. My business address is Fair Political Practices Commission, 1102 Q Street, Suite 3000, Sacramento, CA 95811. On March 22, 2018, I served the following document(s):

1. Letter dated March 22, 2018, from Angela J. Brereton;
2. FPPC No. 16/19917 Report in Support of a Finding of Probable Cause;
3. Probable Cause Fact Sheet
4. Selected Sections of the California Government Code regarding Probable Cause Proceedings for the Fair Political Practices Commission; and
5. Selected Regulations of the Fair Political Practices Commission regarding Probable Cause Proceedings

By Personal Delivery. I personally delivered the document(s) listed above to the person(s) at the address(es) as shown on the service list below.

By United States Postal Service. I enclosed the document(s) in a sealed envelope or package addressed to the person(s) at the addresses listed below and placed the envelope or package for collection and mailing by certified mail, return receipt requested, following my company's ordinary business practices. I am readily familiar with this business' practice for collection and processing correspondence for mailing with the United States Postal Service. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail in Sacramento County, California.

**SERVICE LIST**

Certified Mail, Return Receipt Requested

Eric Payne  
[REDACTED]  
Fresno, CA [REDACTED]

Certified Mail, Return Receipt Requested

Eric Payne for SCCCD 2016 Trustee Area 2  
1444 Fulton Street, Suite 121  
Fresno, CA 93721

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on March 22, 2018.

[REDACTED]  
\_\_\_\_\_  
Dominika Wojenska

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on Eric Payne

1. Article Number (Transfer from service label)  
 [Redacted]  
 Fresno, CA [Redacted]



9590 9402 3691 7335 8471 52

2. Article Number (Transfer from service label)  
 7015 0640 0001 8383 9063

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
 X [Redacted]  Agent  Addressee

B. Received by (Printed Name) [Redacted] C. Date of Delivery [Redacted]

D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

[Redacted]

3. Service Type
- Adult Signature
  - Adult Signature Restricted Delivery
  - Certified Mail®
  - Certified Mail Restricted Delivery
  - Collect on Delivery
  - Collect on Delivery Restricted Delivery
  - Insured Mail
  - Insured Mail Restricted Delivery (over \$500)
  - Priority Mail Express®
  - Registered Mail™
  - Registered Mail Restricted Delivery
  - Return Receipt for Merchandise
  - Signature Confirmation™
  - Signature Confirmation Restricted Delivery

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece. Eric Payne for SCCCD 2016 Trustee Area 2

1444 Fulton Street, Suite 121  
 Fresno, CA 93721



9590 9402 3691 7335 8471 45

2. Article Number (Transfer from service label)  
 7015 0640 0001 8383 9070

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
 X [Redacted]  Agent  Addressee

B. Received by (Printed Name) [Redacted] C. Date of Delivery [Redacted]

D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

3. Service Type
- Adult Signature
  - Adult Signature Restricted Delivery
  - Certified Mail®
  - Certified Mail Restricted Delivery
  - Collect on Delivery
  - Collect on Delivery Restricted Delivery
  - Insured Mail
  - Insured Mail Restricted Delivery (over \$500)
  - Priority Mail Express®
  - Registered Mail™
  - Registered Mail Restricted Delivery
  - Return Receipt for Merchandise
  - Signature Confirmation™
  - Signature Confirmation Restricted Delivery

## Track Another Package +

**Tracking Number:** 70150640000183839063

Remove X

Your item was delivered to an individual at the address at 12:03 pm on March 24, 2018 in FRESNO, CA 93706.

### **Delivered**

March 24, 2018 at 12:03 pm  
Delivered, Left with Individual  
FRESNO, CA 93706

**Get Updates** ∨

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**Text & Email Updates**



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**Tracking History**



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**Product Information**



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**See Less** ^

## Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

**FAQs** (<http://faq.usps.com/?articleId=220900>) **How can I help you?**

## Track Another Package +

**Tracking Number:** 70150640000183839070

Remove X

Your item was delivered to an individual at the address at 12:05 pm on March 26, 2018 in FRESNO, CA 93721.

### **Delivered**

March 26, 2018 at 12:05 pm  
Delivered, Left with Individual  
FRESNO, CA 93721

**Get Updates** v

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**Text & Email Updates**



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**Tracking History**



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**Product Information**



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**See Less** ^

## Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

**FAQs** (<http://faq.usps.com/?articleId=220900>)

# **EXHIBIT C**



**FAIR POLITICAL PRACTICES COMMISSION**  
1102 Q Street • Suite 3000 • Sacramento, CA 95811

March 22, 2018

**CERTIFIED MAIL, RETURN RECEIPT REQUESTED**

Eric Payne  
[REDACTED]  
Fresno, CA [REDACTED]  
[REDACTED]

Eric Payne for SCCCD 2016 Trustee Area 2  
1444 Fulton Street, Suite 121  
Fresno, CA 93721

**In the Matter of ERIC PAYNE and ERIC PAYNE FOR SCCCD 2016 TRUSTEE AREA 2;  
FPFC No. 16/19917**

Dear Mr. Payne and Eric Payne for SCCCD 2016 Trustee Area 2:

The Enforcement Division of the Fair Political Practices Commission (the "Commission") is proceeding with an administrative action against you for your failure to comply with the filing and disclosure provisions of the Political Reform Act (the "Act"). The enclosed Report in Support of a Finding of Probable Cause (the "Report") contains a summary of the alleged violations and the relevant law and evidence.

You have the right to file a written response to the Report. That response may contain any information you think is relevant and that you wish to bring to the attention of the Hearing Officer. In your response, please indicate whether you would like the Hearing Officer to make a determination of probable cause based on the written materials alone (the Report and your response) or request a conference, during which you may orally present your case to the Hearing Officer. Probable cause conferences are held in our office, which is located at 1102 Q Street, Suite 3000, Sacramento, CA 95811. You may appear at the conference in person or by telephone and you are entitled to be represented by counsel. *If you wish to submit a written response or request a probable cause conference, it must be filed with the Commission Assistant at the address listed above within 21 days from the date of service of this letter.* You can reach the Commission Assistant at (916) 327-8269.

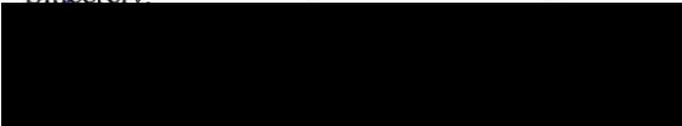
Please note that probable cause conferences are not settlement conferences. The sole purpose of a probable cause conference is to determine whether there is probable cause to believe that the Act was violated. However, settlement discussions are encouraged by the Commission and may take place at any time except during a probable cause conference. *If you are interested in reaching a settlement in this matter, please contact me at (916) 322-5771 or [REDACTED]*

Finally, you have the right to request discovery of the evidence in possession of, and relied upon by, the Enforcement Division. ***This request must also be filed with the Commission Assistant within 21 days from the date of service of this letter.*** Should you request discovery, the Enforcement Division will provide the evidence by service of process or certified mail. From the date you are served with the evidence, you would have an additional 21 days to file a written response to the Report, just as described above.

***Should you take no action within 21 days from the date of service of this letter, your rights to respond and to request a conference are automatically waived and the Enforcement Division will independently pursue the issuance of an accusation.***

For your convenience, I have enclosed a fact sheet on probable cause proceedings and copies of the most relevant statutes and regulations.

Sincerely,



Angela J/ Brereton  
Senior Commission Counsel  
Enforcement Division

Enclosures

## **PROBABLE CAUSE FACT SHEET**

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### **INTRODUCTION**

The Fair Political Practices Commission is required by law to determine whether probable cause exists to believe that the Political Reform Act (the "Act") was violated before a public administrative accusation may be issued.

The probable cause proceedings before the Fair Political Practices Commission are unique, and most respondents and their attorneys are unfamiliar with them. Therefore, we have prepared this summary to acquaint you with the process.

### **THE LAW**

Government Code sections 83115.5 and 83116 set forth the basic requirement that a finding of probable cause be made in a "private" proceeding before a public accusation is issued and a public hearing conducted in accordance with the Administrative Procedure Act.

The Commission has promulgated regulations further defining the probable cause procedure and delegating to the General Counsel (the "Hearing Officer" for purposes of these proceedings) the authority to preside over such proceedings and decide probable cause. A copy of these statutes and regulations are attached for your convenience.

In summary, the statutes and regulations entitle you to the following:

- a) A written probable cause report containing a summary of the law alleged to have been violated, and a summary of the evidence, including any exculpatory and mitigating information and any other relevant material and arguments;
- b) The opportunity to request discovery, respond in writing, and to request a probable cause conference within 21 days of service of the probable cause report;
- c) If the Commission met to consider whether a civil lawsuit should be filed in this matter, a copy of any staff memoranda submitted to the Commission and a transcript of staff discussions with the Commission at any such meeting; and
- d) If a timely request was made, a non-public conference with the General Counsel and the Enforcement Division staff to consider whether or not probable cause exists to believe the Act was violated.

### **THE PROCEDURE**

#### **Probable Cause Report**

Administrative enforcement proceedings are commenced with the service, by registered or certified mail or in person, of a probable cause report. The report will contain a summary of the law and the evidence, including any exculpatory and mitigating information of which the staff has knowledge and any other relevant material and arguments. It is filed with the Hearing Officer.

## **Discovery**

Within 21 calendar days following the service of the probable cause report, you may request discovery of the evidence in the possession of the Enforcement Division. This is not a right to full discovery of the Enforcement Division file, but to the evidence relied upon by the Division along with any exculpatory or mitigating evidence<sup>1</sup>.

This request must be sent by registered or certified mail to the Commission Assistant.

## **Response to Probable Cause Report**

Within 21 calendar days following the service of the probable cause report (or, if you timely requested discovery, within 21 calendar days from the service of the evidence) you may submit a response to the Report. By regulation, the written response may contain, "... a summary of evidence, legal arguments, and any mitigating or exculpatory information." (Cal. Code Regs., tit. 2, § 18361.4, subd. (c).)

You must file your response with the Commission Assistant and provide a copy, by service of process or registered or certified mail with return receipt requested, to all other proposed respondents listed in the probable cause report.

## **Staff Reply**

Within 10 calendar days following the date the response was filed with the Commission Assistant, Commission staff may submit any evidence or argument in rebuttal. You will be served with a copy of any such reply.

## **Probable Cause Conference**

Probable cause conferences are held at the offices of the Fair Political Practices Commission, which is located at 1102 Q Street, Suite 3000, Sacramento, CA 95811. You may appear at the conference in person or by telephone. The proceedings are not public unless all proposed respondents agree to open the conference to the public. Otherwise, the probable cause report, any written responses, and the probable cause conference itself are confidential.

Unless the probable cause conference is public, the only persons who may attend are the staff of the Commission, any proposed respondent and his or her attorney or representative, and, at the discretion of the Hearing Officer, witnesses.

The Hearing Officer may, but need not, permit testimony from witnesses. Probable cause conferences are less formal than court proceedings. The rules of evidence do not apply. The conferences will be recorded and a copy of the recording will be provided upon request.

Since it has the burden of proof, the Enforcement Division is permitted to open and close the conference presentations. The Hearing Officer may also hold the record open to receive additional evidence or arguments.

Probable cause conferences are not settlement conferences. The sole purpose of a probable cause conference is to determine whether or not there is probable cause to believe that the

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<sup>1</sup> But see Title 2, California Code of Regulations, Section 18362, which states that the Commission provides access to complaints, responses to complaints, and investigative files and information in accordance with the requirements of the Public Records Act. (Govt. Code § 6250, et seq.)

Political Reform Act was violated. Anyone who wishes to discuss settlement with the Enforcement Division may do so before or after the probable cause conference but not during the conference.

Pursuant to Title 2, California Code of Regulations, Section 18361.4, subdivision (e), the Hearing Officer will find probable cause "if the evidence is sufficient to lead a person of ordinary caution and prudence to believe or entertain a strong suspicion that a proposed respondent committed or caused a violation."

Ordinarily, probable cause determinations are made based upon the written probable cause report, any written response by the respondent, any written reply by the Enforcement Division, and the oral arguments presented at the conference. Timely written presentations are strongly recommended.

### **Probable Cause Order and Accusation**

Once the matter is submitted to the Hearing Officer, the probable cause decision will normally be made within ten days. If the Hearing Officer finds probable cause, he will issue a Finding of Probable Cause, which will be publicly announced at the next Commission Meeting. An accusation will be issued soon after the Finding of Probable Cause is publicly announced.

### **Continuances**

Every reasonable effort is made to accommodate the schedules of parties and counsel. However, once a date has been set it is assumed to be firm and will not be continued except upon the order of the Hearing Officer after a showing of good cause. Settlement negotiations will be considered good cause only if the Hearing Officer is presented with a fully executed settlement, or is convinced that settlement is imminent.

### **Settlements**

Settlement discussions may take place at any time except during the probable cause conference. In order to open settlement discussions, a proposed respondent or his or her counsel or representative should present a written offer to settle stating, where appropriate, the violations to be admitted, and the monetary penalty or other remedy to be tendered.

The Enforcement Division attorney assigned to the case will negotiate any potential settlement on behalf of the Fair Political Practices Commission, and will draft the language of the settlement agreement. The Hearing Officer will not directly participate in the negotiations, but will be represented by Enforcement Division attorneys. Staff attorneys will present settlement offers to the Hearing Officer for his/her approval.

### **CONCLUSION**

This fact sheet was intended to give you a brief summary of the probable cause process at the Fair Political Practices Commission. Such a summary cannot answer every question that might arise in such proceedings. Therefore, if you have any questions that are not addressed by this fact sheet or the copies of the law and regulations we have attached, feel free to contact the attorney whose name appears on the probable cause report.

*Attachments: Relevant Sections of (1) California Government Code , and (2) Regulations of the Fair Political Practices Commission, Title 2, Division 6 of the California Code of Regulations.*

## CALIFORNIA GOVERNMENT CODE

### Probable Cause Statutes

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#### **§ 83115.5. Probable cause; violation of title; notice of violation; summary of evidence; notice of rights; private proceedings**

No finding of probable cause to believe this title has been violated shall be made by the commission unless, at least 21 days prior to the commission's consideration of the alleged violation, the person alleged to have violated this title is notified of the violation by service of process or registered mail with return receipt requested, provided with a summary of the evidence, and informed of his right to be present in person and represented by counsel at any proceeding of the commission held for the purpose of considering whether probable cause exists for believing the person violated this title. Notice to the alleged violator shall be deemed made on the date of service, the date the registered mail receipt is signed, or if the registered mail receipt is not signed, the date returned by the post office. A proceeding held for the purpose of considering probable cause shall be private unless the alleged violator files with the commission a written request that the proceeding be public.

#### **§ 83116. Violation of title; probable cause; hearing; order**

When the Commission determines there is probable cause for believing this title has been violated, it may hold a hearing to determine if a violation has occurred. Notice shall be given and the hearing conducted in accordance with the Administrative Procedure Act (Chapter 5 (commencing with Section 11500), Part 1, Division 3, Title 2, Government Code). The Commission shall have all the powers granted by that chapter. When the Commission determines on the basis of the hearing that a violation has occurred, it shall issue an order that may require the violator to do all or any of the following:

- (a) Cease and desist violation of this title.
- (b) File any reports, statements, or other documents or information required by this title.
- (c) Pay a monetary penalty of up to five thousand dollars (\$5,000) per violation to the General Fund of the state. When the Commission determines that no violation has occurred, it shall publish a declaration so stating.

**REGULATIONS OF THE FAIR POLITICAL PRACTICES COMMISSION  
TITLE 2, DIVISION 6 OF THE CALIFORNIA CODE OF REGULATIONS**

**Probable Cause Regulations**

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**§ 18361 (b). Delegation by the Executive Director Pertaining to Enforcement Proceedings and Authority to Hear Probable Cause Proceedings.**

Probable cause proceedings under Regulation 18361.4 shall be heard by the General Counsel or an attorney from the Legal Division. The General Counsel may delegate the authority to hear probable cause proceedings, in writing, to an administrative law judge.

**§ 18361.4. Probable Cause Proceedings**

(a) Probable Cause Report. If the Chief of the Enforcement Division decides to commence probable cause proceedings pursuant to Sections 83115.5 and 83116, he or she shall direct the Enforcement Division staff to prepare a written report, hereafter referred to as “the probable cause report.” The probable cause report shall contain a summary of the law and evidence gathered in connection with the investigation, including any exculpatory and mitigating information of which the staff has knowledge and any other relevant material and arguments. The evidence recited in the probable cause report may include hearsay, including declarations of investigators or others relating the statements of witnesses or concerning the examination of physical evidence.

(b) No probable cause hearing will take place until at least 21 calendar days after the Enforcement Division staff provides the following, by service of process or registered or certified mail with return receipt requested, to all proposed respondents:

- (1) A copy of the probable cause report;
- (2) Notification that the proposed respondents have the right to respond in writing to the probable cause report and to request a probable cause conference at which the proposed respondent may be present in person and represented by counsel, and;
- (3) If the Commission met in executive session on this matter pursuant to Regulation 18361.2, a copy of any staff memoranda submitted to the Commission at that time along with the recording of any discussion between the Commission and the staff at the executive session as required in subdivision (b) of Regulation 18361.2.

(c) Response to Probable Cause Report.

- (1) Each proposed respondent may submit a written response to the probable cause report. The response may contain a summary of evidence, legal arguments, and any mitigating or exculpatory information. A proposed respondent who submits a response must file it with the Commission Assistant who will forward the response to the General Counsel or an attorney in the Legal Division (the “hearing officer”) and provide a copy, by service of process or registered or certified mail with return receipt requested, to all other proposed respondents listed in the probable cause report not later than 21 days following service of the probable cause report.
- (2) Within 21 calendar days following the service of the probable cause report, a proposed

respondent may request discovery of evidence in the possession of the Enforcement Division. This request must be sent by registered or certified mail to the Commission Assistant. Upon receipt of the request, the Enforcement Division shall provide discovery of evidence relied upon by the Enforcement Division sufficient to lead a person of ordinary caution and prudence to believe or entertain a strong suspicion that a proposed respondent committed or caused a violation, along with any exculpatory or mitigating evidence. This is not a right to full discovery of the Enforcement Division file. The Enforcement Division shall provide access to documents for copying by the Respondent, or upon agreement among the parties, the Enforcement Division will provide copies of the requested documents upon payment of a fee for direct costs of duplication. The Enforcement Division shall provide such evidence by service of process or registered or certified mail with return receipt requested to all respondents, with a copy to the Commission Assistant. A respondent may submit a written response to the probable cause report described in subsection (1) no later than 21 calendar days after service of discovery.

- (3) The Commission staff may submit any evidence or argument in rebuttal to the response. When the Commission staff submits evidence or argument in rebuttal to the response, it shall provide a copy, by service of process or registered or certified mail with return receipt requested, to all proposed respondents listed in the probable cause report not later than 10 calendar days following the date the response was filed with the Commission Assistant. The hearing officer may extend the time limitations in this section for good cause. At any time prior to a determination of probable cause, the hearing officer may allow additional material to be submitted as part of the initial response or rebuttal.

(d) **Probable Cause Conference.** Any proposed respondent may request a probable cause conference. The request shall be served upon the Commission Assistant and all other proposed respondents not later than 21 days after service of the probable cause report unless the hearing officer extends the time for good cause. The Commission Assistant shall fix a time for the probable cause conference and the hearing officer shall conduct the conference informally. The conference shall be closed to the public unless a proposed respondent requests and all other proposed respondents agree to a public conference. If the conference is not public, only members of the Commission staff, any proposed respondent and his or her legal counsel or representative shall have the right to be present and participate. The hearing officer may allow witnesses to attend and participate in part or all of the probable cause conference. In making this determination, the hearing officer shall consider the relevancy of the witness' proposed testimony, whether the witness has a substantial interest in the proceedings, and whether fairness requires that the witness be allowed to participate. Representatives of any civil or criminal prosecutor with jurisdiction may attend the conference at the discretion of the hearing officer if they agree to respect the confidential nature of the proceedings. If the conference is not open to the public and none of the parties and the presiding officer object, the conference may be conducted in whole or in part by telephone. The probable cause conference shall be recorded. The hearing officer may determine whether there is probable cause based solely on the probable cause report, any responses or rebuttals filed and any arguments presented at the probable cause conference by the interested parties. If the hearing officer requires additional information before determining whether there is probable cause, he or she may permit any party to submit additional evidence at the probable cause conference.

(e) Finding of Probable Cause. The hearing officer may find there is probable cause to believe a violation has occurred if the evidence is sufficient to lead a person of ordinary caution and prudence to believe or entertain a strong suspicion that a proposed respondent committed or caused a violation. A finding of probable cause by the hearing officer does not constitute a finding that a violation has actually occurred. The hearing officer shall not make a finding of probable cause if he or she is presented with clear and convincing evidence that, at a time prior to the alleged violation, the violator consulted with the staff of the Commission in good faith, disclosed truthfully all the material facts, and committed the acts complained of either in reliance on the advice of the staff or because of the staff's failure to provide advice. If the hearing officer makes a finding of probable cause, the Enforcement Division shall prepare an Accusation pursuant to Section 11503 and have it served upon the person or persons who are subjects of the probable cause finding. The hearing officer shall publicly announce the finding of probable cause. The announcement shall contain a summary of the allegations and a cautionary statement that the respondent is presumed to be innocent of any violation of the Act unless a violation is proved in a subsequent proceeding. The Chief of the Enforcement Division shall be responsible for the presentation of the case in support of the Accusation at an administrative hearing held pursuant to Section 83116.

#### **§ 18362. Access to Enforcement Records**

(a) Production of Enforcement Records. The Commission will make complaints, investigative files, and related records available to the public and members of the media in accordance with the Public Records Act (Government Code Section 6250, et seq.) Enforcement records requests should specifically identify the documents sought.

(b) Format of Enforcement Records. The Commission will make records available for inspection at its office during office hours. The Commission may provide copies of requested records either in paper or electronic format to the person that requested the records in lieu of inspecting the records at the Commission offices. Any person requesting paper copies of records must reimburse the Commission ten cents (\$0.10) per page to pay the cost of copying, or supply copying equipment and make copies in the offices of the Commission. Original records of the Commission may not be removed from the offices of the Commission.

(c) Complaint Notice Period. The Commission may not provide or make available complaints or related records until after the disclosure periods provided in Regulation 18360.

#### **§ 18361.2. Memorandum Respecting Civil Litigation.**

(a) If the Executive Director concludes civil litigation should be initiated, he or she shall submit to the Commission a written memorandum, which shall be first reviewed by the General Counsel, or an attorney from the Legal Division, summarizing the facts and the applicable law of the case and recommending the initiation of a lawsuit. The memorandum shall include all exculpatory and mitigating information known to the staff.

(b) The Commission shall review the memorandum at an executive session. The General

Counsel, or an attorney from the Legal Division, and the Commission Assistant shall be in attendance. No other member of the staff may be present unless the Commission meets with a member of the staff for that person to answer questions. The Commission may not resume its deliberations until the person is no longer present. Any communication between the Commission and the person during the executive session shall be recorded. After review of the memorandum, the Commission may direct the Executive Director to do any of the following:

- (1) Initiate civil litigation.
  - (2) Decide whether probable cause proceedings should be commenced pursuant to 2 Cal. Code of Regulations Section 18361.4.
  - (3) Return the matter to the staff for further investigation.
  - (4) Take no further action on the matter or take any other action it deems appropriate.
- (c) If the Commission decides to initiate civil litigation, the Commission may then permit other members of the staff to attend the executive session.
- (d) If the Executive Director deems it necessary, he or she may call a special meeting of the Commission to review a staff memorandum recommending the initiation of civil litigation.
- (e) It is the intent of the Commission in adopting this section to preserve for the members of the Commission the authority to decide whether alleged violations should be adjudicated in administrative hearings or in civil litigation, while at the same time avoiding the possibility that discussions with members of the staff might cause members of the Commission to prejudge a case that might be heard by the Commission under Government Code Section 83116.

**Exhibit A-5**

1 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION

2 STATE OF CALIFORNIA

3  
4 In the Matter of ) FPPC No. 16/19917  
5 )  
6 ERIC PAYNE and ERIC PAYNE FOR ) FINDING OF PROBABLE CAUSE AND AN  
7 SCCCD 2016 TRUSTEE AREA 2, ) ORDER TO PREPARE AND SERVE AN  
8 ) ACCUSATION  
9 Respondents. ) Gov. Code § 83115.5  
10 )  
11 )

12 By means of an Ex Parte Request for a Finding of Probable Cause and an Order that an  
13 Accusation be Prepared and Served, the Enforcement Division submitted the above-entitled matter to the  
14 Hearing Officer for a determination of Probable Cause. As set forth in the Ex Parte Request for a  
15 Finding of Probable Cause and an Order that an Accusation be Prepared and Served (the “Ex Parte  
16 Request”), the Enforcement Division served a Report in Support of a Finding of Probable Cause (the  
17 “PC Report”) concerning this matter on a respondent Eric Payne (“Payne”) on March 24, 2018, and on a  
18 respondent Eric Payne for SCCCD 2016 Trustee Area 2 (the “Committee”) on March 26, 2018, by  
19 certified mail, return receipt requested. Accompanying the PC Report was a packet of materials that  
20 informed Payne and the Committee of their right to file a written response to the PC Report and to  
21 request a probable cause conference within 21 days following service of the PC Report. During the 21  
22 days that followed service of the PC Report, Payne and the Committee did not file a response to the PC  
23 Report or request a probable cause conference. Pursuant to California Code of Regulations Title 2,  
24 Section 18361.4, determination of probable cause may be made solely on papers submitted when the  
25 respondent does not request a probable cause conference.<sup>1</sup>

26  
27 In making a probable cause determination, it is the duty of the Hearing Officer of the Fair  
28 Political Practices Commission to determine whether probable cause exists to believe that a respondent

<sup>1</sup> The Political Reform Act is contained in Government Code §§ 81000 through 91014. The regulations of the Fair Political Practices Commission are contained in §§ 18110 through 18997 of Title 2 of the California Code of Regulations.

1 violated the Political Reform Act as alleged by the Enforcement Division in the PC Report served on the  
2 respondent.

3 Probable cause to believe a violation has occurred can be found to exist when “the evidence is  
4 sufficient to lead a person of ordinary caution and prudence to believe or entertain a strong suspicion  
5 that the proposed respondent(s) committed or caused a violation.”<sup>2</sup>

6 The PC Report served on Payne and the Committee and the subsequent Ex Parte Request in this  
7 matter alleges violations of the Political Reform Act were committed, as follows:

8 Count 1: Payne failed to timely file a statement of intention prior to the solicitation or receipt of  
9 any contribution or loan in connection with the 2016 re-election campaign, in violation of  
Section 85200.

10 Count 2: Payne and the Committee failed to timely file an amended statement of organization to  
11 redesignate the Committee for the 2016 re-election campaign, due on or about August 12,  
2016, in violation of Section 84103.

12 Count 3: Payne and the Committee failed to timely file a preelection campaign statement for the  
13 reporting period of July 1, 2016 through September 24, 2016, due on September 29,  
2016, in violation of Section 84200.5 and 84200.8.

14 Count 4: Payne and the Committee failed to timely file a preelection campaign statement for the  
15 reporting period of September 25, 2016 through October 22, 2016, due on October 27,  
2016, in violation of Section 84200.5 and 84200.8.

16 Count 5: Payne and the Committee failed to timely file a semi-annual campaign statement for the  
17 reporting period of October 23, 2016 through December 31, 2016, due on January 31,  
2017, in violation of Section 84200.

18 Count 6: Payne and the Committee failed to timely file a semi-annual campaign statement for the  
19 reporting period of January 1, 2017 through June 30, 2017, due on July 31, 2017, in  
20 violation of Section 84200.

21 Count 7: Payne and the Committee failed to timely file a 24-hour contribution report for a \$1,300  
22 contribution received on September 26, 2016, due on September 27, 2016, in violation of  
Section 84203, subdivision (a).

23 Count 8: Payne and the Committee failed to timely file a 24-hour contribution report for a \$1,000  
24 contribution received on October 10, 2016, due on October 11, 2016, in violation of  
Section 84203, subdivision (a).

25 Count 9: Payne and the Committee failed to timely file a 24-hour contribution report for a \$2,000  
26 contribution received on October 14, 2016, due on October 17, 2016, in violation of  
Section 84203, subdivision (a).

27 <sup>2</sup> Cal. Code Reg., Tit. 2, § 18361.4, subd. (e).

1 Count 10: Payne and the Committee failed to timely file a 24-hour contribution report for a \$2,000  
2 contribution received on October 28, 2016, due on October 31, 2016, in violation of  
3 Section 84203, subdivision (a).

4 Count 11: In or about August 2016, Payne and the Committee received cash contributions of \$100  
5 or more totaling approximately \$3,000, in violation of Section 84300, subdivision (a).

6 Count 12: In or about August 2016, Payne and the Committee made cash expenditures of \$100 or  
7 more, totaling approximately \$605, in violation of Section 84300, subdivision (b).

8 Count 13: Payne and the Committee failed to accurately report all contributions and expenditures,  
9 and failed to disclose all required contributor and payee information, on the Committee's  
10 campaign statements for the reporting periods of July 1 through September 24, 2016, and  
11 September 25 through October 22, 2016, in violation of Section 84211, subdivisions (a),  
12 (b), (c), (d), (f), (i), (j), and (k).

13 Count 14: Payne and the Committee failed to maintain supporting records for contributions received  
14 and expenditures made, in violation of Section 84104.

15 Count 15: On or about September 24, 2016, Payne spent campaign funds to purchase campaign,  
16 business, or casual clothing totaling \$471.50, in violation of Section 89513, subdivision  
17 (d).

18 Count 16: Payne failed to timely file his 2012 Annual SEI, due on April 2, 2013, and failed to  
19 timely disclose required economic interests in sources of income and business positions,  
20 in violation of Sections 87200, 87207, and 87209.

21 Count 17: Payne failed to timely file his 2013 Annual SEI, due on April 1, 2014, and failed to  
22 timely disclose required economic interests in sources of income and business positions,  
23 in violation of Sections 87200, 87207, and 87209.

24 Count 18: Payne failed to timely file his 2014 Annual SEI, due on April 1, 2015, and failed to  
25 timely disclose required economic interests in sources of income and business positions,  
26 in violation of Sections 87200, 87207, and 87209.

27 Count 19: Payne failed to timely file his 2015 Annual SEI, due on April 1, 2016, and failed to  
28 timely disclose required economic interests in sources of income and business positions,  
in violation of Sections 87200, 87207, and 87209.

Count 20: Payne failed to timely file his 2016 Candidate SEI, due on August 4, 2016, and failed to  
timely disclose required economic interests in sources of income and business positions,  
in violation of Sections 87200, 87207, and 87209.

Count 21: Payne failed to timely file his 2016 Annual SEI, due on April 3, 2017, and failed to  
timely disclose required economic interests in sources of income and business positions,  
in violation of Sections 87200, 87207, and 87209.

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1 Based on the Ex Parte Request given to me, I find that notice has been given to Payne and the  
2 Committee.<sup>3</sup> I further find, based on the PC Report and the Ex Parte Request, that there is probable  
3 cause to believe Payne and the Committee violated the Political Reform Act as alleged in Counts 1  
4 through 21, as identified above.

5 I therefore direct that the Enforcement Division issue an accusation against Payne and the  
6 Committee in accordance with this finding.

7 IT IS SO ORDERED.

8  
9 Dated: 7/11/18



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11 Sukhi Brar, Hearing Officer  
Fair Political Practices Commission

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<sup>3</sup> Government Code § 83115.5; Cal. Code Reg., Tit. 2, § 18361.4, subd. (b).

**Exhibit A-6**

1 GALENA WEST  
Chief of Enforcement  
2 ANGELA J. BRERETON  
Senior Commission Counsel  
3 **FAIR POLITICAL PRACTICES COMMISSION**  
1102 Q St, Suite 3000  
4 Sacramento, CA 95811  
Telephone: (916) 322-5771  
5 Email: abrereton@fppc.ca.gov

6 Attorneys for Complainant

7  
8 **BEFORE THE FAIR POLITICAL PRACTICES COMMISSION**  
9 **STATE OF CALIFORNIA**

10  
11 In the Matter of ) FPPC No. 16/19917  
12 )  
13 ERIC PAYNE and ERIC PAYNE ) **ACCUSATION**  
FOR SCCCD 2016 TRUSTEE AREA 2, )  
14 )  
15 Respondents. ) (Gov. Code §11503)  
16 )  
17 )

18 Complainant, the Enforcement Division of the Fair Political Practices Commission, after a finding  
19 of probable cause pursuant to Government Code Section 83115.5, alleges the following:

20 **JURISDICTION**

- 21 1. Complainant is the Enforcement Division of the Fair Political Practices Commission (the  
22 “Commission”) and makes this Accusation in its official capacity and in the public interest.
- 23 2. The authority to bring this action is derived from Title 2, California Code of Regulations,  
24 Sections 18361 and 18361.4, subdivision (e), and the statutory law of the State of California, specifically  
25 including, but not limited to, Government Code Sections 83111, 83116, and 91000.5, which assign to the  
26 Enforcement Division the duty to administer, implement, and enforce the provisions of the Political  
27 Reform Act, found at Government Code Sections 81000 through 91014.

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1 to be a candidate for an elective office must file an original statement of intention to be a candidate for a  
2 specific office, signed under penalty of perjury.<sup>6</sup>

3 **B. Definition of Controlled Committee**

4 11. A candidate includes, in relevant part, an individual who is listed on the ballot for election  
5 to any elective office.<sup>7</sup> A “committee” includes any person or combination of persons who receives  
6 contributions totaling \$2,000 or more in a calendar year,<sup>8</sup> commonly known as a “recipient committee.”

7 12. A recipient committee which is controlled directly or indirectly by a candidate, or which  
8 acts jointly with a candidate in connection with the making of expenditures, is a “controlled committee.”<sup>9</sup>  
9 A candidate controls a committee if he or she, his or her agent, or any other committee he or she controls  
10 has a significant influence on the actions or decisions of the committee.<sup>10</sup>

11 **C. Duty to File Statement of Organization**

12 13. Every committee must file a statement of organization within ten days after it qualifies as  
13 a recipient committee.<sup>11</sup> So a recipient committee is required to file a statement of organization within  
14 ten days after its total amount of contributions received reaches \$2,000 more.<sup>12</sup> The committee must file  
15 the original of the statement of organization with the Secretary of State (“SOS”) and a copy with the local  
16 filing officer.<sup>13</sup>

17 14. Whenever there is a change in any of the information contained in a statement of  
18 organization, an amendment shall be filed within ten days to reflect the change.<sup>14</sup> The committee must  
19 file the original of the amendment with the SOS and a copy with the local filing officer.<sup>15</sup>

20 **D. Redesignation of Controlled Committee**

21 15. A controlled committee established for a specific local office may be redesignated for a  
22 future local election if:

23  
24 <sup>6</sup> Section 85200.

<sup>7</sup> Section 82007.

25 <sup>8</sup> Section 82013, subd. (a).

<sup>9</sup> Section 82016, subd. (a).

26 <sup>10</sup> Section 82016, subd. (a).

<sup>11</sup> Section 84101, subd. (a).

27 <sup>12</sup> Section 82013, subd. (a).

<sup>13</sup> Sections 84101, subd. (a); and 84215.

28 <sup>14</sup> Section 84103, subd. (a).

<sup>15</sup> Sections 84103, subd. (a); and 84215.

- 1) The future election is for the same elective office;
- 2) The committee funds are not considered "surplus campaign funds" as defined in Government Code Section 89519;
- 3) The candidate amends the statement of organization for the committee to reflect the redesignation for the future election;
- 4) The candidate files a new statement of intention to be a candidate for the specific future election, signed under penalty of perjury; and
- 5) Redesignation of the committee is not otherwise prohibited by law.<sup>16</sup>

16. No Fresno County rule prohibits such redesignation.<sup>17</sup>

**E. Duty to File Campaign Statements**

17. The Act requires candidates and their controlled committees to file campaign statements at specific times disclosing information regarding contributions received and expenditures made by the campaign committees.<sup>18</sup>

**F. Duty to File Preelection Campaign Statements**

18. A controlled committee must file two preelection campaign statements before the election in which the candidate is listed on the ballot.<sup>19</sup> For the November 8, 2016 General Election, a candidate-controlled committee was required to file preelection campaign statements for the period ending September 24, no later than September 29, 2016, and for the period ending October 22, no later than October 27, 2016.<sup>20</sup>

**G. Duty to File Semi-Annual Campaign Statements**

19. A controlled committee must file two semi-annual campaign statements each year no later than July 31 for the period ending June 30 and no later than January 31 for the period ending December 31.<sup>21</sup> When the deadline falls on a Saturday, Sunday, or official state holiday, the filing deadline for such a statement is extended to the next regular business day.<sup>22</sup>

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<sup>16</sup> Regulation 18521, subd. (b).

<sup>17</sup> See Fresno County Election Campaign Contributions Ordinance, Ord. 0-81-010, § 1; Ord. 557-A-1, § 2 (part), 1976.

<sup>18</sup> See Section 84200, et seq.

<sup>19</sup> Section 84200.5, subd. (a).

<sup>20</sup> Section 84200.8.

<sup>21</sup> Section 84200, subd. (a).

<sup>22</sup> Regulation 18116.

1           20. All filing obligations continue until the recipient committee is terminated by filing a  
2 statement of termination with the SOS and a copy with the local filing officer receiving the committee's  
3 original campaign statements.<sup>23</sup>

4 **H. Duty to File 24-Hour Contribution Reports**

5           21. Each candidate or committee that makes or receives a late contribution must file a report  
6 within 24 hours of making or receiving the contribution.<sup>24</sup> When the deadline falls on a Saturday, Sunday,  
7 or official state holiday, the filing deadline for such a report is extended to the next regular business day.<sup>25</sup>

8           22. A "late contribution" includes a contribution aggregating \$1,000 or more that is made or  
9 received by a candidate or his or her controlled committee during the 90-day period preceding an election  
10 or on the date of the election.<sup>26</sup>

11 **I. Prohibited Cash Contributions of \$100 or More**

12           23. No contribution of \$100 or more may be made or received in cash.<sup>27</sup> All contributions of  
13 \$100 or more must be made in the form of a written instrument containing the name of the contributor  
14 and the name of the payee, and drawn from the account of the contributor.<sup>28</sup>

15 **J. Prohibited Cash Expenditures of \$100 or More**

16           24. The Act prohibits making an expenditure of \$100 or more in cash.<sup>29</sup> The Act defines  
17 "expenditure" as a payment, forgiveness of a loan, payment of a loan by a third party, or an enforceable  
18 promise to make a payment, unless it is clear from the surrounding circumstances that it is not made for  
19 political purposes.<sup>30</sup>

20 **K. Required Reporting of Campaign Contributions**

21           25. A contribution is a payment made for political purposes.<sup>31</sup> Candidates and committees  
22 must provide information regarding the amounts and sources of campaign contributions on campaign  
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24 <sup>23</sup> Section 84214; Regulation 18404.

25 <sup>24</sup> Section 84203.

26 <sup>25</sup> Regulation 18116.

27 <sup>26</sup> Section 82036.

28 <sup>27</sup> Section 84300, subd. (a).

29 <sup>28</sup> Section 84300, subd. (c).

30 <sup>29</sup> Section 84300, subd. (b).

31 <sup>30</sup> Section 82025.

<sup>31</sup> Section 82015.

1 statements. Specifically, the Act requires candidates and committees to disclose the total amount of  
2 contributions received during the period covered by the statement.<sup>32</sup>

3 26. Candidates and committees must disclose the total amount of contributions received from  
4 persons who have given \$100 or more during the period covered by the statement.<sup>33</sup> For contributors of  
5 \$100 or more, candidates and committees must disclose the following: (1) the contributor's full name;  
6 (2) the contributor's street address; (3) the contributor's occupation; (4) the name of the contributor's  
7 employer, or if self-employed, the name of the contributor's business; (5) the date and amount of each  
8 contribution received from the contributor during the reporting period; and (6) the cumulative amount of  
9 contributions received from the contributor.<sup>34</sup>

10 **L. Required Reporting of Campaign Expenditures**

11 27. An expenditure is any payment, unless it is clear from the surrounding circumstances that  
12 it is not made for political purposes.<sup>35</sup> Candidates and committees must disclose the total amount of  
13 expenditures made during the period covered by the statement.<sup>36</sup>

14 28. Candidates and committees must disclose the total amount of expenditures made to  
15 persons who have received \$100 or more, and separately, the total amount of expenditures made to  
16 persons who have received less than \$100, during the period covered by the statement.<sup>37</sup> For expenditures  
17 of \$100 or more, candidates and committees must disclose the following: (1) the recipient's full name;  
18 (2) the recipient's street address; (3) the amount of each expenditure; (4) the description of the  
19 consideration for which each expenditure was made.<sup>38</sup>

20 **M. Duty to Maintain Campaign Records**

21 29. To ensure accurate campaign reporting, the Act imposes a mandatory duty on each  
22 candidate, treasurer, and elected officer to maintain detailed accounts, records, bills, and receipts  
23 necessary to prepare campaign statements, to establish that campaign statements were properly filed, and  
24

25 <sup>32</sup> Section 84211, subd. (a).

26 <sup>33</sup> Section 84211, subd. (c).

27 <sup>34</sup> Section 84211, subd. (f).

28 <sup>35</sup> Section 82025.

<sup>36</sup> Section 84211, subd. (b).

<sup>37</sup> Section 84211, subd. (i) and (j).

<sup>38</sup> Section 84211, subd. (k).

1 to comply with the campaign provisions.<sup>39</sup> This requirement includes a duty to maintain detailed  
2 information and original source documentation for all contributions and expenditures.<sup>40</sup>

3 **N. Joint and Several Liability of Candidate, Committee, and Treasurer**

4 30. Every committee must have a treasurer.<sup>41</sup> It is the duty of a committee's treasurer to ensure  
5 that the committee complies with all of the requirements of the Act concerning the receipt and  
6 expenditure of funds and the reporting of such funds.<sup>42</sup> A committee's treasurer may be held jointly and  
7 severally liable with the candidate and the committee for violations committed by the committee.<sup>43</sup>

8 **O. Prohibited Personal Use of Campaign Funds**

9 31. Campaign contributions are held in trust for expenses associated with the election of the  
10 candidate, or for expenses associated with holding office.<sup>44</sup> Candidates and elected officials cannot spend  
11 campaign funds on items that are not reasonably related to a political, legislative, or governmental  
12 purpose.<sup>45</sup>

13 32. If an expenditure of campaign funds confers a personal benefit of \$200 or more on the  
14 candidate or official, the expenditure must be directly related to a political, legislative, or governmental  
15 purpose.<sup>46</sup>

16 33. The Act prohibits the use of campaign funds to purchase campaign, business, or casual  
17 clothing.<sup>47</sup>

18 **P. Duty to File Statements of Economic Interests and Disclose Economic Interests**

19 34. In 2012 through 2016, the Act required public officials who manage public investments  
20 to annually file statements of economic interests ("SEIs") disclosing his or her reportable investments,  
21 interests in real property, and income.<sup>48</sup> The conflict of interest code for SCCCD specified that members  
22 of the Boards of Trustees were public officials who managed public investments.

23  
24 <sup>39</sup> Section 84104.

25 <sup>40</sup> Regulation 18401.

26 <sup>41</sup> Section 84100.

27 <sup>42</sup> Section 84104 and Regulation 18427, subd. (a).

28 <sup>43</sup> Sections 83116.5 and 91006.

<sup>44</sup> Section 89510, subd. (b).

<sup>45</sup> Section 89512.

<sup>46</sup> Section 89512, subd. (a).

<sup>47</sup> Section 89513, subd. (d).

<sup>48</sup> Sections 87200 and 87203.

1 35. The public official's SEIs must include all of the public official's reportable economic  
2 interests during each preceding calendar year.<sup>49</sup> The Act specified disclosure requirements for  
3 investments, business positions, real property interests, and sources of income and gifts received by  
4 public officials.<sup>50</sup>

5 **Q. Factors to be Considered by the Fair Political Practices Commission**

6 36. In framing a proposed order following a finding of a violation pursuant to Section 83116,  
7 the Commission and the administrative law judge shall consider all the surrounding circumstances  
8 including but not limited to: (1) The seriousness of the violation; (2) The presence or absence of any  
9 intention to conceal, deceive or mislead; (3) Whether the violation was deliberate, negligent or  
10 inadvertent; (4) Whether the violator demonstrated good faith by consulting the Commission staff or any  
11 other government agency in a manner not constituting a complete defense under Section 83114(b); (5)  
12 Whether the violation was isolated or part of a pattern and whether the violator has a prior record of  
13 violations of the Act or similar laws; and (6) Whether the violator, upon learning of a reporting violation,  
14 voluntarily filed amendments to provide full disclosure.<sup>51</sup>

15 **GENERAL FACTS**

16 37. Payne has been a member of the SCCCD Board of Trustees since his election in 2012. He  
17 was re-elected in the November 8, 2016 General Election.

18 38. The Committee filed an initial statement of organization with the SOS on September 24,  
19 2012, stating that it qualified as a recipient committee on August 23, 2012.

20 **Statement of Intention and Statement of Organization**

21 39. Payne and the Committee received a \$3,000 contribution related to Payne's 2016 re-  
22 election campaign on or about August 2, 2016.

23 40. Payne was required to file a statement of intention prior to the solicitation or receipt of  
24 any contribution or loan in connection with the 2016 re-election campaign but failed to do so.

25 41. Payne filed the statement of intention to be a candidate for the 2016 election to the SCCCD  
26 Board of Trustees on August 5, 2016.

27 <sup>49</sup> Regulation 18723, subd. (a).

28 <sup>50</sup> Sections 87206, 87207, and 87209.

<sup>51</sup> Regulation 18361.5, subd. (d).

1           42.     Payne and the Committee were required to file an amended statement of organization to  
2 redesignate the Committee for the 2016 re-election campaign on or about August 12, 2016, but failed to  
3 do so.

4           43.     Payne and the Committee filed the amended statement of organization to redesignate the  
5 Committee for the 2016 re-election campaign on December 1, 2016.

6 Preelection and Semi-Annual Campaign Statements

7           44.     According to the Committee's campaign statements, Committee records, and bank  
8 records, the Committee received contributions totaling approximately \$12,719, including an unpaid  
9 \$1,000 loan received from Payne in 2012, and made expenditures totaling approximately \$14,306 related  
10 to the November 8, 2016 General Election.

11           45.     The Committee and Payne were required to file a preelection campaign statement for the  
12 reporting period of July 1, 2016 through September 24, 2016, due on September 29, 2016, and a  
13 preelection campaign statement for the reporting period of September 25, 2016 through October 22, 2016,  
14 due on October 27, 2016, but failed to do so. Instead, on November 4, 2016, the Committee and Payne  
15 filed a campaign statement for an unidentified reporting period disclosing activity occurring between  
16 August 14, 2016 and October 28, 2016. The Committee and Payne filed amended campaign statements  
17 on December 21, 2016 for the reporting periods of July 1, 2016 through September 24, 2016 and  
18 September 25, 2016 through October 22, 2016.

19           46.     The Committee and Payne were required to file a semi-annual campaign statement for the  
20 reporting period of October 23, 2016 through December 31, 2016, due on January 31, 2017, and a semi-  
21 annual campaign statement for the reporting period of January 1, 2017 through June 30, 2017, due on  
22 July 31, 2017, but failed to do so. The following chart shows the required campaign statements:

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Statement Type	Reporting Period	Date Due	Date Filed	Days Late	Contributions Received	% of Total	Expenditures Made	% of Total
Preelection	7/1/2016 – 9/24/2016	9/29/2016	11/4/2016 <sup>52</sup>	36	\$6,120	48%	\$3,365	23%
Preelection	9/25/2016 – 10/22/2016	10/27/2016	11/4/2016 <sup>53</sup>	8	\$2,435	19%	\$5,780	40%
Semi-Annual	10/23/2016 – 12/31/2016	1/31/2017	Not Filed	N/A	\$2,750	22%	\$4,801	34%
Semi-Annual	1/1/2017 – 6/30/2017	7/31/2017	Not Filed	N/A	\$1,414	11%	\$360	3%

47. The \$1,414 in contributions received during the January 1, 2017 through June 30, 2017 reporting period were all transfers from Payne’s personal bank account which appear to have been necessary to cover overdrafts on the Committee account.

24-Hour Contribution Reports

48. The Committee and Payne were required to file 24-hour contribution reports for four contributions totaling \$1,000 or more received during the 90-day period before the November 8, 2016 General Election but failed to do so. The following chart shows the required 24-hour contribution reports:

Date Made/Received	Amount	Contributor	Date 24-Hour Report Due	Dated Filed	Days Late
9/26/2016	\$1,300	Sheet Metal Workers International Association Local #104	9/27/2016	11/29/2016	63
10/10/2016	\$1,000	IUPAT	10/11/2016	11/29/2016	49
10/14/2016	\$2,000	Coast to Coast Petroleum, LLC	10/17/2016	Not Filed	N/A
10/28/2016	\$2,000	Coast to Coast Petroleum, LLC	10/31/2016	11/29/2016	31
<b>TOTAL</b>	<b>\$6,300</b>				

49. Late contributions received on September 26, 2016; October 10, 2016; and October 28, 2016, were disclosed four days before the election on the Committee’s campaign statement filed on November 4, 2016.

50. The total amount of these late contributions represents nearly 50% of the Committee’s total contributions received.

<sup>52</sup> The original campaign statement did not indicate a reporting period, but disclosed activity between August 14 and October 28, 2016. The amended campaign statement was filed on December 21, 2016 for the correct reporting period.

<sup>53</sup> The original campaign statement did not indicate a reporting period, but disclosed activity between August 14 and October 28, 2016. The amended campaign statement was filed on December 21, 2016 for the correct reporting period.

1 Prohibited Cash Contributions and Expenditures

2 51. Payne and the Committee were prohibited from receiving cash contributions of \$100 or  
3 more but failed to comply.

4 52. The Committee received a contribution in the form of a cashier's check of \$100 or more  
5 as follows:

Date	Contributor Name	Check No.	Amount	Type of Contribution
8/2/2016	Form 460 identifies "Sylvesta Hall." Handwritten notation on cashier's check states "Blue Ocean Development."	0019210516	\$3,000.00	Cashier's check

9 53. This contribution represents nearly 24% of the Committee's total contributions received.

10 54. Payne and the Committee were prohibited from making cash expenditures of \$100 or more  
11 but failed to comply.

12 55. The Committee made an expenditure with a cashier's check of \$100 or more as follows:

Check Date	Withdrawal Date	Payee Name	Check No.	Amount	Type of Payment
8/5/2016	8/19/2016	Unknown	Unknown	\$605.00	Cashier's check

15 56. This expenditure represents approximately 4% of the Committee's total expenditures  
16 made.

17 57. During an interview with the Enforcement Division staff, Payne stated that he was  
18 unaware that receiving contributions and making expenditures in cash or cashier's checks of \$100 or  
19 more was prohibited, and he could not provide more detail about the contribution and expenditure.

20 Inaccurate Disclosure on Campaign Statements

21 58. Payne and the Committee were required to accurately report all contributions received and  
22 expenditures made on the preelection and semi-annual campaign statements but failed to do so, as shown  
23 in the chart below:

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Statement Type	Reporting Period	Over/ Underreported Amount	Period Total	% of Total
Preelection	7/1/2016 – 9/24/2016	\$(3,000.00)	\$6,120.00	-49% under
		\$(1,881.04)	\$3,365.04	-56% under
Preelection	9/25/2016 – 10/22/2016	\$1,250.00	\$2,435.00	51% over
		\$(1,719.50)	\$5,780.18	-30% under
Semi-annual	10/23/2016 – 12/31/2016	\$(250.00)	\$2,750.00	-9% under
		\$(3,901.36)	\$4,801.36	-81% under
Semi-annual	1/1/2017 – 6/30/2017	\$(1,414.14)	No statement filed	
		\$(360.00)		

59. For the reporting period of July 1, 2016 through September 24, 2016, the Committee's original preelection campaign statement underreported contributions received by \$3,000.00 and payments made by \$1,881.04. For the reporting period covering September 25, 2016 through October 22, 2016, the Committee's original preelection campaign statement over-reported contributions received by \$1,250.00 and underreported payments made by \$1,719.50.

60. For the reporting period of October 23, 2016 through December 31, 2016, the Committee underreported contributions received by \$250.00 and payments made by \$3,901.36 since the Committee only reported activity through October 28, 2016. For the reporting period covering January 1, 2017 through June 30, 2017, 100% of the activity, or \$1,414.14 in contributions and \$360.00 in payments, went unreported.

61. Payne and the Committee were required to disclose all contributor information on the preelection campaign statements but failed to do so.

62. Payne and the Committee failed to report occupation and/or employer information for several contributors on their original campaign statements as follows:

Reporting Period	Contributor	Amount	Missing Information
7/1/2016 – 9/24/2016	Sheena Harris	\$150.00	Employer
7/1/2016 – 9/24/2016	Karla Kirk	\$100.00	Employer
7/1/2016 – 9/24/2016	IUPAT Political Action Committee	\$1,000.00	Committee ID No.
9/25/2016 – 10/22/2016	Christopher Townsend	\$500.00	Employer
9/25/2016 – 10/22/2016	Miguel Arias	\$150.00	Employer
9/25/2016 – 10/22/2016	Patricia Brown	\$1,000.00	Employer

1 63. Payne and the Committee were required to disclose all payee information on the  
2 preelection campaign statements but failed to do so.

3 64. Payne and the Committee failed to disclose complete information for several expenditures  
4 on their original campaign statements as follows:

5 Reporting Period	Description	Amount	Missing Information
6 7/1/2016 – 9/24/2016	Sherry Moud/DC Costoms – T-Shirts and Bags	\$144.60	Street Address and City
7 9/25/2016 – 10/22/2016	Downtown Business – Storage/Mailing	\$450.00	Street Address and City
8 9/25/2016 – 10/22/2016	Enterprise Rent Fresno – Lit. Drop (Driver)	\$202.79	Street Address and City
9 9/25/2016 – 10/22/2016	Cops Voter Guide – Media	\$1,725.00	Street Address and City
10 9/25/2016 – 10/22/2016	Truth Branding – Media	\$1,712.89	Street Address and City
11 9/25/2016 – 10/22/2016	KSEE/KGPE – Media	\$900.00	Street Address and City

12 Recordkeeping

13 65. Payne and the Committee were required to maintain all supporting records for  
14 contributions received and expenditures made but failed to do so. Payne admitted in an interview with  
15 the Enforcement Division staff that he did not maintain records for any expenditures made to Lyft for  
16 campaign related transportation.

17 66. Payne and the Committee hired Don Milligan as a treasurer for the Committee on  
18 December 5, 2016. But Payne never provided Milligan and his employee DeeDee Garrelts with sufficient  
19 information to complete the campaign statements covering the reporting periods of October 23, 2016  
20 through December 31, 2016, or January 1, 2017 through June 30, 2017.

21 Prohibited Personal Use of Campaign Funds

22 67. Payne was prohibited from spending campaign funds to purchase campaign, business, or  
23 casual clothing but failed to comply.

24 68. According to bank records and available Committee records, on September 24, 2016,  
25 Payne used the Committee’s funds to purchase several items of clothing from Nordstrom Rack: a pair of  
26 “casual twill chino” pants, a “sapphire solid” shirt, a “trim straight” shirt, and a “silver spun solid” shirt,  
27 among other items, for a total cost of \$471.50.

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1 SEI Non-Disclosure

2 69. Payne was required to timely file Candidate and Annual SEIs and disclose reportable  
3 income but failed to do so, as follows:

4 Type of Statement	Date Due	Date Filed	Days Late	Reported Interests	Reportable Interests
5 2012 Annual	4/2/2013	Not filed	N/A	N/A	Housing Authority Foundation – Director of Building Neighborhood Capacity
6 2013 Annual	4/1/2014	Not filed	N/A	N/A	Toure Associates – Managing Partner
7 2014 Annual	4/1/2015	Not filed	N/A	N/A	Toure Associates – Managing Partner
8 2015 Annual	4/1/2016	Not filed	N/A	N/A	Toure Associates – Managing Partner
9 2016 Candidate	8/4/2016	8/12/2016	8	None	Toure Associates – Managing Partner
10 2016 Annual	4/3/2017	10/27/2017	207	None	Toure Associates – Managing Partner

11 **PROCEDURAL HISTORY**

12 70. The Enforcement Division initiated an administrative action against Payne and the  
13 Committee in this matter by serving a packet containing a cover letter, a Report in Support of a Finding  
14 of Probable Cause (“PC Report”), a fact sheet regarding probable cause proceedings, selected sections of  
15 the Government Code regarding probable cause proceedings for the Commission, and selected  
16 regulations of the Commission regarding probable cause proceedings.

17 71. Payne was served with the PC Report via certified mail on or about March 24, 2018. The  
18 Committee was served with the PC Report via certified mail on or about March 26, 2018. The information  
19 contained in the PC Report packet advised Payne and the Committee that they had 21 days in which to  
20 request a probable cause conference and/or to file a written response to the PC Report. As of the date of  
21 this Accusation, Payne and the Committee did not respond to the PC Report.

22 72. By means of an Ex Parte Request for a Finding of Probable Cause and an Order that an  
23 Accusation Be Prepared and Served (“Ex Parte Request”), dated June 27, 2018, the Enforcement Division  
24 submitted the matter to the Hearing Officer for a determination of probable cause.

25 73. On or about July 11, 2018, the Hearing Officer issued an order finding, based on the Ex  
26 Parte Request and the PC Report, that there was probable cause to believe Payne and the Committee  
27 violated the Act and directed the Enforcement Division to issue an accusation against Payne and the  
28 Committee in accordance with the finding.

1 **VIOLATIONS**

2 74. Payne committed eight violations of the Act, and Payne and the Committee committed  
3 thirteen violations of the Act as follows:

4 **Count 1**

5 **Failure to Timely File a Statement of Intention (Payne only)**

6 75. Complainant incorporates paragraphs 1 – 74 of this Accusation, as though completely set  
7 forth here.

8 76. Payne was required to timely file a statement of intention prior to the solicitation or receipt  
9 of any contribution or loan in connection with the 2016 re-election campaign.

10 77. Payne failed to timely file the statement of intention prior to the solicitation or receipt of  
11 any contribution or loan in connection with the 2016 re-election campaign.

12 78. By failing to timely file the statement of intention prior to the solicitation or receipt of any  
13 contribution or loan in connection with the 2016 re-election campaign, Payne violated Government Code  
14 Section 85200.

15 **Count 2**

16 **Failure to Timely Amend a Statement of Organization**

17 79. Complainant incorporates paragraphs 1 – 78 of this Accusation, as though completely set  
18 forth here.

19 80. Payne and the Committee were required to timely file an amended statement of  
20 organization to redesignate the Committee for the 2016 re-election campaign, due on or about August  
21 12, 2016.

22 81. Payne and the Committee failed to file the amended statement of organization to  
23 redesignate the Committee for the 2016 re-election campaign by the deadline.

24 82. By failing to file the amended statement of organization to redesignate the Committee for  
25 the 2016 re-election campaign by August 12, 2016, Payne and the Committee violated Government Code  
26 Section 84103.

27  
28 ///

1 **Count 3**

2 **Failure to Timely File a Preelection Campaign Statement**

3 83. Complainant incorporates paragraphs 1 – 82 of this Accusation, as though completely set  
4 forth here.

5 84. Payne and the Committee were required to timely file a preelection campaign statement  
6 for the reporting period of July 1, 2016 through September 24, 2016, due on September 29, 2016.

7 85. Payne and the Committee failed to file the preelection campaign statement for the  
8 reporting period of July 1, 2016 through September 24, 2016, by the deadline.

9 86. By failing to file the preelection campaign statement by September 29, 2016, Payne and  
10 the Committee violated Government Code Section 84200.5 and 84200.8.

11 **Count 4**

12 **Failure to Timely File a Preelection Campaign Statement**

13 87. Complainant incorporates paragraphs 1 – 86 of this Accusation, as though completely set  
14 forth here.

15 88. Payne and the Committee were required to timely file a preelection campaign statement  
16 for the reporting period of September 25, 2016 through October 22, 2016, due on October 27, 2016.

17 89. Payne and the Committee failed to file the preelection campaign statement for the  
18 reporting period of September 25, 2016 through October 22, 2016, by the deadline.

19 90. By failing to file the preelection campaign statement by October 27, 2016, Payne and the  
20 Committee violated Government Code Section 84200.5 and 84200.8.

21 **Count 5**

22 **Failure to Timely File a Semi-Annual Campaign Statement**

23 91. Complainant incorporates paragraphs 1 – 90 of this Accusation, as though completely set  
24 forth here.

25 92. Payne and the Committee were required to timely file a semi-annual campaign statement  
26 for the reporting period of October 23, 2016 through December 31, 2016, due on January 31, 2017.

27 93. Payne and the Committee failed to file the semi-annual campaign statement for the  
28 reporting period of October 23, 2016 through December 31, 2016, by the deadline.

1 94. By failing to file the semi-annual campaign statement by January 31, 2017, Payne and the  
2 Committee violated Government Code Section 84200.

3 **Count 6**

4 **Failure to Timely File a Semi-Annual Campaign Statement**

5 95. Complainant incorporates paragraphs 1 – 94 of this Accusation, as though completely set  
6 forth here.

7 96. Payne and the Committee were required to timely file a semi-annual campaign statement  
8 for the reporting period January 1, 2017 through June 30, 2017, due on July 31, 2017.

9 97. Payne and the Committee failed to file the semi-annual campaign statement for the  
10 reporting period of January 1, 2017 through June 30, 2017, by the deadline.

11 98. By failing to file the semi-annual campaign statement by July 31, 2017, Payne and the  
12 Committee violated Government Code Section 84200.

13 **Count 7**

14 **Failure to Timely File a 24-Hour Contribution Report**

15 99. Complainant incorporates paragraphs 1 – 98 of this Accusation, as though completely set  
16 forth here.

17 100. Payne and the Committee were required to timely file a 24-hour contribution report for a  
18 \$1,300 contribution received on September 26, 2016, due on September 27, 2016.

19 101. Payne and the Committee failed to file the 24-hour contribution report for the \$1,300  
20 contribution received on September 26, 2016, by the deadline.

21 102. By failing to file the 24-hour contribution report by September 27, 2016, Payne and the  
22 Committee violated Government Code Section 84203, subdivision (a).

23 **Count 8**

24 **Failure to Timely File a 24-Hour Contribution Report**

25 103. Complainant incorporates paragraphs 1 – 102 of this Accusation, as though completely  
26 set forth here.

27 104. Payne and the Committee were required to timely file a 24-hour contribution report for a  
28 \$1,000 contribution received on October 10, 2016, due on October 11, 2016.



1 116. Payne and the Committee were prohibited from receiving cash contributions of \$100 or  
2 more.

3 117. Payne and the Committee received cash contributions of \$100 or more, totaling  
4 approximately \$3,000, in or about August 2016.

5 118. By receiving cash contributions of \$100 or more in or about August 2016, Payne and the  
6 Committee violated Government Code Section 84300, subdivision (a).

7 **Count 12**

8 **Prohibited Cash Expenditures**

9 119. Complainant incorporates paragraphs 1 – 118 of this Accusation, as though completely  
10 set forth here.

11 120. Payne and the Committee were prohibited from making cash expenditures of \$100 or  
12 more.

13 121. Payne and the Committee made cash expenditures of \$100 or more, totaling  
14 approximately \$605, in or about August 2016.

15 122. By making cash expenditures of \$100 or more in or about August 2016, Payne and the  
16 Committee violated Government Code Section 84300, subdivision (b).

17 **Count 13**

18 **Inaccurate Disclosure on Campaign Statements**

19 123. Complainant incorporates paragraphs 1 – 122 of this Accusation, as though completely  
20 set forth here.

21 124. Payne and the Committee were required to accurately report all contributions and  
22 expenditures and to disclose all required contributor and payee information on the Committee's campaign  
23 statements for the reporting periods of July 1, 2016 through September 24, 2016, and September 25, 2016  
24 through October 22, 2016.

25 125. Payne and the Committee failed to accurately report all contributions and expenditures  
26 and failed to disclose all required contributor and payee information on the Committee's campaign  
27 statements for the reporting periods of July 1, 2016 through September 24, 2016, and September 25, 2016  
28 through October 22, 2016.



1 **Count 16**

2 SEI Non-Disclosure (Payne only)

3 135. Complainant incorporates paragraphs 1 – 134 of this Accusation, as though completely  
4 set forth here.

5 136. Payne was required to timely file his 2012 Annual SEI, due on April 2, 2013, and to timely  
6 disclose required economic interests in sources of income and business positions.

7 137. Payne failed to timely file his 2012 Annual SEI, due on April 2, 2013, and failed to timely  
8 disclose required economic interests in sources of income and business positions.

9 138. By failing to timely file his 2012 Annual SEI, due on April 2, 2013, and failing to timely  
10 disclose required economic interests in sources of income and business positions, Payne violated  
11 Government Code Sections 87200, 87207, and 87209.

12 **Count 17**

13 SEI Non-Disclosure (Payne only)

14 139. Complainant incorporates paragraphs 1 – 138 of this Accusation, as though completely  
15 set forth here.

16 140. Payne was required to timely file his 2013 Annual SEI, due on April 1, 2014, and to timely  
17 disclose required economic interests in sources of income and business positions.

18 141. Payne failed to timely file his 2013 Annual SEI, due on April 1, 2014, and failed to timely  
19 disclose required economic interests in sources of income and business positions.

20 142. By failing to timely file his 2013 Annual SEI, due on April 1, 2014, and failing to timely  
21 disclose required economic interests in sources of income and business positions, Payne violated  
22 Government Code Sections 87200, 87207, and 87209.

23 **Count 18**

24 SEI Non-Disclosure (Payne only)

25 143. Complainant incorporates paragraphs 1 – 142 of this Accusation, as though completely  
26 set forth here.

27 144. Payne was required to timely file his 2014 Annual SEI, due on April 1, 2015, and to timely  
28 disclose required economic interests in sources of income and business positions.

1 145. Payne failed to timely file his 2014 Annual SEI, due on April 1, 2015, and failed to timely  
2 disclose required economic interests in sources of income and business positions.

3 146. By failing to timely file his 2014 Annual SEI, due on April 1, 2015, and failing to timely  
4 disclose required economic interests in sources of income and business positions, Payne violated  
5 Government Code Sections 87200, 87207, and 87209.

6 **Count 19**

7 **SEI Non-Disclosure (Payne only)**

8 147. Complainant incorporates paragraphs 1 – 146 of this Accusation, as though completely  
9 set forth here.

10 148. Payne was required to timely file his 2015 Annual SEI, due on April 1, 2016, and to timely  
11 disclose required economic interests in sources of income and business positions.

12 149. Payne failed to timely file his 2015 Annual SEI, due on April 1, 2016, and failed to timely  
13 disclose required economic interests in sources of income and business positions.

14 150. By failing to timely file his 2015 Annual SEI, due on April 1, 2016, and failing to timely  
15 disclose required economic interests in sources of income and business positions, Payne violated  
16 Government Code Sections 87200, 87207, and 87209.

17 **Count 20**

18 **SEI Non-Disclosure (Payne only)**

19 151. Complainant incorporates paragraphs 1 – 150 of this Accusation, as though completely  
20 set forth here.

21 152. Payne was required to timely file his 2016 Candidate SEI, due on August 4, 2016, and to  
22 timely disclose required economic interests in sources of income and business positions.

23 153. Payne failed to timely file his 2016 Candidate SEI, due on August 4, 2016, and failed to  
24 timely disclose required economic interests in sources of income and business positions.

25 154. By failing to timely file his 2016 Candidate SEI, due on August 4, 2016, and failing to  
26 timely disclose required economic interests in sources of income and business positions, Payne violated  
27 Government Code Sections 87200, 87207, and 87209.

28 ///

1 **Count 21**

2 **SEI Non-Disclosure (Payne only)**

3 155. Complainant incorporates paragraphs 1 – 154 of this Accusation, as though completely  
4 set forth here.

5 156. Payne was required to timely file his 2016 Annual SEI, due on April 3, 2017, and to timely  
6 disclose required economic interests in sources of income and business positions.

7 157. Payne failed to timely file his 2016 Annual SEI, due on April 3, 2017, and failed to timely  
8 disclose required economic interests in sources of income and business positions.

9 158. By failing to timely file his 2016 Annual SEI, due on April 3, 2017, and failing to timely  
10 disclose required economic interests in sources of income and business positions, Payne violated  
11 Government Code Sections 87200, 87207, and 87209.

12 **MITIGATING OR EXCULPATORY FACTORS**

13 159. The Committee has no prior record of violations of the Act for campaign finance or  
14 statements of economic interests violations.

15 160. Payne contends that he did not know the rules regarding cash contributions, cash  
16 expenditures, and the proper uses of campaign funds.

17 **AGGRAVATING FACTORS AND OTHER RELEVANT MATERIALS**

18 161. Payne and the Committee failed to timely file a statement of intention, an amended  
19 statement of organization, two preelection campaign statements, two semi-annual campaign statements,  
20 and four 24-hour contribution reports. Their failure to timely file these campaign statements resulted in  
21 a lack of complete and accurate information for the voting public regarding Payne's and the Committee's  
22 campaign activity.

23 162. Only one of the preelection campaign statements was filed before the election, and the  
24 contributions received during the 90-day period represent nearly 50% of the Committee's total  
25 contributions received. The campaign statements that were filed contained inaccurate information.

26 163. Payne and the Committee received prohibited cash contributions and made prohibited  
27 cash expenditures. While Payne and the Committee disclosed the identity of the cash contributor on the  
28 Committee's campaign statement, no information is available regarding the cash expenditure, and the

1 recipient of the expenditure cannot be identified. So the prohibited cash transactions were exacerbated  
2 by the fact that Payne and the Committee didn't maintain campaign records to corroborate the reporting.

3 164. Although the campaign was small, the full nature and extent of the campaign activity was  
4 not disclosed to the public before the date of the election.

5 165. Payne had been a candidate before, and he was aware that the Act required disclosure of  
6 the Committee's campaign activity.

7 166. Personal use of campaign funds violates the trust of the contributors giving to that  
8 campaign, and purchasing clothing is a prohibited use of campaign funds. In this case, Payne purchased  
9 nearly \$500 worth of clothing.

10 167. Payne failed to file four consecutive Annual SEIs and failed to disclose his economic  
11 interests in the two he did file. The public harm inherent in SEI reporting violations is that the public is  
12 deprived of important information about the assets and income of public officials. These types of  
13 violations make it harder to detect other violations, such as conflicts of interests.

14 168. Payne failed to disclose his sources of income and business positions for the majority of  
15 the time he has held office. The violations in this matter, taken as a whole, resulted in incomplete  
16 disclosure before the election regarding Payne's and the Committee's campaign activity.

17 **PRAYER**

18 WHEREFORE, Complainant prays as follows:

- 19 1. That the Fair Political Practices Commission hold a hearing pursuant to Section 83116 and  
20 Regulation 18361.5, and at such hearing find that Payne and the Committee violated the  
21 Act as alleged herein;
- 22 2. That the Fair Political Practices Commission, pursuant to Section 83116, subdivision (c),  
23 order Payne to pay a monetary penalty of up to \$5,000 for the violation of the Political  
24 Reform Act alleged in **Count 1**;
- 25 3. That the Fair Political Practices Commission, pursuant to Section 83116, subdivision (c),  
26 order Payne and the Committee to pay a monetary penalty of up to \$5,000 for the violation  
27 of the Political Reform Act alleged in **Count 2**;

28 ///

- 1           4.     That the Fair Political Practices Commission, pursuant to Section 83116, subdivision (c),  
2           order Payne and the Committee to pay a monetary penalty of up to \$5,000 for the violation  
3           of the Political Reform Act alleged in **Count 3**;
- 4           5.     That the Fair Political Practices Commission, pursuant to Section 83116, subdivision (c),  
5           order Payne and the Committee to pay a monetary penalty of up to \$5,000 for the violation  
6           of the Political Reform Act alleged in **Count 4**;
- 7           6.     That the Fair Political Practices Commission, pursuant to Section 83116, subdivision (c),  
8           order Payne and the Committee to pay a monetary penalty of up to \$5,000 for the violation  
9           of the Political Reform Act alleged in **Count 5**;
- 10          7.     That the Fair Political Practices Commission, pursuant to Section 83116, subdivision (c),  
11          order Payne and the Committee to pay a monetary penalty of up to \$5,000 for the violation  
12          of the Political Reform Act alleged in **Count 6**;
- 13          8.     That the Fair Political Practices Commission, pursuant to Section 83116, subdivision (c),  
14          order Payne and the Committee to pay a monetary penalty of up to \$5,000 for the violation  
15          of the Political Reform Act alleged in **Count 7**;
- 16          9.     That the Fair Political Practices Commission, pursuant to Section 83116, subdivision (c),  
17          order Payne and the Committee to pay a monetary penalty of up to \$5,000 for the violation  
18          of the Political Reform Act alleged in **Count 8**;
- 19          10.    That the Fair Political Practices Commission, pursuant to Section 83116, subdivision (c),  
20          order Payne and the Committee to pay a monetary penalty of up to \$5,000 for the violation  
21          of the Political Reform Act alleged in **Count 9**;
- 22          11.    That the Fair Political Practices Commission, pursuant to Section 83116, subdivision (c),  
23          order Payne and the Committee to pay a monetary penalty of up to \$5,000 for the violation  
24          of the Political Reform Act alleged in **Count 10**;
- 25          12.    That the Fair Political Practices Commission, pursuant to Section 83116, subdivision (c),  
26          order Payne and the Committee to pay a monetary penalty of up to \$5,000 for the violation  
27          of the Political Reform Act alleged in **Count 11**;

28    ///

- 1           13. That the Fair Political Practices Commission, pursuant to Section 83116, subdivision (c),  
2           order Payne and the Committee to pay a monetary penalty of up to \$5,000 for the violation  
3           of the Political Reform Act alleged in **Count 12**;
- 4           14. That the Fair Political Practices Commission, pursuant to Section 83116, subdivision (c),  
5           order Payne and the Committee to pay a monetary penalty of up to \$5,000 for the violation  
6           of the Political Reform Act alleged in **Count 13**;
- 7           15. That the Fair Political Practices Commission, pursuant to Section 83116, subdivision (c),  
8           order Payne to pay a monetary penalty of up to \$5,000 for the violation of the Political  
9           Reform Act alleged in **Count 14**;
- 10          16. That the Fair Political Practices Commission, pursuant to Section 83116, subdivision (c),  
11          order Payne to pay a monetary penalty of up to \$5,000 for the violation of the Political  
12          Reform Act alleged in **Count 15**;
- 13          17. That the Fair Political Practices Commission, pursuant to Section 83116, subdivision (c),  
14          order Payne to pay a monetary penalty of up to \$5,000 for the violation of the Political  
15          Reform Act alleged in **Count 16**;
- 16          18. That the Fair Political Practices Commission, pursuant to Section 83116, subdivision (c),  
17          order Payne to pay a monetary penalty of up to \$5,000 for the violation of the Political  
18          Reform Act alleged in **Count 17**;
- 19          19. That the Fair Political Practices Commission, pursuant to Section 83116, subdivision (c),  
20          order Payne to pay a monetary penalty of up to \$5,000 for the violation of the Political  
21          Reform Act alleged in **Count 18**;
- 22          20. That the Fair Political Practices Commission, pursuant to Section 83116, subdivision (c),  
23          order Payne to pay a monetary penalty of up to \$5,000 for the violation of the Political  
24          Reform Act alleged in **Count 19**;
- 25          21. That the Fair Political Practices Commission, pursuant to Section 83116, subdivision (c),  
26          order Payne to pay a monetary penalty of up to \$5,000 for the violation of the Political  
27          Reform Act alleged in **Count 20**;

28 ///



**Exhibit A-7**

Attorney or Pgrty without Attorney: SUZANNA GEVORKYAN CALIFORNIA FAIR POLITICAL PRACTICES COMM 1102 Q STREET, SUITE 3000 SACRAMENTO, CA 95811				For Court Use Only	
Telephone No: 916-322-8185					
Attorney for: Plaintiff			Ref. No or File No.:		
Insert name of Court, and Judicial District and Branch Court:					
Plaintiff: IN THE MATTER OF:					
Defendant: ERIC PAYNE and ERIC PAYNE FOR SCCCD 2016 TRUSTEE AREA 2					
<b>AFFIDAVIT OF REASONABLE DILIGENCE</b>		Hearing Date:	Time:	Dept/Div:	Case Number: 16/19917

1. I, ERIC JACOBSEN, and any employee or independent contractors retained by DYNAMIC LEGAL SERVICES are and were on the dates mentioned herein over the age of eighteen years and not a party to this action. Personal service was attempted on Defendant ERIC PAYNE / ERIC PAYNE FOR SCCCD 2016 TRUSTEE AREA 2 as follows:

2. Documents: ACCUSATION; STATEMENT TO RESPONDENTS; NOTICE OF DEFENSE; GROUNDS FOR NOTICE OF DEFENSE; PROOF OF SERVICE.

Day	Date	Time	Location	Results
Fri	01/18/19	5:51pm	Home	THERE WAS NO ANSWER AT THE RESIDENCE AT THIS TIME; Attempt made by: ERIC JACOBSEN. Attempt at: [REDACTED] Fresno, CA [REDACTED].
Sun	01/20/19	9:53am	Home	THERE WAS NO ANSWER AT THE RESIDENCE AT THIS TIME; Attempt made by: ERIC JACOBSEN. Attempt at: [REDACTED] Fresno, CA [REDACTED].
Tue	01/22/19	7:15pm	Home	SUBJECT WAS NOT HOME, SUBSERVED DOCUMENTS TO J [REDACTED] NEAL, OCCUPANT. Attempt made by: ERIC JACOBSEN. Attempt at: [REDACTED] Fresno, CA [REDACTED].
Tue	01/22/19	7:15pm	Home	Substituted Service on: ERIC PAYNE / ERIC PAYNE FOR SCCCD 2016 TRUSTEE AREA 2 Home - [REDACTED] Fresno, CA [REDACTED] by Serving: J [REDACTED] NEAL, OCCUPANT, [REDACTED], [REDACTED] [REDACTED] Years Old, [REDACTED] Hair, [REDACTED] Eyes, [REDACTED] Feet [REDACTED] Inches, [REDACTED] Pounds Member Household over 18. Served by: ERIC JACOBSEN

3. Person Executing

a. ERIC JACOBSEN

b. DYNAMIC LEGAL SERVICES

dynamicfresno@gmail.com, Registration # S201610000031

PO BOX 1629

FRESNO, CA 93717

c. (559) 266-2722

Recoverable Costs Per CCP 1033.5(a)(4)(B)

d. The Fee for service was: \$39.00

e. I am: (3) registered California process server

(i) Independent Contractor

(ii) Registration No.: S201710000004

(iii) County: Fresno

(iv) Expiration Date: Sat, Sep. 19, 2020

4. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: Wed, Jan. 23, 2019

(ERIC JACOBSEN)

AFFIDAVIT OF REASONABLE DILIGENCE

cfppc.103037

Attorney or Party without Attorney: SUZANNA GEVORKYAN CALIFORNIA FAIR POLITICAL PRACTICES COMM 1102 Q STREET, SUITE 3000 SACRAMENTO, CA 95811 Telephone No. 916-322-8185				For Court Use Only	
Attorney for: Plaintiff				Ref. No. or File No.:	
Insert name of Court, and Judicial District and Branch Court:					
Plaintiff: IN THE MATTER OF: Defendant: ERIC PAYNE and ERIC PAYNE FOR SCCCD 2016 TRUSTEE AREA 2					
<b>PROOF OF SERVICE</b>		Hearing Date:	Time:	Dept/Div:	Case Number: 16/19917

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the ACCUSATION; STATEMENT TO RESPONDENTS; NOTICE OF DEFENSE; GROUNDS FOR NOTICE OF DEFENSE; PROOF OF SERVICE.
3.
  - a. Party served: ERIC PAYNE / ERIC PAYNE FOR SCCCD 2016 TRUSTEE AREA 2
  - b. Person served: J [REDACTED] NEAL, OCCUPANT, [REDACTED], [REDACTED], [REDACTED] Years Old, [REDACTED] Hair, [REDACTED] Eyes, [REDACTED] Feet [REDACTED] Inches, [REDACTED] Pounds
4. Address where the party was served: [REDACTED]  
Fresno, CA [REDACTED]
5. I served the party:
  - b. by substituted service. On: Tue., Jan. 22, 2019 at: 7:15PM by leaving the copies with or in the presence of: J [REDACTED] NEAL, OCCUPANT, [REDACTED], [REDACTED], [REDACTED] Years Old, [REDACTED] Hair, [REDACTED] Eyes, [REDACTED] Feet [REDACTED] Inches, [REDACTED] Pounds

(2) (Home) Member Household over 18. I informed him or her of the general nature of the papers.

(5) I attach a declaration of diligence stating actions taken first to attempt personal service.
6. The "Notice to the Person Served" (on the Summons) was completed as follows:
  - a. as an individual defendant
7. Person Who Served Papers:
 

<ol style="list-style-type: none"> <li>a. ERIC JACOBSEN</li> <li>b. DYNAMIC LEGAL SERVICES dynamicfresno@gmail.com, Registration # S201610000031 PO BOX 1629 FRESNO, CA 93717</li> <li>c. (559) 266-2722</li> </ol>	<p style="text-align: right;">Recoverable Cost Per CCP 1033.5(a)(4)(B)</p> <ol style="list-style-type: none"> <li>d. The Fee for Service was: \$39.00</li> <li>e. I am: (3) registered California process server               <ol style="list-style-type: none"> <li>(i) Independent Contractor</li> <li>(ii) Registration No.: S201710000004</li> <li>(iii) County: Fresno</li> <li>(iv) Expiration Date: Sat, Sep. 19, 2020</li> </ol> </li> </ol>
---	---

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: Wed, Jan. 23, 2019

[REDACTED]

**Exhibit A-8**



## FAIR POLITICAL PRACTICES COMMISSION

1102 Q Street • Suite 3000 • Sacramento, CA 95811

### STATEMENT TO RESPONDENTS

[Government Code Section 11505, subdivision (b)]

#### ***ERIC PAYNE and ERIC PAYNE FOR SCCCD 2016 TRUSTEE AREA 2 FPPC Case No. 16/19917***

Enclosed is an Accusation, which was filed with the Fair Political Practices Commission (the "FPPC") and which is hereby served upon you, along with two copies of a Notice of Defense and Government Code Sections 11506 through 11508.

Unless a written request for a hearing signed by you or on your behalf is delivered or mailed to the FPPC within 15 days after the Accusation was served on you, the FPPC may proceed upon the Accusation without a hearing. The request for a hearing may be made by delivering or mailing the enclosed form entitled Notice of Defense, or by delivering or mailing a notice of defense as provided by Section 11506 of the Government Code to the Commission Assistant at the FPPC.

You may, but need not, be represented by counsel at any or all stages of these proceedings.

If you desire a list of the names and addresses of witnesses against you, or an opportunity to inspect and copy the items mentioned in Section 11507.6 of the Government Code that are in the possession, custody, or control of this agency, or if you wish to discuss the possibility of resolving this matter without a formal hearing, you may contact Angela J. Brereton, Senior Commission Counsel, at (916) 322-5771 or [REDACTED], Enforcement Division.

The hearing may be postponed for good cause. If you have good cause, you are obliged to notify the FPPC or, if an administrative law judge has been assigned to the hearing, the Office of Administrative Hearings, within 10 working days after you discover the good cause. Failure to give notice within 10 days will deprive you of a postponement.

After a hearing, the FPPC will consider the following factors in determining whether to assess a penalty (Title 2, California Code of Regulations, Section 18361.5, subdivision (d).):

1. The seriousness of the violation;
2. The presence or absence of any intention to conceal, deceive, or mislead;
3. Whether the violation was deliberate, negligent, or inadvertent;
4. Whether the violator demonstrated good faith by consulting Commission staff or any other government agency in a manner not constituting a complete defense under Government Code Section 83114, subdivision (b);
5. Whether the violation was isolated or part of a pattern;
6. Whether the violator has a prior record of violations of the Political Reform Act or similar laws; and
7. Whether the violator, upon learning of a reporting violation, voluntarily filed amendments to provide full disclosure.



*Before the Fair Political Practices Commission*

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**State of California**

In the Matter of ) NOTICE OF DEFENSE  
 ) (Pursuant to Gov. Code § 11506)  
 )  
ERIC PAYNE and ERIC PAYNE ) FPPC Case No. 16/19917  
FOR SCCCD 2016 TRUSTEE AREA 2 )  
 )  
Respondents. )  
 )  
 )

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Eric Payne for SCCCD 2016 Trustee Area 2, a respondent named in the above entitled proceeding, hereby acknowledges receipt of the Accusation, a copy of the Statement to Respondent, a copy of Government Code Sections 11506 through 11508, and two copies of a *NOTICE OF DEFENSE*.

Pursuant to Government Code Section 11506, subdivision (a), you may file this *NOTICE OF DEFENSE* requesting a hearing on the grounds listed below. Failure to file this *NOTICE OF DEFENSE* shall constitute a waiver of your right to a hearing. If you waive your right to a hearing, you may file a statement of mitigation by separate letter that will be considered by the Commission in assessing any penalties for the violations alleged in the Accusation.

If you wish to file a *NOTICE OF DEFENSE*, please check **all** applicable grounds for the *NOTICE OF DEFENSE*, complete the remainder of the form, and mail to the Commission within fifteen (15) days of receipt of the Accusation.

**GROUNDNS FOR NOTICE OF DEFENSE**

- 1) I request a hearing;
- 2) I object to the Accusation upon the ground that it does not state acts or omissions upon which the agency may proceed;
- 3) I object to the form of the Accusation on the ground that it is so indefinite or uncertain that I cannot identify the transaction that is the subject of the Accusation or prepare my defense;
- 4) I admit the Accusation in whole or in part (check box "a" or "b");
  - a) I admit the Accusation in whole.
  - b) I admit the Accusation in part as indicated below:  
  

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- 5) I wish to present new matter by way of defense;
- 6) I object to the accusation upon the ground that, under the circumstances, compliance with the requirements of a regulation of the Fair Political Practices Commission would result in a material violation of another regulation enacted by another department affecting substantive rights.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Respondent

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City, State, Zip



*Before the Fair Political Practices Commission*

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**State of California**

In the Matter of	)	NOTICE OF DEFENSE
	)	(Pursuant to Gov. Code § 11506)
	)	
ERIC PAYNE and ERIC PAYNE	)	FPPC Case No. 16/19917
FOR SCCCD 2016 TRUSTEE AREA 2	)	
	)	
Respondents.	)	
	)	
	)	

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Eric Payne for SCCCD 2016 Trustee Area 2, a respondent named in the above entitled proceeding, hereby acknowledges receipt of the Accusation, a copy of the Statement to Respondent, a copy of Government Code Sections 11506 through 11508, and two copies of a *NOTICE OF DEFENSE*.

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If you wish to file a *NOTICE OF DEFENSE*, please check **all** applicable grounds for the *NOTICE OF DEFENSE*, complete the remainder of the form, and mail to the Commission within fifteen (15) days of receipt of the Accusation.

**GROUNDS FOR NOTICE OF DEFENSE**

- 1) I request a hearing;
- 2) I object to the Accusation upon the ground that it does not state acts or omissions upon which the agency may proceed;
- 3) I object to the form of the Accusation on the ground that it is so indefinite or uncertain that I cannot identify the transaction that is the subject of the Accusation or prepare my defense;
- 4) I admit the Accusation in whole or in part (check box "a" or "b");
  - a) I admit the Accusation in whole.
  - b) I admit the Accusation in part as indicated below:

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- 5) I wish to present new matter by way of defense;
- 6) I object to the accusation upon the ground that, under the circumstances, compliance with the requirements of a regulation of the Fair Political Practices Commission would result in a material violation of another regulation enacted by another department affecting substantive rights.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Respondent

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City, State, Zip



*Before the Fair Political Practices Commission*

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**State of California**

In the Matter of ) NOTICE OF DEFENSE  
 ) (Pursuant to Gov. Code § 11506)  
 )  
ERIC PAYNE and ERIC PAYNE ) FPPC Case No. 16/19917  
FOR SCCCD 2016 TRUSTEE AREA 2 )  
 )  
 )  
Respondents. )  
 )  
 )

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Eric Payne, a respondent named in the above entitled proceeding, hereby acknowledges receipt of the Accusation, a copy of the Statement to Respondent, a copy of Government Code Sections 11506 through 11508, and two copies of a *NOTICE OF DEFENSE*.

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If you wish to file a *NOTICE OF DEFENSE*, please check **all** applicable grounds for the *NOTICE OF DEFENSE*, complete the remainder of the form, and mail to the Commission within fifteen (15) days of receipt of the Accusation.

**GROUNDNS FOR NOTICE OF DEFENSE**

- 1) I request a hearing;
- 2) I object to the Accusation upon the ground that it does not state acts or omissions upon which the agency may proceed;
- 3) I object to the form of the Accusation on the ground that it is so indefinite or uncertain that I cannot identify the transaction that is the subject of the Accusation or prepare my defense;
- 4) I admit the Accusation in whole or in part (check box "a" or "b");
  - a) I admit the Accusation in whole.
  - b) I admit the Accusation in part as indicated below:  
  

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- 5) I wish to present new matter by way of defense;
- 6) I object to the accusation upon the ground that, under the circumstances, compliance with the requirements of a regulation of the Fair Political Practices Commission would result in a material violation of another regulation enacted by another department affecting substantive rights.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Respondent

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City, State, Zip



*Before the Fair Political Practices Commission*

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**State of California**

In the Matter of	)	NOTICE OF DEFENSE
	)	(Pursuant to Gov. Code § 11506)
	)	
ERIC PAYNE and ERIC PAYNE	)	FPPC Case No. 16/19917
FOR SCCCD 2016 TRUSTEE AREA 2	)	
	)	
	)	
Respondents.	)	
	)	
	)	

---

Eric Payne, a respondent named in the above entitled proceeding, hereby acknowledges receipt of the Accusation, a copy of the Statement to Respondent, a copy of Government Code Sections 11506 through 11508, and two copies of a *NOTICE OF DEFENSE*.

Pursuant to Government Code Section 11506, subdivision (a), you may file this *NOTICE OF DEFENSE* requesting a hearing on the grounds listed below. Failure to file this *NOTICE OF DEFENSE* shall constitute a waiver of your right to a hearing. If you waive your right to a hearing, you may file a statement of mitigation by separate letter that will be considered by the Commission in assessing any penalties for the violations alleged in the Accusation.

If you wish to file a *NOTICE OF DEFENSE*, please check **all** applicable grounds for the *NOTICE OF DEFENSE*, complete the remainder of the form, and mail to the Commission within fifteen (15) days of receipt of the Accusation.

**GROUNDNS FOR NOTICE OF DEFENSE**

- 1) I request a hearing;
- 2) I object to the Accusation upon the ground that it does not state acts or omissions upon which the agency may proceed;
- 3) I object to the form of the Accusation on the ground that it is so indefinite or uncertain that I cannot identify the transaction that is the subject of the Accusation or prepare my defense;
- 4) I admit the Accusation in whole or in part (check box "a" or "b");
  - a) I admit the Accusation in whole.
  - b) I admit the Accusation in part as indicated below:  
  

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- 5) I wish to present new matter by way of defense;
- 6) I object to the accusation upon the ground that, under the circumstances, compliance with the requirements of a regulation of the Fair Political Practices Commission would result in a material violation of another regulation enacted by another department affecting substantive rights.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Respondent

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City, State, Zip

## **California Government Code sections 11506 through 11508**

### **§ 11506. Filing of notice of defense or notice of participation; Contents; Right to hearing on the merits**

(a) Within 15 days after service of the accusation or District Statement of Reduction in Force the respondent may file with the agency a notice of defense, or, as applicable, notice of participation, in which the respondent may:

(1) Request a hearing.

(2) Object to the accusation or District Statement of Reduction in Force upon the ground that it does not state acts or omissions upon which the agency may proceed.

(3) Object to the form of the accusation or District Statement of Reduction in Force on the ground that it is so indefinite or uncertain that the respondent cannot identify the transaction or prepare a defense.

(4) Admit the accusation or District Statement of Reduction in Force in whole or in part.

(5) Present new matter by way of defense.

(6) Object to the accusation or District Statement of Reduction in Force upon the ground that, under the circumstances, compliance with the requirements of a regulation would result in a material violation of another regulation enacted by another department affecting substantive rights.

(b) Within the time specified the respondent may file one or more notices of defense, or, as applicable, notices of participation, upon any or all of these grounds but all of these notices shall be filed within that period unless the agency in its discretion authorizes the filing of a later notice.

(c) The respondent shall be entitled to a hearing on the merits if the respondent files a notice of defense or notice of participation, and the notice shall be deemed a specific denial of all parts of the accusation or District Statement of Reduction in Force not expressly admitted. Failure to file a notice of defense or notice of participation shall constitute a waiver of respondent's right to a hearing, but the agency in its discretion may nevertheless grant a hearing. Unless objection is taken as provided in paragraph (3) of subdivision (a), all objections to the form of the accusation or District Statement of Reduction in Force shall be deemed waived.

(d) The notice of defense or notice of participation shall be in writing signed by or on behalf of the respondent and shall state the respondent's mailing address. It need not be verified or follow any particular form.

(e) As used in this section, "file," "files," "filed," or "filing" means "delivered or mailed" to the agency as provided in Section 11505.

**HISTORY:** Added Stats 1945 ch 867 § 1. Amended Stats 1963 ch 931 § 1; Stats 1982 ch 606 § 1; Stats 1986 ch 951 § 20; Stats 1995 ch 938 § 29 (SB 523), operative July 1, 1997; Stats 2013 ch 90 § 5 (SB 546), effective January 1, 2014.

### **§ 11507. Amended or supplemental accusation or District Statement of Reduction in Force; Objections**

At any time before the matter is submitted for decision, the agency may file, or permit the filing of, an amended or supplemental accusation or District Statement of Reduction in Force. All parties shall be notified of the filing. If the amended or supplemental accusation or District Statement of Reduction in Force presents new charges, the agency shall afford the respondent a reasonable opportunity to prepare his or her defense to the new charges, but he or she shall not be entitled to file a further pleading unless the agency in its discretion so orders. Any new charges shall be deemed controverted, and any objections to the amended or supplemental accusation or District Statement of Reduction in Force may be made orally and shall be noted in the record.

**HISTORY:** Added Stats 1945 ch 867 § 1. Amended Stats 2013 ch 90 § 6 (SB 546), effective January 1, 2014; Stats 2014 ch 71 § 69 (SB 1304), effective January 1, 2015.

### **§ 11507.3. Consolidated proceedings; Separate hearings**

(a) When proceedings that involve a common question of law or fact are pending, the administrative law judge on the judge's own motion or on motion of a party may order a joint hearing of any or all the matters at issue in the proceedings. The administrative law judge may order all the proceedings consolidated and may make orders concerning the procedure that may tend to avoid unnecessary costs or delay.

(b) The administrative law judge on the judge's own motion or on motion of a party, in furtherance of convenience or to avoid prejudice or when separate hearings will be conducive to expedition and economy, may order a separate hearing of any issue, including an issue raised in the notice of defense or notice of participation, or of any number of issues.

**HISTORY:** Added Stats 1995 ch 938 § 30 (SB 523), operative July 1, 1997. Amended Stats 2013 ch 90 § 7 (SB 546), effective January 1, 2014.

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### **§ 11507.5. Exclusivity of discovery provisions**

The provisions of Section 11507.6 provide the exclusive right to and method of discovery as to any proceeding governed by this chapter.

**HISTORY:** Added Stats 1968 ch 808 § 3.

### **§ 11507.6. Request for discovery**

After initiation of a proceeding in which a respondent or other party is entitled to a hearing on the merits, a party, upon written request made to another party, prior to the hearing and within 30 days after service by the agency of the initial pleading or within 15 days after the service of an additional pleading, is entitled to (1) obtain the names and addresses of witnesses to the extent known to the other party, including, but not limited to, those intended to be called to testify at the hearing, and (2) inspect and make a copy of any of the following in the possession or custody or under the control of the other party:

(a) A statement of a person, other than the respondent, named in the initial administrative pleading, or in any additional pleading, when it is claimed that the act or omission of the respondent as to this person is the basis for the administrative proceeding;

(b) A statement pertaining to the subject matter of the proceeding made by any party to another party or person;

(c) Statements of witnesses then proposed to be called by the party and of other persons having personal knowledge of the acts, omissions or events which are the basis for the proceeding, not included in (a) or (b) above;

(d) All writings, including, but not limited to, reports of mental, physical and blood examinations and things which the party then proposes to offer in evidence;

(e) Any other writing or thing which is relevant and which would be admissible in evidence;

(f) Investigative reports made by or on behalf of the agency or other party pertaining to the subject matter of the proceeding, to the extent that these reports (1) contain the names and addresses of witnesses or of persons having personal knowledge of the acts, omissions or events which are the basis for the proceeding, or (2) reflect matters perceived by the investigator in the course of his or her investigation, or (3) contain or include by attachment any statement or writing described in (a) to (e), inclusive, or summary thereof.

For the purpose of this section, "statements" include written statements by the person signed or otherwise authenticated by him or her, stenographic, mechanical, electrical or other recordings, or transcripts thereof, of oral statements by the person, and written reports or summaries of these oral statements.

Nothing in this section shall authorize the inspection or copying of any writing or thing which is privileged from disclosure by law or otherwise made confidential or protected as the attorney's work product.

**HISTORY:** Added Stats 1968 ch 808 § 4. Amended Stats 1985 ch 1328 § 5; Stats 1995 ch 938 § 31 (SB 523), operative July 1, 1997.

**§ 11507.7. Motion to compel discovery; Order**

(a) Any party claiming the party's request for discovery pursuant to Section 11507.6 has not been complied with may serve and file with the administrative law judge a motion to compel discovery, naming as respondent the party refusing or failing to comply with Section 11507.6. The motion shall state facts showing the respondent party failed or refused to comply with Section 11507.6, a description of the matters sought to be discovered, the reason or reasons why the matter is discoverable under that section, that a reasonable and good faith attempt to contact the respondent for an informal resolution of the issue has been made, and the ground or grounds of respondent's refusal so far as known to the moving party.

(b) The motion shall be served upon respondent party and filed within 15 days after the respondent party first evidenced failure or refusal to comply with Section 11507.6 or within 30 days after request was made and the party has failed to reply to the request, or within another time provided by stipulation, whichever period is longer.

(c) The hearing on the motion to compel discovery shall be held within 15 days after the motion is made, or a later time that the administrative law judge may on the judge's own motion for good cause determine. The respondent party shall have the right to serve and file a written answer or other response to the motion before or at the time of the hearing.

(d) Where the matter sought to be discovered is under the custody or control of the respondent party and the respondent party asserts that the matter is not a discoverable matter under the provisions of Section 11507.6, or is privileged against disclosure under those provisions, the administrative law judge may order lodged with it matters provided in subdivision (b) of *Section 915 of the Evidence Code* and examine the matters in accordance with its provisions.

(e) The administrative law judge shall decide the case on the matters examined in camera, the papers filed by the parties, and such oral argument and additional evidence as the administrative law judge may allow.

(f) Unless otherwise stipulated by the parties, the administrative law judge shall no later than 15 days after the hearing make its order denying or granting the motion. The order shall be in writing setting forth the matters the moving party is entitled to discover under Section 11507.6. A copy of the order shall forthwith be served by mail by the administrative law judge upon the parties. Where the order grants the motion in whole or in part, the order shall not become

effective until 10 days after the date the order is served. Where the order denies relief to the moving party, the order shall be effective on the date it is served.

**HISTORY:** Added Stats 1968 ch 808 § 5. Amended Stats 1971 ch 1303 § 8; Stats 1980 ch 548 § 2; Stats 1995 ch 938 § 32 (SB 523), operative July 1, 1997.

### **§ 11508. Time and place of hearing**

(a) The agency shall consult the office, and subject to the availability of its staff, shall determine the time and place of the hearing. The hearing shall be held at a hearing facility maintained by the office in Sacramento, Oakland, Los Angeles, or San Diego and shall be held at the facility that is closest to the location where the transaction occurred or the respondent resides.

(b) Notwithstanding subdivision (a), the hearing may be held at either of the following places:

(1) A place selected by the agency that is closer to the location where the transaction occurred or the respondent resides.

(2) A place within the state selected by agreement of the parties.

(c) The respondent may move for, and the administrative law judge has discretion to grant or deny, a change in the place of the hearing. A motion for a change in the place of the hearing shall be made within 10 days after service of the notice of hearing on the respondent.

Unless good cause is identified in writing by the administrative law judge, hearings shall be held in a facility maintained by the office.

**HISTORY:** Added Stats 1945 ch 867 § 1. Amended Stats 1963 ch 710 § 1; Stats 1967 ch 17 § 39; Stats 1987 ch 50 § 1; Stats 1995 ch 938 § 33 (SB 523), operative July 1, 1997; Stats 2005 ch 674 § 22 (SB 231), effective January 1, 2006.

**PROOF OF SERVICE**

At the time of service, I was over 18 years of age and not a party to this action. My business address is Fair Political Practices Commission, 1102 Q Street, Suite 3000, Sacramento, California 95815.

On 1/16/19, I served the following document(s):

1. Statement to Respondent;
2. FPPC Case No. 16/19917: Accusation;
3. Notice of Defense (Two Copies);
4. Selected Sections of the California Government Code, Administrative Procedure Act.

**By Personal Delivery.** I personally delivered the document(s) listed above to the person(s) at the address(es) as shown on the service list below.

**By personal service.** At 8:00 a.m./p.m.:

I personally delivered the document(s) listed above to the person(s) at the address(es) as shown on the service list below.

By providing the document(s) listed above with instructions for registered process server to personally deliver the envelope(s) to the person(s) at the address(es) set forth on the service list below. **The signed proof of service by the registered process server will be attached as soon as it is available.**

I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail in Sacramento County, California.

**SERVICE LIST**

Personal Delivery

Sasha Linker, Commission Assistant  
Fair Political Practices Commission  
1102 Q Street, Suite 3000  
Sacramento, California 95811

Personal Service

Eric Payne  
Eric Payne for SCCCDC 2016 Trustee Area 2  
[REDACTED]  
Fresno, CA [REDACTED]

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on 1/16/19.

[REDACTED]

Suzanna Gevorkyan

**Exhibit A-9**

**RESULTS OF NOVEMBER 6, 2012 PRESIDENTIAL GENERAL ELECTION**

**Election Summary Report**  
**Presidential General Election**  
**Summary For Jurisdiction Wide, All**  
**Counters, All Races**  
**Fresno County Official Final Report**

12/04/12  
07:29:39

Registered Voters 410187 - Cards Cast  
261652 63.79%

Num. Report Precinct 611 - Num.  
Reporting 611 100.00%

**PRESIDENT AND VICE PRES**

	Total
Number of Precincts	611
Precincts Reporting	611 100.0 %
Vote For	1
Times Counted	261652/410187 63.8 %
Total Votes	259697
Times Over Voted	323

<b>BARACK OBAMA</b>	DEM	129129	49.72%
MITT ROMNEY	REP	124490	47.94%
GARY JOHNSON	LIB	2262	0.87%
JILL STEIN	GRN	1101	0.42%
ROSEANNE BARR	PF	898	0.35%
RON PAUL WI		485	0.19%
THOMAS HOEFLING	AI	434	0.17%
VIRGIL GOODE WI		16	0.01%
ROSS C. ANDERSON WI		8	0.00%
SHEILA TITTLE WI		3	0.00%
STEWART ALEXANDER WI		1	0.00%
STEPHEN DURHAM WI		0	0.00%
JAMES HARRIS WI		0	0.00%
JERRY WHITE WI		0	0.00%
Write-in Votes		870	0.34%

**UNITED STATES SENATOR**

	Total
Number of Precincts	611
Precincts Reporting	611 100.0 %
Vote For	1
Times Counted	261652/410187 63.8 %
Total Votes	252766
Times Over Voted	37

Times Over Voted

31

<b>DIANNE FEINSTEIN</b>	DEM	129267	51.14%
ELIZABETH EMKEN	REP	123499	48.86%

**4TH CONGRESS**

		Total	
Number of Precincts		16	
Precincts Reporting		16	100.0 %
Vote For		1	
Times Counted	7320/9426		77.7 %
Total Votes		6961	
Times Over Voted		0	

<b>TOM MCCLINTOCK</b>	REP	5266	75.65%
JACK UPPAL	DEM	1695	24.35%

**16TH CONGRESS**

		Total	
Number of Precincts		217	
Precincts Reporting		217	100.0 %
Vote For		1	
Times Counted	64891/124408		52.2 %
Total Votes		61985	
Times Over Voted		24	

<b>JIM COSTA</b>	DEM	42032	67.81%
BRIAN DANIEL WHELAN	REP	19953	32.19%

**21ST CONGRESS**

		Total	
Number of Precincts		128	
Precincts Reporting		128	100.0 %
Vote For		1	
Times Counted	41662/67358		61.9 %
Total Votes		39685	
Times Over Voted		8	

<b>DAVID G. VALADAO</b>	REP	23488	59.19%
JOHN HERNANDEZ	DEM	16197	40.81%

**22ND CONGRESS**

		Total	
Number of Precincts		250	
Precincts Reporting		250	100.0 %
Vote For		1	
Times Counted	147779/208995		70.7 %
Total Votes		140022	
Times Over Voted		22	

<b>DEVIN G. NUNES</b>	REP	85700	61.20%
OTTO LEE	DEM	54322	38.80%

**23RD ASSEMBLY**

	Total	
Number of Precincts	322	
Precincts Reporting	322	100.0 %
Vote For	1	
Times Counted	170263/245951	69.2 %
Total Votes	151010	
Times Over Voted	45	

<b>JIM PATTERSON</b>	REP	82359	54.54%
<b>BOB WHALEN</b>	REP	68651	45.46%

**31ST ASSEMBLY**

	Total	
Number of Precincts	289	
Precincts Reporting	289	100.0 %
Vote For	1	
Times Counted	91389/164236	55.6 %
Total Votes	86908	
Times Over Voted	24	

<b>HENRY T. PEREA</b>	DEM	55626	64.01%
<b>JAMES (JD) BENNETT</b>	REP	31282	35.99%

**MERCED COLLEGE NO 6**

	Total	
Number of Precincts	1	
Precincts Reporting	1	100.0 %
Vote For	1	
Times Counted	142/213	66.7 %
Total Votes	117	
Times Over Voted	0	

<b>JEAN UPTON</b>		83	70.94%
<b>JINET TROOST</b>		33	28.21%
Write-in Votes		1	0.85%

**ST CEN COM COL NO 2**

	Total	
Number of Precincts	138	
Precincts Reporting	138	100.0 %
Vote For	1	
Times Counted	47039/71006	66.2 %
Total Votes	35790	
Times Over Voted	90	

<b>ERIC PAYNE</b>		17151	47.92%
<b>PAULINA MIRANDA</b>		10576	29.55%
<b>PHIL MAHER</b>		5134	14.34%
<b>BRIAN MURILLO</b>		2769	7.74%
Write-in Votes		160	0.45%

**Exhibit A-10**

Election Summary Report  
 Consolidated Presidential General Election  
 Summary For Jurisdiction Wide, All Counters, All Races  
 Fresno County Official Final Results  
 "Donald J. Trump/Michael R. Pence have been nominated by  
 both the Republican and American Independent parties."

Date:12/06/16  
 Time:09:57:30  
 Page:1 of 18

Registered Voters 437667 - Cards Cast 291890 66.69%

Num. Report Precinct 592 - Num. Reporting 592 100.00%

PRESIDENT AND VICE PRES			
		Total	
Number of Precincts		592	
Precincts Reporting		592	100.0 %
Vote For		1	
Times Counted	291890/437667		66.7 %
Total Votes		287062	
Times Blank Voted		4293	
Times Over Voted		535	
Number Of Under Votes		0	
<b>HILLARY CLINTON</b>	DEM	141341	49.24%
<b>DONALD J. TRUMP</b>	REP	124049	43.21%
<b>GARY JOHNSON</b>	LIB	9246	3.22%
<b>JILL STEIN</b>	GRN	4300	1.50%
<b>BERNIE SANDERS WI</b>		1417	0.49%
<b>EVAN MCMULLIN WI</b>		1070	0.37%
<b>GLORIA ESTELA LA RIV</b>	PF	875	0.30%
<b>MIKE MATUREN WI</b>		17	0.01%
<b>L. KOTLIKOFF WI</b>		3	0.00%
<b>JERRY WHITE WI</b>		1	0.00%
Write-in Votes		4743	1.65%

16TH CONGRESS			
		Total	
Number of Precincts		195	
Precincts Reporting		195	100.0 %
Vote For		1	
Times Counted	73781/132758		55.6 %
Total Votes		69762	
Times Blank Voted		3990	
Times Over Voted		29	
Number Of Under Votes		0	
<b>JIM COSTA</b>	DEM	48153	69.02%
<b>JOHNNY M. TACHERRA</b>	REP	21609	30.98%

21ST CONGRESS			
		Total	
Number of Precincts		147	
Precincts Reporting		147	100.0 %
Vote For		1	
Times Counted	47229/71630		65.9 %
Total Votes		45135	
Times Blank Voted		2073	
Times Over Voted		21	
Number Of Under Votes		0	
<b>DAVID VALADAO</b>	REP	26999	59.82%
<b>EMILIO HUERTA</b>	DEM	18136	40.18%

UNITED STATES SENATOR			
		Total	
Number of Precincts		592	
Precincts Reporting		592	100.0 %
Vote For		1	
Times Counted	291890/437667		66.7 %
Total Votes		236104	
Times Blank Voted		55534	
Times Over Voted		252	
Number Of Under Votes		0	
<b>LORETTA L. SANCHEZ</b>	DEM	118148	50.04%
<b>KAMALA D. HARRIS</b>	DEM	117956	49.96%

22ND CONGRESS			
		Total	
Number of Precincts		233	
Precincts Reporting		233	100.0 %
Vote For		1	
Times Counted	163328/223934		72.9 %
Total Votes		151619	
Times Blank Voted		11659	
Times Over Voted		50	
Number Of Under Votes		0	
<b>DEVIN G. NUNES</b>	REP	102580	67.66%
<b>LOUIE J. CAMPOS</b>	DEM	49039	32.34%

4TH CONGRESS			
		Total	
Number of Precincts		17	
Precincts Reporting		17	100.0 %
Vote For		1	
Times Counted	7552/9345		80.8 %
Total Votes		7116	
Times Blank Voted		435	
Times Over Voted		1	
Number Of Under Votes		0	
<b>TOM MCCLINTOCK</b>	REP	5617	78.93%
<b>ROBERT W. DERLET</b>	DEM	1499	21.07%

23RD ASSEMBLY			
		Total	
Number of Precincts		297	
Precincts Reporting		297	100.0 %
Vote For		1	
Times Counted	188235/263287		71.5 %
Total Votes		162451	
Times Blank Voted		25730	
Times Over Voted		54	
Number Of Under Votes		0	
<b>JIM PATTERSON</b>	REP	123380	75.95%
<b>GWEN L. MORRIS</b>	REP	39071	24.05%

**Election Summary Report**  
**Consolidated Presidential General Election**  
**Summary For Jurisdiction Wide, All Counters, All Races**  
**Fresno County Official Final Results**  
**"Donald J. Trump/Michael R. Pence have been nominated by**  
**both the Republican and American Independent parties."**

Date:12/06/16  
 Time:09:57:30  
 Page:2 of 18

Registered Voters 437667 - Cards Cast 291890 66.69%

Num. Report Precinct 592 - Num. Reporting 592 100.00%

31ST ASSEMBLY			
		Total	
Number of Precincts		295	
Precincts Reporting		295	100.0 %
Vote For		1	
Times Counted	103655/174380		59.4 %
Total Votes		97858	
Times Blank Voted		5757	
Times Over Voted		40	
Number Of Under Votes		0	
<b>JOAQUIN ARAMBULA</b>	DEM	62404	63.77%
<b>CLINT OLIVIER</b>	REP	35454	36.23%

BOARD OF EDUCATION DIST 2			
		Total	
Number of Precincts		108	
Precincts Reporting		108	100.0 %
Vote For		1	
Times Counted	81913/110061		74.4 %
Total Votes		60277	
Times Blank Voted		21596	
Times Over Voted		40	
Number Of Under Votes		0	
<b>MIKE ROBINSON</b>		31258	51.86%
<b>DEBORAH HARKNESS</b>		28698	47.61%
Write-in Votes		321	0.53%

BOARD OF EDUCATION DIST 3			
		Total	
Number of Precincts		92	
Precincts Reporting		92	100.0 %
Vote For		1	
Times Counted	37476/70687		53.0 %
Total Votes		31666	
Times Blank Voted		5787	
Times Over Voted		23	
Number Of Under Votes		0	
<b>NELSON ESPARZA</b>		20096	63.46%
<b>BARBARA THOMAS</b>		11445	36.14%
Write-in Votes		125	0.39%

ST CEN COM COL NO 2			
		Total	
Number of Precincts		121	
Precincts Reporting		121	100.0 %
Vote For		1	
Times Counted	52365/76275		68.7 %
Total Votes		41283	
Times Blank Voted		10963	
Times Over Voted		119	
Number Of Under Votes		0	
<b>ERIC PAYNE</b>		11078	26.83%
<b>PAO YANG</b>		10950	26.52%
<b>CHERELLA NICHOLSON</b>		7443	18.03%
<b>PAULINA MIRANDA</b>		6289	15.23%
<b>CATHERINE AMADOR</b>		5378	13.03%
Write-in Votes		145	0.35%

ST CEN COM COL NO 3			
		Total	
Number of Precincts		130	
Precincts Reporting		130	100.0 %
Vote For		1	
Times Counted	45234/69899		64.7 %
Total Votes		34438	
Times Blank Voted		10784	
Times Over Voted		12	
Number Of Under Votes		0	
<b>JOHN Z. LEAL</b>		20391	59.21%
<b>TED MILLER</b>		13832	40.16%
Write-in Votes		215	0.62%

ST CEN COM COL NO 6			
		Total	
Number of Precincts		88	
Precincts Reporting		88	100.0 %
Vote For		1	
Times Counted	72786/94901		76.7 %
Total Votes		55777	
Times Blank Voted		16997	
Times Over Voted		12	
Number Of Under Votes		0	
<b>DEBORAH J. IKEDA</b>		28193	50.55%
<b>PATRICK E. "PAT" PAT</b>		20492	36.74%
<b>DAVID L. ROWELL</b>		6915	12.40%
Write-in Votes		177	0.32%

**Exhibit A-11**

Statement of Organization Recipient Committee

R-10

Type or print in ink

1352021

STATEMENT OF ORGANIZATION

Statement Type

Initial Not yet qualified or

Amendment List I.D. number:

Termination - See Part 5 List I.D. number:

08 / 23 / 12 Date qualified as committee

# Date qualified as committee (if applicable)

# Date of Termination

RECEIVED AND FILED in the office of the Secretary of State of the State of California

SEP 24 2012

DEBRA BOWEN Secretary of State

CALIFORNIA FORM 410

For Official Use Only

1. Committee Information

NAME OF COMMITTEE

Eric Payne for SCCCD 2012- Trustee Area 2

STREET ADDRESS (NO P.O. BOX)

CITY STATE ZIP CODE AREA CODE/PHONE

Fresno CA

MAILING ADDRESS (IF DIFFERENT)

OPTIONAL: FAX / E-MAIL ADDRESS

COUNTY OF DOMICILE

Fresno

COUNTY WHERE COMMITTEE IS ACTIVE IF DIFFERENT THAN COUNTY OF DOMICILE

Fresno

Attach additional information on appropriately labeled continuation sheets.

2. Treasurer and Other Principal Officers

NAME OF TREASURER

Jim Tate Hill II

STREET ADDRESS (NO P.O. BOX)

CITY STATE ZIP CODE AREA CODE/PHONE

Fresno CA

NAME OF ASSISTANT TREASURER, IF ANY

STREET ADDRESS (NO P.O. BOX)

CITY STATE ZIP CODE AREA CODE/PHONE

NAME OF PRINCIPAL OFFICER(S)

STREET ADDRESS (NO P.O. BOX)

CITY STATE ZIP CODE AREA CODE/PHONE

3. Verification

I have used all reasonable diligence in preparing this statement and to the best of my knowledge the information contained herein is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on 09/20/2012 DATE

By [Signature] ASSISTANT TREASURER

Executed on 09/20/2012 DATE

By [Signature] SIGNATURE OF CONTROLLING OFFICEHOLDER, CANDIDATE, OR STATE MEASURE PROPONENT

Executed on DATE

By [Signature] SIGNATURE OF CONTROLLING OFFICEHOLDER, CANDIDATE, OR STATE MEASURE PROPONENT

Executed on DATE

By [Signature] SIGNATURE OF CONTROLLING OFFICEHOLDER, CANDIDATE, OR STATE MEASURE PROPONENT

**Statement of Organization  
Recipient Committee**

INSTRUCTIONS ON REVERSE

Page 2

COMMITTEE NAME

Eric Payne for SCCCD 2012- Trustee Area 2

I.D. NUMBER

**4. Type of Committee** Complete the applicable sections.

**Controlled Committee**

- List the name of each controlling officeholder, candidate, or state measure proponent. If candidate or officeholder controlled, also list the elective office sought or held, and district number, if any, and the year of the election.
- List the political party with which each officeholder or candidate is affiliated or check "non-partisan."
- If this committee acts jointly with another controlled committee, list the name and identification number of the other controlled committee.

NAME OF CANDIDATE/OFFICEHOLDER/STATE MEASURE PROPONENT	ELECTIVE OFFICE SOUGHT OR HELD (INCLUDE DISTRICT NUMBER IF APPLICABLE)	YEAR OF ELECTION	PARTY
Eric Payne	SCCCD, Governing Board, Trustee Area 2	2012	<input checked="" type="checkbox"/> Non-Partisan
			<input type="checkbox"/> Non-Partisan

- List the financial institution where the campaign bank account is located (controlled "candidate election" committees only)

NAME OF FINANCIAL INSTITUTION	AREA CODE/PHONE	BANK ACCOUNT NUMBER	
Citi Bank	559-4706064	[REDACTED]	
ADDRESS	CITY	STATE	ZIP CODE
2303 Kern Street	Fresno	CA	93721

**Primarily Formed Committee** Primarily formed to support or oppose specific candidates or measures in a single election. List below:

CANDIDATE(S) NAME OR MEASURE(S) FULL TITLE (INCLUDE BALLOT NO. OR LETTER)	CANDIDATE(S) OFFICE SOUGHT OR HELD OR MEASURE(S) JURISDICTION (INCLUDE DISTRICT NO., CITY OR COUNTY, AS APPLICABLE)	CHECK ONE	
		SUPPORT	OPPOSE

**Exhibit A-12**

**Candidate Intention Statement**

**FILED**  
Date Stamp

**CALIFORNIA FORM 501**  
For Official Use Only

Check One:  Initial  Amendment (Explain) \_\_\_\_\_

AUG 05 2016

FRESNO COUNTY CLERK  
By Marich DEPUTY

**1. Candidate Information:**

NAME OF CANDIDATE (Last, First, Middle Initial) Fresno Ca DAYTIME TELEPHONE NUMBER \_\_\_\_\_ FAX NUMBER (optional) \_\_\_\_\_ E-MAIL (optional) \_\_\_\_\_  
STREET ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_

OFFICE SOUGHT (POSITION TITLE) SCCCD Trustee Area 2 AGENCY NAME State Center Community College District DISTRICT NUMBER, if applicable. 2  NON-PARTISAN PARTY: \_\_\_\_\_

OFFICE JURISDICTION

State (Complete Part 2.)  
 City  County  Multi-County: \_\_\_\_\_ (Name of Multi-County Jurisdiction) \_\_\_\_\_ (Year of Election) \_\_\_\_\_

**2. State Candidate Expenditure Limit Statement:**

(CalPERS and CalSTRS candidates, judges, judicial candidates, and candidates for local offices do not complete Part 2.)

\_\_\_\_\_  
(Year of Election) **Primary/general election** \_\_\_\_\_  
(Year of Election) **Special/runoff election**

(Check one box)

- I **accept** the voluntary expenditure ceiling for the election stated above.
- I **do not accept** the voluntary expenditure ceiling for the election stated above.  
Amendment:  
 I did not exceed the expenditure ceiling in the primary or special election held on: \_\_\_\_/\_\_\_\_/\_\_\_\_ and I accept the voluntary expenditure ceiling for the general or special run-off election.

(Mark if applicable)

On \_\_\_\_/\_\_\_\_/\_\_\_\_, I contributed personal funds in excess of the expenditure ceiling for the election stated above.

**3. Verification:**

I certify under penalty of perjury under the laws of the \_\_\_\_\_ is true and correct.

Executed on 08/05/16  
(month, day, year)

Signature \_\_\_\_\_

**Exhibit A-13**

PRINTED ON LINEMARK PAPER - HOLD TO LIGHT TO VIEW. FOR ADDITIONAL SECURITY FEATURES SEE BACK.

# CASHIER'S CHECK

516

Office AU #

Remitter: SYLVESTA HALL  
Operator I.D.:

August 02, 2016

PAY TO THE ORDER OF \*\*\*ERIC PAYNE \*\*\*  
\*\*\*FOR: SCCCD TRUSTEE AREA 2 \*\*\*

\*\*\*Three thousand dollars and no cents\*\*\*

\*\*\*\$3,000.00\*\*

Payee Address:  
Memo:

WELLS FARGO BANK, N.A.  
1206 VAN NESS AVE  
FRESNO, CA 93721  
FOR INQUIRIES CALL (480) 394-3122

VOID IF OVER US \$ 3,000.00

*Richard Levy*  
CONTROLLER

Details on Back  
Security Features Included

[REDACTED]

182

[REDACTED]

[REDACTED]

REQUEST [REDACTED] 3000.00  
ROLL ECIA [REDACTED] +  
JOB ECIA P ACCT [REDACTED]  
REQUESTOR [REDACTED]  
[REDACTED] 09/22/2017 Research [REDACTED]

Summons and Subpoenas Department  
S4001-01F  
Phoenix AZ 85038

**Exhibit A-14**

**Statement of Organization  
Recipient Committee**

Statement Type  Initial  Amendment  Termination – See Part 5  
 Not yet qualified  or  
 # 1352021 # \_\_\_\_\_  
 Date qualified as committee \_\_\_\_\_ Date qualified as committee 08/23/2012 Date of Termination \_\_\_\_\_  
(If applicable)

Date Stamp  
**RECEIVED AND FILED**  
in the office of the Secretary of State  
of the State of California

**DEC 01 2016**

**CALIFORNIA FORM 410**  
For Official Use Only  
**DEC 05 2016**  
FRESNO COUNTY CLERK  
By Shanich DEPUTY

**1. Committee Information**

NAME OF COMMITTEE  
**Eric Payne for State Center Community College District 2016  
Trustee Area 2**

STREET ADDRESS (NO P.O. BOX)  
1625 E Shaw Ave, Suite 130

CITY STATE ZIP CODE AREA CODE/PHONE  
Fresno CA 93710 (559)227-1530

MAILING ADDRESS (IF DIFFERENT)  
\_\_\_\_\_

FAX / E-MAIL ADDRESS  
\_\_\_\_\_

COUNTY OF DOMICILE JURISDICTION WHERE COMMITTEE IS ACTIVE  
Fresno County of Fresno

**2. Treasurer and Other Principal Officers**

NAME OF TREASURER  
Don Milligan, EA

STREET ADDRESS (NO P.O. BOX)  
1625 E Shaw Ave, Suite 130

CITY STATE ZIP CODE AREA CODE/PHONE  
Fresno CA 93710 (559)227-1530

NAME OF ASSISTANT TREASURER, IF ANY  
\_\_\_\_\_

STREET ADDRESS (NO P.O. BOX)  
\_\_\_\_\_

CITY STATE ZIP CODE AREA CODE/PHONE  
\_\_\_\_\_

NAME OF PRINCIPAL OFFICER(S)  
Eric Payne

STREET ADDRESS (NO P.O. BOX)  
1444 Fulton Street

CITY STATE ZIP CODE AREA CODE/PHONE  
Fresno CA 93721

Attach additional information on appropriately labeled continuation sheets.

**3. Verification**

I have used all reasonable diligence in preparing this statement and to the best of my knowledge the information contained herein is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on 11/29/2016 By \_\_\_\_\_ TREASURER OR ASSISTANT TREASURER  
DATE

Executed on 11/29/16 By \_\_\_\_\_ SIGNATURE OF CONTROLLING OFFICEHOLDER, CANDIDATE, OR STATE MEASURE PROPONENT  
DATE

Executed on \_\_\_\_\_ By \_\_\_\_\_ SIGNATURE OF CONTROLLING OFFICEHOLDER, CANDIDATE, OR STATE MEASURE PROPONENT  
DATE

Executed on \_\_\_\_\_ By \_\_\_\_\_ SIGNATURE OF CONTROLLING OFFICEHOLDER, CANDIDATE, OR STATE MEASURE PROPONENT  
DATE

**Statement of Organization  
Recipient Committee**

INSTRUCTIONS ON REVERSE

Page 2

I.D. NUMBER

1352021

COMMITTEE NAME  
**Eric Payne for State Center Community College District 2016  
Trustee Area 2**

- All committees must list the financial institution where the campaign bank account is located.

NAME OF FINANCIAL INSTITUTION <b>Wells Fargo</b>	AREA CODE/PHONE <b>(559)442-6311</b>	BANK ACCOUNT NUMBER <b>[REDACTED]</b>
ADDRESS <b>1206 Van Ness Ave</b>	CITY <b>Fresno</b>	STATE <b>CA</b>
		ZIP CODE <b>93721</b>

**4. Type of Committee** Complete the applicable sections.

**Controlled Committee**

- List the name of each controlling officeholder, candidate, or state measure proponent. If candidate or officeholder controlled, also list the elective office sought or held, and district number, if any, and the year of the election.
- List the political party with which each officeholder or candidate is affiliated or check "nonpartisan."
- If this committee acts jointly with another controlled committee, list the name and identification number of the other controlled committee.

NAME OF CANDIDATE/OFFICEHOLDER/STATE MEASURE PROPONENT	ELECTIVE OFFICE SOUGHT OR HELD (INCLUDE DISTRICT NUMBER IF APPLICABLE)	YEAR OF ELECTION	PARTY
<b>Eric Payne</b>	<b>SCCCD Trustee, Area 2</b>	<b>2016</b>	<input checked="" type="checkbox"/> Nonpartisan
			<input type="checkbox"/> Nonpartisan

**Primarily Formed Committee**

Primarily formed to support or oppose specific candidates or measures in a single election. List below:

CANDIDATE(S) NAME OR MEASURE(S) FULL TITLE (INCLUDE BALLOT NO. OR LETTER)	CANDIDATE(S) OFFICE SOUGHT OR HELD OR MEASURE(S) JURISDICTION (INCLUDE DISTRICT NO., CITY OR COUNTY, AS APPLICABLE)	CHECK ONE	
		SUPPORT	OPPOSE
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>

**Statement of Organization  
Recipient Committee**

INSTRUCTIONS ON REVERSE

Page 3

I.D. NUMBER  
1352021

COMMITTEE NAME  
Eric Payne for State Center Community College District 2016  
Trustee Area 2

**4. Type of Committee** (Continued)

**General Purpose Committee**

Not formed to support or oppose specific candidates or measures in a single election. Check only one box:  
 CITY Committee  COUNTY Committee  STATE Committee

PROVIDE BRIEF DESCRIPTION OF ACTIVITY

**Sponsored Committee**

List additional sponsors on an attachment.

NAME OF SPONSOR

INDUSTRY GROUP OR AFFILIATION OF SPONSOR

STREET ADDRESS

NO. AND STREET

CITY

STATE

ZIP CODE

**Small Contributor Committee**

\_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
Date qualified

**5. Termination Requirements**

By signing the verification, the treasurer, assistant treasurer and/or candidate, officeholder, or proponent certify that all of the following conditions have been met:

- This committee has ceased to receive contributions and make expenditures;
  - This committee does not anticipate receiving contributions or making expenditures in the future;
  - This committee has eliminated or has no intention or ability to discharge all debts, loans received, and other obligations;
  - This committee has no surplus funds; and
  - This committee has filed all campaign statements required by the Political Reform Act disclosing all reportable transactions.
- There are restrictions on the disposition of surplus campaign funds held by elected officers who are leaving office and by defeated candidates. Refer to Government Code Section 89519.
- Leftover funds of ballot measure committees may be used for political, legislative or governmental purposes under Government Code Sections 89511 - 89518, and are subject to Elections Code Section 18680 and FPPC Regulation 18521.5.

**Exhibit A-15**

**Fair Political Practices Commission  
Filing Schedule for  
Candidates and Controlled Committees for Local Office  
Being Voted on November 8, 2016**

<b>Deadline</b>	<b>Period</b>	<b>Form</b>	<b>Notes</b>
<b>Aug 1, 2016</b> <i>Semi-Annual</i>	* – 6/30/16	<a href="#">460</a>	<ul style="list-style-type: none"> <li>All committees must file Form 460.</li> <li>The July 31 deadline falls on a Sunday, so the deadline is extended to the next business day.</li> </ul>
<b>Within 24 Hours</b> <i>Contribution Reports</i>	8/10/16 – 11/8/16	<a href="#">497</a>	<ul style="list-style-type: none"> <li>File if a contribution of \$1,000 or more in the aggregate is received from a single source.</li> <li>File if a contribution of \$1,000 or more in the aggregate is made to <i>another</i> candidate or ballot measure being voted on the November 8 ballot or to a political party committee.</li> <li>The recipient of a non-monetary contribution of \$1,000 or more must file a Form 497 within 48 hours from the time the contribution is received.</li> <li>File by personal delivery, e-mail, guaranteed overnight service, fax or online, if available.</li> </ul>
<b>Sep 29, 2016</b> <i>1<sup>st</sup> Pre-Election</i>	7/1/16 – 9/24/16	<a href="#">460</a> or <a href="#">470</a>	<ul style="list-style-type: none"> <li>Each candidate listed on the ballot must file either Form 460 or Form 470 (see below).</li> </ul>
<b>Oct 27, 2016</b> <i>2<sup>nd</sup> Pre-Election</i>	9/25/16 – 10/22/16	<a href="#">460</a>	<ul style="list-style-type: none"> <li>All committees must file this report.</li> <li>Paper copies must be filed by personal delivery or guaranteed overnight service only.</li> </ul>
<b>Jan 31, 2017</b> <i>Semi-Annual</i>	10/23/16 – 12/31/16	<a href="#">460</a>	<ul style="list-style-type: none"> <li>All committees must file unless the committee filed termination Forms 410 and 460 before December 31, 2016.</li> </ul>

- **Local Ordinance:** Always check on whether additional local rules apply.
- **\* Period Covered:** The period covered by any statement begins on the day after the closing date of the last statement filed, or January 1, if no previous statement has been filed.
- **Filing Deadlines:** Deadlines are extended when they fall on a Saturday, Sunday, or an official state holiday. This extension does not apply to 24-hour independent expenditure reports (Form 496) and the deadline for the Form 497 that is due the weekend before the election. Such reports must be filed within 24 hours regardless of the day of the week. Statements filed after the deadline are subject to a \$10 per day late fine.
- **Method of Delivery:** All paper filings are filed by personal delivery or first class mail unless otherwise noted. A paper copy of a report may not be required if a local agency requires online filing pursuant to a local ordinance.

## Fair Political Practices Commission

- **Form 501:** All candidates must file Form 501 (Candidate Intention Statement) before soliciting/receiving contributions.
- **Form 460:** Candidates who have raised/spent \$2,000 or more file the Form 460. The Form 410 (Statement of Organization) must also be filed once \$2,000 or more has been raised/spent.
- **Form 470:** Candidates who do not have an open committee and do not raise or spend \$2,000 or more may file Form 470 on or before September 24, 2016. If later during the calendar year, a campaign committee must be opened, a Form 470 Supplement and a Form 410 must be filed.
- **Candidates:** After an election, reporting requirements will depend on whether the candidate is successful and whether a campaign committee is open.
- **Public Documents:** All forms are public documents. Campaign manuals and instructional materials are available at [www.fppc.ca.gov](http://www.fppc.ca.gov), click on the “[Learn](#)” link.
- Committees making independent expenditures to support or oppose candidates or ballot measures also file:
  - [462](#): This verification form must be e-mailed to the FPPC within 10 days of making an independent expenditure of \$1,000 or more.
  - [496](#): This form is due within 24 hours when made in the 90-day period before an election or on the date of the election. Refer to the candidate or ballot measure election filing schedule.

**Exhibit A-16**



**COUNTY OF FRESNO**  
COUNTY CLERK / REGISTRAR OF VOTERS  
BRANDI L. ORTH

December 27, 2016

Eric Payne for SCCCD - Trustee Area 2

[REDACTED]  
Fresno, California [REDACTED]

**RE: Campaign Committee 1352021**

Dear Mr. Payne:

The Political Reform Act requires candidates and committees to file campaign disclosure statements. The filing deadline for each reporting period as well as the form types can be found on the Fair Political Practices Commission website at [www.fppc.ca.gov](http://www.fppc.ca.gov).

- Government Code Section 84200 requires all committees pursuant to subdivision (b) or (c) of section 82013 to file campaign statements no later than July 31 for the period ending June 30, and not later than January 31 for the period ending December 31. Our records show that your semi-annual campaign disclosure statement, which was due on or before August 1, 2016, was filed **4 days** after the filing deadline.
- Government Code Section 84200.8 requires all candidates being voted on in an election to file pre-election statements. Our records show that we have not received your 1<sup>st</sup> pre-election statement covering the period of 07/01/16 – 09/24/16, which was due on or before September 29, 2016. Furthermore, your 2<sup>nd</sup> pre-election statement covering the period of 9/25/16 – 10/22/16 was filed **8 days** after the deadline.
- Government Code Section 84203 (90 days prior to election) requires each candidate or committee who makes or receives a contribution of \$1000 or more from a single source to file a form 497 within 24 hours of receiving the contribution. Our records show that you filed four your Late Contribution Reports on November 30, 2016. Report # 1 was filed **64 days** after the deadline; Report # 2 was filed **50 days** after the deadline; Report # 7 was filed **46 days** after the deadline; and Report 8 was filed **32 days** after the deadline.

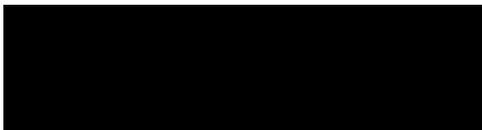
Government Code Section 91013 imposes a fine of \$10 per day after the filing deadline until the statement is filed.

**Page 2 Campaign Committee 1352021**

The total number of days you filed your campaign disclosure statements after the deadline is **204 days**. Please remit your payment of \$2,040 payable to Fresno County Clerk.

If you have any questions, please contact our office at (559) 600-1620. Thank you for your cooperation,

Sincerely,



Rachel Lopez  
County Clerk Program Manager  
(559) 600-3023



**Exhibit A-17**

**Recipient Committee  
Campaign Statement  
Cover Page**

COVER PAGE

FILE

Date Stamp

NOV 04 2016

FRESNO COUNTY CLERK  
*[Signature]*  
DEPUTY

**CALIFORNIA FORM 460**

Page 1 of 9

For Official Use Only

SEE INSTRUCTIONS ON REVERSE

**Statement covers period**

from \_\_\_\_\_

through \_\_\_\_\_

**Date of election if applicable:**  
(Month, Day, Year)

November 8, 2016 By [Signature]

**1. Type of Recipient Committee: All Committees – Complete Parts 1, 2, 3, and 4.**

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Officeholder, Candidate Controlled Committee<br><input type="checkbox"/> State Candidate Election Committee<br><input type="checkbox"/> Recall<br><small>(Also Complete Part 5)</small> | <input type="checkbox"/> Primarily Formed Ballot Measure Committee<br><input type="checkbox"/> Controlled<br><input type="checkbox"/> Sponsored<br><small>(Also Complete Part 6)</small> |
| <input type="checkbox"/> General Purpose Committee<br><input type="checkbox"/> Sponsored<br><input type="checkbox"/> Small Contributor Committee<br><input type="checkbox"/> Political Party/Central Committee              | <input type="checkbox"/> Primarily Formed Candidate/Officeholder Committee<br><small>(Also Complete Part 7)</small>  |

**2. Type of Statement:**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Preelection Statement<br><input type="checkbox"/> Semi-annual Statement<br><input type="checkbox"/> Termination Statement<br><small>(Also file a Form 410 Termination)</small><br><input type="checkbox"/> Amendment (Explain below) | <input type="checkbox"/> Quarterly Statement<br><input type="checkbox"/> Special Odd-Year Report |
|--|--|

**3. Committee Information**

I.D. NUMBER  
1352021

COMMITTEE NAME (OR CANDIDATE'S NAME IF NO COMMITTEE)  
Eric Payne for SCCC 2016  
Trustee Area 2

STREET ADDRESS (NO P.O. BOX)  
\_\_\_\_\_

CITY STATE ZIP CODE AREA CODE/PHONE  
Fresno Ca \_\_\_\_\_

MAILING ADDRESS (IF DIFFERENT NO. AND STREET OR P.O. BOX)  
\_\_\_\_\_

CITY STATE ZIP CODE AREA CODE/PHONE  
\_\_\_\_\_

OPTIONAL: FAX / E-MAIL ADDRESS  
\_\_\_\_\_

**Treasurer(s)** Eric Payne  
NAME OF TREASURER

MAILING ADDRESS  
Fresno Ca \_\_\_\_\_  
CITY STATE ZIP CODE AREA CODE/PHONE

NAME OF ASSISTANT TREASURER, IF ANY  
\_\_\_\_\_

MAILING ADDRESS  
\_\_\_\_\_

CITY STATE ZIP CODE AREA CODE/PHONE  
\_\_\_\_\_

OPTIONAL: FAX / E-MAIL ADDRESS  
\_\_\_\_\_

**4. Verification**

I have used all reasonable diligence in preparing and reviewing this statement and to the best of my knowledge the information contained herein and in the attached schedules is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on 11/4/16  
Date

Executed on 11/4/16  
Date

Executed on \_\_\_\_\_  
Date

Executed on \_\_\_\_\_  
Date

By \_\_\_\_\_  
Signature of Controlling Officeholder, Candidate, State Measure Proponent

By \_\_\_\_\_  
Signature of Controlling Officeholder, Candidate, State Measure Proponent

By \_\_\_\_\_  
Signature of Controlling Officeholder, Candidate, State Measure Proponent

By \_\_\_\_\_  
Signature of Controlling Officeholder, Candidate, State Measure Proponent

**Recipient Committee  
Campaign Statement  
Cover Page — Part 2**

**5. Officeholder or Candidate Controlled Committee**

NAME OF OFFICEHOLDER OR CANDIDATE  
Eric Payne

OFFICE SOUGHT OR HELD (INCLUDE LOCATION AND DISTRICT NUMBER IF APPLICABLE)  
Fresno Cd [REDACTED]

RESIDENTIAL/BUSINESS ADDRESS (NO. AND STREET) CITY STATE ZIP

**Related Committees Not Included in this Statement:** *List any committees not included in this statement that are controlled by you or are primarily formed to receive contributions or make expenditures on behalf of your candidacy.*

COMMITTEE NAME <u>Eric Payne for SCCC Trustee Area 2</u>	I.D. NUMBER <u>1352021</u>
NAME OF TREASURER <u>Eric Payne</u>	CONTROLLED COMMITTEE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
COMMITTEE ADDRESS STREET ADDRESS (NO P.O. BOX)	
CITY <u>Fresno</u>	STATE <u>CA</u>
ZIP CODE [REDACTED]	AREA CODE/PHONE
COMMITTEE NAME <u>Eric Payne for SCCC Trustee</u>	I.D. NUMBER <u>1352021</u>
NAME OF TREASURER	CONTROLLED COMMITTEE? <input type="checkbox"/> YES <input type="checkbox"/> NO
COMMITTEE ADDRESS STREET ADDRESS (NO P.O. BOX)	
CITY	STATE
ZIP CODE	AREA CODE/PHONE

**6. Primarily Formed Ballot Measure Committee**

NAME OF BALLOT MEASURE

BALLOT NO. OR LETTER	JURISDICTION	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
----------------------	--------------	---

**Identify the controlling officeholder, candidate, or state measure proponent, if any.**

NAME OF OFFICEHOLDER, CANDIDATE, OR PROPONENT

OFFICE SOUGHT OR HELD DISTRICT NO. IF ANY

**7. Primarily Formed Candidate/Officeholder Committee** *List names of officeholder(s) or candidate(s) for which this committee is primarily formed.*

NAME OF OFFICEHOLDER OR CANDIDATE <u>Eric Payne</u>	OFFICE SOUGHT OR HELD <u>SCCCD Area 2</u>	<input checked="" type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE

*Attach continuation sheets if necessary*

# Campaign Disclosure Statement Summary Page

Amounts may be rounded  
to whole dollars.

SUMMARY PAGE

Statement covers period from _____ through _____	<b>CALIFORNIA FORM 460</b>
	Page <u>3</u> of <u>9</u>
	I.D. NUMBER <u>1352021</u>

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER  
Eric Payne

## Contributions Received

	Column A TOTAL THIS PERIOD (FROM ATTACHED SCHEDULES)	Column B CALENDAR YEAR TOTAL TO DATE
1. Monetary Contributions..... Schedule A, Line 3	\$ <u>10,202.45</u>	\$ <u>10,202.45</u>
2. Loans Received..... Schedule B, Line 3	\$ <u>0</u>	\$ <u>0</u>
3. SUBTOTAL CASH CONTRIBUTIONS..... Add Lines 1 + 2	\$ <u>10,202.45</u>	\$ <u>10,202.45</u>
4. Nonmonetary Contributions..... Schedule C, Line 3	\$ <u>0</u>	\$ <u>0</u>
5. TOTAL CONTRIBUTIONS RECEIVED..... Add Lines 3 + 4	\$ <u>10,202.45</u>	\$ <u>10,202.45</u>

## Calendar Year Summary for Candidates Running in Both the State Primary and General Elections

	1/1 through 6/30	7/1 to Date
20. Contributions Received	\$ _____	\$ _____
21. Expenditures Made	\$ _____	\$ _____

## Expenditures Made

	Column A TOTAL THIS PERIOD (FROM ATTACHED SCHEDULES)	Column B CALENDAR YEAR TOTAL TO DATE
6. Payments Made..... Schedule E, Line 4	\$ <u>4,777.00</u>	\$ <u>4,777.00</u>
7. Loans Made..... Schedule H, Line 3	\$ _____	\$ _____
8. SUBTOTAL CASH PAYMENTS..... Add Lines 6 + 7	\$ _____	\$ _____
9. Accrued Expenses (Unpaid Bills)..... Schedule F, Line 3	\$ _____	\$ _____
10. Nonmonetary Adjustment..... Schedule C, Line 3	\$ _____	\$ _____
11. TOTAL EXPENDITURES MADE..... Add Lines 8 + 9 + 10	\$ <u>4,777.00</u>	\$ <u>4,777.00</u>

## Expenditure Limit Summary for State Candidates

**22. Cumulative Expenditures Made\***  
(# Subject to Voluntary Expenditure Limit)

Date of Election (mm/dd/yy)	Total to Date
____/____/____	\$ _____
____/____/____	\$ _____

## Current Cash Statement

12. Beginning Cash Balance..... Previous Summary Page, Line 16	\$ <u>10,202.45</u>
13. Cash Receipts..... Column A, Line 3 above	\$ _____
14. Miscellaneous Increases to Cash..... Schedule I, Line 4	\$ _____
15. Cash Payments..... Column A, Line 8 above	\$ _____
16. ENDING CASH BALANCE..... Add Lines 12 + 13 + 14, then subtract Line 15	\$ <u>5,425.45</u>

If this is a termination statement, Line 16 must be zero.

17. LOAN GUARANTEES RECEIVED..... Schedule B, Part 2	\$ _____
--	----------

## Cash Equivalents and Outstanding Debts

18. Cash Equivalents..... See instructions on reverse	\$ _____
19. Outstanding Debts..... Add Line 2 + Line 9 in Column B above	\$ _____

To calculate Column B, add amounts in Column A to the corresponding amounts from Column B of your last report. Some amounts in Column A may be negative figures that should be subtracted from previous period amounts. If this is the first report being filed for this calendar year, only carry over the amounts from Lines 2, 7, and 9 (if any).

\*Amounts in this section may be different from amounts reported in Column B.

**Schedule A  
Monetary Contributions Received**

Amounts may be rounded  
to whole dollars.

SCHEDULE A

Statement covers period from _____ through _____	<b>CALIFORNIA FORM 460</b>
	Page <u>4</u> of <u>9</u>
	I.D. NUMBER <u>1352021</u>

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

Eric Payne

DATE RECEIVED	FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CONTRIBUTOR CODE *	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	AMOUNT RECEIVED THIS PERIOD	CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31)	PER ELECTION TO DATE (IF REQUIRED)
8/20/16	Sheena Harris Clovis, Ca	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	DOCTOR	\$ 150.00	150.00	150.00
8/14/16	Karla Kirk Fresno, Ca 93104	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	EDUCATOR	\$ 100.00	100.00	100.00
8/14/16	Susan Anderson Fresno, Ca 93120	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	ATTORNEY	\$ 50.00	50.00	50.00
8/14/16	KORNYA LANSANA Fresno, Ca	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	EDUCATOR	\$ 50.00	50.00	50.00
8/14/16	Consuello Hardeman Fresno, Ca 93702	<input type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	EDUCATOR	\$ 50.00	50.00	50.00

**SUBTOTAL \$**

**Schedule A Summary**

1. Amount received this period – itemized monetary contributions. (Include all Schedule A subtotals.) .....	\$ <u>400.00</u>
2. Amount received this period – unitemized monetary contributions of less than \$100 .....	\$ <u>150.00</u>
3. Total monetary contributions received this period. (Add Lines 1 and 2. Enter here and on the Summary Page, Column A, Line 1.) .....	<b>TOTAL \$</b> <u>400.00</u>

\*Contributor Codes  
IND – Individual  
COM – Recipient Committee  
(other than PTY or SCC)  
OTH – Other (e.g., business entity)  
PTY – Political Party  
SCC – Small Contributor Committee

**Schedule A  
Monetary Contributions Received**

Amounts may be rounded  
to whole dollars.

SCHEDULE A

Statement covers period from _____ through _____	<b>CALIFORNIA FORM 460</b> Page <u>3</u> of <u>9</u> I.D. NUMBER <u>1352021</u>
--	--

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER  
Eric Payne

DATE RECEIVED	FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CONTRIBUTOR CODE *	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	AMOUNT RECEIVED THIS PERIOD	CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31)	PER ELECTION TO DATE (IF REQUIRED)
10/27/16	Christopher Townsend Laguna Hills, CA 92653	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Advocate/CEO	\$500.00	\$500.00	\$500
10/21/16	Miguel Arias Fresno, CA 93721	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Chief public info. officer	\$150.00	\$150.00	\$150.00
10/18/16	<del>PL</del> PLEAS BROWN Fresno, CA 93727	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	RETIRED	\$250.00	\$250.00	\$250.00
10/28/16	Coast To Coast Petroleum Clovis, CA	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	business	\$2000.00	\$4500	\$4500
		<input type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC				

**SUBTOTAL \$**

**Schedule A Summary**

- Amount received this period – itemized monetary contributions.  
(Include all Schedule A subtotals.) ..... \$ 2,900.00
- Amount received this period – unitemized monetary contributions of less than \$100 ..... \$ 0
- Total monetary contributions received this period.  
(Add Lines 1 and 2. Enter here and on the Summary Page, Column A, Line 1.) ..... **TOTAL \$** 2,900.00

\*Contributor Codes  
IND – Individual  
COM – Recipient Committee  
(other than PTY or SCC)  
OTH – Other (e.g., business entity)  
PTY – Political Party  
SCC – Small Contributor Committee

**Schedule A  
Monetary Contributions Received**

Amounts may be rounded to whole dollars.

SCHEDULE A

Statement covers period from _____ through _____	<b>CALIFORNIA FORM 460</b>
	Page <u>40</u> of <u>9</u>

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

*Eric Payne*

I.D. NUMBER

*1352021*

DATE RECEIVED	FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CONTRIBUTOR CODE *	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	AMOUNT RECEIVED THIS PERIOD	CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31)	PER ELECTION TO DATE (IF REQUIRED)
<i>10/14/16</i>	<i>District Council Iron Workers Political Action League ID # 831693 Pittsburg, CA 94584</i>	<input type="checkbox"/> IND <input type="checkbox"/> COM <input checked="" type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	<i>PAL</i>	<i>\$250.00</i>	<i>250</i>	<i>250</i>
<i>9/20/16</i>	<i>Sheet Metal Workers International Association Local NO. 104 Political Action Committee ID NO. 850381 AN RANON</i>	<input type="checkbox"/> IND <input type="checkbox"/> COM <input checked="" type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	<i>PAC</i>	<i>\$1300.00</i>	<i>1300.00</i>	<i>1300.00</i>
<i>9/16/16</i>	<i>California Laborers for Equality AND PROGRESS - Small Contributor Committee ID # 781984 sacramento, ca 95814</i>	<input type="checkbox"/> IND <input type="checkbox"/> COM <input checked="" type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	<i>PAL</i>	<i>\$500.00</i>	<i>\$500.00</i>	<i>500.00</i>
<i>10/6/16</i>	<i>IUPAT Political Action Committee Political Action Together Hanover, MD</i>	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input checked="" type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	<i>PAC</i>	<i>\$1,000.00</i>	<i>\$1000.00</i>	<i>\$1000.00</i>
<i>10/21/16</i>	<i>Patricia Brown P.O. Box 8027 FRESNO, CA 93747</i>	<input type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	<i>ATTORNEY</i>	<i>\$35.00</i>	<i>\$35.00</i>	<i>\$1000.00</i>

SUBTOTAL \$ *3,085.00*

**Schedule A Summary**

1. Amount received this period – itemized monetary contributions. (Include all Schedule A subtotals.) .....	\$ <i>3,085.00</i>
2. Amount received this period – unitemized monetary contributions of less than \$100 .....	\$ <i>35.00</i>
3. Total monetary contributions received this period. (Add Lines 1 and 2. Enter here and on the Summary Page, Column A, Line 1.) .....	TOTAL \$ <i>3,085.00</i>

\*Contributor Codes  
 IND – Individual  
 COM – Recipient Committee (other than PTY or SCC)  
 OTH – Other (e.g., business entity)  
 PTY – Political Party  
 SCC – Small Contributor Committee

**Schedule A (Continuation Sheet)  
Monetary Contributions Received**

Amounts may be rounded  
to whole dollars.

SCHEDULE A (CONT.)

Statement covers period from _____ through _____	<b>CALIFORNIA FORM 460</b>
	Page <u>9</u> of <u>9</u>
	I.D. NUMBER <u>1352021</u>

NAME OF FILER

Eric Payne

DATE RECEIVED	FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CONTRIBUTOR CODE *	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	AMOUNT RECEIVED THIS PERIOD	CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31)	PER ELECTION TO DATE (IF REQUIRED)
8/14/16	L.D. Dickson Fresno, Ca 93723	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Teacher	\$50.00	\$0.00	\$0.00
8/14/16	Ronald Farewell Clovis, Ave 93611	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Driver	\$50.00	\$50.00	\$50.00
8/14/16	Cynthia Sterling P.O Box 6177 Fresno Ca	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Funeral Director Consultant	\$20.00	\$20.00	\$20.00
9/14/16	Coast to Coast Petroleum Clovis, Ca 93611	<input type="checkbox"/> IND <input checked="" type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Business	\$500.00	\$450.00	\$450.00
9/8/16	Tour Associates Fresno Ca 93721	<input type="checkbox"/> IND <input checked="" type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Business	\$300.00	\$300.00	\$300.00

SUBTOTAL \$ 920.00

\*Contributor Codes  
IND - Individual  
COM - Recipient Committee  
(other than PTY or SCC)  
OTH - Other (e.g., business entity)  
PTY - Political Party  
SCC - Small Contributor Committee

**Schedule D  
Summary of Expenditures  
Supporting/Opposing Other  
Candidates, Measures and Committees**

Amounts may be rounded  
to whole dollars.

SCHEDULE D

Statement covers period from _____ through _____	<b>CALIFORNIA FORM 460</b>
	Page <u>8</u> of <u>9</u>
I.D. NUMBER <u>1352021</u>	

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

*Eric Pryme*

DATE	NAME OF CANDIDATE, OFFICE, AND DISTRICT, OR MEASURE NUMBER OR LETTER AND JURISDICTION, OR COMMITTEE	TYPE OF PAYMENT	DESCRIPTION (IF REQUIRED)	AMOUNT THIS PERIOD	CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31)	PER ELECTION TO DATE (IF REQUIRED)
<i>8/12/16</i>	<i>Fresno County Clerk</i>	<input type="checkbox"/> Monetary Contribution <input type="checkbox"/> Nonmonetary Contribution <input checked="" type="checkbox"/> Independent Expenditure	<i>FEES</i>	<i>\$1340.00</i>		
		<input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose				
<i>10/7/16</i>	<i>COPS VOTER GUIDE</i>	<input type="checkbox"/> Monetary Contribution <input type="checkbox"/> Nonmonetary Contribution <input checked="" type="checkbox"/> Independent Expenditure	<i>MEDIA</i>	<i>\$1725.00</i>		
		<input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose				
<i>10/17/16</i>	<i>TRUTH BRANDING</i>	<input type="checkbox"/> Monetary Contribution <input type="checkbox"/> Nonmonetary Contribution <input checked="" type="checkbox"/> Independent Expenditure	<i>MEDIA</i>	<i>\$1712.89</i>		
		<input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose				
<b>SUBTOTAL</b>				<i>\$ 4,777</i>		

**Schedule D Summary**

- Itemized contributions and independent expenditures made this period. (Include all Schedule D subtotals.)..... \$ 4,777.00
- Unitemized contributions and independent expenditures made this period of under \$100..... \$ 0
- Total contributions and independent expenditures made this period. (Add Lines 1 and 2. Do not enter on the Summary Page.)..... TOTAL.. \$ 4,777.00

**Schedule D  
(Continuation Sheet)  
Summary of Expenditures  
Supporting/Opposing Other  
Candidates, Measures and Committees**

Amounts may be rounded  
to whole dollars.

SCHEDULE D (CONT.)

Statement covers period from _____ through _____	<b>CALIFORNIA FORM 460</b> Page <u>9</u> of <u>9</u> I.D. NUMBER <u>1352021</u>
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NAME OF FILER

*Erin Payne*

DATE	NAME OF CANDIDATE, OFFICE, AND DISTRICT, OR MEASURE NUMBER OR LETTER AND JURISDICTION, OR COMMITTEE	TYPE OF PAYMENT	DESCRIPTION (IF REQUIRED)	AMOUNT THIS PERIOD	CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31)	PER ELECTION TO DATE (IF REQUIRED)
<i>10/28/2014</i>	<i>KSEE / KGPE</i>	<input type="checkbox"/> Monetary Contribution <input type="checkbox"/> Nonmonetary Contribution <input checked="" type="checkbox"/> Independent Expenditure <input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose	<i>MEDIA</i>	<i>\$ 900.00</i>		
<i>10/3/14</i>	<i>Downtown Business</i>	<input type="checkbox"/> Monetary Contribution <input type="checkbox"/> Nonmonetary Contribution <input checked="" type="checkbox"/> Independent Expenditure <input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose	<i>STORAGE / Mailing</i>	<i>\$ 450.00</i>		
<i>10/5/14</i>	<i>Enterprise RENT Fresno</i>	<input type="checkbox"/> Monetary Contribution <input type="checkbox"/> Nonmonetary Contribution <input checked="" type="checkbox"/> Independent Expenditure <input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose	<i>LIT DROP (DRIVER)</i>	<i>\$ 202.79</i>		
<i>9/3/14</i>	<i>Sherry Moya / D.C. COSTOMS</i>	<input type="checkbox"/> Monetary Contribution <input type="checkbox"/> Nonmonetary Contribution <input type="checkbox"/> Independent Expenditure <input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose	<i>T-SHIRTS / BAGS</i>	<i>144.60</i>		

SUBTOTAL \$ *1696.79*

**Exhibit A-18**

**Recipient Committee Campaign Statement**  
(Government Code Sections 84200-84216.5)

Type or print in ink.

COVER PAGE

FILE	Date Stamp	CALIFORNIA 2001/02 FORM 460
	DEC 21 2016	1 / 13
By <i>Manick</i>		For Official Use Only
FRESNO COUNTY CLERK		DEPUTY

SEE INSTRUCTIONS ON REVERSE

Statement covers period  
from 07/01/2016  
through 09/24/2016

Date of election if applicable:  
(Month, Day, Year)  
11/08/2016

**1. Type of Recipient Committee:** All Committees - Complete Parts 1,2,3, and 4.

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Officeholder, Candidate Controlled Committee<br><input type="checkbox"/> State Candidate Election Committee<br><input type="checkbox"/> Recall<br>(Also Complete Part 5.)  | <input type="checkbox"/> Ballot Measure Committee<br><input type="checkbox"/> Primary Formed<br><input type="checkbox"/> Controlled<br><input type="checkbox"/> Sponsored<br>(Also Complete Part 6.) |
| <input type="checkbox"/> General Purpose Committee<br><input type="checkbox"/> Sponsored<br><input type="checkbox"/> Small Contributor Committee<br><input type="checkbox"/> Political Party/Central Committee | <input type="checkbox"/> Primary Formed Candidate/Officeholder Committee<br>(Also Complete Part 7.)  |

**2. Type of Statement:**

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Pre-election Statement                            | <input type="checkbox"/> Quarterly Statement                                  |
| <input type="checkbox"/> Semi-annual Statement  | <input type="checkbox"/> Special Odd-Year Report                              |
| <input type="checkbox"/> Termination Statement  | <input type="checkbox"/> Supplemental Preelection Statement - Attach Form 495 |
| <input checked="" type="checkbox"/> Amendment (Explain below)<br>See Additional Notes |   |

**3. Committee Information**

I.D. NUMBER  
1352021

COMMITTEE NAME (OR CANDIDATE'S NAME IF NO COMMITTEE)  
Eric Payne for SCCCD 2016 Trustee Area 2

STREET ADDRESS (NO P.O. BOX)  
1625 East Shaw Avenue  
Suite 130

CITY	STATE	ZIP CODE	AREA CODE/PHONE
Fresno	CA	93710	

MAILING ADDRESS (IF DIFFERENT) NO. AND STREET OR P.O. BOX  
1625 East Shaw Avenue  
Suite 130

CITY	STATE	ZIP CODE	AREA CODE/PHONE
Fresno	CA	93710	

OPTIONAL: FAX/E-MAIL ADDRESS

**Treasurer(s)**

NAME OF TREASURER  
Don Milligan, EA

MAILING ADDRESS  
1625 East Shaw Avenue  
Suite 130

CITY	STATE	ZIP CODE	AREA CODE/PHONE
Fresno	CA	93710	

NAME OF ASSISTANT TREASURER, IF ANY

MAILING ADDRESS

CITY	STATE	ZIP CODE	AREA CODE/PHONE
------	-------	----------	-----------------

OPTIONAL: FAX/E-MAIL ADDRESS

**4. Verification**

I have used all reasonable diligence in preparing and reviewing this statement and to the best of my knowledge the information contained herein and in the attached schedules is true and complete. I certify under penalty of perjury that the information provided is true and correct.

Executed on 12-21-2016 By [Signature] SIGNATURE OF TREASURER OR ASSISTANT TREASURER

Executed on 12-21-16 By [Signature] SIGNATURE OF CONTROLLING OFFICEHOLDER, CANDIDATE, STATE MEASURE PROponent OR RESPONSIBLE OFFICER OF SPONSOR

Executed on \_\_\_\_\_ By \_\_\_\_\_ SIGNATURE OF CONTROLLING OFFICEHOLDER, CANDIDATE, STATE MEASURE PROponent

Executed on \_\_\_\_\_ By \_\_\_\_\_ SIGNATURE OF CONTROLLING OFFICEHOLDER, CANDIDATE, STATE MEASURE PROponent



**FORM**

**F460**

**Notes**

Form/Schedule	Reference No	TEXT
F460		Missing information New Treasurer effective 11/29/2016

# Campaign Disclosure Statement Summary Page

Type or print in ink.  
Amounts may be rounded  
to whole dollars.

SUMMARY PAGE

Statement covers period from _____ through _____	<b>CALIFORNIA FORM 460</b>
	4 / 13
	I.D. NUMBER 1352021

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER  
Eric Payne for SCCCD 2016 Trustee Area 2

## Contributions Received

		Column A TOTAL THIS PERIOD (FROM ATTACHED SCHEDULES)	Column B CALENDAR YEAR TOTAL TO DATE
1. Monetary Contributions .....	Schedule A, Line 3	\$ 4820.00	\$ 4820.00
2. Loans Received .....	Schedule B, Line 7	-820.00	180.00
3. SUBTOTAL CASH CONTRIBUTIONS.....	Add Lines 1 + 2	\$ 4000.00	\$ 5000.00
4. Nonmonetary Contributions .....	Schedule C, Line 3	0.00	0.00
5. TOTAL CONTRIBUTIONS RECEIVED.....	Add Lines 3 + 4	4000.00	\$ 5000.00

### Calendar Year Summary for Candidates Running in Both the State Primary and General Elections

	1/1 through 6/30	7/1 to Date
20. Contribution Received	\$ 0.00	\$ 0.00
21. Expenditures Made	\$ 0.00	\$ 0.00

## Expenditures Made

		Column A	Column B
6. Payments Made .....	Schedule E, Line 4	\$ 3087.73	\$ 3087.73
7. Loans Made .....	Schedule H, Line 7	0.00	0.00
8. SUBTOTAL CASH PAYMENTS.....	Add Lines 6 + 7	\$ 3087.73	\$ 3087.73
9. Accrued Expenses (Unpaid Bills) .....	Schedule F, Line 3	0.00	0.00
10. Nonmonetary Adjustment .....	Schedule C, Line 3	0.00	0.00
11. TOTAL EXPENDITURES MADE.....	Add Lines 8 + 9 + 10	\$ 3087.73	\$ 3087.73

### Expenditure Limit Summary for State Candidates

**22. Cumulative Expenditures Made\***  
(If Subject to Voluntary Expenditure Limit)

Date of Election (mm/dd/yy)	Total to Date
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

## Current Cash Statement

12. Beginning Cash Balance .....	Previous Summary Page, Line 16	\$ 0.00
13. Cash Receipts .....	Column A, Line 3 above	4000.00
14. Miscellaneous Increases to Cash .....	Schedule I, Line 4	214.59
Cash Payments .....	Column A, Line 8 above	3087.73
16. ENDING CASH BALANCE.....	Add Lines 12 + 13 + 14, then subtract Line 15	\$ 1126.86
If this is a termination statement, Line 16 must be zero.		
17. LOAN GUARANTEES RECEIVED.....	Schedule B, Part 2	\$ 0.00

To calculate Column B, add amounts in Column A to the corresponding amounts from Column B of your last report. Some amounts in Column A may be negative figures that should be subtracted from previous period amounts. If this is the first report being filed for this calendar year, only carry over the amounts from Lines 2, 7, and 9 (if any).

## Cash Equivalents and Outstanding Debts

18. Cash Equivalents .....	See instructions on reverse	\$ 0.00
19. Outstanding Debts .....	Add Line 2 + Line 9 in Column B above	\$ 180.00

\*Since January 1, 2001. Amounts in this section may be different from amounts reported in Column B.

# Schedule A Monetary Contributions Received

Type or print in ink.  
Amounts may be rounded  
to whole dollars.

SCHEDULE A

Statement covers period from _____	<b>CALIFORNIA FORM 460</b>
through _____	
5 / 13	
I.D. Number 1352021	

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER  
Eric Payne for SCCCD 2016 Trustee Area 2

DATE RECEIVED	FULL NAME, MAILING ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CONTRIBUTOR CODE *	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	AMOUNT RECEIVED THIS PERIOD	CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31)	PER ELECTION TO DATE (IF REQUIRED)
Rcpt Dt: 08/04/2016	Silvesta Hall [REDACTED] Clovis CA [REDACTED] ID:	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	CEO  Blue Ocean Development	3000.00	3000.00	3000.00 G 16
Rcpt Dt: 09/08/2016	Toure Associates 1444 Fulton Street Suite 121 Fresno CA 93721 ID:	<input type="checkbox"/> IND <input type="checkbox"/> COM <input checked="" type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		300.00	300.00	300.00 G 16
Rcpt Dt: 09/14/2016	Susan Anderson [REDACTED] Fresno CA [REDACTED] ID:	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Attorney  Self	50.00	50.00	50.00 G 16
Rcpt Dt: 09/14/2016	Coast to Coast Petroleum LLC 2146 Bedford Avenue Clovis CA 93611 ID:	<input type="checkbox"/> IND <input type="checkbox"/> COM <input checked="" type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		500.00	500.00	500.00 G 16
Rcpt Dt: 09/14/2016	L. D. Dickson [REDACTED] Fresno CA [REDACTED] ID:	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Janitor  State Center Community College District	50.00	50.00	50.00 G 16
<b>SUBTOTAL \$</b>						

## Schedule A Summary

1. Amount received this period - contributions of \$100 or more. (Include all Schedule A subtotals.) .....	\$ 4800.00
2. Amount received this period - unitemized contributions of less than \$100 .....	\$ 20.00
3. Total monetary contributions received this period. (Add Lines 1 and 2. Enter here and on the Summary Page, Column A, Line 1.) .....	<b>TOTAL \$ 4820.00</b>

\*Contributor Codes  
IND - Individual  
COM - Recipient Committee  
(other than PTY or SCC)  
OTH- Other  
PTY - Political Party  
SCC - Small Contributor Committee

**Schedule A  
Monetary Contributions Received**

Type or print in ink.  
Amounts may be rounded  
to whole dollars.

SCHEDULE A

Statement covers period from _____ through _____	<b>CALIFORNIA FORM 460</b> 6 / 13
I.D. Number 1352021	

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER  
Eric Payne for SCCCD 2016 Trustee Area 2

DATE RECEIVED	FULL NAME, MAILING ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CONTRIBUTOR CODE *	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	AMOUNT RECEIVED THIS PERIOD	CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31)	PER ELECTION TO DATE (IF REQUIRED)
Rcpt Dt: 09/14/2016	Valette Farwell [REDACTED] Clovis CA [REDACTED] ID: [REDACTED]	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Retired  None	50.00	50.00	50.00 G 16
Rcpt Dt: 09/14/2016	Consuello Hardeman [REDACTED] Fresno CA [REDACTED] ID: [REDACTED]	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Health Aide  Fresno Unified School District	50.00	50.00	50.00 G 16
Rcpt Dt: 09/14/2016	Karla Kirk [REDACTED] Fresno CA [REDACTED] ID: [REDACTED]	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Instructor  Fresno City College	100.00	100.00	100.00 G 16
Rcpt Dt: 09/14/2016	Kornva Lansana [REDACTED] Fresno CA [REDACTED] ID: [REDACTED]	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Outreach Counselor  University of California- Fresno	50.00	50.00	50.00 G 16
Rcpt Dt: 09/16/2016	California Laborers for Equality and Progress 555 Capitol Mall Suite 1425 Sacramento CA 95814 ID: 781984	<input type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input checked="" type="checkbox"/> SCC		500.00	500.00	500.00 G 16

**SUBTOTAL \$**

**Schedule A Summary**

- Amount received this period - contributions of \$100 or more.  
(Include all Schedule A subtotals.) ..... \$ \_\_\_\_\_
- Amount received this period - unitemized contributions of less than \$100 ..... \$ \_\_\_\_\_
- Total monetary contributions received this period.  
(Add Lines 1 and 2. Enter here and on the Summary Page, Column A, Line 1.) ..... **TOTAL \$** \_\_\_\_\_

\*Contributor Codes  
IND - Individual  
COM - Recipient Committee  
(other than PTY or SCC)  
OTH - Other  
PTY - Political Party  
SCC - Small Contributor Committee

**Schedule A  
Monetary Contributions Received**

Type or print in ink.  
Amounts may be rounded  
to whole dollars.

SCHEDULE A

Statement covers period from _____ through _____	<b>CALIFORNIA FORM 460</b>
	7 / 13
	I.D. Number 1352021

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER  
Eric Payne for SCCC 2016 Trustee Area 2

DATE RECEIVED	FULL NAME, MAILING ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CONTRIBUTOR CODE *	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	AMOUNT RECEIVED THIS PERIOD	CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31)	PER ELECTION TO DATE (IF REQUIRED)
Rcpt Dt: 09/20/2016	Vincent Harris [REDACTED] Clovis CA [REDACTED] ID: [REDACTED]	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Executive Director  Fresno Unified School District	150.00	150.00	150.00 G 16

**SUBTOTAL \$ 4800.00**

**Schedule A Summary**

- Amount received this period - contributions of \$100 or more.  
(Include all Schedule A subtotals.) ..... \$ \_\_\_\_\_
- Amount received this period - unitemized contributions of less than \$100 ..... \$ \_\_\_\_\_
- Total monetary contributions received this period.  
(Add Lines 1 and 2. Enter here and on the Summary Page, Column A, Line 1.) ..... **TOTAL \$** \_\_\_\_\_

\*Contributor Codes  
IND - Individual  
COM - Recipient Committee  
(other than PTY or SCC)  
OTH - Other  
PTY - Political Party  
SCC - Small Contributor Committee

**Schedule B - Part 1  
Loans Received**

Type or print in ink.  
Amounts may be rounded  
to whole dollars.

SCHEDULE B - PART 1

Statement covers period from _____ through _____	<b>CALIFORNIA FORM 460</b>
	8 / 13
	I.D. NUMBER 1352021

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

Eric Payne for SCCCD 2016 Trustee Area 2

FULL NAME, STREET ADDRESS AND ZIP CODE OF LENDER (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	(a) OUTSTANDING BALANCE BEGINNING THIS PERIOD	(b) AMOUNT RECEIVED THIS PERIOD	(c) AMOUNT PAID OR FORGIVEN THIS PERIOD*	(d) OUTSTANDING BALANCE AT CLOSE OF THIS PERIOD	(e) INTEREST PAID THIS PERIOD	(f) ORIGINAL AMOUNT OF LOAN	(g) CUMULATIVE CONTRIBUTIONS TO DATE
Eric Payne 1625 East Shaw Avenue Suite 130 Fresno CA 93710 ID: <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Toure Associates Environmental Engineering  Managing Partner	\$ 1000.00	\$ 0.00	<input checked="" type="checkbox"/> PAID \$ 820.00 <input type="checkbox"/> FORGIVEN \$ 0.00	\$ 180.00  DATE DUE	0.00 % RATE \$ 0.00	\$ 1000.00  02/23/2012 DATE INCURRED	CALENDAR YEAR 0.00 PER ELECTION** 180.00 G 16

**SUBTOTALS** \$ 0.00 \$ 820.00 \$ 180.00 \$ 0.00

**Schedule B Summary**

1. Loans received this period. \_\_\_\_\_ \$ 0.00  
(Total Column (b) plus unitemized loans less than \$100.)
2. Loans paid or forgiven this period \_\_\_\_\_ \$ 820.00  
(Total Column (c) plus loans under \$100 paid or forgiven.)  
(Include loans paid by a third party that are also itemized on Schedule A.)
3. Net change this period. (Subtract Line 2 from Line 1.) \_\_\_\_\_ **Net \$ -820.00**  
Enter the net here and on the Summary Page, Column A, Line 2. (may be a negative number)

(Enter (e) on  
Schedule E, Line 3)

\* Amounts forgiven or paid by another party also must be reported on Schedule A.

\*\* If required.

\*Contributor Codes  
IND-Individual COM-Recipient Committee (other than PTY or SCC) OTH-Other PTY-Political Party SCC-Small Contributor Committee

**Schedule E  
Payments Made**

Type or print in ink.  
Amounts may be rounded  
to whole dollars.

SCHEDULE E

Statement covers period from _____	<b>CALIFORNIA FORM 460</b>
through _____	
9 / 13	
I.D. NUMBER 1352021	

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER  
Eric Payne for SCCCD 2016 Trustee Area 2

**CODES:** If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

- |   |   |   |
|---|---|---|
| CMP campaign paraphernalia/misc.                                  | MBR member communications                     | RAD radio airtime and production costs                        |
| CNS campaign consultants  | MTG meetings and appearances                  | RFD returned contributions                                    |
| CTB contribution (explain nonmonetary)*                           | OFC office expenses                           | SAL campaign workers' salaries                                |
| CVC civic donations   | PET petition circulating                      | TEL t.v. or cable airtime and production costs                |
| FIL candidate filing/ballot fees                                  | PHO phone banks                               | TRC candidate travel, lodging, and meals                      |
| FND fundraising events  | POL polling and survey research               | TRS staff/spouse travel, lodging, and meals                   |
| IND independent expenditure supporting/opposing others (explain)* | POS postage, delivery and messenger services  | TSF transfer between committees of the same candidate/sponsor |
| LEG legal defense   | PRO professional services (legal, accounting) | VOT voter registration  |
| LIT campaign literature and mailings                              | PRT print ads                                 | WEB information technology costs (internet, email)            |

NAME AND ADDRESS OF PAYEE OR CREDITOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CODE	OR	DESCRIPTION OF PAYMENT	AMOUNT PAID
Fresno County Clerk - Elections 2221 Kern Street Fresno CA 93721	FIL		Candidate Statement	1300.00
Fresno County Clerk - Elections 2221 Kern Street Fresno CA 93721	FIL		Candidate Filing Fees	40.00
Truth Branding Agency 700 Van Ness Avenue Fresno CA 93721	LIT		Cashiers check for deposit on 9/1 Invoice	150.00

\* Payments that are contributions or independent expenditures must also be summarized on Schedule D.

**SUBTOTAL \$**

**Schedule E Summary**

1. Payments made this period of \$100 or more. (Include all Schedule E subtotals.)	\$ 3040.29
2. Unitemized payments made this period of under \$100.	\$ 47.44
3. Total interest paid this period on loans. (Enter amount from Schedule B, Part 1, Column (e).)	\$ 0.00
4. Total payments made this period. (Add lines 1, 2, and 3. Enter here and on the Summary Page, Column A, Line 6.)	<b>TOTAL \$ 3087.73</b>

**Schedule E  
Payments Made**

Type or print in ink.  
Amounts may be rounded  
to whole dollars.

Statement covers period from _____	<b>CALIFORNIA FORM 460</b>
through _____	
10 / 13	
I.D. NUMBER 1352021	

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER  
Eric Payne for SCCCD 2016 Trustee Area 2

**CODES:** If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

- |   |   |   |
|---|---|---|
| CMP campaign paraphernalia/misc.                                  | MBR member communications                     | RAD radio airtime and production costs                        |
| CNS campaign consultants  | MTG meetings and appearances                  | RFD returned contributions                                    |
| CTB contribution (explain nonmonetary)*                           | OFC office expenses                           | SAL campaign workers' salaries                                |
| CVC civic donations   | PET petition circulating                      | TEL t.v. or cable airtime and production costs                |
| FIL candidate filing/ballot fees                                  | PHO phone banks                               | TRC candidate travel, lodging, and meals                      |
| FND fundraising events  | POL polling and survey research               | TRS staff/spouse travel, lodging, and meals                   |
| IND independent expenditure supporting/opposing others (explain)* | POS postage, delivery and messenger services  | TSF transfer between committees of the same candidate/sponsor |
| LEG legal defense   | PRO professional services (legal, accounting) | VOT voter registration  |
| LIT campaign literature and mailings                              | PRT print ads                                 | WEB information technology costs (internet, email)            |

NAME AND ADDRESS OF PAYEE OR CREDITOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CODE	OR	DESCRIPTION OF PAYMENT	AMOUNT PAID
Truth Branding Agency 700 Van Ness Avenue Fresno CA 93721 ID:	CMP		Cashiers check for deposit on invoice 9/1	450.00
Fresno County Democratic Central Committee 1035 U Street Fresno CA 93721 ID: 743910	PRT		Central Committee Ad	50.00
Truth Branding Agency 700 Van Ness Avenue Fresno CA 93721 ID:	CMP		Logo redesign, Brochure design, Digital Fundraiser Piece	120.00

\* Payments that are contributions or independent expenditures must also be summarized on Schedule D.

**SUBTOTAL \$**

**Schedule E Summary**

- Payments made this period of \$100 or more. (Include all Schedule E subtotals.) ..... \$ \_\_\_\_\_
- Unitemized payments made this period of under \$100. .... \$ \_\_\_\_\_
- Total interest paid this period on loans. (Enter amount from Schedule B, Part 1, Column (e).) ..... \$ \_\_\_\_\_
- Total payments made this period. (Add lines 1, 2, and 3. Enter here and on the Summary Page, Column A, Line 6.)..... **TOTAL \$** \_\_\_\_\_

**Schedule E  
Payments Made**

Type or print in ink.  
Amounts may be rounded  
to whole dollars.

Statement covers period from _____	<b>CALIFORNIA FORM 460</b>
through _____	
11 / 13	
I.D. NUMBER 1352021	

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER  
Eric Payne for SCCCDC 2016 Trustee Area 2

**CODES:** If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

- |   |   |   |
|---|---|---|
| CMP campaign paraphernalia/misc.                                  | MBR member communications                     | RAD radio airtime and production costs                        |
| CNS campaign consultants  | MTG meetings and appearances                  | RFD returned contributions                                    |
| CTB contribution (explain nonmonetary)*                           | OFC office expenses                           | SAL campaign workers' salaries                                |
| CVC civic donations   | PET petition circulating                      | TEL t.v. or cable airtime and production costs                |
| FIL candidate filing/ballot fees                                  | PHO phone banks                               | TRC candidate travel, lodging, and meals                      |
| FND fundraising events  | POL polling and survey research               | TRS staff/spouse travel, lodging, and meals                   |
| IND independent expenditure supporting/opposing others (explain)* | POS postage, delivery and messenger services  | TSF transfer between committees of the same candidate/sponsor |
| LEG legal defense   | PRO professional services (legal, accounting) | VOT voter registration  |
| LIT campaign literature and mailings                              | PRT print ads                                 | WEB information technology costs (internet, email)            |

NAME AND ADDRESS OF PAYEE OR CREDITOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CODE	OR	DESCRIPTION OF PAYMENT	AMOUNT PAID
DC Customs - Sherry Moua 3429 West Browning Avenue Fresno CA 93711	CMP		Campaign T-Shirts	144.00
Enterprise Rent A Car 2834 North Clovis Avenue Fresno CA 93727	TRC			250.00
H & M 110 El Camino Fresno CA 93720	CMP			47.59

\* Payments that are contributions or independent expenditures must also be summarized on Schedule D.

**SUBTOTAL \$**

**Schedule E Summary**

- Payments made this period of \$100 or more. (Include all Schedule E subtotals.) ..... \$ \_\_\_\_\_
- Unitemized payments made this period of under \$100. .... \$ \_\_\_\_\_
- Total interest paid this period on loans. (Enter amount from Schedule B, Part 1, Column (e).) ..... \$ \_\_\_\_\_
- Total payments made this period. (Add lines 1, 2, and 3. Enter here and on the Summary Page, Column A, Line 6.)..... **TOTAL \$** \_\_\_\_\_

# Schedule E Payments Made

Type or print in ink.  
Amounts may be rounded  
to whole dollars.

Statement covers period from _____	<b>CALIFORNIA FORM 460</b>
through _____	
12 / 13	
I.D. NUMBER 1352021	

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER  
Eric Payne for SCCCDC 2016 Trustee Area 2

**CODES:** If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

- |   |   |   |
|---|---|---|
| CMP campaign paraphernalia/misc.                                  | MBR member communications                     | RAD radio airtime and production costs                        |
| CNS campaign consultants  | MTG meetings and appearances                  | RFD returned contributions                                    |
| CTB contribution (explain nonmonetary)*                           | OFC office expenses                           | SAL campaign workers' salaries                                |
| CVC civic donations   | PET petition circulating                      | TEL t.v. or cable airtime and production costs                |
| FIL candidate filing/ballot fees                                  | PHO phone banks                               | TRC candidate travel, lodging, and meals                      |
| FND fundraising events  | POL polling and survey research               | TRS staff/spouse travel, lodging, and meals                   |
| IND independent expenditure supporting/opposing others (explain)* | POS postage, delivery and messenger services  | TSF transfer between committees of the same candidate/sponsor |
| LEG legal defense   | PRO professional services (legal, accounting) | VOT voter registration  |
| LIT campaign literature and mailings                              | PRT print ads                                 | WEB information technology costs (internet, email)            |

NAME AND ADDRESS OF PAYEE OR CREDITOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CODE	OR	DESCRIPTION OF PAYMENT	AMOUNT PAID
Lyft 2300 Harrison Street  San Francisco CA 94110	MTG			17.20
Nordstrom Rack 7883 North Blackstone Avenue  Fresno CA 93720	CMP		Clothing - to be reimbursed by candidate	471.50

\* Payments that are contributions or independent expenditures must also be summarized on Schedule D.

**SUBTOTAL \$ 3040.29**

## Schedule E Summary

- Payments made this period of \$100 or more. (Include all Schedule E subtotals.) ..... \$ \_\_\_\_\_
- Unitemized payments made this period of under \$100. .... \$ \_\_\_\_\_
- Total interest paid this period on loans. (Enter amount from Schedule B, Part 1, Column (e).) ..... \$ \_\_\_\_\_
- Total payments made this period. (Add lines 1, 2, and 3. Enter here and on the Summary Page, Column A, Line 6.) ..... **TOTAL \$ \_\_\_\_\_**

**Schedule I  
Miscellaneous Increases to Cash**

Type or print in ink.  
Amounts may be rounded  
to whole dollars.

SCHEDULE I

Statement covers period from _____ through _____	<b>CALIFORNIA FORM 460</b>
	13 / 13
	I.D. NUMBER 1352021

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

Eric Payne for SCCCDC 2016 Trustee Area 2

DATE RECEIVED	FULL NAME AND ADDRESS OF SOURCE (IF COMMITTEE, ALSO ENTER LD. NUMBER)	DESCRIPTION OF RECEIPT	AMOUNT OF INCREASE TO CASH
Rcpt Dt: 09/19/2016	Enterprise Rent A Car 2834 North Clovis Avenue Fresno CA 93727	Reimbursement from Rental 9-16-16	214.59

Attach additional information on appropriately labeled continuation sheets.

**SUBTOTAL \$ 214.59**

**Schedule I Summary**

1. Increases to cash of \$100 or more this period.....	\$ 214.59
2. Unitemized increases to cash under \$100 this period.....	\$ 0.00
3. Total of all interest received this period on loans made to others. (Schedule H, Colum (e).).....	\$ 0.00
4. Total miscellaneous increases to cash this period. (Add Lines 1, 2, and 3. Enter here and on the Summary Page, Line 14.).....	<b>TOTAL \$ 214.59</b>

**Recipient Committee Campaign Statement**

(Government Code Sections 84200-84216.5)

Type or print in ink.

COVER PAGE

<p>FILE</p> <p>Date Stamp</p> <p>DEC 21 2016</p> <p>FRESNO COUNTY CLERK</p> <p>By <i>Swanick</i></p> <p>DEPUTY</p>	<p>CALIFORNIA 200 1/02 FORM 460</p>
	<p>1 / 18</p> <p>For Official Use Only</p>

SEE INSTRUCTIONS ON REVERSE

Statement covers period  
 from 09/25/2016  
 through 10/22/2016

Date of election if applicable:  
 (Month, Day, Year)  
11/08/2016

**1. Type of Recipient Committee:** All Committees - Complete Parts 1,2,3, and 4.

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Officeholder, Candidate Controlled Committee | <input type="checkbox"/> Ballot Measure Committee                        |
| <input type="checkbox"/> State Candidate Election Committee                      | <input type="checkbox"/> Primary Formed                                  |
| <input type="checkbox"/> Recall  | <input type="checkbox"/> Controlled                                      |
| (Also Complete Part 5.)  | <input type="checkbox"/> Sponsored                                       |
| <input type="checkbox"/> General Purpose Committee                               | (Also Complete Part 6.)  |
| <input type="checkbox"/> Sponsored   | <input type="checkbox"/> Primary Formed Candidate/Officeholder Committee |
| <input type="checkbox"/> Small Contributor Committee                             | (Also Complete Part 7.)  |
| <input type="checkbox"/> Political Party/Central Committee                       |  |

**2. Type of Statement:**

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Pre-election Statement    | <input type="checkbox"/> Quarterly Statement                                  |
| <input type="checkbox"/> Semi-annual Statement                | <input type="checkbox"/> Special Odd-Year Report                              |
| <input type="checkbox"/> Termination Statement                | <input type="checkbox"/> Supplemental Preelection Statement - Attach Form 495 |
| <input checked="" type="checkbox"/> Amendment (Explain below) |   |
| See Additional Notes  |   |

**3. Committee Information**

I.D. NUMBER  
1352021

COMMITTEE NAME (OR CANDIDATE'S NAME IF NO COMMITTEE)  
Eric Payne for SCCCD 2016 Trustee Area 2

STREET ADDRESS (NO P.O. BOX)  
1625 East Shaw Avenue  
Suite 130

CITY	STATE	ZIP CODE	AREA CODE/PHONE
Fresno	CA	93710	

MAILING ADDRESS (IF DIFFERENT) NO. AND STREET OR P.O. BOX  
1625 East Shaw Avenue  
Suite 130

CITY	STATE	ZIP CODE	AREA CODE/PHONE
Fresno	CA	93710	

OPTIONAL: FAX/E-MAIL ADDRESS

**Treasurer(s)**

NAME OF TREASURER  
Don Milligan, EA

MAILING ADDRESS  
1625 East Shaw Avenue  
Suite 130

CITY	STATE	ZIP CODE	AREA CODE/PHONE
Fresno	CA	93710	

NAME OF ASSISTANT TREASURER, IF ANY

MAILING ADDRESS

CITY	STATE	ZIP CODE	AREA CODE/PHONE
------	-------	----------	-----------------

OPTIONAL: FAX/E-MAIL ADDRESS

**4. Verification**

I have used all reasonable diligence in preparing this statement and to the best of my knowledge the information contained herein and in the attached schedules is true and complete. I certify under penalty of perjury that I am a resident of California that the foregoing is true and correct.

Executed on 12-21-2016 By [Signature] TREASURER OR ASSISTANT TREASURER

Executed on 12-21-16 By [Signature] SIGNATURE OF CONTROLLING OFFICEHOLDER, CANDIDATE, STATE MEASURE PROPONENT OR RESPONSIBLE OFFICER OF SPONSOR

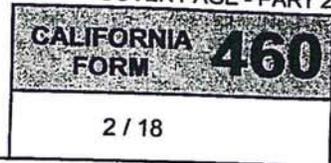
Executed on \_\_\_\_\_ By \_\_\_\_\_ SIGNATURE OF CONTROLLING OFFICEHOLDER, CANDIDATE, STATE MEASURE PROPONENT

Executed on \_\_\_\_\_ By \_\_\_\_\_ SIGNATURE OF CONTROLLING OFFICEHOLDER, CANDIDATE, STATE MEASURE PROPONENT

**Recipient Committee  
Campaign Statement  
Cover Page – Part 2**

Type or print in ink.

COVER PAGE - PART 2



**5. Officeholder or Candidate Controlled Committee**

NAME OF OFFICEHOLDER OR CANDIDATE  
Eric Payne

OFFICE SOUGHT OR HELD (INCLUDE LOCATION AND DISTRICT NUMBER IF APPLICABLE)  
Sought: Community Colleague Board      SCCCD Trustee  
County      Fresno County      2

RESIDENTIAL/BUSINESS ADDRESS (NO. AND STREET)      CITY      STATE      ZIP  
1625 East Shaw Avenue      Fresno      CA      93710  
Suite 130

**Related Committees Not Included in this Statement:** List any committees not included in this statement that are controlled by you or are primarily formed to receive contributions or to make expenditures on behalf of your candidacy.

COMMITTEE NAME	I.D. NUMBER
NAME OF TREASURER	CONTROLLED COMMITTEE? <input type="checkbox"/> YES <input type="checkbox"/> NO
COMMITTEE ADDRESS	STREET ADDRESS (NO P.O.BOX)
CITY	STATE    ZIP CODE    AREA CODE/PHONE

COMMITTEE NAME	I.D. NUMBER
NAME OF TREASURER	CONTROLLED COMMITTEE? <input type="checkbox"/> YES <input type="checkbox"/> NO
COMMITTEE ADDRESS	STREET ADDRESS (NO P.O.BOX)
CITY	STATE    ZIP CODE    AREA CODE/PHONE

**6. Ballot Measure Committee**

NAME OF BALLOT MEASURE

BALLOT NO. OR LETTER	JURISDICTION	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
----------------------	--------------	---

Identify the controlling officeholder, candidate, or state measure proponent, if any.

NAME OF OFFICEHOLDER, CANDIDATE, OR PROPONENT

OFFICE SOUGHT OR HELD	DISTRICT NO. IF ANY
-----------------------	---------------------

**7. Primarily Formed Committee**

List names of officeholder(s) or candidate(s) for which this committee is primarily formed.

NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE

Attach continuation sheets if necessary

**FORM**

**F460**

**Notes**

Form/Schedule	Reference No	TEXT
F460		Missing information New Treasurer effective 11/29/2016

**Campaign Disclosure Statement  
Summary Page**

Type or print in ink.  
Amounts may be rounded  
to whole dollars.

SUMMARY PAGE

Statement covers period from _____ through _____	<b>CALIFORNIA FORM 460</b>
	4 / 18
	I.D. NUMBER 1352021

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER  
Eric Payne for SCCCD 2016 Trustee Area 2

**Contributions Received**

		Column A TOTAL THIS PERIOD (FROM ATTACHED SCHEDULES)	Column B CALENDAR YEAR TOTAL TO DATE
1. Monetary Contributions .....	Schedule A, Line 3	\$ 4709.00	\$ 9529.00
2. Loans Received .....	Schedule B, Line 7	-150.00	30.00
3. SUBTOTAL CASH CONTRIBUTIONS.....	Add Lines 1 + 2	\$ 4559.00	\$ 9559.00
4. Nonmonetary Contributions .....	Schedule C, Line 3	0.00	0.00
5. TOTAL CONTRIBUTIONS RECEIVED.....	Add Lines 3 + 4	\$ 4559.00	\$ 9559.00

**Calendar Year Summary for Candidates  
Running in Both the State Primary and  
General Elections**

	1/1 through 6/30	7/1 to Date
20. Contribution Received	\$ 0.00	\$ 0.00
21. Expenditures Made	\$ 0.00	\$ 0.00

**Expenditures Made**

		Column A	Column B
6. Payments Made .....	Schedule E, Line 4	\$ 5446.43	\$ 8534.16
7. Loans Made .....	Schedule H, Line 7	0.00	0.00
8. SUBTOTAL CASH PAYMENTS.....	Add Lines 6 + 7	\$ 5446.43	\$ 8534.16
9. Accrued Expenses (Unpaid Bills) .....	Schedule F, Line 3	1257.85	1257.85
10. Nonmonetary Adjustment .....	Schedule C, Line 3	0.00	0.00
11. TOTAL EXPENDITURES MADE.....	Add Lines 8 + 9 + 10	\$ 6704.28	\$ 9792.01

**Expenditure Limit Summary for State  
Candidates**

**22. Cumulative Expenditures Made\***  
(If Subject to Voluntary Expenditure Limit)

Date of Election (mm/dd/yy)	Total to Date
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

**Current Cash Statement**

12. Beginning Cash Balance .....	Previous Summary Page, Line 16	\$ 1126.86
13. Cash Receipts .....	Column A, Line 3 above	4559.00
14. Miscellaneous Increases to Cash .....	Schedule I, Line 4	202.79
Cash Payments .....	Column A, Line 8 above	5446.43
16. ENDING CASH BALANCE.....	Add Lines 12 + 13 + 14, then subtract Line 15	\$ 442.22
If this is a termination statement, Line 16 must be zero.		
17. LOAN GUARANTEES RECEIVED.....	Schedule B, Part 2	\$ 0.00

To calculate Column B, add amounts in Column A to the corresponding amounts from Column B of your last report. Some amounts in Column A may be negative figures that should be subtracted from previous period amounts. If this is the first report being filed for this calendar year, only carry over the amounts from Lines 2, 7, and 9 (if any).

**Cash Equivalents and Outstanding Debts**

18. Cash Equivalents .....	See instructions on reverse	\$ 0.00
19. Outstanding Debts .....	Add Line 2 + Line 9 in Column B above	\$ 1287.85

\*Since January 1, 2001. Amounts in this section may be different from amounts reported in Column B.

# Schedule A Monetary Contributions Received

Type or print in ink.  
Amounts may be rounded  
to whole dollars.

SCHEDULE A

Statement covers period from _____ through _____	<b>CALIFORNIA FORM 460</b> 5 / 18
I.D. Number 1352021	

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER  
Eric Payne for SCCCD 2016 Trustee Area 2

DATE RECEIVED	FULL NAME, MAILING ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CONTRIBUTOR CODE *	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	AMOUNT RECEIVED THIS PERIOD	CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31)	PER ELECTION TO DATE (IF REQUIRED)
Rcpt Dt: 09/26/2016	Sheet Metal Workers' International Association Local #104 2610 Crow Canyon Road Suite 300 San Ramon CA 94583 ID: 850381	<input type="checkbox"/> IND <input checked="" type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		1300.00	1300.00	1300.00 G 16
Rcpt Dt: 10/10/2016	IUPAT 7234 Parkway Drive Hanover ME 21076 ID: C00000885	<input type="checkbox"/> IND <input checked="" type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		1000.00	1000.00	1000.00 G 16
Rcpt Dt: 10/14/2016	Coast to Coast Petroleum LLC 2146 Bedford Avenue Clovis CA 93611 ID:	<input type="checkbox"/> IND <input type="checkbox"/> COM <input checked="" type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		2000.00	2500.00	2500.00 G 16
Rcpt Dt: 10/17/2016	District Council of Iron Workers 1660 San Pablo Avenue Suite C Pinole CA 94564 ID: 831693	<input type="checkbox"/> IND <input checked="" type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		250.00	250.00	250.00 G 16
Rcpt Dt: 10/21/2016	Miguel Arias [REDACTED] Fresno CA [REDACTED] ID:	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Chief Information Office- r  Fresno Unified School District	150.00	150.00	150.00 G 16

**SUBTOTAL \$ 4700.00**

## Schedule A Summary

1. Amount received this period - contributions of \$100 or more. (Include all Schedule A subtotals.) .....	\$ 4700.00
2. Amount received this period - unitemized contributions of less than \$100 .....	\$ 9.00
3. Total monetary contributions received this period. (Add Lines 1 and 2. Enter here and on the Summary Page, Column A, Line 1.) .....	<b>TOTAL \$ 4709.00</b>

\*Contributor Codes  
IND - Individual  
COM - Recipient Committee  
(other than PTY or SCC)  
OTH - Other  
PTY - Political Party  
SCC - Small Contributor Committee

**Schedule B – Part 1  
Loans Received**

Type or print in ink.  
Amounts may be rounded  
to whole dollars.

SCHEDULE B - PART 1

Statement covers period from _____ through _____	<b>CALIFORNIA FORM 460</b>
	6 / 18
	I.D. NUMBER 1352021

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

Eric Payne for SCCCD 2016 Trustee Area 2

FULL NAME, STREET ADDRESS AND ZIP CODE OF LENDER (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	(a) OUTSTANDING BALANCE BEGINNING THIS PERIOD	(b) AMOUNT RECEIVED THIS PERIOD	(c) AMOUNT PAID OR FORGIVEN THIS PERIOD*	(d) OUTSTANDING BALANCE AT CLOSE OF THIS PERIOD	(e) INTEREST PAID THIS PERIOD	(f) ORIGINAL AMOUNT OF LOAN	(g) CUMULATIVE CONTRIBUTIONS TO DATE
Eric Payne 1625 East Shaw Avenue Suite 130 Fresno CA 93710 ID: <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Toure Associates Environmental Engineering  Managing Partner	\$ 180.00	\$ 0.00	<input checked="" type="checkbox"/> PAID \$ 970.00 <input type="checkbox"/> FORGIVEN \$ 0.00	\$ 30.00  DATE DUE	0.00 % RATE \$ 0.00	\$ 1000.00  02/23/2012 DATE INCURRED	CALENDAR YEAR \$ 0.00 PER ELECTION** 39.00 G 16

**SUBTOTALS** \$ 0.00 \$ 970.00 \$ 30.00 \$ 0.00

**Schedule B Summary**

1. Loans received this period. \_\_\_\_\_ \$ 0.00  
(Total Column (b) plus unitemized loans less than \$100.)

2. Loans paid or forgiven this period \_\_\_\_\_ \$ 150.00  
(Total Column (c) plus loans under \$100 paid or forgiven.)  
(Include loans paid by a third party that are also itemized on Schedule A.)

3. Net change this period. (Subtract Line 2 from Line 1.) \_\_\_\_\_ **Net \$ -150.00**  
Enter the net here and on the Summary Page, Column A, Line 2. (may be a negative number)

(Enter (e) on  
Schedule E, Line 3)

\* Amounts forgiven or paid by  
another party also must be  
reported on Schedule A.

\*\* If required.

\*Contributor Codes  
IND-Individual COM-Recipient Committee (other than PTY or SCC) OTH-Other PTY-Political Party SCC-Small Contributor Committee

**Schedule E  
Payments Made**

Type or print in ink.  
Amounts may be rounded  
to whole dollars.

SCHEDULE E

Statement covers period from _____ through _____	<b>CALIFORNIA FORM 460</b>
	7 / 18
	I.D. NUMBER 1352021

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

Eric Payne for SCCCDC 2016 Trustee Area 2

**CODES:** If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

- |   |   |   |
|---|---|---|
| CMP campaign paraphernalia/misc.                                  | MBR member communications                     | RAD radio airtime and production costs                        |
| CNS campaign consultants  | MTG meetings and appearances                  | RFD returned contributions                                    |
| CTB contribution (explain nonmonetary)*                           | OFC office expenses                           | SAL campaign workers' salaries                                |
| CVC civic donations   | PET petition circulating                      | TEL t.v. or cable airtime and production costs                |
| FIL candidate filing/ballot fees                                  | PHO phone banks                               | TRC candidate travel, lodging, and meals                      |
| FND fundraising events  | POL polling and survey research               | TRS staff/spouse travel, lodging, and meals                   |
| IND independent expenditure supporting/opposing others (explain)* | POS postage, delivery and messenger services  | TSF transfer between committees of the same candidate/sponsor |
| LEG legal defense   | PRO professional services (legal, accounting) | VOT voter registration  |
| LIT campaign literature and mailings                              | PRT print ads                                 | WEB information technology costs (internet, email)            |

NAME AND ADDRESS OF PAYEE OR CREDITOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CODE	OR	DESCRIPTION OF PAYMENT	AMOUNT PAID
Enterprise Rent A Car 2834 North Clovis Avenue Fresno CA 93727	CMP		Rental Car	55.13
Lyft 2300 Harrison Street San Francisco CA 94110	MTG			13.39
Enterprise Rent A Car 2834 North Clovis Avenue Fresno CA 93727	CMP		Rental Car	250.00

\* Payments that are contributions or independent expenditures must also be summarized on Schedule D.

**SUBTOTAL \$**

**Schedule E Summary**

1. Payments made this period of \$100 or more. (Include all Schedule E subtotals.)	\$ 5358.22
2. Unitemized payments made this period of under \$100.	\$ 88.21
3. Total interest paid this period on loans. (Enter amount from Schedule B, Part 1, Column (e).)	\$ 0.00
4. Total payments made this period. (Add lines 1, 2, and 3. Enter here and on the Summary Page, Column A, Line 6.)	<b>TOTAL \$ 5446.43</b>

**Schedule E  
Payments Made**

Type or print in ink.  
Amounts may be rounded  
to whole dollars.

SCHEDULE E

Statement covers period from _____  through _____	<b>CALIFORNIA FORM 460</b>
	8 / 18
	I.D. NUMBER  1352021

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

Eric Payne for SCCCDC 2016 Trustee Area 2

**CODES:** If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

- |   |   |   |
|---|---|---|
| CMP campaign paraphernalia/misc.                                  | MBR member communications                     | RAD radio airtime and production costs                        |
| CNS campaign consultants  | MTG meetings and appearances                  | RFD returned contributions                                    |
| CTB contribution (explain nonmonetary)*                           | OFC office expenses                           | SAL campaign workers' salaries                                |
| CVC civic donations   | PET petition circulating                      | TEL t.v. or cable airtime and production costs                |
| FIL candidate filing/ballot fees                                  | PHO phone banks                               | TRC candidate travel, lodging, and meals                      |
| FND fundraising events  | POL polling and survey research               | TRS staff/spouse travel, lodging, and meals                   |
| IND independent expenditure supporting/opposing others (explain)* | POS postage, delivery and messenger services  | TSF transfer between committees of the same candidate/sponsor |
| LEG legal defense   | PRO professional services (legal, accounting) | VOT voter registration  |
| LIT campaign literature and mailings                              | PRT print ads                                 | WEB information technology costs (internet, email)            |

NAME AND ADDRESS OF PAYEE OR CREDITOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CODE	OR	DESCRIPTION OF PAYMENT	AMOUNT PAID
Lyft 2300 Harrison Street  San Francisco CA 94110	ID:	MTG		5.90
Downtown Bussiness Hub 1444 Fulton Street  Fresno CA 93721	ID:	FND	Fundriaser	450.00
Cops Voter Guide Inc 705 East Bidwell Street #370 Folsom CA 95630	ID:	POS	Slate Mailer	1725.00

\* Payments that are contributions or independent expenditures must also be summarized on Schedule D.

**SUBTOTAL \$**

**Schedule E Summary**

1. Payments made this period of \$100 or more. (Include all Schedule E subtotals.) ..... \$ \_\_\_\_\_
2. Unitemized payments made this period of under \$100. .... \$ \_\_\_\_\_
3. Total interest paid this period on loans. (Enter amount from Schedule B, Part 1, Column (e).) ..... \$ \_\_\_\_\_
4. Total payments made this period. (Add lines 1, 2, and 3. Enter here and on the Summary Page, Column A, Line 6.)..... **TOTAL \$** \_\_\_\_\_

**Schedule E  
Payments Made**

Type or print in ink.  
Amounts may be rounded  
to whole dollars.

SCHEDULE E

Statement covers period from _____ through _____	<b>CALIFORNIA FORM 460</b>
	9 / 18
	I.D. NUMBER 1352021

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

Eric Payne for SCCCD 2016 Trustee Area 2

**CODES:** If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

- |   |   |   |
|---|---|---|
| CMP campaign paraphernalia/misc.                                  | MBR member communications                     | RAD radio airtime and production costs                        |
| CNS campaign consultants  | MTG meetings and appearances                  | RFD returned contributions                                    |
| CTB contribution (explain nonmonetary)*                           | OFC office expenses                           | SAL campaign workers' salaries                                |
| CVC civic donations   | PET petition circulating                      | TEL t.v. or cable airtime and production costs                |
| FIL candidate filing/ballot fees                                  | PHO phone banks                               | TRC candidate travel, lodging, and meals                      |
| FND fundraising events  | POL polling and survey research               | TRS staff/spouse travel, lodging, and meals                   |
| IND independent expenditure supporting/opposing others (explain)* | POS postage, delivery and messenger services  | TSF transfer between committees of the same candidate/sponsor |
| LEG legal defense   | PRO professional services (legal, accounting) | VOT voter registration  |
| LIT campaign literature and mailings                              | PRT print ads                                 | WEB information technology costs (internet, email)            |

NAME AND ADDRESS OF PAYEE OR CREDITOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CODE	OR	DESCRIPTION OF PAYMENT	AMOUNT PAID
Lyft ID: 2300 Harrison Street San Francisco CA 94110	MTG			11.77
Lyft ID: 2300 Harrison Street San Francisco CA 94110	MTG			7.20
Lyft ID: 2300 Harrison Street San Francisco CA 94110	MTG			21.16

\* Payments that are contributions or independent expenditures must also be summarized on Schedule D.

**SUBTOTAL \$**

**Schedule E Summary**

1. Payments made this period of \$100 or more. (Include all Schedule E subtotals.) ..... \$ \_\_\_\_\_
2. Unitemized payments made this period of under \$100. .... \$ \_\_\_\_\_
3. Total interest paid this period on loans. (Enter amount from Schedule B, Part 1, Column (e).) ..... \$ \_\_\_\_\_
4. Total payments made this period. (Add lines 1, 2, and 3. Enter here and on the Summary Page, Column A, Line 6.)..... **TOTAL \$** \_\_\_\_\_

**Schedule E  
Payments Made**

Type or print in ink.  
Amounts may be rounded  
to whole dollars.

SCHEDULE E

Statement covers period from _____  through _____	<b>CALIFORNIA FORM 460</b>
	10 / 18
	I.D. NUMBER  1352021

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

Eric Payne for SCCCDC 2016 Trustee Area 2

**CODES:** If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

- |   |   |   |
|---|---|---|
| CMP campaign paraphernalia/misc.                                  | MBR member communications                     | RAD radio airtime and production costs                        |
| CNS campaign consultants  | MTG meetings and appearances                  | RFD returned contributions                                    |
| CTB contribution (explain nonmonetary)*                           | OFC office expenses                           | SAL campaign workers' salaries                                |
| CVC civic donations   | PET petition circulating                      | TEL t.v. or cable airtime and production costs                |
| FIL candidate filing/ballot fees                                  | PHO phone banks                               | TRC candidate travel, lodging, and meals                      |
| FND fundraising events  | POL polling and survey research               | TRS staff/spouse travel, lodging, and meals                   |
| IND independent expenditure supporting/opposing others (explain)* | POS postage, delivery and messenger services  | TSF transfer between committees of the same candidate/sponsor |
| LEG legal defense   | PRO professional services (legal, accounting) | VOT voter registration  |
| LIT campaign literature and mailings                              | PRT print ads                                 | WEB information technology costs (internet, email)            |

NAME AND ADDRESS OF PAYEE OR CREDITOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CODE	OR	DESCRIPTION OF PAYMENT	AMOUNT PAID
Lyft ID: 2300 Harrison Street San Francisco CA 94110	MTG			9.61
Lyft ID: 2300 Harrison Street San Francisco CA 94110	MTG			6.22
Lyft ID: 2300 Harrison Street San Francisco CA 94110	MTG			5.60

\* Payments that are contributions or independent expenditures must also be summarized on Schedule D.

**SUBTOTAL \$**

**Schedule E Summary**

1. Payments made this period of \$100 or more. (Include all Schedule E subtotals.) ..... \$ \_\_\_\_\_
2. Unitemized payments made this period of under \$100. .... \$ \_\_\_\_\_
3. Total interest paid this period on loans. (Enter amount from Schedule B, Part 1, Column (e).) ..... \$ \_\_\_\_\_
4. Total payments made this period. (Add lines 1, 2, and 3. Enter here and on the Summary Page, Column A, Line 6.)..... **TOTAL \$** \_\_\_\_\_

**Schedule E  
Payments Made**

Type or print in ink.  
Amounts may be rounded  
to whole dollars.

Statement covers period from _____  through _____	<b>CALIFORNIA FORM 460</b>  11 / 18
	I.D. NUMBER  1352021

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

Eric Payne for SCCCD 2016 Trustee Area 2

**CODES:** If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

CMP campaign paraphernalia/misc.	MBR member communications	RAD radio airtime and production costs
CNS campaign consultants	MTG meetings and appearances	RFD returned contributions
CTB contribution (explain nonmonetary)*	OFC office expenses	SAL campaign workers' salaries
CVC civic donations	PET petition circulating	TEL t.v. or cable airtime and production costs
FIL candidate filing/ballot fees	PHO phone banks	TRC candidate travel, lodging, and meals
FND fundraising events	POL polling and survey research	TRS staff/spouse travel, lodging, and meals
IND independent expenditure supporting/opposing others (explain)*	POS postage, delivery and messenger services	TSF transfer between committees of the same candidate/sponsor
LEG legal defense	PRO professional services (legal, accounting)	VOT voter registration
LIT campaign literature and mailings	PRT print ads	WEB information technology costs (internet, email)

NAME AND ADDRESS OF PAYEE OR CREDITOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CODE	OR	DESCRIPTION OF PAYMENT	AMOUNT PAID
Lyft 2300 Harrison Street  San Francisco CA 94110	ID:	MTG		10.69
Lyft 2300 Harrison Street  San Francisco CA 94110	ID:	MTG		9.01
TGI Friday's 1077 East Herndon Avenue  Fresno CA 93720	ID:	CMP	Campaign Meeting	42.36

\* Payments that are contributions or independent expenditures must also be summarized on Schedule D.

**SUBTOTAL \$**

**Schedule E Summary**

1. Payments made this period of \$100 or more. (Include all Schedule E subtotals.) ..... \$ \_\_\_\_\_
2. Unitemized payments made this period of under \$100. .... \$ \_\_\_\_\_
3. Total interest paid this period on loans. (Enter amount from Schedule B, Part 1, Column (e).) ..... \$ \_\_\_\_\_
4. Total payments made this period. (Add lines 1, 2, and 3. Enter here and on the Summary Page, Column A, Line 6.)..... **TOTAL \$** \_\_\_\_\_

**Schedule E  
Payments Made**

Type or print in ink.  
Amounts may be rounded  
to whole dollars.

Statement covers period from _____ through _____	SCHEDULE E <b>CALIFORNIA FORM 460</b> 12 / 18
I.D. NUMBER 1352021	

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

Eric Payne for SCCCDC 2016 Trustee Area 2

**CODES:** If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

- |   |   |   |
|---|---|---|
| CMP campaign paraphernalia/misc.                                  | MBR member communications                     | RAD radio airtime and production costs                        |
| CNS campaign consultants  | MTG meetings and appearances                  | RFD returned contributions                                    |
| CTB contribution (explain nonmonetary)*                           | OFC office expenses                           | SAL campaign workers' salaries                                |
| CVC civic donations   | PET petition circulating                      | TEL t.v. or cable airtime and production costs                |
| FIL candidate filing/ballot fees                                  | PHO phone banks                               | TRC candidate travel, lodging, and meals                      |
| FND fundraising events  | POL polling and survey research               | TRS staff/spouse travel, lodging, and meals                   |
| IND independent expenditure supporting/opposing others (explain)* | POS postage, delivery and messenger services  | TSF transfer between committees of the same candidate/sponsor |
| LEG legal defense   | PRO professional services (legal, accounting) | VOT voter registration  |
| LIT campaign literature and mailings                              | PRT print ads                                 | WEB information technology costs (internet, email)            |

NAME AND ADDRESS OF PAYEE OR CREDITOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CODE OR	DESCRIPTION OF PAYMENT	AMOUNT PAID
Centro La Familia 302 Fresno Street Suite 102 Fresno CA 93706 ID:	CVC	Donation	55.00
Dave & Buster's 212 East River Park Circle Fresno CA 93720 ID:	MTG	Campaign Meeting	73.87
Lyft 2300 Harrison Street San Francisco CA 94110 ID:	MTG		6.81

\* Payments that are contributions or independent expenditures must also be summarized on Schedule D.

**SUBTOTAL \$**

**Schedule E Summary**

- Payments made this period of \$100 or more. (Include all Schedule E subtotals.) ..... \$ \_\_\_\_\_
- Unitemized payments made this period of under \$100. .... \$ \_\_\_\_\_
- Total interest paid this period on loans. (Enter amount from Schedule B, Part 1, Column (e).) ..... \$ \_\_\_\_\_
- Total payments made this period. (Add lines 1, 2, and 3. Enter here and on the Summary Page, Column A, Line 6.) ..... **TOTAL \$** \_\_\_\_\_

**Schedule E  
Payments Made**

Type or print in ink.  
Amounts may be rounded  
to whole dollars.

SCHEDULE E

Statement covers period from _____  through _____	<b>CALIFORNIA FORM 460</b>
	13 / 18
	I.D. NUMBER  1352021

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

Eric Payne for SCCCD 2016 Trustee Area 2

**CODES:** If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

CMP campaign paraphernalia/misc.	MBR member communications	RAD radio airtime and production costs
CNS campaign consultants	MTG meetings and appearances	RFD returned contributions
CTB contribution (explain nonmonetary)*	OFC office expenses	SAL campaign workers' salaries
CVC civic donations	PET petition circulating	TEL t.v. or cable airtime and production costs
FIL candidate filing/ballot fees	PHO phone banks	TRC candidate travel, lodging, and meals
FND fundraising events	POL polling and survey research	TRS staff/spouse travel, lodging, and meals
IND independent expenditure supporting/opposing others (explain)*	POS postage, delivery and messenger services	TSF transfer between committees of the same candidate/sponsor
LEG legal defense	PRO professional services (legal, accounting)	VOT voter registration
LIT campaign literature and mailings	PRT print ads	WEB information technology costs (internet, email)

NAME AND ADDRESS OF PAYEE OR CREDITOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CODE OR	DESCRIPTION OF PAYMENT	AMOUNT PAID
Lyft ID: 2300 Harrison Street San Francisco CA 94110	MTG		9.04
Lyft ID: 2300 Harrison Street San Francisco CA 94110	MTG		8.44
Lyft ID: 2300 Harrison Street San Francisco CA 94110	MTG		13.54

\* Payments that are contributions or independent expenditures must also be summarized on Schedule D.

**SUBTOTAL \$**

**Schedule E Summary**

1. Payments made this period of \$100 or more. (Include all Schedule E subtotals.) ..... \$ \_\_\_\_\_
2. Unitemized payments made this period of under \$100. .... \$ \_\_\_\_\_
3. Total interest paid this period on loans. (Enter amount from Schedule B, Part 1, Column (e).) ..... \$ \_\_\_\_\_
4. Total payments made this period. (Add lines 1, 2, and 3. Enter here and on the Summary Page, Column A, Line 6.)..... **TOTAL \$** \_\_\_\_\_

**Schedule E  
Payments Made**

Type or print in ink.  
Amounts may be rounded  
to whole dollars.

Statement covers period from _____	<b>CALIFORNIA FORM 460</b>
through _____	
14 / 18	
I.D. NUMBER 1352021	

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

Eric Payne for SCCCDC 2016 Trustee Area 2

**CODES:** If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

- |   |   |   |
|---|---|---|
| CMP campaign paraphernalia/misc.                                  | MBR member communications                     | RAD radio airtime and production costs                        |
| CNS campaign consultants  | MTG meetings and appearances                  | RFD returned contributions                                    |
| CTB contribution (explain nonmonetary)*                           | OFC office expenses                           | SAL campaign workers' salaries                                |
| CVC civic donations   | PET petition circulating                      | TEL t.v. or cable airtime and production costs                |
| FIL candidate filing/ballot fees                                  | PHO phone banks                               | TRC candidate travel, lodging, and meals                      |
| FND fundraising events  | POL polling and survey research               | TRS staff/spouse travel, lodging, and meals                   |
| IND independent expenditure supporting/opposing others (explain)* | POS postage, delivery and messenger services  | TSF transfer between committees of the same candidate/sponsor |
| LEG legal defense   | PRO professional services (legal, accounting) | VOT voter registration  |
| LIT campaign literature and mailings                              | PRT print ads                                 | WEB information technology costs (internet, email)            |

NAME AND ADDRESS OF PAYEE OR CREDITOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CODE OR	DESCRIPTION OF PAYMENT	AMOUNT PAID
Eric Payne ID: 1625 East Shaw Avenue Suite 130 Fresno CA 93710	CMP	Cash withdrawal - to be reimbursed by candidate	100.00
Truth Branding Agency ID: 700 Van Ness Avenue  Fresno CA 93721	CMP	Door hangers and post cards	1092.89
Truth Branding Agency ID: 700 Van Ness Avenue  Fresno CA 93721	CMP	Graphic design fee, yard signs and stakes	620.00

\* Payments that are contributions or independent expenditures must also be summarized on Schedule D.

**SUBTOTAL \$**

**Schedule E Summary**

1. Payments made this period of \$100 or more. (Include all Schedule E subtotals.) ..... \$ \_\_\_\_\_
2. Unitemized payments made this period of under \$100. .... \$ \_\_\_\_\_
3. Total interest paid this period on loans. (Enter amount from Schedule B, Part 1, Column (e).) ..... \$ \_\_\_\_\_
4. Total payments made this period. (Add lines 1, 2, and 3. Enter here and on the Summary Page, Column A, Line 6.)..... **TOTAL \$** \_\_\_\_\_

**Schedule E  
Payments Made**

Type or print in ink.  
Amounts may be rounded  
to whole dollars.

Statement covers period from _____	<b>CALIFORNIA FORM 460</b>
through _____	
15 / 18	
I.D. NUMBER	
1352021	

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

Eric Payne for SCCCDC 2016 Trustee Area 2

**CODES:** If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

- |   |   |   |
|---|---|---|
| CMP campaign paraphernalia/misc.                                  | MBR member communications                     | RAD radio airtime and production costs                        |
| CNS campaign consultants  | MTG meetings and appearances                  | RFD returned contributions                                    |
| CTB contribution (explain nonmonetary)*                           | OFC office expenses                           | SAL campaign workers' salaries                                |
| CVC civic donations   | PET petition circulating                      | TEL t.v. or cable airtime and production costs                |
| FIL candidate filing/ballot fees                                  | PHO phone banks                               | TRC candidate travel, lodging, and meals                      |
| FND fundraising events  | POL polling and survey research               | TRS staff/spouse travel, lodging, and meals                   |
| IND independent expenditure supporting/opposing others (explain)* | POS postage, delivery and messenger services  | TSF transfer between committees of the same candidate/sponsor |
| LEG legal defense   | PRO professional services (legal, accounting) | VOT voter registration  |
| LIT campaign literature and mailings                              | PRT print ads                                 | WEB information technology costs (internet, email)            |

NAME AND ADDRESS OF PAYEE OR CREDITOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CODE	OR	DESCRIPTION OF PAYMENT	AMOUNT PAID
Lyft ID: 2300 Harrison Street San Francisco CA 94110	MTG			19.12
Lyft ID: 2300 Harrison Street San Francisco CA 94110	MTG			6.92
Lyft ID: 2300 Harrison Street San Francisco CA 94110	MTG			10.59

\* Payments that are contributions or independent expenditures must also be summarized on Schedule D.

**SUBTOTAL \$**

**Schedule E Summary**

1. Payments made this period of \$100 or more. (Include all Schedule E subtotals.) ..... \$ \_\_\_\_\_
2. Unitemized payments made this period of under \$100. .... \$ \_\_\_\_\_
3. Total interest paid this period on loans. (Enter amount from Schedule B, Part 1, Column (e).) ..... \$ \_\_\_\_\_
4. Total payments made this period. (Add lines 1, 2, and 3. Enter here and on the Summary Page, Column A, Line 6.)..... **TOTAL \$** \_\_\_\_\_

**Schedule E  
Payments Made**

Type or print in ink.  
Amounts may be rounded  
to whole dollars.

Statement covers period from _____	<b>CALIFORNIA FORM 460</b>
through _____	
16 / 18	
I.D. NUMBER 1352021	

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER  
Eric Payne for SCCCD 2016 Trustee Area 2

**CODES:** If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

- |   |   |   |
|---|---|---|
| CMP campaign paraphernalia/misc.                                  | MBR member communications                     | RAD radio airtime and production costs                        |
| CNS campaign consultants  | MTG meetings and appearances                  | RFD returned contributions                                    |
| CTB contribution (explain nonmonetary)*                           | OFC office expenses                           | SAL campaign workers' salaries                                |
| CVC civic donations   | PET petition circulating                      | TEL t.v. or cable airtime and production costs                |
| FIL candidate filing/ballot fees                                  | PHO phone banks                               | TRC candidate travel, lodging, and meals                      |
| FND fundraising events  | POL polling and survey research               | TRS staff/spouse travel, lodging, and meals                   |
| IND independent expenditure supporting/opposing others (explain)* | POS postage, delivery and messenger services  | TSF transfer between committees of the same candidate/sponsor |
| LEG legal defense   | PRO professional services (legal, accounting) | VOT voter registration  |
| LIT campaign literature and mailings                              | PRT print ads                                 | WEB information technology costs (internet, email)            |

NAME AND ADDRESS OF PAYEE OR CREDITOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CODE	OR	DESCRIPTION OF PAYMENT	AMOUNT PAID
Lyft 2300 Harrison Street  San Francisco CA 94110	MTG			8.96
Central Valley Art Coalition 7643 North Meridian Avenue  Fresno CA 93720	CVC		Donation	210.00
MC Dallos Consulting 5294 North Colonial Avenue #B Fresno CA 93704	CNS		Literature Drop	500.00

\* Payments that are contributions or independent expenditures must also be summarized on Schedule D.

**SUBTOTAL \$ 5358.22**

**Schedule E Summary**

1. Payments made this period of \$100 or more. (Include all Schedule E subtotals.) ..... \$ \_\_\_\_\_
2. Unitemized payments made this period of under \$100. .... \$ \_\_\_\_\_
3. Total interest paid this period on loans. (Enter amount from Schedule B, Part 1, Column (e).) ..... \$ \_\_\_\_\_
4. Total payments made this period. (Add lines 1, 2, and 3. Enter here and on the Summary Page, Column A, Line 6.)..... **TOTAL \$** \_\_\_\_\_

**Schedule F  
Accrued Expenses (Unpaid Bills)**

Type or print in ink.  
Amounts may be rounded  
to whole dollars.

Statement covers period from _____	<b>CALIFORNIA FORM 460</b>
through _____	
17 / 18	
I.D. NUMBER 1352021	

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER  
Eric Payne for SCCCD 2016 Trustee Area 2

**CODES:** If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

CMP campaign paraphernalia/misc.	MBR member communications	RAD radio airtime and production costs
CNS campaign consultants	MTG meetings and appearances	RFD returned contributions
CTB contribution (explain nonmonetary)*	OFC office expenses	SAL campaign workers' salaries
CVC civic donations	PET petition circulating	TEL t.v. or cable airtime and production costs
FIL candidate filing/ballot fees	PHO phone banks	TRC candidate travel, lodging, and meals
FND fundraising events	POL polling and survey research	TRS staff/spouse travel, lodging, and meals
IND independent expenditure supporting/opposing others (explain)*	POS postage, delivery and messenger services	TSF transfer between committees of the same candidate/sponsor
LEG legal defense	PRO professional services (legal, accounting)	VOT voter registration
LIT campaign literature and mailings	PRT print ads	WEB information technology costs (internet, email)

NAME AND ADDRESS OF PAYEE OR CREDITOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CODE OR DESCRIPTION OF PAYMENT	(a) OUTSTANDING BALANCE BEGINNING OF THIS PERIOD	(b) AMOUNT INCURRED THIS PERIOD	(c) AMOUNT PAID THIS PERIOD (ALSO REPORT ON E)	(d) OUTSTANDING BALANCE AT CLOSE OF THIS PERIOD
ID: FTB Print and Mail 1766 North Helm Avenue Suite 105 Fresno CA 93727	POS Postage	0.00	1257.85	0.00	1257.85

\* Payments that are contributions or independent expenditures must also be summarized on Schedule D.

**SUBTOTALS \$ 0.00\$ 1257.85\$ 0.00 \$ 1257.85**

**Schedule F Summary**

1. Total accrued expenses incurred this period. (Include all Schedule F, Column (b) subtotals for accrued expenses of \$100 or more, plus total unitemized accrued expenses under \$100.).....	<b>INCURRED TOTALS \$</b> 1257.85
2. Total accrued expenses paid this period. (Include all Schedule F, Column (c) subtotals for payments on accrued expenses of \$100 or more, plus total unitemized payments on accrued expenses under \$100.).....	<b>PAID TOTALS \$</b> 0.00
3. Net change this period. <b>Subtract</b> Line 2 from Line 1. Enter the difference here and on the Summary Page, Column A, Line 9.).....	<b>NET \$</b> 1257.85 <small>May be a negative number.</small>

**Schedule I  
Miscellaneous Increases to Cash**

Type or print in ink.  
Amounts may be rounded  
to whole dollars.

Statement covers period from _____ through _____	<b>CALIFORNIA FORM 460</b> 18 / 18
I.D. NUMBER 1352021	

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

Eric Payne for SCCCDC 2016 Trustee Area 2

DATE RECEIVED	FULL NAME AND ADDRESS OF SOURCE (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	DESCRIPTION OF RECEIPT	AMOUNT OF INCREASE TO CASH
Rcpt Dt: 09/30/2016	Enterprise Rent A Car 2834 North Clovis Avenue Fresno CA 93727	Reimbursement from Rental 9-30-16	202.79

Attach additional information on appropriately labeled continuation sheets.

**SUBTOTAL \$ 202.79**

**Schedule I Summary**

1. Increases to cash of \$100 or more this period.....	\$ 202.79
2. Unitemized increases to cash under \$100 this period.....	\$ 0.00
3. Total of all interest received this period on loans made to others. (Schedule H, Colum (e).).....	\$ 0.00
4. Total miscellaneous increases to cash this period. (Add Lines 1, 2, and 3. Enter here and on the Summary Page, Line 14.).....	<b>TOTAL \$ 202.79</b>

**Exhibit A-19**



February 13, 2017

Eric Payne for SCCCD 2016 - Trustee # 2

Eric Payne  
[REDACTED]

Fresno, CA [REDACTED]

Subject: Notice of Non-Filing

Dear Candidate/Treasurer:

Our records indicate that you have not filed your Semi-Annual Statement for the reporting period of 07/01/2016 through 12/31/2016 or the day following your last filed statement. Your statement should have been filed on or before the 1/31/2017 deadline.

The Political Reform Act prohibits filing officers from extending a filing deadline. Statements filed late are subject to a \$10 per day penalty fee pursuant to Government Code Section 91013. Please file your statement with our office immediately to avoid further penalties.

For your convenience, forms are available in our office at 2221 Kern Street, Fresno, CA 93721, Monday through Friday between the hours of 8:30am - 5:00pm. You may also download forms from the Fair Political Practices Commission's web site at [www.fppc.ca.gov](http://www.fppc.ca.gov).

If you have any questions regarding this notice, please contact me at the telephone number below.

Thank you for your cooperation,  
[REDACTED]

Stacey Warrick  
Program Technician I  
Fresno County Clerk/Elections  
(559) 600-3020  
[REDACTED]



COUNTY OF FRESNO  
COUNTY CLERK / REGISTRAR OF VOTERS  
BRANDI L. ORTH

August 08, 2017

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Eric Payne, Treasurer

[REDACTED]  
Fresno, CA [REDACTED]

**Subject: Eric Payne for SCCCD 2016 - Trustee Area 2  
Non-Filing Semi-Annual Campaign Statement**

Dear Treasurer:

We have not received your semi-annual campaign disclosure statement that was due on July 31, 2017. Please file your statement or report within 10 days of the date of this letter to avoid penalties and referral to the Fair Political Practices Commission. A penalty cannot be waived if the statement is not filed within the 10 day period.

Government Code Section 91013 imposes a fine of \$10 per day after the filing deadline until the statement is filed. The liability is limited to the cumulative amount of contributions received or expenditures made for the period covered by the late statement or \$100, whichever is greater.

For questions concerning the notice, contact our office at (559) 600-1620.

Sincerely,

[REDACTED]  
Stacey Warrick  
Program Tech I  
Fresno County Clerk's Office  
(559)600-1620  
[REDACTED]

cc: Candidate if applicable



COUNTY OF FRESNO  
COUNTY CLERK / REGISTRAR OF VOTERS  
BRANDI L. ORTH

August 21, 2017

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Eric Payne, Treasurer

Fresno, CA

**Subject: Eric Payne for SCCCD 2016 - Trustee Area 2  
Second Notice Non-Filing Semi-Annual Campaign Statement**

Dear Treasurer:

Our office notified you on August 8, 2017 to inform you that we did not receive your semi-annual campaign disclosure statement that was due on July 31, 2017.

Government Code Section 91013 imposes a fine of \$10 per day after the filing deadline until the statement is filed. The liability is limited to the cumulative amount of contributions received or expenditures made for the period covered by the late statement or \$100, whichever is greater.

Your semi-annual campaign disclosure statement was not filed within the 10 day grace period (or 5 days) for pre-election statements, and must be filed immediately. As stated in the previous notice, penalties cannot be waived if the statement is not filed within the 10 day period. The committee is now liable to pay a penalty of \$10 per day beginning the day after the deadline until the statement or report is filed, and the committee is referred to the Fair Political Practices Commission's Enforcement Division.

Sincerely,

Stacey Warrick  
Program Technician  
Fresno County Clerk's Office  
(559)600-1620

cc: Candidate if applicable

February 15, 2018

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Eric Payne, Treasurer

[REDACTED]  
Fresno, CA [REDACTED]

**Subject: Eric Payne for SCCCD 2016 - Trustee Area 2  
Non-Filing Semi-Annual Campaign Statement**

Dear Treasurer:

We have not received your semi-annual campaign disclosure statement that was due on July 31, 2017. Please file your statement or report within 10 days of the date of this letter to avoid penalties and referral to the Fair Political Practices Commission. A penalty cannot be waived if the statement is not filed within the 10 day period.

Government Code Section 91013 imposes a fine of \$10 per day after the filing deadline until the statement is filed. The liability is limited to the cumulative amount of contributions received or expenditures made for the period covered by the late statement or \$100, whichever is greater.

For questions concerning the notice, contact our office at (559) 600-1620.

Sincerely,

Rachel Lopez  
Fresno County Clerk's Office  
(559)600-1620  
[REDACTED]

cc: Candidate if applicable

2221 Kern Street, Fresno, CA 93721  
Clerk Services (559) 600-2575 ~ Elections (559) 600-8683 ~ Fax (559) 488-3279  
The County of Fresno is an Equal Employment Opportunity Employer

**Exhibit A-20**

# Late Contribution Report

Type or print in ink.  
Amounts may be rounded to whole dollars.

LATE CONTRIBUTION REPORT

NAME OF FILER Eric Payne for SCCC 2016 Trustee Area 2		Date of This Filing <u>11/29/2016</u>	<div style="font-size: 2em; font-weight: bold; letter-spacing: 0.5em;">FILED</div>	Date Stamp <div style="font-size: 1.5em; font-weight: bold;">NOV 30 2016</div>	<div style="border: 1px solid black; padding: 2px;"> <b>CALIFORNIA FORM 497</b> </div>
AREA CODE/PHONE NUMBER	I.D. NUMBER (if applicable) 1352021	Report No. <u>1</u>			
STREET ADDRESS 1625 East Shaw Avenue Suite 130		<input type="checkbox"/> Amendment to Report No. _____ <small>(explain below)</small>	By <i>Shanice</i> FRESNO COUNTY CLERK 172 DEPUTY		
CITY Fresno	STATE CA	ZIP CODE 93710			

## Late Contribution(s) Received

DATE RECEIVED	FULL NAME, MAILING ADDRESS AND ZIP CODE OF CONTRIBUTOR <small>(IF COMMITTEE, ALSO ENTER I.D. NUMBER)</small>	CONTRIBUTOR CODE *	IF AN INDIVIDUAL ENTER OCCUPATION AND EMPLOYER <small>(IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)</small>	AMOUNT RECEIVED
09/26/2016 	Sheet Metal Workers' International Association Local #104 2610 Crow Canyon Road Suite 300 San Ramon CA 94583 ID: 850381	<input type="checkbox"/> IND <input checked="" type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		1300.00
	ID:	<input type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		
	ID:	<input type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		

\*Contributor Codes

IND - Individual	PTY - Political Party
COM - Recipient Committee (other than PTY or SCC)	SCC - Small Contributor Committee
OTH - Other	

Reason for Amendment: \_\_\_\_\_

# Late Contribution Report

Type or print in ink.  
Amounts may be rounded to whole dollars.

LATE CONTRIBUTION REPORT

<b>NAME OF FILER</b> Eric Payne for SCCCD 2016 Trustee Area 2		<b>Date of This Filing</b> _____	2 / 2	<b>CALIFORNIA FORM 497</b> For Official Use Only
<b>AREA CODE/PHONE NUMBER</b> _____	<b>I.D. NUMBER (if applicable)</b> 1352021	<b>Report No.</b> _____		
<b>STREET ADDRESS</b> _____		<input type="checkbox"/> <b>Amendment to Report No.</b> _____ <small>(explain below)</small>		
<b>CITY</b> _____	<b>STATE</b> _____	<b>ZIP CODE</b> _____		<b>No. of Pages</b> _____

## Late Contribution(s) Made

DATE MADE	FULL NAME, MAILING ADDRESS AND ZIP CODE OF RECIPIENT <small>(IF COMMITTEE, ALSO ENTER I.D. NUMBER)</small>	CANDIDATE AND OFFICE OR MEASURE AND JURISDICTION	AMOUNT OF CONTRIBUTION	DATE OF ELECTION <small>(IF APPLICABLE)</small>
	ID: _____	Ballot: Dist:		
	ID: _____	Ballot: Dist:		
	ID: _____	Ballot: Dist:		
	ID: _____	Ballot: Dist:		

Reason for Amendment: \_\_\_\_\_

# Late Contribution Report

Type or print in ink.  
Amounts may be rounded to whole dollars.

LATE CONTRIBUTION REPORT

<b>NAME OF FILER</b> Eric Payne for SCCCD 2016 Trustee Area 2			<b>Date of This Filing</b> 11/29/2016	<b>FILED</b> Date Stamp NOV 30 2016	<b>CALIFORNIA FORM 497</b> For Official Use Only
<b>AREA CODE/PHONE NUMBER</b>	<b>I.D. NUMBER (if applicable)</b> 1352021		<b>Report No.</b> 2		By <i>Swanick</i> FRESNO COUNTY CLERK DEPUTY 1/2
<b>STREET ADDRESS</b> 1625 East Shaw Avenue Suite 130			<input type="checkbox"/> <b>Amendment to Report No.</b> _____ (explain below)		
<b>CITY</b> Fresno	<b>STATE</b> CA	<b>ZIP CODE</b> 93710	<b>No. of Pages</b> 2		

## Late Contribution(s) Received

DATE RECEIVED	FULL NAME, MAILING ADDRESS AND ZIP CODE OF CONTRIBUTOR <small>(IF COMMITTEE, ALSO ENTER I.D. NUMBER)</small>	CONTRIBUTOR CODE *	IF AN INDIVIDUAL ENTER OCCUPATION AND EMPLOYER <small>(IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)</small>	AMOUNT RECEIVED
10/10/2016 	IUPAT 7234 Parkway Drive  Hanover ME 21076 ID: C00000885	<input type="checkbox"/> IND <input checked="" type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		1000.00
	ID:	<input type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		
	ID:	<input type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		

**\*Contributor Codes**

IND - Individual	PTY - Political Party
COM - Recipient Committee (other than PTY or SCC)	SCC - Small Contributor Committee
OTH - Other	

Reason for Amendment: \_\_\_\_\_

# Late Contribution Report

Type or print in ink.  
Amounts may be rounded to whole dollars.

LATE CONTRIBUTION REPORT

NAME OF FILER Eric Payne for SCCCD 2016 Trustee Area 2		Date of This Filing _____	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> <b>CALIFORNIA FORM 497</b>                  For Official Use Only             </div>
AREA CODE/PHONE NUMBER	I.D. NUMBER (if applicable) 1352021	Report No. _____	
STREET ADDRESS		<input type="checkbox"/> Amendment to Report No. _____ <small>(explain below)</small>	
CITY	STATE	ZIP CODE	
		No. of Pages _____	2 / 2

## Late Contribution(s) Made

DATE MADE	FULL NAME, MAILING ADDRESS AND ZIP CODE OF RECIPIENT <small>(IF COMMITTEE, ALSO ENTER I.D. NUMBER)</small>	CANDIDATE AND OFFICE OR MEASURE AND JURISDICTION	AMOUNT OF CONTRIBUTION	DATE OF ELECTION <small>(IF APPLICABLE)</small>
	ID:	Ballot: Dist:		

Reason for Amendment: \_\_\_\_\_

# Late Contribution Report

Type or print in ink.  
Amounts may be rounded to whole dollars.

LATE CONTRIBUTION REPORT

<b>NAME OF FILER</b> Eric Payne for SCCCD 2016 Trustee Area 2			<b>Date of This Filing</b> <u>11/29/2016</u>	Date Stamp	<b>CALIFORNIA FORM 497</b> For Official Use Only
<b>AREA CODE/PHONE NUMBER</b>	<b>I.D. NUMBER (if applicable)</b> 1352021		<b>Report No.</b> <u>7</u>	1 / 2	
<b>STREET ADDRESS</b> 1625 East Shaw Avenue Suite 130			<input type="checkbox"/> <b>Amendment to Report No.</b> _____ <small>(explain below)</small>		
<b>CITY</b> Fresno	<b>STATE</b> CA	<b>ZIP CODE</b> 93710	<b>No. of Pages</b> <u>2</u>		

## Late Contribution(s) Received

DATE RECEIVED	FULL NAME, MAILING ADDRESS AND ZIP CODE OF CONTRIBUTOR <small>(IF COMMITTEE, ALSO ENTER I.D. NUMBER)</small>	CONTRIBUTOR CODE *	IF AN INDIVIDUAL ENTER OCCUPATION AND EMPLOYER <small>(IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)</small>	AMOUNT RECEIVED
10/14/2016 	Coast to Coast Petroleum LLC 2615 South Elm Avenue  Fresno CA 93706 ID:	<input type="checkbox"/> IND <input type="checkbox"/> COM <input checked="" type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		2000.00
	ID:	<input type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		
	ID:	<input type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		

\*Contributor Codes

IND - Individual	PTY - Political Party
COM - Recipient Committee (other than PTY or SCC)	SCC - Small Contributor Committee
OTH - Other	

Reason for Amendment: \_\_\_\_\_

# Late Contribution Report

Type or print in ink.  
Amounts may be rounded to whole dollars.

LATE CONTRIBUTION REPORT

<b>NAME OF FILER</b> Eric Payne for SCCCD 2016 Trustee Area 2		<b>Date of This Filing</b> _____	2 / 2	<b>CALIFORNIA FORM 497</b> For Official Use Only
<b>AREA CODE/PHONE NUMBER</b>	<b>I.D. NUMBER (if applicable)</b> 1352021	<b>Report No.</b> _____		
<b>STREET ADDRESS</b>		<input type="checkbox"/> <b>Amendment to Report No.</b> _____ <small>(explain below)</small>		
<b>CITY</b>	<b>STATE</b>	<b>ZIP CODE</b>		

## Late Contribution(s) Made

DATE MADE	FULL NAME, MAILING ADDRESS AND ZIP CODE OF RECIPIENT (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CANDIDATE AND OFFICE OR MEASURE AND JURISDICTION	AMOUNT OF CONTRIBUTION	DATE OF ELECTION (IF APPLICABLE)
	ID:	Ballot: Dist:		

Reason for Amendment: \_\_\_\_\_

# Late Contribution Report

Type or print in ink.  
Amounts may be rounded to whole dollars.

LATE CONTRIBUTION REPORT

NAME OF FILER Eric Payne for SCCCD 2016 Trustee Area 2		Date of This Filing <u>11/29/2016</u>	<div style="font-size: 2em; font-weight: bold; letter-spacing: 0.5em;">FILE</div> <p>Date Stamp</p> <p style="font-size: 1.5em; font-weight: bold;">NOV 30 2016</p> <p>FRESNO COUNTY CLERK</p> <p>By <i>Swanich</i> DEPUTY</p>	<div style="border: 1px solid black; padding: 2px;"> <p style="font-weight: bold; margin: 0;">CALIFORNIA FORM 497</p> <p style="font-size: 0.8em; margin: 0;">For Official Use Only</p> </div>
AREA CODE/PHONE NUMBER	I.D. NUMBER (if applicable) 1352021	Report No. <u>8</u>		
STREET ADDRESS 1625 East Shaw Avenue Suite 130		<input type="checkbox"/> Amendment to Report No. _____ <small>(explain below)</small>		
CITY Fresno	STATE CA	ZIP CODE 93710	No. of Pages <u>2</u>	

## Late Contribution(s) Received

DATE RECEIVED	FULL NAME, MAILING ADDRESS AND ZIP CODE OF CONTRIBUTOR <small>(IF COMMITTEE, ALSO ENTER I.D. NUMBER)</small>	CONTRIBUTOR CODE *	IF AN INDIVIDUAL ENTER OCCUPATION AND EMPLOYER <small>(IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)</small>	AMOUNT RECEIVED
10/28/2016 	Coast to Coast Petroleum LLC 2146 Bedford Avenue  Clovis CA 93611 ID:	<input type="checkbox"/> IND <input type="checkbox"/> COM <input checked="" type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		2000.00
	ID:	<input type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		
	ID:	<input type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		

\*Contributor Codes

IND - Individual	PTY - Political Party
COM - Recipient Committee (other than PTY or SCC)	SCC - Small Contributor Committee
OTH - Other	

Reason for Amendment: \_\_\_\_\_

# Late Contribution Report

Type or print in ink.  
Amounts may be rounded to whole dollars.

LATE CONTRIBUTION REPORT

<b>NAME OF FILER</b> Eric Payne for SCCCD 2016 Trustee Area 2		<b>Date of This Filing</b> _____	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> <b>CALIFORNIA FORM 497</b> </div> For Official Use Only
<b>AREA CODE/PHONE NUMBER</b>	<b>I.D. NUMBER (if applicable)</b> 1352021	<b>Report No.</b> _____	
<b>STREET ADDRESS</b>		<input type="checkbox"/> <b>Amendment to Report No.</b> _____ <small>(explain below)</small>	
<b>CITY</b>	<b>STATE</b>	<b>ZIP CODE</b>	
		<b>No. of Pages</b> _____	2 / 2

## Late Contribution(s) Made

DATE MADE	FULL NAME, MAILING ADDRESS AND ZIP CODE OF RECIPIENT <small>(IF COMMITTEE, ALSO ENTER I.D. NUMBER)</small>	CANDIDATE AND OFFICE OR MEASURE AND JURISDICTION	AMOUNT OF CONTRIBUTION	DATE OF ELECTION <small>(IF APPLICABLE)</small>
	ID:	Ballot: Dist:		

Reason for Amendment: \_\_\_\_\_

**Exhibit A-21**



# Wells Fargo Everyday Checking

Account number: [REDACTED] ■ August 5, 2016 - August 22, 2016 ■ Page 1 of 4

ERIC PAYNE FOR SCCCD 2012- TRUSTEE  
 AREA 2  
 1444 FULTON ST  
 FRESNO CA 93721-1610

## Questions?

Available by phone 24 hours a day, 7 days a week:  
 Telecommunications Relay Services calls accepted

**1-800-TO-WELLS** (1-800-869-3557)

TTY: 1-800-877-4833

En español: 1-877-727-2932

華語 1-800-288-2288 (8 am to 7 pm PT, M-F)

Online: wellsfargo.com

Write: Wells Fargo Bank, N.A. (114)  
 P.O. Box 6995  
 Portland, OR 97228-6995

## You and Wells Fargo

Thank you for being a loyal Wells Fargo customer. We value your trust in our company and look forward to continuing to serve you with your financial needs.

## Account options

A check mark in the box indicates you have these convenient services with your account(s). Go to wellsfargo.com or call the number above if you have questions or if you would like to add new services.

Online Banking	<input checked="" type="checkbox"/>	Direct Deposit	<input type="checkbox"/>
Online Bill Pay	<input checked="" type="checkbox"/>	Auto Transfer/Payment	<input type="checkbox"/>
Online Statements	<input type="checkbox"/>	Overdraft Protection	<input type="checkbox"/>
Mobile Banking	<input checked="" type="checkbox"/>	Debit Card	<input type="checkbox"/>
My Spending Report	<input checked="" type="checkbox"/>	Overdraft Service	<input type="checkbox"/>

## Activity summary

Beginning balance on 8/5	\$0.00
Deposits/Additions	3,000.00
Withdrawals/Subtractions	- 2,265.00
<b>Ending balance on 8/22</b>	<b>\$735.00</b>

Account number: 6539569787

ERIC PAYNE FOR SCCCD 2012- TRUSTEE  
 AREA 2

California account terms and conditions apply

For Direct Deposit use

Routing Number (RTN): 121042882

## Overdraft Protection

This account is not currently covered by Overdraft Protection. If you would like more information regarding Overdraft Protection and eligibility requirements please call the number listed on your statement or visit your Wells Fargo store.

Account number: [REDACTED] ■ August 5, 2016 - August 22, 2016 ■ Page 2 of 4



## Transaction history

Date	Check Number	Check Description	Deposits/ Additions	Withdrawals/ Subtractions	Ending daily balance
8/5		Deposit	3,000.00		3,000.00
8/16	100	Check		40.00	
8/16	99	Check		1,300.00	1,660.00
8/17		Online Transfer to Payne E Everyday Checking xxxxxx4410 Ref #ber6Tfc5H on 08/17/16		150.00	1,510.00
8/19		Purchase Bank Check OR Draft		605.00	905.00
8/22		Online Transfer to Payne E Everyday Checking xxxxxx4410 Ref #bex3x4Y8G on 08/21/16		170.00	735.00
Ending balance on 8/22					735.00
<b>Totals</b>			<b>\$3,000.00</b>	<b>\$2,265.00</b>	

The Ending Daily Balance does not reflect any pending withdrawals or holds on deposited funds that may have been outstanding on your account when your transactions posted. If you had insufficient available funds when a transaction posted, fees may have been assessed.

### Summary of checks written (checks listed are also displayed in the preceding Transaction history)

Number	Date	Amount	Number	Date	Amount
99	8/16	1,300.00	100	8/16	40.00

### Monthly service fee summary

For a complete list of fees and detailed account information, please see the Wells Fargo Fee and Information Schedule and Account Agreement applicable to your account or talk to a banker. Go to [wellsfargo.com/feesfaq](http://wellsfargo.com/feesfaq) to find answers to common questions about the monthly service fee on your account.

Fee period 08/05/2016 - 08/22/2016 Standard monthly service fee \$10.00 You paid \$0.00

We waived the fee this fee period to allow you to meet the requirements to avoid the monthly service fee. Your fee waiver is about to expire. You will need to meet the requirement(s) to avoid the monthly service fee.

How to avoid the monthly service fee	Minimum required	This fee period
Have any ONE of the following account requirements		
• Minimum daily balance	\$1,500.00	\$735.00 <input type="checkbox"/>
• Total amount of qualifying direct deposits	\$500.00	\$0.00 <input type="checkbox"/>
• Total number of posted Wells Fargo Debit Card purchases and/or payments	10	0 <input type="checkbox"/>
• The fee is waived when the account is linked to a Wells Fargo Campus ATM or Campus Debit Card		

### Monthly service fee discount(s) (applied when box is checked)

Age of primary account owner is 17 - 24 (\$5.00 discount)

RDRC



## IMPORTANT ACCOUNT INFORMATION

Here's some clarifying information on when your account could become dormant and what could happen.

### When does my account become dormant?

#### Checking accounts, savings accounts, and Time Accounts (CDs)

Generally, your account becomes dormant if you do not initiate an account-related activity for 12 months for a checking account, 34 months for a savings account, or 34 months after the first renewal for a Time Account. An account-related activity is determined by the

**Exhibit A-22**

**STATE OF CALIFORNIA  
FAIR POLITICAL PRACTICES COMMISSION**

**INVESTIGATION REPORT**

I CASE NO: **16/19917**

CASE NAME:

REPORT NO.:

REPORT DATE: **12/11/2017**

PAGE 1 of 2 page(s)

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II REPORT TYPE: Interview Summary

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III REPORT PREPARED BY: Marshall Miller

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IV DISTRIBUTION: Angela Brereton

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V INTERVIEW SUMMARY ONLY:

Interviews tape recorded: **Yes**

Manner of interview: **Telephone**

Persons interviewed: **Eric Payne, Treasurer/Controlling Candidate**

Home address: [REDACTED]

Home phone: [REDACTED]

---

VI NARRATIVE:

On 12/11/2017, I conducted a recorded telephonic interview with respondent Eric Payne regarding my findings so far in this case. During the interview, Mr. Payne made the following statements:

- He first ran for public office in 2012, for a seat on the State Center Community College District (SCCCD) Board of Trustees. He was successful in this election and was re-elected in 2016 and is currently serving his second term in this position.
- His position on the SCCCDC comes with a stipend. He has employment outside the SCCCDC as a consultant for Toure Environmental Engineering located in Fresno. He has worked at Toure since 2014.
  - In regards to his Form 700 Statements of Economic Interest (SEI), he said he was not aware of the reporting requirements.
  - He works as a "1099" independent contractor for Toure on a part-time basis.
  - He is aware that he legally cannot be involved in any contracts involving Toure or other sources of income.
- Tate Hill worked as treasurer for his 2012 campaign and he said up the bank account.
- For the 2012 campaign, he loaned his committee money but does not recall the amount of those loans or if he ever paid himself back for those loans.
- He remembered closing his 2012 campaign's bank account when he opened his 2016 campaign bank account at Wells Fargo.
- For his 2016 campaign, Payne stated that he opened a new committee bank account in July or August 2016, but was not sure of the date.
- He said that his 2016 could still be active, but that he was unsure.
  - He said he intended to close the committee by the end of 2017.
- He hired Don Milligan as a bookkeeper in July or August 2016.

- He said he did not recall if he filed campaign statements prior to hiring Don Milligan. Then he said that he remembered filing statements, but that Don Milligan or Tate Hill later filed amendments.
- He attributed any missed or late filings related to the 2016 election to “error.” He said that unless a filing schedule was given to him, he was unaware of filing deadlines.
  - When asked about the Form 501 Candidate Intention Statement, he asked if it was included in his filing packet from the Fresno County Clerk.
  - When asked about Form 497 Late Contribution Reports, he said he has heard of them. He said that he did not have any perspective to offer on why some were late filed. He offered that, once he hired Don Milligan, he tried to fix any errors.
- He said that any expenditures that Don Milligan indicated were to be reimbursed by him. He said that he did not know the reason why the expenditures had to be reimbursed, just that Milligan told him to reimburse the committee.
  - He said that he did not have a timetable for reimbursement and that no reimbursement had been made as of the date of the interview.
  - He recalled that there was a Nordstrom Rack purchase of clothing that Milligan told him needed to be reimbursed.
  - After I told him that the purchase of business and casual clothing were not permissible uses of campaign funds, Payne stated that he committed to reimburse the committee.
    - Payne said that he needed to purchase clothing at Nordstrom Rack for campaign events. He described the clothing purchased as “shirts, pants, and shoes” intended for his use at barbeques, coffee meetings, evening events, breakfasts.
    - When asked if the clothing was purchased because certain events had a dress code, he stated that he was doing to a gala this evening and that he did not want to wear tennis shoes and shorts.
  - He said that the Lyft and Enterprise Rent-A-Car purchases were for campaign purposes and that he needed to transport volunteers as part of the campaign.
  - He said that the charges to “Authnet Gateway Billing” were likely for his campaign website.
- He said that all expenditures he paid from the campaign account were in support of the campaign and based on his understand of what is and what is not an appropriate campaign expenditure.
  - He said that, to his knowledge, he had never misspent campaign funds.
- In regards to a \$3,000.00 cashier’s check received and \$605.00 cashier’s check paid on 8/5/2016, he said he was unaware that cashier’s checks over \$100 were prohibited.

**Exhibit A-23**

18669599



# Consumer Account Application

Bank Name: WELLS FARGO BANK, N.A.	Store Name: FRESNO MAIN
Banker Name: LUIS G. SOSA	Officer/Portfolio Number: B0126
Banker Phone: 559/442-6311	Date: 08/05/2016
Store Number: 04963	Banker AU: 0000192
	Banker MAC: A0825-011

To help the government fight the funding of terrorism and money laundering activities, U.S. Federal law requires financial institutions to obtain, verify, and record information that identifies each person (individuals and businesses) who opens an account. What this means for you: When you open an account, we will ask for your name, address, date of birth and other information that will allow us to identify you. We may also ask to see your driver's license or other identifying documents.

### New Account Information

Product Name: Wells Fargo Everyday Checking	Account Number: [REDACTED]	Product: [DA]
Purpose of Account: Personal/Household	Minor: [REDACTED]	COID: 114
New Account Kit: [REDACTED]	Checking/Savings Bonus Offer Available: NO	

### Related Customers

Customer Name: ERIC S PAYNE	Account Relationship: Sole Owner
--------------------------------	-------------------------------------

### Statement Mailing Information

Customer(s) Listed on Statement: ERIC PAYNE FOR SCCCD 2012- TRUSTEE	Statement Mailing Address: [REDACTED]
AREA 2	Address Line 2: [REDACTED]
	City: FRESNO
	State: CA
	ZIP/Postal Code: [REDACTED]
	Country: US



**Customer 1 Information**

Customer Name: ERIC S PAYNE			Street Address: [REDACTED]		
Customer Number (ECN): [REDACTED]			Address Line 2:		
Account Relationship: Sole Owner			Address Line 3:		
Taxpayer Identification Number (TIN):		TIN Type:	Date of Birth:		City: FRESNO
[REDACTED]		[REDACTED]	[REDACTED]		State: CA
Primary ID Type:	Primary ID Description:		ZIP/Postal Code:	Country:	Time at this address:
[REDACTED]	[REDACTED]		93706-5535	US	[REDACTED] Year(s) [REDACTED] Month(s)
Primary ID St/Ctry/Prov:	Primary ID Issue Date:	Primary ID Expiration Date:	Directional Address:		
CA	[REDACTED]	[REDACTED]	(Document when no physical residence, business or alternate street address.)		
Secondary ID Type:	Secondary ID Description:		Previous Street Address:		
OTHR DC	WELLS FARGO VISA				
Secondary ID State/Country:	Secondary ID Issue Date:	Secondary ID Expiration Date:			
	[REDACTED]	[REDACTED]			
Home Phone:	Business Phone:		City:	State:	
[REDACTED]	[REDACTED]				
Current Employer:	CENTER FOR MULTI-CULTURAL		ZIP/Postal Code:	Country:	Time at this address:
					[REDACTED] Year(s) [REDACTED] Month(s)
Check Reporting:			Country of Citizenship: US		

**Customer Signatures**

Everything I have stated in this application is correct. You are authorized to make any inquiries that you consider appropriate to determine if you should open or maintain the account. This may include ordering a credit report or other report (i.e. information from any motor vehicle department or other state agency) on me. I have received a copy of the applicable account agreement and the privacy policy (each may be amended from time to time) and agree to be bound by their terms. I also agree to the terms of the dispute resolution program described in the foregoing agreements. Under the dispute resolution program, our disputes will be decided before one or more neutral persons in an arbitration proceeding and not by a jury trial or a trial before a judge.

Customer 1 Name

ERIC S PAYNE

Customer 1 Signature

ERIC S PAYNE [REDACTED SIGNATURE]

- Submit manually  
 Signature not required

Date:

08/05/2016

# Wells Fargo Everyday Checking

Account number: [REDACTED] ■ August 5, 2016 - August 22, 2016 ■ Page 1 of 4



ERIC PAYNE FOR SCCCD 2012- TRUSTEE  
 AREA 2  
 1444 FULTON ST  
 FRESNO CA 93721-1610

## Questions?

Available by phone 24 hours a day, 7 days a week:

Telecommunications Relay Services calls accepted

**1-800-TO-WELLS** (1-800-869-3557)

TTY: 1-800-877-4833

En español: 1-877-727-2932

華語 1-800-288-2288 (6 am to 7 pm PT, M-F)

Online: wells Fargo.com

Write: Wells Fargo Bank, N.A. (114)

P.O. Box 6995

Portland, OR 97228-6995

## You and Wells Fargo

Thank you for being a loyal Wells Fargo customer. We value your trust in our company and look forward to continuing to serve you with your financial needs.

## Account options

A check mark in the box indicates you have these convenient services with your account(s). Go to wells Fargo.com or call the number above if you have questions or if you would like to add new services.

Online Banking	<input checked="" type="checkbox"/>	Direct Deposit	<input type="checkbox"/>
Online Bill Pay	<input checked="" type="checkbox"/>	Auto Transfer/Payment	<input type="checkbox"/>
Online Statements	<input type="checkbox"/>	Overdraft Protection	<input type="checkbox"/>
Mobile Banking	<input checked="" type="checkbox"/>	Debit Card	<input type="checkbox"/>
My Spending Report	<input checked="" type="checkbox"/>	Overdraft Service	<input type="checkbox"/>

## Activity summary

Beginning balance on 8/5	\$0.00
Deposits/Additions	3,000.00
Withdrawals/Subtractions	- 2,265.00
<b>Ending balance on 8/22</b>	<b>\$735.00</b>

Account number: 6539569787

ERIC PAYNE FOR SCCCD 2012- TRUSTEE  
 AREA 2

California account terms and conditions apply

For Direct Deposit use

Routing Number (RTN): 121042882

## Overdraft Protection

This account is not currently covered by Overdraft Protection. If you would like more information regarding Overdraft Protection and eligibility requirements please call the number listed on your statement or visit your Wells Fargo store.

Account number: [REDACTED] ■ August 5, 2016 - August 22, 2016 ■ Page 2 of 4



## Transaction history

Date	Check Number	Description	Deposits/ Additions	Withdrawals/ Subtractions	Ending daily balance
8/5		Deposit	3,000.00		3,000.00
8/16	100	Check		40.00	
8/16	99	Check		1,300.00	1,660.00
8/17		Online Transfer to Payne E Everyday Checking xxxxxx4410 Ref #ber6Tfc5H on 08/17/16		150.00	1,510.00
8/19		Purchase Bank Check OR Draft		605.00	905.00
8/22		Online Transfer to Payne E Everyday Checking xxxxxx4410 Ref #lbev3x4Y8G on 08/21/16		170.00	735.00
<b>Ending balance on 8/22</b>					<b>735.00</b>
<b>Totals</b>			<b>\$3,000.00</b>	<b>\$2,265.00</b>	

The Ending Daily Balance does not reflect any pending withdrawals or holds on deposited funds that may have been outstanding on your account when your transactions posted. If you had insufficient available funds when a transaction posted, fees may have been assessed.

### Summary of checks written (checks listed are also displayed in the preceding Transaction history)

Number	Date	Amount	Number	Date	Amount
99	8/16	1,300.00	100	8/16	40.00

### Monthly service fee summary

For a complete list of fees and detailed account information, please see the Wells Fargo Fee and Information Schedule and Account Agreement applicable to your account or talk to a banker. Go to [wellsfargo.com/feefaq](http://wellsfargo.com/feefaq) to find answers to common questions about the monthly service fee on your account.

Fee period 08/05/2016 - 08/22/2016 Standard monthly service fee \$10.00 You paid \$0.00

We waived the fee this fee period to allow you to meet the requirements to avoid the monthly service fee. Your fee waiver is about to expire. You will need to meet the requirement(s) to avoid the monthly service fee.

How to avoid the monthly service fee	Minimum required	This fee period
Have any <b>ONE</b> of the following account requirements		
• Minimum daily balance	\$1,500.00	\$735.00 <input type="checkbox"/>
• Total amount of qualifying direct deposits	\$500.00	\$0.00 <input type="checkbox"/>
• Total number of posted Wells Fargo Debit Card purchases and/or payments	10	0 <input type="checkbox"/>
• The fee is waived when the account is linked to a Wells Fargo Campus ATM or Campus Debit Card		

### Monthly service fee discount(s) (applied when box is checked)

Age of primary account owner is 17 - 24 (\$5.00 discount)

RDRRC



## IMPORTANT ACCOUNT INFORMATION

Here's some clarifying information on when your account could become dormant and what could happen.

### When does my account become dormant?

#### Checking accounts, savings accounts, and Time Accounts (CDs)

Generally, your account becomes dormant if you do not initiate an account-related activity for 12 months for a checking account, 34 months for a savings account, or 34 months after the first renewal for a Time Account. An account-related activity is determined by the

Account number: [REDACTED] ■ August 5, 2016 - August 22, 2016 ■ Page 3 of 4



laws governing your account. Examples of account-related activity are depositing or withdrawing funds at a banking location or ATM, or writing a check which is paid from the account. Automatic transactions (including recurring and one-time), such as pre-authorized transfers/payments and electronic deposits (including direct deposits of your paycheck), set up on the account may not qualify as account-related activity that you initiated.

**Individual Retirement Accounts (IRAs) and Education Savings Accounts (ESAs)**

Generally, your IRA and ESA (Savings or Time Account) will become dormant if you do not initiate an account-related activity as follows: Traditional IRA becomes dormant if you do not initiate an account-related activity for 34 months or more after you reach the age of 70 1/2; ROTH IRA will not become dormant unless we receive notification of your death; or ESA becomes dormant after you reach age 30. An account-related activity that you initiate is determined by the laws governing your account.

**What happens to a dormant account?**

We put safeguards in place to protect a dormant account which may include restricting the following (which may vary based on your account type): transfers between your Wells Fargo accounts using your ATM/debit card; transfers by phone using our automated banking service; transfers or payments through online, mobile, and text banking (including Bill Pay); wire transfers (incoming and outgoing); or contributions or transfers to IRA or ESA savings through online and mobile banking.

Normal monthly service and other fees continue to apply (except where prohibited by law). If the primary account on a Wells Fargo PMA® Package becomes dormant and the PMA Package is closed, any benefits, such as fee waivers and discounted services, tied to it will be discontinued. To reinstate your PMA-related benefits, the primary checking account must be in an active status and you must contact us to reestablish the PMA Package.

Your account funds may be transferred to the appropriate state if no activity occurs in the account within the time period as specified by state law. This transfer is known as "escheat." After transferring your account funds to the state, we will close your account and any interest will stop accruing. To recover your account funds, you must file a claim with the state.

For more information, please see your Consumer Account Agreement, speak with a local banker, or call the phone number on the top of your statement.



**Wells Fargo Everyday Checking**

Account number: [REDACTED] ■ August 23, 2016 - September 23, 2016 ■ Page 1 of 4



ERIC PAYNE FOR SCCCD 2012- TRUSTEE  
 AREA 2  
 1444 FULTON ST  
 FRESNO CA 93721-1610

**Questions?**

Available by phone 24 hours a day, 7 days a week:  
 Telecommunications Relay Services calls accepted

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TTY: 1-800-877-4833

En español: 1-877-727-2932

華語 1-800-288-2288 (6 am to 7 pm PT, M-F)

Online: wells Fargo.com

Write: Wells Fargo Bank, N.A. (114)  
 P.O. Box 6995  
 Portland, OR 97228-6995

**You and Wells Fargo**

Thank you for being a loyal Wells Fargo customer. We value your trust in our company and look forward to continuing to serve you with your financial needs.

**Account options**

A check mark in the box indicates you have these convenient services with your account(s). Go to wells Fargo.com or call the number above if you have questions or if you would like to add new services.

Online Banking	<input checked="" type="checkbox"/>	Direct Deposit	<input type="checkbox"/>
Online Bill Pay	<input checked="" type="checkbox"/>	Auto Transfer/Payment	<input type="checkbox"/>
Online Statements	<input type="checkbox"/>	Overdraft Protection	<input type="checkbox"/>
Mobile Banking	<input checked="" type="checkbox"/>	Debit Card	<input type="checkbox"/>
My Spending Report	<input checked="" type="checkbox"/>	Overdraft Service	<input type="checkbox"/>

**Activity summary**

Beginning balance on 8/23	\$735.00
Deposits/Additions	1,384.59
Withdrawals/Subtractions	- 1,100.04
<b>Ending balance on 9/23</b>	<b>\$1,019.55</b>

Account number: 6539569787

ERIC PAYNE FOR SCCCD 2012- TRUSTEE  
 AREA 2

California account terms and conditions apply

For Direct Deposit use

Routing Number (RTN): 121042882

**Overdraft Protection**

This account is not currently covered by Overdraft Protection. If you would like more information regarding Overdraft Protection and eligibility requirements please call the number listed on your statement or visit your Wells Fargo store.

Account number: [REDACTED] ■ August 23, 2016 - September 23, 2016 ■ Page 2 of 4



## Transaction history

Date	Check Number	Description	Deposits/ Additions	Withdrawals/ Subtractions	Ending daily balance
8/29	101	Check		50.00	685.00
9/2	102	Check		120.00	565.00
9/6	103	Check		144.00	421.00
9/8		Online Transfer to Payne E Everyday Checking xxxxxx4410 Ref #1be8Pslzdz on 09/08/16		150.00	271.00
9/9		Online Transfer to Payne E Everyday Checking xxxxxx4410 Ref #1be5Sngfkg on 09/09/16		200.00	71.00
9/16		eDeposit IN Branch/Store 09/16/16 02:32:54 Pm 1206 Van Ness Ave Fresno CA 1878	1,120.00		
9/16		eDeposit IN Branch/Store 09/16/16 02:34:59 Pm 1206 Van Ness Ave Fresno CA 1878	50.00		1,241.00
9/19		Purchase authorized on 09/16 Enterprise Rent-A- Fresno CA S586261031435285 Card 1878		250.00	
9/19		Online Transfer to Payne E Everyday Checking xxxxxx4410 Ref #1be2Wsbmsd on 09/16/16		50.00	
9/19		Online Transfer to Payne E Everyday Checking xxxxxx4410 Ref #1bev47G3Hm on 09/17/16		100.00	
9/19		Purchase authorized on 09/19 Jack'S Gas Fresno CA P00466264028423951 Card 1878		20.00	821.00
9/20		Purchase Return authorized on 09/19 Enterprise Rent-A- Fresno CA S616264556067635 Card 1878	214.59		1,035.59
9/21		Purchase authorized on 09/19 McDonald's M7115 O Fresno CA S306264037159785 Card 1878		10.14	1,025.45
9/23		Purchase authorized on 09/22 Lyft *Ride Wed 7 Lyft.Com CA S586266537067422 Card 1878		5.90	1,019.55
<b>Ending balance on 9/23</b>					<b>1,019.55</b>
<b>Totals</b>			<b>\$1,384.59</b>	<b>\$1,100.04</b>	

The Ending Daily Balance does not reflect any pending withdrawals or holds on deposited funds that may have been outstanding on your account when your transactions posted. If you had insufficient available funds when a transaction posted, fees may have been assessed.

### Summary of checks written (checks listed are also displayed in the preceding Transaction history)

Number	Date	Amount	Number	Date	Amount	Number	Date	Amount
101	8/29	50.00	102	9/2	120.00	103	9/6	144.00

### Monthly service fee summary

For a complete list of fees and detailed account information, please see the Wells Fargo Fee and Information Schedule and Account Agreement applicable to your account or talk to a banker. Go to [wellsfargo.com/feefaq](http://wellsfargo.com/feefaq) to find answers to common questions about the monthly service fee on your account.

Fee period 08/23/2016 - 09/23/2016      Standard monthly service fee \$10.00      You paid \$0.00

We waived the fee this fee period to allow you to meet the requirements to avoid the monthly service fee. This is the final period with the fee waived. For the next fee period, you need to meet the requirement(s) to avoid the monthly service fee.

How to avoid the monthly service fee	Minimum required	This fee period
Have any <b>ONE</b> of the following account requirements		
• Minimum daily balance	\$1,500.00	\$71.00 <input type="checkbox"/>
• Total amount of qualifying direct deposits	\$500.00	\$0.00 <input type="checkbox"/>
• Total number of posted Wells Fargo Debit Card purchases and/or payments	10	4 <input type="checkbox"/>
• The fee is waived when the account is linked to a Wells Fargo Campus ATM or Campus Debit Card		

Monthly service fee discount(s) (applied when box is checked)

Age of primary account owner is 17 - 24 (\$5.00 discount)

Account number: [REDACTED] ■ August 23, 2016 - September 23, 2016 ■ Page 3 of 4



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**Monthly service fee summary (continued)**

RCRC

**IMPORTANT ACCOUNT INFORMATION**

To verify your identity when you contact us, we may use a service that compares information your mobile or wireless operator has with information you have provided us. Please refer to our Privacy Policy for how we treat your data.

Is your wireless operator authorized to provide information to assist in verifying your identity?

Yes, and we may rely on this information to assist in verifying your identity.

You authorize your wireless operator (AT&T, Sprint, T-Mobile, US Cellular, Verizon, or any other branded wireless operator) to use your mobile number, name, address, email, network status, customer type, customer role, billing type, mobile device identifiers (IMSI and MEI) and other subscriber status details, if available, solely to allow verification of your identity and to compare information you have provided to Wells Fargo with your wireless operator account profile information for the duration of the business relationship.

You may opt out by contacting your mobile or wireless operator directly.



# Wells Fargo Everyday Checking

Account number: [REDACTED] ■ September 24, 2016 - October 25, 2016 ■ Page 1 of 5



ERIC PAYNE FOR SCCCD 2012- TRUSTEE  
 AREA 2  
 1444 FULTON ST  
 FRESNO CA 93721-1610

## Questions?

Available by phone 24 hours a day, 7 days a week:  
 Telecommunications Relay Services calls accepted

**1-800-TO-WELLS** (1-800-869-3557)

TTY: 1-800-877-4833

En español: 1-877-727-2932

華語 1-800-288-2288 (6 am to 7 pm PT, M-F)

Online: wells Fargo.com

Write: Wells Fargo Bank, N.A. (114)  
 P.O. Box 6995  
 Portland, OR 97228-6995

## You and Wells Fargo

Thank you for being a loyal Wells Fargo customer. We value your trust in our company and look forward to continuing to serve you with your financial needs.

## Account options

A check mark in the box indicates you have these convenient services with your account(s). Go to wells Fargo.com or call the number above if you have questions or if you would like to add new services.

Online Banking	<input checked="" type="checkbox"/>	Direct Deposit	<input type="checkbox"/>
Online Bill Pay	<input checked="" type="checkbox"/>	Auto Transfer/Payment	<input type="checkbox"/>
Online Statements	<input type="checkbox"/>	Overdraft Protection	<input type="checkbox"/>
Mobile Banking	<input checked="" type="checkbox"/>	Debit Card	<input type="checkbox"/>
My Spending Report	<input checked="" type="checkbox"/>	Overdraft Service	<input type="checkbox"/>

## Activity summary

Beginning balance on 9/24	\$1,019.55
Deposits/Additions	5,211.79
Withdrawals/Subtractions	- 5,474.12
<b>Ending balance on 10/25</b>	<b>\$757.22</b>

Account number: 6539569787

ERIC PAYNE FOR SCCCD 2012- TRUSTEE  
 AREA 2

California account terms and conditions apply

For Direct Deposit use

Routing Number (RTN): 121042882

## Overdraft Protection

This account is not currently covered by Overdraft Protection. If you would like more information regarding Overdraft Protection and eligibility requirements please call the number listed on your statement or visit your Wells Fargo store.

Account number: [REDACTED] ■ September 24, 2016 - October 25, 2016 ■ Page 2 of 5



## Transaction history

Date	Check Number	Description	Deposits/ Additions	Withdrawals/ Subtractions	Ending daily balance
9/26		Purchase authorized on 09/23 Lyft *Ride Fri 8 Lyft.Com CA S386267600338637 Card 1878		6.40	
9/26		Purchase authorized on 09/24 Lyft *Ride Fri 9 Lyft.Com CA S466268621376354 Card 1878		17.20	
9/26		Purchase authorized on 09/24 Nordstrom-Rack # 7883 Fresno CA P00386269136543790 Card 1878		471.50	
9/26		Purchase authorized on 09/24 H&M Fresno CA P00586269144331742 Card 1878		47.59	476.86
9/27		eDeposit IN Branch/Store 09/27/16 12:38:00 Pm 1206 Van Ness Ave Fresno CA 1878	1,950.00		
9/27		Purchase authorized on 09/27 Arco #42873 Fresno CA P0000000256522875 Card 1878		20.35	2,406.51
9/28		Purchase authorized on 09/27 Enterprise Rent-A- Fresno CA S306268030295635 Card 1878		55.13	2,351.38
9/29		Purchase authorized on 09/28 Lyft *Ride Wed 8 Lyft.Com CA S386272715830767 Card 1878		9.34	2,342.04
9/30		Purchase authorized on 09/28 Lyft *Ride Wed 1 Lyft.Com CA S466273053435968 Card 1878		5.90	
9/30		Purchase authorized on 09/28 Lyft *Cancel Fee Lyft.Com CA S386273081272671 Card 1878		5.00	
9/30		Purchase authorized on 09/29 Lyft *Ride Wed 7 Lyft.Com CA S386273600908298 Card 1878		13.39	2,317.75
10/3		Purchase authorized on 09/30 Lyft *Ride Thu 9 Lyft.Com CA S586274610760982 Card 1878		5.90	
10/3		Purchase authorized on 09/30 Downtown Business Fresno CA S466274742823101 Card 1878		450.00	
10/3		Purchase authorized on 09/30 Enterprise Rent-A- Fresno CA S306275026976359 Card 1878		250.00	1,611.85
10/5		Purchase Return authorized on 10/04 Enterprise Rent-A- Fresno CA S616279554162953 Card 1878	202.79		1,614.64
10/7		Purchase authorized on 10/06 Lyft *Ride Wed 4 Lyft.Com CA S586280214052262 Card 1878		11.77	
10/7		Purchase authorized on 10/06 Lyft *Ride Thu 1 Lyft.Com CA S586280384955076 Card 1878		7.20	
10/7		Purchase authorized on 10/06 Lyft *Ride Thu 5 Lyft.Com CA S386280406450380 Card 1878		15.24	
10/7		Purchase authorized on 10/06 IN *Cops Voter Gui 916-3532778 CA S306280697842874 Card 1878		1,725.00	55.43
10/11		Purchase authorized on 10/08 Lyft *Ride Sat 1 Lyft.Com CA S386283127375935 Card 1878		21.18	
10/11		Purchase authorized on 10/09 Lyft *Ride Sat 8 Lyft.Com CA S386284154187465 Card 1878		9.61	
10/11		Purchase authorized on 10/10 Kfc D870017 Fresno CA S386285084517028 Card 1878		5.90	18.76
10/12		Purchase authorized on 10/10 Rally's #1 Fresno CA S586284820936232 Card 1878		5.16	13.60
10/14		Purchase authorized on 10/13 Lyft *Ride Thu 5 Lyft.Com CA S306287555259822 Card 1878		6.22	
10/14		Purchase authorized on 10/13 Lyft *Ride Thu 8 Lyft.Com CA S586287740028094 Card 1878		5.60	1.78
10/17		eDeposit IN Branch/Store 10/15/16 03:27:09 Pm 1206 Van Ness Ave Fresno CA 1878	1,900.00		
10/17		eDeposit IN Branch/Store 10/17/16 05:22:49 Pm 1206 Van Ness Ave Fresno CA 1878	1,000.00		
10/17		Online Transfer From Payne E Everyday Checking xxxxxx4410 Ref #1bev4Hv2W5 on 10/15/16	9.00		
10/17		Purchase authorized on 10/15 Lyft *Ride Fri 9 Lyft.Com CA S586289790757233 Card 1878		10.69	
10/17		Purchase authorized on 10/16 Denny's #6209 Fresno CA S586290359147552 Card 1878		13.60	



**Transaction history (continued)**

Date	Check Number	Description	Deposits/ Additions	Withdrawals/ Subtractions	Ending daily balance
10/17		Purchase authorized on 10/16 Lyft *Ride Sat 2 Lyft.Com CA S306290811467973 Card 1878		9.01	2,877.48
10/18		Purchase authorized on 10/16 Tgi Friday's #1729 Fresno CA S306291154316164 Card 1878		42.36	
10/18		Purchase authorized on 10/17 Lyft *Ride Mon 1 Lyft.Com CA S586291810805580 Card 1878		6.81	
10/18		Purchase authorized on 10/17 Lyft *Ride Mon 3 Lyft.Com CA S466291821018193 Card 1878		9.04	
10/18	107	Check		1,712.89	1,106.38
10/19		Purchase authorized on 10/17 Lyft *Ride Mon 3 Lyft.Com CA S586292049767356 Card 1878		8.44	
10/19		Purchase authorized on 10/17 Lyft *Ride Mon 6 Lyft.Com CA S306292081573934 Card 1878		13.54	
10/19		Purchase authorized on 10/17 Dave & Buster's Fr Fresno CA S306292147224705 Card 1878		73.87	
10/19		Purchase authorized on 10/18 Lyft *Ride Mon 9 Lyft.Com CA S586292541935650 Card 1878		19.12	
10/19		Purchase authorized on 10/18 Lyft *Ride Tue 8 Lyft.Com CA S586292612468047 Card 1878		6.92	
10/19		Purchase authorized on 10/18 Lyft *Ride Tue 1 Lyft.Com CA S386292658854681 Card 1878		10.59	
10/19		Online Transfer to Payne E Everyday Checking xxxxxx4410 Raf #lbe5T6Gxxx on 10/19/16		150.00	823.90
10/20		Purchase authorized on 10/19 Lyft *Ride Tue 4 Lyft.Com CA S386294012836574 Card 1878		8.96	814.94
10/21		eDeposit IN Branch/Store 10/21/16 05:15:14 Pm 1208 Van Ness Ave Fresno CA 1878	150.00		
10/21		Purchase authorized on 10/19 McDonald's F4011 Bakarsfield CA S586293578987595 Card 1878		7.72	957.22
10/24	110	Check		200.00	757.22
<b>Ending balance on 10/25</b>					<b>757.22</b>
<b>Totals</b>			<b>\$5,211.79</b>	<b>\$5,474.12</b>	

The Ending Daily Balance does not reflect any pending withdrawals or holds on deposited funds that may have been outstanding on your account when your transactions posted. If you had insufficient available funds when a transaction posted, fees may have been assessed.

**Summary of checks written (checks listed are also displayed in the preceding Transaction history)**

Number	Date	Amount	Number	Date	Amount
107	10/18	1,712.89	110 *	10/24	200.00

\* Gap in check sequence.

**Monthly service fee summary**

For a complete list of fees and detailed account information, please see the Wells Fargo Fee and Information Schedule and Account Agreement applicable to your account or talk to a banker. Go to [wellsfargo.com/feefaq](http://wellsfargo.com/feefaq) to find answers to common questions about the monthly service fee on your account.

Fee period 09/24/2016 - 10/25/2016	Standard monthly service fee \$10.00	You paid \$0.00
<b>How to avoid the monthly service fee</b>	<b>Minimum required</b>	<b>This fee period</b>
Have any <b>ONE</b> of the following account requirements		
• Minimum daily balance	\$1,500.00	\$1.78 <input type="checkbox"/>
• Total amount of qualifying direct deposits	\$500.00	\$0.00 <input type="checkbox"/>
• Total number of posted Wells Fargo Debit Card purchases and/or payments	10	37 <input checked="" type="checkbox"/>
• The fee is waived when the account is linked to a Wells Fargo Campus ATM or Campus Debit Card		

Account number: [REDACTED] ■ September 24, 2016 - October 25, 2016 ■ Page 4 of 5



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**Monthly service fee summary (continued)**

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Monthly service fee discount(s) (applied when box is checked)

Age of primary account owner is 17 - 24 (\$5.00 discount) 

RCRC

**IMPORTANT ACCOUNT INFORMATION**

It's important for you to have peace of mind.

We want to ensure you're comfortable with your accounts and have the tools you need to manage your money. We recommend you visit your local Wells Fargo bank location, or call the toll-free number that appears on this statement, to make sure you are satisfied with all your accounts and services.

We'll spend time understanding your financial needs and reviewing your accounts and options. We'll also help you close any accounts or discontinue services you do not recognize or want, and discuss the process that's been established to address any remaining concerns resulting from accounts and services opened on your behalf.



**Worksheet to balance your account**

Follow the steps below to reconcile your statement balance with your account register balance. Be sure that your register shows any interest paid into your account and any service charges, automatic payments or ATM transactions withdrawn from your account during this statement period.

**A** Enter the ending balance on this statement. \$ \_\_\_\_\_

**B** List outstanding deposits and other credits to your account that do not appear on this statement. Enter the total in the column to the right.

Description	Amount
<b>Total</b>	\$ _____

**C** Add **A** and **B** to calculate the subtotal. + \$ \_\_\_\_\_

**D** List outstanding checks, withdrawals, and other debits to your account that do not appear on this statement. Enter the total in the column to the right.

Number/Description	Amount
<b>Total</b>	\$ _____

**E** Subtract **D** from **C** to calculate the adjusted ending balance. This amount should be the same as the current balance shown in your register. = \$ \_\_\_\_\_

**General statement policies for Wells Fargo Bank**

- **To dispute or report inaccuracies in information we have furnished to a Consumer Reporting Agency about your accounts.** You have the right to dispute the accuracy of information that Wells Fargo Bank, N.A. has furnished to a consumer reporting agency by writing to us at Overdraft Collection and Recovery, P.O. Box 5058, Portland, OR 97208-5058. Please describe the specific information that is inaccurate or in dispute and the basis for the dispute along with supporting documentation. If you believe the information furnished is the result of identity theft, please provide us with an identity theft report.
- **In case of errors or questions about your electronic transfers,** telephone us at the number printed on the front of this statement or write us at Wells Fargo Bank, P.O. Box 6995, Portland, OR 97228-6995 as soon as you can, if you think your statement or receipt is wrong or if you need more information about a transfer on the statement or receipt. We must hear from you no later than 60 days after we sent you the FIRST statement on which the error or problem appeared.
  1. Tell us your name and account number (if any).
  2. Describe the error or the transfer you are unsure about, and explain as clearly as you can why you believe it is an error or why you need more information.
  3. Tell us the dollar amount of the suspected error.

We will investigate your complaint and will correct any error promptly. If we take more than 10 business days to do this, we will credit your account for the amount you think is in error, so that you will have the use of the money during the time it takes us to complete our investigation.



# Wells Fargo Everyday Checking

Account number: [REDACTED] ■ October 26, 2016 - November 23, 2016 ■ Page 1 of 4

ERIC PAYNE FOR SCCCD 2012- TRUSTEE  
 AREA 2  
 1444 FULTON ST  
 FRESNO CA 93721-1610

## Questions?

Available by phone 24 hours a day, 7 days a week:  
 Telecommunications Relay Services calls accepted

**1-800-TO-WELLS** (1-800-869-3557)

TTY: 1-800-877-4833

En español: 1-877-727-2932

華語 1-800-288-2288 (6 am to 7 pm PT, M-F)

Online: wells Fargo.com

Write: Wells Fargo Bank, N.A. (114)  
 P.O. Box 6995  
 Portland, OR 97228-6995

## You and Wells Fargo

Thank you for being a loyal Wells Fargo customer. We value your trust in our company and look forward to continuing to serve you with your financial needs.

## Account options

A check mark in the box indicates you have these convenient services with your account(s). Go to wells Fargo.com or call the number above if you have questions or if you would like to add new services.

Online Banking	<input checked="" type="checkbox"/>	Direct Deposit	<input type="checkbox"/>
Online Bill Pay	<input checked="" type="checkbox"/>	Auto Transfer/Payment	<input type="checkbox"/>
Online Statements	<input type="checkbox"/>	Overdraft Protection	<input type="checkbox"/>
Mobile Banking	<input checked="" type="checkbox"/>	Debit Card	<input type="checkbox"/>
My Spending Report	<input checked="" type="checkbox"/>	Overdraft Service	<input type="checkbox"/>

## Activity summary

Beginning balance on 10/26	\$757.22
Deposits/Additions	3,535.00
Withdrawals/Subtractions	- 3,895.90
<b>Ending balance on 11/23</b>	<b>\$396.32</b>

Account number: 6539569787

ERIC PAYNE FOR SCCCD 2012- TRUSTEE  
 AREA 2

California account terms and conditions apply

For Direct Deposit use

Routing Number (RTN): 121042882

## Overdraft Protection.

This account is not currently covered by Overdraft Protection. If you would like more information regarding Overdraft Protection and eligibility requirements please call the number listed on your statement or visit your Wells Fargo store.



**Transaction history**

Date	Check Number	Description	Deposits/ Additions	Withdrawals/ Subtractions	Ending daily balance
10/26		Purchase authorized on 10/26 Boss Pizza CO Bakersfield CA S306299655177357 Card 1878		47.84	709.38
10/27		eDeposit IN Branch/Store 10/27/16 03:38:52 Pm 1206 Van Ness Ave Fresno CA 1878	285.00		994.38
10/28		eDeposit IN Branch/Store 10/28/16 11:13:49 Am 1206 Van Ness Ave Fresno CA 1878	500.00		
10/28		eDeposit IN Branch/Store 10/28/16 04:59:38 Pm 1206 Van Ness Ave Fresno CA 5453	2,250.00		3,744.38
10/31		Online Transfer to Payne E Everyday Checking xxxxxx4410 Ref #lbev4MH8Mj on 10/28/16		100.00	
10/31	109	Check		210.00	3,434.38
11/2		Authnet Gateway Billing 93369092 Eric Payne		80.45	3,353.93
11/3	111	Check		900.00	2,453.93
11/4		NSF Return Item Fee for a Transaction Received on 11/03 \$2,504.25 Check # 00113		35.00	
11/4	112	Check		1,807.85	611.08
11/7	108	Cashed Check		500.00	111.08
11/9		eDeposit IN Branch/Store 11/09/16 04:42:31 Pm 1206 Van Ness Ave Fresno CA 1878	500.00		611.08
11/14		Online Transfer to Payne E Everyday Checking xxxxxx4410 Ref #lbejgzdr on 11/12/16		120.00	
11/14		Purchase authorized on 11/13 University Marke Clovis CA P00386318324385130 Card 1878		25.00	
11/14		Purchase authorized on 11/13 Foodmaxx #456 F Fresno CA P0000000255627505 Card 1878		4.76	461.32
11/21	105	Deposited OR Cashed Check		55.00	406.32
11/23		Monthly Service Fee		10.00	396.32
<b>Ending balance on 11/23</b>					<b>396.32</b>
<b>Totals</b>			<b>\$3,535.00</b>	<b>\$3,895.90</b>	

The Ending Daily Balance does not reflect any pending withdrawals or holds on deposited funds that may have been outstanding on your account when your transactions posted. If you had insufficient available funds when a transaction posted, fees may have been assessed.

**Summary of checks written** (checks listed are also displayed in the preceding Transaction history)

Number	Date	Amount	Number	Date	Amount	Number	Date	Amount
105	11/21	55.00	109	10/31	210.00	112	11/4	1,807.85
108 *	11/7	500.00	111 *	11/3	900.00			

\* Gap in check sequence.

**Items returned unpaid**

Date	Description	Amount
11/4	Check Reference # 00007559008517531093	2,504.25

**Summary of Overdraft and Returned Item fee(s)**

	Total this statement period	Total year-to-date †
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$35.00	\$35.00

† Year-to-date total reflects fees assessed or reversed since first full statement period of current calendar year.

Account number: [REDACTED] ■ October 26, 2016 - November 23, 2016 ■ Page 3 of 4



**Monthly service fee summary**

For a complete list of fees and detailed account information, please see the Wells Fargo Fee and Information Schedule and Account Agreement applicable to your account or talk to a banker. Go to [wellsfargo.com/feefaq](http://wellsfargo.com/feefaq) to find answers to common questions about the monthly service fee on your account.

Fee period 10/26/2016 - 11/23/2016	Standard monthly service fee \$10.00	You paid \$10.00
<b>How to avoid the monthly service fee</b>	<b>Minimum required</b>	<b>This fee period</b>
Have any ONE of the following account requirements		
· Minimum daily balance	\$1,500.00	\$111.08 <input type="checkbox"/>
· Total amount of qualifying direct deposits	\$500.00	\$0.00 <input type="checkbox"/>
· Total number of posted Wells Fargo Debit Card purchases and/or payments	10	3 <input type="checkbox"/>
· The fee is waived when the account is linked to a Wells Fargo Campus ATM or Campus Debit Card		

Monthly service fee discount(s) (applied when box is checked)

Age of primary account owner is 17 - 24 (\$5.00 discount)

RCRC





# Wells Fargo Everyday Checking

Account number: [REDACTED] ■ November 24, 2016 - December 22, 2016 ■ Page 1 of 4

ERIC PAYNE FOR SCCCD 2012- TRUSTEE  
 AREA 2  
 1444 FULTON ST  
 FRESNO CA 93721-1610

## Questions?

Available by phone 24 hours a day, 7 days a week:  
 Telecommunications Relay Services calls accepted

**1-800-TO-WELLS** (1-800-869-3557)

TTY: 1-800-877-4833

En español: 1-877-727-2932

華語 1-800-288-2288 (6 am to 7 pm PT, M-F)

Online: wells Fargo.com

Write: Wells Fargo Bank, N.A. (114)  
 P.O. Box 6995  
 Portland, OR 97228-6995

## You and Wells Fargo

Thank you for being a loyal Wells Fargo customer. We value your trust in our company and look forward to continuing to serve you with your financial needs.

## Account options

A check mark in the box indicates you have these convenient services with your account(s). Go to wells Fargo.com or call the number above if you have questions or if you would like to add new services.

Online Banking	<input checked="" type="checkbox"/>	Direct Deposit	<input type="checkbox"/>
Online Bill Pay	<input checked="" type="checkbox"/>	Auto Transfer/Payment	<input type="checkbox"/>
Online Statements	<input type="checkbox"/>	Overdraft Protection	<input type="checkbox"/>
Mobile Banking	<input checked="" type="checkbox"/>	Debit Card	<input type="checkbox"/>
My Spending Report	<input checked="" type="checkbox"/>	Overdraft Service	<input type="checkbox"/>

## Activity summary

Beginning balance on 11/24	\$396.32
Deposits/Additions	0.00
Withdrawals/Subtractions	- 1,450.46
<b>Ending balance on 12/22</b>	<b>-\$1,054.14</b>

Account number: 6539569787

ERIC PAYNE FOR SCCCD 2012- TRUSTEE  
 AREA 2

California account terms and conditions apply

For Direct Deposit use

Routing Number (RTN): 121042882

## Overdraft Protection

This account is not currently covered by Overdraft Protection. If you would like more information regarding Overdraft Protection and eligibility requirements please call the number listed on your statement or visit your Wells Fargo store.

Account number: [REDACTED] ■ November 24, 2016 - December 22, 2016 ■ Page 2 of 4



## Transaction history

Date	Check Number	Description	Deposits/ Additions	Withdrawals/ Subtractions	Ending daily balance
11/28		Purchase authorized on 11/28 Chef Paul Cafe Fresno CA S308333001715349 Card 1878		53.37	342.95
12/1		Purchase authorized on 11/29 Little Caesars 314 Fresno CA S586334738622397 Card 1878		11.89	331.06
12/2		Authnet Gateway Billing 94059787 Eric Payne		25.00	
12/2		Integrated Sofut Monthly SE 120216 Sdy1 Eric Payne for State C		160.00	146.06
12/19		Purchase authorized on 12/16 Enterprise Rent-A- Fresno CA S386293018869413 Card 1878		1,190.20	-1,044.14
12/22		Monthly Service Fee		10.00	-1,054.14
<b>Ending balance on 12/22</b>					<b>-1,054.14</b>
<b>Totals</b>			<b>\$0.00</b>	<b>\$1,450.46</b>	

The Ending Daily Balance does not reflect any pending withdrawals or holds on deposited funds that may have been outstanding on your account when your transactions posted. If you had insufficient available funds when a transaction posted, fees may have been assessed.

## Summary of Overdraft and Returned Item fee(s)

	Total this statement period	Total year-to-date †
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$35.00

† Year-to-date total reflects fees assessed or reversed since first full statement period of current calendar year.

## Monthly service fee summary

For a complete list of fees and detailed account information, please see the Wells Fargo Fee and Information Schedule and Account Agreement applicable to your account or talk to a banker. Go to [wellsfargo.com/feefaq](http://wellsfargo.com/feefaq) to find answers to common questions about the monthly service fee on your account.

Fee period 11/24/2016 - 12/22/2016	Standard monthly service fee \$10.00	You paid \$10.00
<b>How to avoid the monthly service fee</b>	Minimum required	This fee period
Have any <b>ONE</b> of the following account requirements		
• Minimum daily balance	\$1,500.00	-\$1,044.14 <input type="checkbox"/>
• Total amount of qualifying direct deposits	\$500.00	\$0.00 <input type="checkbox"/>
• Total number of posted Wells Fargo Debit Card purchases and/or payments	10	3 <input type="checkbox"/>
• The fee is waived when the account is linked to a Wells Fargo Campus ATM or Campus Debit Card		
<b>Monthly service fee discount(s) (applied when box is checked)</b>		
Age of primary account owner is 17 - 24 (\$5.00 discount)	<input type="checkbox"/>	
RC/RC		

## Important Account Information

### Helpful information about avoiding the monthly service fee on this checking account.

None of the options to avoid the monthly service fee for this account have changed. All of the options are listed under the "Monthly service fee summary" section of this statement.

Below are the details for the 10 or more posted debit card purchases/payments option to avoid the monthly service fee each fee period:

- Debit card purchases include: PIN, Signature, Online and Phone purchases that post during the fee period

Account number: [REDACTED] ■ November 24, 2016 - December 22, 2016 ■ Page 3 of 4



- Debit card payments include: one-time and recurring payments of bills made with your debit card that post during the fee period  
 - Not Included: any transactions made at an ATM (Wells Fargo or Non-Wells Fargo), and ACH (Automated Clearing House) transactions  
 - Fee period: debit card transactions must post during the fee period to count. The dates of your fee period are located in the "Monthly service fee summary" section of this statement. Transactions received after the applicable cut-off time or on a non-business day (Saturday, Sunday and federal holidays) are posted on the next business day.

If you have any questions about how to avoid the monthly service fee on your account, please contact your local banker or call the number listed on this statement.



## IMPORTANT ACCOUNT INFORMATION

Periodically, we may evaluate the timing of statements, monthly service fee assessment and interest payments to your accounts. We may adjust the timing in order to align your statement, monthly service fee assessment (if any) and interest payment dates with one another. You may receive a partial statement that reflects activity and interest payments from the last statement date to the date of the change. No monthly service fees will be assessed during a partial statement period and there will be no impact to your interest rate or compounding frequency.

In the section of the Consumer Account Agreement titled "Rights and responsibilities" the subsection "When do we verify your transactions?" is deleted and replaced with the following:

### Are transactions subject to verification by the Bank?

Yes. All transactions are subject to the Bank's verification. This includes cash, items, or other funds offered for deposit for which we have provided a receipt. We do not verify all transactions.

### Who is responsible to make sure the declared amount of funds offered for deposit is accurate?

It is your responsibility, and the Bank has no obligation, to make sure the declared amounts on your deposit receipt are correct. If we determine a discrepancy exists between the declared and the actual amount of the funds, we are permitted to adjust (debit or credit) your account, and we will notify you if any adjustments are made. We are also permitted to use the declared amount as the correct amount to be deposited and to not adjust a discrepancy if it is less than our standard adjustment amount. We are permitted to vary our standard adjustment amount from time to time without notice to you and to use different amounts depending on account type.

If you notify us of an error in the amount of a deposit shown on your account statement within one year of the date we mail or otherwise make the account statement available to you, we will review the deposit and make any adjustment we determine is appropriate.

If you fail to notify us during this time frame, the deposit amount on your statement will be considered correct. This means that if the actual amount is less than the amount on the statement, the difference will become your property. If the actual amount is more than the amount shown on the statement, the difference will become the Bank's property.





# Wells Fargo Everyday Checking

Account number: [REDACTED] ■ December 23, 2016 - January 25, 2017 ■ Page 1 of 4

ERIC PAYNE FOR SCCCD 2012- TRUSTEE  
 AREA 2  
 1444 FULTON ST  
 FRESNO CA 93721-1610

## Questions?

Available by phone 24 hours a day, 7 days a week:  
 Telecommunications Relay Services calls accepted

**1-800-TO-WELLS** (1-800-869-3557)

TTY: 1-800-877-4833

En español: 1-877-727-2932

華語 1-800-288-2288 (6 am to 7 pm PT, M-F)

Online: wells Fargo.com

Write: Wells Fargo Bank, N.A. (114)  
 P.O. Box 6995  
 Portland, OR 97228-6995

## You and Wells Fargo

Thank you for being a loyal Wells Fargo customer. We value your trust in our company and look forward to continuing to serve you with your financial needs.

## Account options

A check mark in the box indicates you have these convenient services with your account(s). Go to wells Fargo.com or call the number above if you have questions or if you would like to add new services.

Online Banking	<input checked="" type="checkbox"/>	Direct Deposit	<input type="checkbox"/>
Online Bill Pay	<input checked="" type="checkbox"/>	Auto Transfer/Payment	<input type="checkbox"/>
Online Statements	<input type="checkbox"/>	Overdraft Protection	<input type="checkbox"/>
Mobile Banking	<input checked="" type="checkbox"/>	Debit Card	<input type="checkbox"/>
My Spending Report	<input checked="" type="checkbox"/>	Overdraft Service	<input type="checkbox"/>

## Activity summary

Beginning balance on 12/23	-\$1,054.14
Deposits/Additions	1,124.14
Withdrawals/Subtractions	- 150.00
<b>Ending balance on 1/25</b>	<b>-\$80.00</b>

Account number: 6539569787

ERIC PAYNE FOR SCCCD 2012- TRUSTEE  
 AREA 2

California account terms and conditions apply

For Direct Deposit use

Routing Number (RTN): 121042882

## Overdraft Protection

This account is not currently covered by Overdraft Protection. If you would like more information regarding Overdraft Protection and eligibility requirements please call the number listed on your statement or visit your Wells Fargo store.

Account number: [REDACTED] ■ December 23, 2016 - January 25, 2017 ■ Page 2 of 4



## Transaction history

Date	Check Number	Description	Deposits/ Additions	Withdrawals/ Subtractions	Ending daily balance
1/5		NSF Return Item Fee for a Transaction Received on 01/04 \$25.00 Authnet Gateway Billing 94432920 Eric Payne		35.00	
1/5		NSF Return Item Fee for a Transaction Received on 01/04 \$150.00 Integrated Solut Monthly SE 010417 K412 Eric Payne for State C		35.00	-1,124.14
1/8		CR-Right of Setoff From Dep Acct Ending IN 4410	1,124.14		0.00
1/18		Authnet Gateway Billing 94481141 Eric Payne		45.00	-45.00
1/19		Overdraft Fee for a Transaction Posted on 01/18 \$45.00 Authnet Gateway Billing 94461141 Eric Payne		35.00	-80.00
<b>Ending balance on 1/25</b>					<b>-80.00</b>
<b>Totals</b>			<b>\$1,124.14</b>	<b>\$150.00</b>	

The Ending Daily Balance does not reflect any pending withdrawals or holds on deposited funds that may have been outstanding on your account when your transactions posted. If you had insufficient available funds when a transaction posted, fees may have been assessed.

## Items returned unpaid

Date	Description	Amount
1/5	Authnet Gateway Billing 94432920 Eric Payne Reference # 104000012963822	25.00
1/5	Integrated Solut Monthly SE 010417 K412 Eric Payne for State C Reference # 322281460060684	150.00

## Summary of Overdraft and Returned Item fee(s)

	Total this statement period	Total year-to-date †
Total Overdraft Fees	\$35.00	\$35.00
Total Returned Item Fees	\$70.00	\$105.00

† Year-to-date total reflects fees assessed or reversed since first full statement period of current calendar year.

## Monthly service fee summary

For a complete list of fees and detailed account information, please see the Wells Fargo Fee and Information Schedule and Account Agreement applicable to your account or talk to a banker. Go to [wellsfargo.com/feefaq](http://wellsfargo.com/feefaq) to find answers to common questions about the monthly service fee on your account.

Fee period 12/23/2016 - 01/25/2017 Standard monthly service fee \$10.00 You paid \$0.00

The bank has waived the fee for this fee period. For the next fee period, you need to meet the requirement(s) to avoid the monthly service fee.

How to avoid the monthly service fee	Minimum required	This fee period
Have any <b>ONE</b> of the following account requirements		
• Minimum daily balance	\$1,500.00	-\$1,124.14 <input type="checkbox"/>
• Total amount of qualifying direct deposits	\$500.00	\$0.00 <input type="checkbox"/>
• Total number of posted Wells Fargo Debit Card purchases and/or payments	10	0 <input type="checkbox"/>
• The fee is waived when the account is linked to a Wells Fargo Campus ATM or Campus Debit Card		

RCRRC



## IMPORTANT ACCOUNT INFORMATION

Amendment to our Funds Availability Policy

Account number: [REDACTED] ■ December 23, 2016 - January 25, 2017 ■ Page 3 of 4



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Good news! Effective April 5, 2017, we've updated our funds availability policy to remove the delay of funds by one additional business day for certain checks deposited at a Wells Fargo location in Alaska. This applies only if the check was drawn on or payable at or through a paying bank not located in Alaska. Other funds availability policies are still in effect. Please see our Consumer Account Agreement for additional funds availability policies and details.

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Periodically, we may evaluate the timing of statements, monthly service fee assessment and interest payments to your accounts. We may adjust the timing in order to align your statement, monthly service fee assessment (if any) and interest payment dates with one another. You may receive a partial statement that reflects activity and interest payments from the last statement date to the date of the change. No monthly service fees will be assessed during a partial statement period and there will be no impact to your interest rate or compounding frequency.





# Wells Fargo Everyday Checking

Account number: [REDACTED] ■ January 26, 2017 - February 23, 2017 ■ Page 1 of 4

ERIC PAYNE FOR SCCCD 2012- TRUSTEE  
 AREA 2  
 1444 FULTON ST  
 FRESNO CA 93721-1610

## Questions?

Available by phone 24 hours a day, 7 days a week:  
 Telecommunications Relay Services calls accepted

**1-800-TO-WELLS** (1-800-869-3557)

TTY: 1-800-877-4833

En español: 1-877-727-2932

華語 1-800-288-2288 (6 am to 7 pm PT, M-F)

Online: wells Fargo.com

Write: Wells Fargo Bank, N.A. (114)  
 P.O. Box 6995  
 Portland, OR 97228-6995

## You and Wells Fargo

Thank you for being a loyal Wells Fargo customer. We value your trust in our company and look forward to continuing to serve you with your financial needs.

## Account options

A check mark in the box indicates you have these convenient services with your account(s). Go to wells Fargo.com or call the number above if you have questions or if you would like to add new services.

Online Banking	<input checked="" type="checkbox"/>	Direct Deposit	<input type="checkbox"/>
Online Bill Pay	<input checked="" type="checkbox"/>	Auto Transfer/Payment	<input type="checkbox"/>
Online Statements	<input type="checkbox"/>	Overdraft Protection	<input type="checkbox"/>
Mobile Banking	<input checked="" type="checkbox"/>	Debit Card	<input type="checkbox"/>
My Spending Report	<input checked="" type="checkbox"/>	Overdraft Service	<input type="checkbox"/>

## Activity summary

Beginning balance on 1/26	-\$80.00
Deposits/Additions	150.00
Withdrawals/Subtractions	- 150.00
<b>Ending balance on 2/23</b>	<b>-\$80.00</b>

Account number: 6539569787

ERIC PAYNE FOR SCCCD 2012- TRUSTEE  
 AREA 2

California account terms and conditions apply

For Direct Deposit use

Routing Number (RTN): 121042882

## Overdraft Protection

This account is not currently covered by Overdraft Protection. If you would like more information regarding Overdraft Protection and eligibility requirements please call the number listed on your statement or visit your Wells Fargo store.

Account number: [REDACTED] ■ January 26, 2017 - February 23, 2017 ■ Page 2 of 4



## Transaction history

Date	Check Number	Description	Deposits/ Additions	Withdrawals/ Subtractions	Ending daily balance
2/3		NSF Return Item Fee for a Transaction Received on 02/02 \$25.00 Authnet Gateway Billing 94791232 Eric Payne		35.00	
2/3		NSF Return Item Fee for a Transaction Received on 02/02 \$300.00 Integrated Solut Monthly SE 020217 Ty32 Eric Payne for State C		35.00	-150.00
2/7		CR-Right of Setoff From Dep Acct Ending IN 4410	150.00		0.00
2/17		Authnet Gateway Billing 94831694 Eric Payne		45.00	-45.00
2/21		Overdraft Fee for a Transaction Posted on 02/17 \$45.00 Authnet Gateway Billing 94831694 Eric Payne		35.00	-80.00
<b>Ending balance on 2/23</b>					<b>-80.00</b>
<b>Totals</b>			<b>\$150.00</b>	<b>\$150.00</b>	

The Ending Daily Balance does not reflect any pending withdrawals or holds on deposited funds that may have been outstanding on your account when your transactions posted. If you had insufficient available funds when a transaction posted, fees may have been assessed.

## Items returned unpaid

Date	Description	Amount
2/3	Authnet Gateway Billing 94791232 Eric Payne Reference # 104000010865791	25.00
2/3	Integrated Solut Monthly SE 020217 Ty32 Eric Payne for State C Reference # 322281460063389	300.00

## Summary of Overdraft and Returned Item fee(s)

	Total this statement period	Total year-to-date †
Total Overdraft Fees	\$35.00	\$35.00
Total Returned Item Fees	\$70.00	\$70.00

† Year-to-date total reflects fees assessed or reversed since first full statement period of current calendar year.

## Monthly service fee summary

For a complete list of fees and detailed account information, please see the Wells Fargo Fee and Information Schedule and Account Agreement applicable to your account or talk to a banker. Go to [wellsfargo.com/feefaq](http://wellsfargo.com/feefaq) to find answers to common questions about the monthly service fee on your account.

Fee period 01/26/2017 - 02/23/2017

Standard monthly service fee \$10.00

You paid \$0.00

The bank has waived the fee for this fee period. For the next fee period, you need to meet the requirement(s) to avoid the monthly service fee.

### How to avoid the monthly service fee

Have any **ONE** of the following account requirements

	Minimum required	This fee period
• Minimum daily balance	\$1,500.00	-\$150.00 <input type="checkbox"/>
• Total amount of qualifying direct deposits	\$500.00	\$0.00 <input type="checkbox"/>
• Total number of posted Wells Fargo Debit Card purchases and/or payments	10	0 <input type="checkbox"/>
• The fee is waived when the account is linked to a Wells Fargo Campus ATM or Campus Debit Card		

RC/RC

Account number: [REDACTED] ■ January 26, 2017 - February 23, 2017 ■ Page 3 of 4



## IMPORTANT ACCOUNT INFORMATION

Effective 4/15/2017 if the primary checking account for your debit card is closed or delinked for any reason, we will designate another eligible linked checking account as the primary account. If there are no other eligible linked checking accounts, your debit card will be closed. If you have one or more savings accounts linked to this debit card, you may request an ATM card for continued access.

### Amendment to our Funds Availability Policy

Good news! Effective April 5, 2017, we've updated our funds availability policy to remove the delay of funds by one additional business day for certain checks deposited at a Wells Fargo location in Alaska. This applies only if the check was drawn on or payable at or through a paying bank not located in Alaska. Other funds availability policies are still in effect. Please see our Consumer Account Agreement for additional funds availability policies and details.



# Wells Fargo Everyday Checking

Account number: [REDACTED] ■ February 24, 2017 - March 22, 2017 ■ Page 1 of 3



ERIC PAYNE FOR SCCCD 2012- TRUSTEE  
 AREA 2  
 1444 FULTON ST  
 FRESNO CA 93721-1610

## Questions?

Available by phone 24 hours a day, 7 days a week:  
 Telecommunications Relay Services calls accepted

**1-800-TO-WELLS** (1-800-869-3557)

TTY: 1-800-877-4833

En español: 1-877-727-2932

華語 1-800-288-2288 (6 am to 7 pm PT, M-F)

Online: wells Fargo.com

Write: Wells Fargo Bank, N.A. (114)  
 P.O. Box 6995  
 Portland, OR 97228-6995

## You and Wells Fargo

Thank you for being a loyal Wells Fargo customer. We value your trust in our company and look forward to continuing to serve you with your financial needs.

## Account options

A check mark in the box indicates you have these convenient services with your account(s). Go to wells Fargo.com or call the number above if you have questions or if you would like to add new services.

Online Banking	<input checked="" type="checkbox"/>	Direct Deposit	<input type="checkbox"/>
Online Bill Pay	<input checked="" type="checkbox"/>	Auto Transfer/Payment	<input type="checkbox"/>
Online Statements	<input type="checkbox"/>	Overdraft Protection	<input type="checkbox"/>
Mobile Banking	<input checked="" type="checkbox"/>	Debit Card	<input type="checkbox"/>
My Spending Report	<input checked="" type="checkbox"/>	Overdraft Service	<input type="checkbox"/>

## Activity summary

Beginning balance on 2/24	- \$80.00
Deposits/Additions	140.00
Withdrawals/Subtractions	- 60.00
<b>Closing balance on 3/10</b>	<b>\$0.00</b>

Account number: 6539569787

ERIC PAYNE FOR SCCCD 2012- TRUSTEE  
 AREA 2

California account terms and conditions apply

For Direct Deposit use

Routing Number (RTN): 121042882

## Overdraft Protection

This account is not currently covered by Overdraft Protection. If you would like more information regarding Overdraft Protection and eligibility requirements please call the number listed on your statement or visit your Wells Fargo store.

Account number: [REDACTED] ■ February 24, 2017 - March 22, 2017 ■ Page 2 of 3



## Transaction history

Date	Check Number	Description	Deposits/ Additions	Withdrawals/ Subtractions	Ending daily balance
3/2		Authnet Gateway Billing 95159610 Eric Payne		25.00	-105.00
3/3		Overdraft Fee for a Transaction Posted on 03/02 \$25.00 Authnet Gateway Billing 95159610 Eric Payne		35.00	-140.00
3/8		CR-Right of Setoff From Dep Acct Ending IN 4410	140.00		0.00
<b>Ending balance on 3/22</b>					<b>0.00</b>
<b>Totals</b>			<b>\$140.00</b>	<b>\$60.00</b>	

The Ending Daily Balance does not reflect any pending withdrawals or holds on deposited funds that may have been outstanding on your account when your transactions posted. If you had insufficient available funds when a transaction posted, fees may have been assessed.

### Summary of Overdraft and Returned Item fee(s)

	Total this statement period	Total year-to-date †
Total Overdraft Fees	\$35.00	\$70.00
Total Returned Item Fees	\$0.00	\$70.00

† Year-to-date total reflects fees assessed or reversed since first full statement period of current calendar year.



## IMPORTANT ACCOUNT INFORMATION

Effective February 21, 2017, we reduced the daily limit of overdraft and/or returned item (non-sufficient funds/NSF) fees assessed from four (4) to three (3) per business day. To learn more about tools that Wells Fargo offers to help you avoid overdraft and/or returned item fees, visit [wellsfargo.com/checking/overdraft-services](http://wellsfargo.com/checking/overdraft-services), speak with a local banker, or call the phone number on the top of your statement.



**Exhibit A-24**

DEPOSIT TICKET  
TO BE USED FOR DEPOSIT TRANSACTIONS ONLY

DATE 08/05/14  
DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL

SIGN HERE ONLY IF CASH RECEIVED FROM DEPOSIT

**WELLS FARGO**  
Wells Fargo Bank, N.A.  
California  
wellsfargo.com

DO NOT USE DEPOSIT TICKET OPTION # 120  
AUTOMATIC PAYMENTS. USE VOIDER CHECK

CASH  
INCLUDING COINS

check

3000.00

List  
Checks \_\_\_\_\_  
Singly \_\_\_\_\_

TOTAL (ITEMS) \_\_\_\_\_  
OR TOTAL FROM REVERSE \_\_\_\_\_  
 SUB TOTAL

LESS CASH RECEIVED

\$ 3000.00

Member Checks CHECKS AND OTHER ITEMS ARE RECEIVED FOR DEPOSIT SUBJECT TO THE PROVISIONS OF THE UNIFORM COMMERCIAL CODE AND ANY APPLICABLE COLLECTION AGREEMENT.

This Total  
Must Be  
Entered On  
Other Side

CURRENCY COUNT - FOR FINANCIAL INSTITUTION'S USE ONLY

X	1's	
X	2's	
X	5's	
X	10's	
X	20's	
X	50's	
X	100's	
Total	\$	

CHECKS  
LIST SEPARATELY

ADDITIONAL CHECK LISTING SPACE

DOLLARS CENTS

REQUEST [REDACTED] 3000.00  
ROLL ECIA [REDACTED] +  
JOB ECIA P ACCT [REDACTED]  
REQUESTOR [REDACTED]  
[REDACTED] 09/22/2017 Research [REDACTED]

Summons and Subpoenas Department  
S4001-01F  
Phoenix AZ 85038

PRINTED ON LINEMARK PAPER - HOLD TO LIGHT TO VIEW. FOR ADDITIONAL SECURITY FEATURES SEE BACK.

# CASHIER'S CHECK

516

Office AU #

Remitter: SYLVESTA HALL  
Operator I.D.:

August 02, 2016

PAY TO THE ORDER OF \*\*\*ERIC PAYNE \*\*\*  
\*\*\*FOR: SCCCD TRUSTEE AREA 2 \*\*\*

\*\*\*Three thousand dollars and no cents\*\*\*

**\*\*\$3,000.00\*\***

Payee Address:  
Memo:

WELLS FARGO BANK, N.A.  
1206 VANNESS AVE  
FRESNO, CA 93721  
FOR INQUIRIES CALL (480) 394-3122

VOID IF OVER US \$ 3,000.00

*Richard Levy*  
CONTROLLER

Details on Back  
Security Features Included

[REDACTED]

182  
[REDACTED]

[REDACTED]

REQUEST [REDACTED] 3000.00  
ROLL ECIA [REDACTED] +  
JOB ECIA P ACCT [REDACTED]  
REQUESTOR [REDACTED]  
[REDACTED] 09/22/2017 Research [REDACTED]

Summons and Subpoenas Department  
S4001-01F  
Phoenix AZ 85038

Wells Fargo Bank eDeposit Credit Copy

Transaction Date and Time: 09/16/2016 02:32 PM PDT  
Customer Name(s) ERIC PAYNE FOR SCCCD 2012- TRUSTEE  
AREA 2

Account Address 1444 FULTON ST  
FRESNO, CA 937211610

Cash In: \$ 0.00  
Less Cash: \$ 0.00  
Total Checks Amount: \$ 1,120.00

Credit Serial Number [REDACTED]

Deposit Total \$1,120.00

Credited account number [REDACTED]

Customer or Teller initiated T

Customer confirmed on Pin Pad Y

CB, AU, Sequence Num [REDACTED]

Wells Fargo Bank, N.A.  
Electronically Generated Image

[REDACTED]

Electronically generated image

REQUEST [REDACTED] 1120.00  
ROLL ECIA [REDACTED] +  
JOB ECIA P ACCT [REDACTED]  
REQUESTOR [REDACTED]  
[REDACTED] 09/22/2017 Research [REDACTED]

Summons and Subpoenas Department  
S4001-01F  
Phoenix AZ 85038

KARLA D KIRK  
FRESNO, CA

2061  
90-7251/3211

Sept 14, 2016

Pay to the Order of ERIC PAYNE SCCC DISTRICT AREA 2

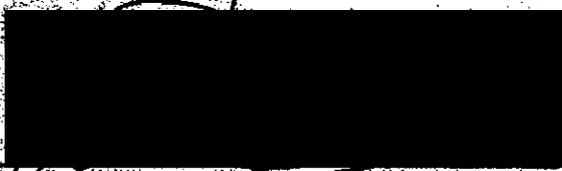
One hundred

\$ 100

Dollars



FRESNO COUNTY  
FEDERAL CREDIT UNION  
www.fresnocfu.org

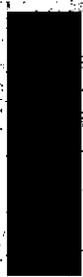
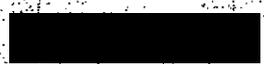


For



Pay to the Order of

Security features located in the front of the check include:  
• The security thread visible when held up to the light.  
• Microprint in the border of the check.  
• The words "FEDERAL CREDIT UNION" printed across the front.  
• The words "FEDERAL CREDIT UNION" printed across the back.  
• The words "FEDERAL CREDIT UNION" printed across the back.  
• Any of the features listed above are missing or altered.  
• The words "FEDERAL CREDIT UNION" printed across the back.  
• The words "FEDERAL CREDIT UNION" printed across the back.  
• The words "FEDERAL CREDIT UNION" printed across the back.  
• The words "FEDERAL CREDIT UNION" printed across the back.



REQUEST [REDACTED] 100.00  
ROLL ECIA [REDACTED] +  
JOB ECIA P ACCT [REDACTED]  
REQUESTOR [REDACTED]  
[REDACTED] 09/22/2017 Research [REDACTED]

Summons and Subpoenas Department  
S4001-01F  
Phoenix AZ 85038

KORNIA LANSANA

FRESNO CA

1701

11-35/12 10 CA  
71763

9/14/2015  
Date

Pay To The  
Order Of

Eric Payne  
Fifty 00/100

\$ 50.00

Dollars



Photo  
Safe  
Deposit  
Date on back

Bank of America

Valued Customer  
OVER 5 YEARS

ACH R/T 121000358

For

SCCCO Trustee

Marked Clute

1701

CHECK HERE IF MOBILE DEPOSIT

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE

BE SEVERED FROM FINANCIAL INSTITUTION USE

X

ENDORSE HERE

Security Features exceed industry standards and include:

- Machine readable and check number on back (Machine readable)
- The Security Inlay pattern on back designed to deter fraud
- Microprint (MP) lines printed on front and back
- The words "ORIGINAL EQUIPMENT" across the back
- Photo Safe Deposit icon visible on front and back

Do not cash if:

- Any of the features listed above is missing or appears altered
- Fugitive ink on back (MP) is pink or has disappeared
- Brown stains and colored spots appear on both front and back

REQUEST [REDACTED] 50.00

ROLL ECIA [REDACTED]

JOB ECIA P ACCT [REDACTED]

REQUESTOR [REDACTED]

[REDACTED] 09/22/2017 Research [REDACTED]

Summons and Subpoenas Department

S4001-01F

Phoenix AZ 85038

SUSAN ANDERSON

FRESNO, CA  
PH. [REDACTED]

2276

80-7257/3211

9-14-16

Date

Pay to the  
Order of

Eric Rayne for SACCD #2 \$ 50.00

Fifty and 00/100

Dollars



Security  
Features  
Details on  
Back



1004 NORTH VAN NESS  
FRESNO, CA 93726  
(559) 233-1788



For



TO THE ORDER OF THE CREDIT UNION...  
The credit union is not responsible for the accuracy of the information provided on this check.  
If you have any questions, please contact your credit union.

REQUEST [REDACTED] 50.00  
ROLL ECIA [REDACTED] +  
JOB ECIA P ACCT [REDACTED]  
REQUESTOR [REDACTED]  
[REDACTED] 09/22/2017 Research [REDACTED]

Summons and Subpoenas Department  
S4001-01F  
Phoenix AZ 85038



RONALD G FARWELL  
VALETTE FARWELL

1079

11-3647/3210  
70

PH. [REDACTED]  
[REDACTED]  
CLOVIS, CA [REDACTED]

9/14/16

DATE

PAY TO THE ORDER OF Eric Payne for SCCC Trustee Area \$ 50.00

Fifty

DOLLARS

Patelco  
CREDIT UNION

Head Office - Branch #70  
24703 Avenida St  
Hayward, CA 94544  
800-358-8228

FOR Eric Payne AS-elect

[REDACTED]

Harland Clarke

REQUEST [REDACTED] 50.00  
ROLL E CIA [REDACTED] +  
JOB E CIA P ACCI [REDACTED]  
REQUESTOR [REDACTED]  
[REDACTED] 09/22/2017 Research [REDACTED]

Summons and Subpoenas Department  
S4001-01F  
Phoenix AZ 85038

CYNTHIA ANN STERLING

FRESNO, CA

1292

90-4149/1211

9

9-14-2016  
Date

Pay to the  
Order of

*Mia Payne for Trustee*

\$ 20.00

Dollars



Photo  
Safe  
Deposit  
Details on back



United Security Bank

855 M Street, Suite 130 (888) 683-0000  
Fresno, CA 93721

For *FPPC 1352 021*

PLEASE USE IF MOBILE DEPOSIT

REQUEST [REDACTED] 20.00

ROLL ECIA [REDACTED]

JOB ECIA P ACCT [REDACTED]

REQUESTOR [REDACTED]

[REDACTED] 09/22/2017 Research [REDACTED]

Summons and Subpoenas Department

S4001-01F

Phoenix AZ 85038

COAST TO COAST PETROLEUM LLC

2739

CLOVIS, CA

90-3504/1211

PAY to the order of

Eric Payne for CCCA Trustee Area 2 09-14-16

We Hundred Dollars 500.00 Dollars

tri counties bank

1-800-922-8742

FOR

REQUEST [REDACTED] 500.00  
ROLL ECIA [REDACTED]  
JOB ECIA P ACCT [REDACTED]  
REQUESTOR [REDACTED]  
[REDACTED] 09/22/2017 Research [REDACTED]

Summons and Subpoenas Department  
S4001-01F  
Phoenix AZ 85038

1555



TOURE ASSOCIATES  
1444 FULTON ST STE 121  
FRESNO, CA 93721

Sept. 8, 2016  
date

90-7162/3222

Pay to the order of Eric Payne  
Three hundred

\$ 300.00

00/100 dollars

CHASE for BUSINESS

JPMorgan Chase Bank, N.A.  
www.Chase.com

Political Contribution (#1352021)



The security features listed below, as well as those not listed, are listed in industry guidelines.  
Security Features:  
MicroPrintLine  
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\* FEDERAL RESERVE BOARD OF GOVERNORS REG. CC

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ENDORSE HERE



REQUEST [redacted] 300.00  
ROLL ECIA [redacted] +  
JOB ECIA P ACCT [redacted]  
REQUESTOR [redacted]  
[redacted] 09/22/2017 Research [redacted]

Summons and Subpoenas Department  
S4001-01F  
Phoenix AZ 85038

Wells Fargo Bank eDeposit Credit Copy

Transaction Date and Time: 09/16/2016 02:34 PM PDT  
Customer Name(s) ERIC PAYNE FOR SCCCD 2012- TRUSTEE  
AREA 2

Account Address 1444 FULTON ST  
FRESNO, CA 937211610

Cash In: \$ 0.00  
Less Cash: \$ 0.00  
Total Checks Amount: \$ 50.00

Credit Serial Number [REDACTED]

Deposit Total \$50.00

Credited account number [REDACTED]

Customer or Teller initiated T

Customer confirmed on Pin Pad Y

CB, AU, Sequence Num [REDACTED]

Wells Fargo Bank, N.A.  
Electronically Generated Image

[REDACTED]

Electronically generated image

REQUEST [REDACTED] 50.00  
ROLL ECIA [REDACTED] +  
JOB ECIA P ACCT [REDACTED]  
REQUESTOR [REDACTED]  
[REDACTED] 09/22/2017 Research [REDACTED]

Summons and Subpoenas Department  
S4001-01F  
Phoenix AZ 85038



Wells Fargo Bank eDeposit Credit Copy

Transaction Date and Time: 09/27/2016 12:35 PM PDT  
Customer Name(s) ERIC PAYNE FOR SCCCDC 2012- TRUSTEE  
AREA 2

Account Address 1444 FULTON ST  
FRESNO, CA 937211610

Cash In: \$ 0.00  
Less Cash: \$ 0.00  
Total Checks Amount: \$ 1,950.00

Credit Serial Number [REDACTED]

Deposit Total \$1,950.00

Credited account number [REDACTED]

Customer or Teller initiated T

Customer confirmed on Pin Pad Y

CB, AU, Sequence Num [REDACTED]

Wells Fargo Bank, N.A.  
Electronically Generated Image

[REDACTED]

Electronically generated image

REQUEST [REDACTED] 1950.00  
ROLL ECIA [REDACTED] +  
JOB ECIA P ACCT [REDACTED]  
REQUESTOR [REDACTED]  
[REDACTED] 09/22/2017 Research [REDACTED]

Summons and Subpoenas Department  
S4001-01F  
Phoenix AZ 85038

SHEENA HARRIS  
VINCENT HARRIS

1012

Clovis, CA

September 20, 2016

Date

Pay to the  
Order of

ENG Payne for SCOD Trustee (Am) \$ 150.00  
One hundred fifty 00/100

Dollars

Photo  
Safe  
Deposit

WELLS  
FARGO

Wells Fargo Bank, N.A.  
California  
wellsfargo.com

For

1012

CHECK HERE IF MOBILE DEPOSIT

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\* IS NOT VALID FOR FINANCIAL INSTITUTION USE \*

X  
END

- Security Features are used industry standards and include:
- Magnetic strip and serial number on back (Serial No. 9 249 000)
  - The Security Meeze™ pattern on back designed to deter fraud
  - Microprint (MP) lines printed on front and back
  - The words "ORIGINAL DOCUMENT" across the back
  - Photo Safe Deposit™ icon visible on front and back

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- Any of the features listed above are missing or appear altered
- Lighted ink or embossed ink or has disappeared
- 2 different colored ink spots appear on both front and back

REQUEST [REDACTED] 150.00  
 ROLL ECIA [REDACTED]  
 JOB ECIA P ACCT [REDACTED]  
 REQUESTOR [REDACTED]  
 [REDACTED] 09/22/2017 Research [REDACTED]

Summons and Subpoenas Department  
 S4001-01F  
 Phoenix AZ 85038

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CALIFORNIA LABORERS FOR EQUALITY AND PROGRESS  
SMALL CONTRIBUTOR COMMITTEE, ID #781984  
555 CAPITOL MALL, SUITE 1425  
SACRAMENTO, CA 95814

WELLS FARGO  
Wells Fargo Bank, N.A.  
114288/1210

001325

NO.

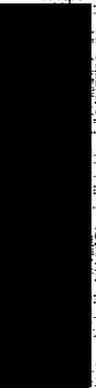
Five Hundred Dollars and Zero Cents

PAY TO THE ORDER OF

Eric Payne for SCCC 2012 Area 2

1444 Fulton Street  
Fresno, CA 93721

DATE	AMOUNT
9/16/2016	\$500.00



ENDORSEMENT AREA: Know Your Endorser. Require Identification.

X



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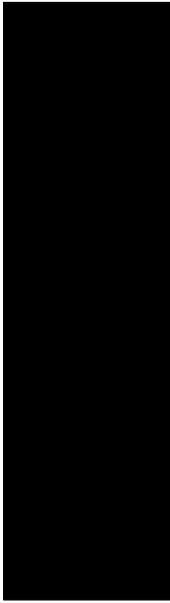
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- INVISIBLE ULTRAVIOLET FLUORESCENT FIBERS FACE AND BACK.
- ULTRAVIOLET DULL PAPER.
- ARTIFICIAL "SECURE DOCUMENT" WATERMARK VISIBLE ON BACK WHEN HELD AT AN ANGLE.
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Phoenix AZ 85038

SHEET METAL WORKERS' INTERNATIONAL ASSOCIATION  
LOCAL NO. 104  
POLITICAL ACTION COMMITTEE, ID NO. 850381  
2610 CROW CANYON RD., STE. 300 (925) 314-8600  
SAN RAMON, CALIFORNIA 94583-1547

COMERICA  
COMERICA BANK - CALIFORNIA  
LABOR MANAGEMENT DIVISION

7852

M: 2016-4575

ALL PURPOSE ACCOUNT

DATE

AMOUNT

9/20/2016

\$1,300.00

PAY  
TO THE  
ORDER  
OF

One Thousand Three Hundred Dollars and Zero Cents

Eric Payne for SCCCD 2016 - Trustee Area 2  
2457 South Lily Avenue  
Fresno, CA 93706



Contribution - 11/8/16 election

THIS PAYMENT MADE POSSIBLE BY UNION LABOR

Security features on this document include Micro Print  
under Vendors Brand Watermark, Full Line and Security Screen.



REQUEST [REDACTED] 1300.00  
ROLL ECIA [REDACTED] +  
JOB ECIA P ACCT [REDACTED]  
REQUESTOR [REDACTED]  
[REDACTED] 09/22/2017 Research [REDACTED]

Summons and Subpoenas Department  
S4001-01F  
Phoenix AZ 85038

Wells Fargo Bank eDeposit Credit Copy

Transaction Date and Time: 10/15/2016 03:27 PM PDT  
Customer Name(s): ERIC PAYNE FOR SCCCD 2012- TRUSTEE  
AREA 2

Account Address 1444 FULTON ST  
FRESNO, CA 937211610

Cash In: \$ 0.00  
Less Cash: \$ 100.00  
Total Checks Amount: \$ 2,000.00

Credit Serial Number [REDACTED]

Deposit Total \$1,900.00

Credited account number [REDACTED]

Customer or Teller initiated T

Customer confirmed on Pin Pad Y

CB, AU, Sequence Num [REDACTED]

Wells Fargo Bank, N.A.  
Electronically Generated Image

[REDACTED]

Electronically generated image

REQUEST [REDACTED] 1900.00  
ROLL ECIA [REDACTED] 3+  
JOB ECIA P ACCT [REDACTED]  
REQUESTOR [REDACTED]  
[REDACTED] 09/22/2017 Research [REDACTED]

Summons and Subpoenas Department  
S4001-01F  
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# Research Notice

**Research Code:**

**CASH OUT**

**ELECTRONIC TRANSACTION - PAPER COPY NOT AVAILABLE.**

REQUEST [REDACTED] 100.00  
ROLLE CIA [REDACTED] +  
JOB ECIA P ACCT [REDACTED]  
REQUESTOR [REDACTED]  
[REDACTED] 09/22/2017 Research [REDACTED]

Summons and Subpoenas Department  
S4001-01F  
Phoenix AZ 85038

COAST TO COAST PETROLEUM LLC.  
2615 S ELM AVE  
FRESNO, CA 93706

1151

DATE: 10-14-16

PAY TO THE ORDER OF

Eric Payne 2012 seced Area 2 \$ 2,000<sup>00</sup>/<sub>100</sub>

Two Thousand Dollars <sup>00</sup>/<sub>100</sub>

DOLLARS

WELLS FARGO Wells Fargo Bank, N.A. California wells Fargo.com

FOR

Contribution

REQUEST [REDACTED] 2000.00  
ROLL ECIA [REDACTED] +  
JOB ECIA P ACCT [REDACTED]  
REQUESTOR [REDACTED]  
[REDACTED] 09/22/2017 Research [REDACTED]

Summons and Subpoenas Department  
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Phoenix AZ 85038

Wells Fargo Bank eDeposit Credit Copy

Transaction Date and Time: 10/17/2016 05:22 PM PDT  
Customer Name(s) ERIC PAYNE FOR SCCCD 2012- TRUSTEE  
AREA 2

Account Address 1444 FULTON ST  
FRESNO, CA 937211610  
Cash In: \$ 0.00  
Less Cash: \$ 0.00  
Total Checks Amount: \$ 1,000.00  
Credit Serial Number [REDACTED]  
Deposit Total [REDACTED]  
Credited account number [REDACTED]  
Customer or Teller initiated C  
Customer confirmed on Pin Pad Y  
CB, AU, Sequence Num [REDACTED]

\$1,000.00

Wells Fargo Bank, N.A.  
Electronically Generated Image

[REDACTED]

Electronically generated image

REQUEST [REDACTED] 1000.00  
ROLL ECIA [REDACTED]  
JOB ECIA P ACCT [REDACTED]  
REQUESTOR [REDACTED]  
[REDACTED] 09/22/2017 Research [REDACTED]

Summons and Subpoenas Department  
S4001-01F  
Phoenix AZ 85038



**IUPAT**

7234 Parkway Drive  
Hanover, MD 21076

**POLITICAL ACTION TOGETHER  
POLITICAL COMMITTEE**  
A Multicandidate Qualified Committee

**PNC BANK**  
Washington, D.C.

15-3  
540

**PC 012578**

\*\*\*One Thousand & 00/100 Dollars

DATE

10/06/2016

AMOUNT

\*\*\*\$1,000.00

Memo: 2016 General - CA

Re-Elect Eric Payne for SCCD - Trustee Area 2

PAY TO THE ORDER OF 1444 Fulton Street  
Fresno, CA 93721



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REQUEST [REDACTED] 1000.00  
ROLLE CIA [REDACTED]  
JOB ECIA P ACCT C [REDACTED]  
REQUESTOR [REDACTED]  
[REDACTED] 09/22/2017 Research [REDACTED]

Summons and Subpoenas Department  
S4001-01F  
Phoenix AZ 85038

Wells Fargo Bank eDeposit Credit Copy

Transaction Date and Time: 10/21/2016 05:15 PM PDT  
Customer Name(s) ERIC PAYNE FOR SCCCD 2012- TRUSTEE  
AREA 2

Account Address 1444 FULTON ST  
FRESNO, CA 937211610

Cash In: \$ 0.00  
Less Cash: \$ 0.00  
Total Checks Amount: \$ 150.00

Credit Serial Number [REDACTED]  
Deposit Total

\$150.00

Credited account number [REDACTED]  
Customer or Teller initiated C  
Customer confirmed on Pin Pad Y  
CB, AU, Sequence Num [REDACTED]

Wells Fargo Bank, N.A.  
Electronically Generated Image

[REDACTED]

Electronically generated image

REQUEST [REDACTED] 150.00  
ROLLECIA [REDACTED]  
JOB ECIA P ACCT [REDACTED]  
REQUESTOR [REDACTED]  
[REDACTED] 09/22/2017 Research [REDACTED]

Summons and Subpoenas Department  
S4001-01F  
Phoenix AZ 85038



MIGUEL ANGEL ARIAS

1690

10/21/14 Date

Pay to the Order of

ERIC PAYNE FOR \$150<sup>00</sup>

one hundred & fifty

Dollars



WELLS FARGO

Wells Fargo Bank, N.A.  
California  
wellsfargo.com

For

Cash

REQUEST [REDACTED] 150.00  
ROLL ECIA [REDACTED] 8+  
JOB ECIA P ACCT [REDACTED]  
REQUESTOR [REDACTED]  
[REDACTED] 09/22/2017 Research [REDACTED]

Summons and Subpoenas Department  
S4001-01F  
Phoenix AZ 85038

Wells Fargo Bank eDeposit Credit Copy

Transaction Date and Time: 10/27/2016 03:38 PM PDT  
Customer Name(s): ERIC PAYNE FOR SCCCD 2012- TRUSTEE  
AREA 2

Account Address 1444 FULTON ST  
FRESNO, CA 937211610

Cash In: \$ 0.00  
Less Cash: \$ 0.00  
Total Checks Amount: \$ 285.00

Credit Serial Number [REDACTED]

Deposit Total \$285.00

Credited account number [REDACTED]

Customer or Teller initiated C

Customer confirmed on Pin Pad Y

CB, AU, Sequence Num [REDACTED]

Wells Fargo Bank, N.A.  
Electronically Generated Image

[REDACTED]

Electronically generated image

REQUEST [REDACTED] 285.00  
ROLL ECIA [REDACTED] +  
JOB ECIA P ACCT [REDACTED]  
REQUESTOR [REDACTED]  
[REDACTED] 09/22/2017 Research [REDACTED]

Summons and Subpoenas Department  
S4001-01F  
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ORIGINAL CHECK HAS MULTIPLE SECURITY FEATURES. PRINTED ON CHEMICAL REACTIVE TONER FUSE PAPER-SEE BACK FOR DETAILS



Fresno County Federal Credit Union  
PO BOX 8027, FRESNO, CA 93747-8027

Fresno County Federal Credit Union

DATE  
10-21-16

CHECK NO: 200020172  
**OFFICIAL CHECK**

Member owned. Member focused.

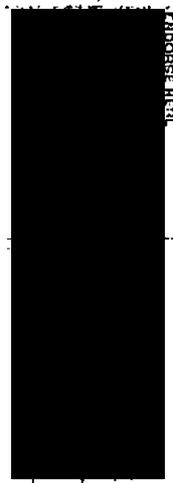
PAY THE THIRTY-FIVE AND .00 DOLLARS  
SUM OF

PAY TO THE ORDER OF ERIC PAYNE

AMOUNT  
\*\*\*\*\*35.00

VOID AFTER SIX MONTHS

REF PATRICIA BROWN



  
The currency focuses on the document and/or:  
• Machine Check Image  
• All the information there  
• One of the other two copies sent with  
• Copy date for the other two copies  
• All the information there  
• The text is a clear copy of the Original Document  
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REQUEST [REDACTED] 35.00  
ROLL ECIA [REDACTED] +  
JOB ECIA P ACCT [REDACTED]  
REQUESTOR [REDACTED]  
[REDACTED] 09/22/2017 Research [REDACTED]

Summons and Subpoenas Department  
S4001-01F  
Phoenix AZ 85038

Wells Fargo Bank eDeposit Credit Copy

Transaction Date and Time: 10/28/2016 04:59 PM PDT  
Customer Name(s) ERIC PAYNE FOR SCCCD 2012- TRUSTEE  
AREA 2

Account Address 1444 FULTON ST  
FRESNO, CA 937211610

Cash In: \$ 0.00  
Less Cash: \$ 0.00  
Total Checks Amount: \$ 2,250.00

Credit Serial Number [REDACTED]

Deposit Total \$2,250.00

Credited account number [REDACTED]

Customer or Teller initiated C

Customer confirmed on Pin Pad Y

CB, AU, Sequence Num [REDACTED]

Wells Fargo Bank, N.A.  
Electronically Generated Image

[REDACTED]

Electronically generated image

REQUEST [REDACTED] 2250.00  
ROLL ECIA [REDACTED] +  
JOB ECIA P ACCT [REDACTED]  
REQUESTOR [REDACTED]  
[REDACTED] 09/22/2017 Research [REDACTED]

Summons and Subpoenas Department  
S4001-01F  
Phoenix AZ 85038

COAST TO COAST PETROLEUM LLC  
2148 BEDFORD AVE  
CLOVIS, CA 93611

2743

Date 10-28-16

PAY to the order of

Eric Payne - Trustee SCCC

\$ 2,000<sup>00</sup>/<sub>100</sub>

Two Thousand Dollars<sup>00</sup>/<sub>100</sub> Dollars

tri counties bank

1-800-922-8742

FOR Campaign Donations

1. Read the instructions carefully and completely.  
2. Fill in the information requested.  
3. The Security Code is a 4-digit number.  
4. The Security Code is a 4-digit number.  
5. The Security Code is a 4-digit number.  
6. The Security Code is a 4-digit number.  
7. The Security Code is a 4-digit number.  
8. The Security Code is a 4-digit number.  
9. The Security Code is a 4-digit number.  
10. The Security Code is a 4-digit number.

DO NOT WRITE, STAMP OR SIGN ON THIS CHECK.  
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ENCLOSURE

REQUEST [redacted] 2000.00  
ROLL ECIA [redacted] +  
JOB ECIA P ACCT [redacted]  
REQUESTOR [redacted]  
[redacted] 09/22/2017 Research [redacted]

Summons and Subpoenas Department  
S4001-01F  
Phoenix AZ 85038

EARL BROWN  
PLEAS BROWN

1057

FRESNO, CA

DATE

10/28/16

PAY TO THE  
ORDER OF

ERIC BAYNE for Trustee

\$ 250.00

CHASE

JPMorgan Chase Bank, N.A.  
Washington Mutual Branch  
Fresno-Washington Financial Center  
3651 N. Blackstone Avenue, Fresno, CA 93726

DOLLARS



Security Features  
Include  
Circle 11

MEMO

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**Security Features:**

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- Chemically Sensitive Paper
- Security Screen

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- Stains or spots may appear with chemical alteration
- Absence of "Original Document" verbiage on back of check

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ENDORSE HERE

REQUEST [REDACTED] 250.00  
ROLL ECIA [REDACTED]  
JOB ECIA P ACCT [REDACTED]  
REQUESTOR [REDACTED]  
[REDACTED] 09/22/2017 Research [REDACTED]

Summons and Subpoenas Department  
S4001-01F  
Phoenix AZ 85038

Wells Fargo Bank eDeposit Credit Copy

Transaction Date and Time: 10/28/2016 11:13 AM PDT  
Customer Name(s): ERIC PAYNE FOR SCCCD 2012- TRUSTEE  
AREA 2

Account Address 1444 FULTON ST  
FRESNO, CA 937211610

Cash In: \$ 0.00  
Less Cash: \$ 0.00  
Total Checks Amount: \$ 500.00

Credit Serial Number [REDACTED]

Deposit Total \$500.00

Credited account number [REDACTED]

Customer or Teller initiated C

Customer confirmed on Pin Pad Y

CB, AU, Sequence Num [REDACTED]

Wells Fargo Bank, N.A.  
Electronically Generated Image

[REDACTED]

Electronically generated image

REQUEST [REDACTED] 500.00  
ROLL ECIA [REDACTED] +  
JOB ECIA P ACCT [REDACTED]  
REQUESTOR [REDACTED]  
[REDACTED] 09/22/2017 Research [REDACTED]

Summons and Subpoenas Department  
S4001-01F  
Phoenix AZ 85038

CHRISTOPHER TOWNSEND  
TOWNSEND FAMILY TRUST

4655

LAGUNA HILLS, CA

10-27-16

90133

Pay To The  
Order Of

Eric Pope for SCCCD 2016-2017 \$ 500<sup>00</sup>

Five hundred + no/100

Dollars



Bank of America

Valued Customer  
OVER 30 YEARS

ACH R/T 121000358

For

ID # 1352921

Security Features...  
Look for...  
Microprint...  
Watermark...  
Security thread...  
Hologram...  
Color-shifting ink...  
Embossed...  
Security features...  
Look for...  
Microprint...  
Watermark...  
Security thread...  
Hologram...  
Color-shifting ink...  
Embossed...



REQUEST [REDACTED] 500.00  
ROLL ECIA [REDACTED] +  
JOB ECIA P ACCT [REDACTED]  
REQUESTOR [REDACTED]  
[REDACTED] 09/22/2017 Research [REDACTED]

Summons and Subpoenas Department  
S4001-01F  
Phoenix AZ 85038

Wells Fargo Bank eDeposit Credit Copy

Transaction Date and Time: 11/09/2016 04:42 PM PST  
Customer Name(s) ERIC PAYNE FOR SCCCD 2012- TRUSTEE  
AREA 2

Account Address 1444 FULTON ST  
FRESNO, CA 937211610

Cash In: \$ 0.00  
Less Cash: \$ 0.00  
Total Checks Amount: \$ 500.00

Credit Serial Number [REDACTED]

Deposit Total \$500.00

Credited account number [REDACTED]

Customer or Teller initiated C

Customer confirmed on Pin Pad Y

CB, AU, Sequence Num [REDACTED]

Wells Fargo Bank, N.A.  
Electronically Generated Image

[REDACTED]

Electronically generated image

REQUEST [REDACTED] 500.00  
ROLL ECIA [REDACTED] +  
JOB ECIA P ACCT [REDACTED]  
REQUESTOR [REDACTED]  
[REDACTED] 09/22/2017 Research [REDACTED]

Summons and Subpoenas Department  
S4001-01F  
Phoenix AZ 85038

5419

NORTHERN CALIFORNIA CARPENTERS REGIONAL COUNCIL  
SMALL CONTRIBUTOR COMMITTEE  
ID #972104  
265 HEGENBERGER ROAD, SUITE 200  
OAKLAND, CALIFORNIA 94621

UNITED BUSINESS BANK  
OAKLAND BR 00  
100 HEGENBERGER RD #110  
OAKLAND, CA 94621

10/28/2016

\$500.00

PAY  
TO THE  
ORDER  
OF

Five Hundred Dollars and Zero Cents

Eric Payne for SCCCD 2012-Trustee Area 2  
2457 South Lily Avenue  
Fresno, CA 93706

VOID AFTER 180 DAYS



AUTHORIZED SIGNATURE

Contribution: 11/8/2016 Election



Security features not fully shown. Microprint  
around front of window. Photo of the front of the  
window. Absence of these features may indicate alteration.



VOID AFTER 180 DAYS  
UNITED BUSINESS BANK



ENDORSE HERE

REQUEST [REDACTED] 500.00  
ROLL ECIA [REDACTED] +  
JOB ECIA P ACCT [REDACTED]  
REQUESTOR [REDACTED]  
[REDACTED] 09/22/2017 Research [REDACTED]

Summons and Subpoenas Department  
S4001-01F  
Phoenix AZ 85038



Legal Order Processing  
P.O. BOX 29728 MAC# S4001-01F  
Phoenix, AZ 85038-9728  
Voice: (480) 724-2000

**DECLARATION**

<b>Re: Legal Order</b>	<b>Our Reference #:</b> [REDACTED]
<b>Agency Case #:</b> [REDACTED]	<b>Date Served:</b> 09/08/2017
<b>Banking Entity: Wells Fargo Bank, N.A. (the "Bank")</b>	

I, Anousheh Daneshpanah, declare that I am employed by Wells Fargo Bank, N.A., in the Subpoena Processing Department and the Bank's designated duly authorized Custodian of Records for this matter, with the authority to certify the information provided herein. The Bank reserves its right to designate another Custodian as it deems appropriate in the event an actual appearance is required.

The following are transfers were made or from account [REDACTED]

Date	Amount	Account
11/14/16	\$120.00	[REDACTED]
10/31/16	\$100.00	[REDACTED]
10/19/16	\$150.00	[REDACTED]
10/17/16	\$9.00	[REDACTED]
09/19/16	\$50.00	[REDACTED]
09/19/16	\$100.00	[REDACTED]
09/09/16	\$200.00	[REDACTED]
09/08/16	\$150.00	[REDACTED]
08/22/16	\$170.00	[REDACTED]
08/17/16	\$150.00	[REDACTED]

I declare under penalty of perjury under the law(s) of the state of California that the foregoing is true and correct according to my knowledge and belief. Executed on this 20<sup>th</sup> day of September, 2017, in the City of Tempe, State of Arizona.

[REDACTED]

Subpoena Processing Representative (480) 724-2000

Reference: [REDACTED]

Wells Fargo Bank Personal Money Order Credit Copy

Date Issued: 08/19/16  
Serial Number: [REDACTED]  
Account: [REDACTED]  
Purchaser: ERIC S PAYNE

\$600.00

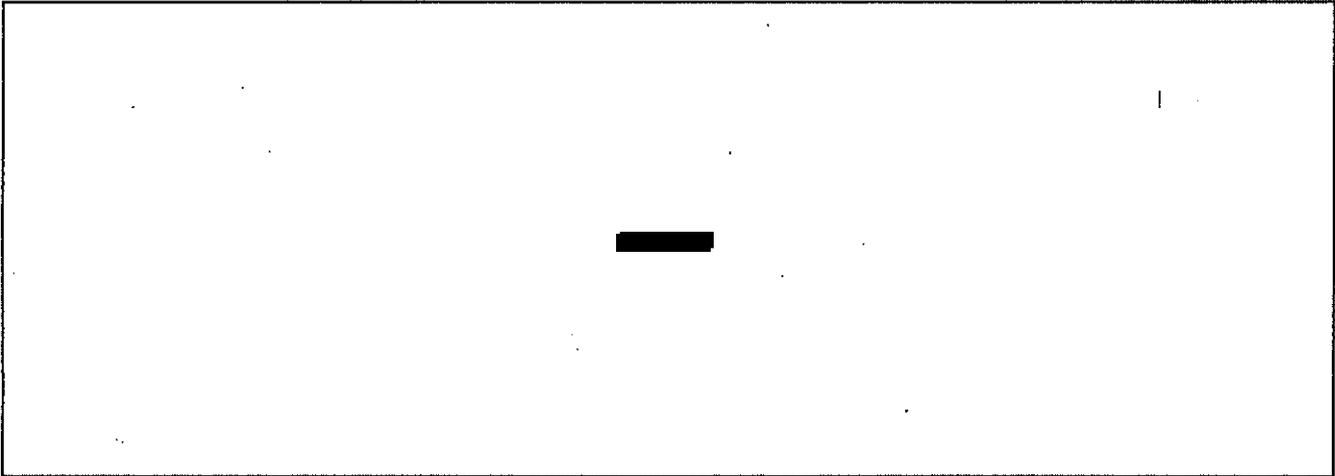
Six hundred dollars and no cents

CD, AU, Sequence Num: [REDACTED]  
Date and Time: 08/19/16 12:13 PM

Pay to the Order of: TRUTH BRANDING AGENCY  
MONISEA EDWARDS

Payee Address:  
Wells Fargo Bank, N.A.

Electronically generated image



R/T Number [REDACTED]  
Sequence Number [REDACTED]  
Account Number [REDACTED]

Processing Date 20160819  
Amount 600.00  
Check Number 19210972

**Exhibit A-25**

Eric Payne for SCCC 2012 Trustee Area 2

Fresno, CA

0100

8/12/14

Date

Pay to the Order of Fresno County Clerk

\$ 40.00

Forty Dollars and zero cents  $\frac{00}{100}$

Dollars



Security Features. Details on back.



Wells Fargo Bank, N.A. California wells Fargo.com

For Campaign Filing Fee

[Redacted]

Security features extend industry standards and include:

- 100% Secure Online Banking
- 24/7 Security Monitoring and Alerts
- Protected Mobile Device Usage
- 2-Step Verification for Online Banking
- The ability to lock your account at any time

8/15/2016 1 processor Pay to the Order of Vicki Crow Fresno County ACTTC

- Support for mobile devices
- Fraud detection and alerts
- Real-time monitoring of account activity
- 24/7 customer support

8/12/14 107 55AMPSON  
Pay to the order of  
County of Fresno Treasurer  
Fresno County Clerk  
40.00

REQUEST [Redacted] 40.00  
ROLL ECIA [Redacted]  
JOB ECIA P ACCT [Redacted]  
REQUESTOR [Redacted]

09/22/2017 Research [Redacted]

Summons and Subpoenas Department  
S4001-01F  
Phoenix AZ 85038

Eric Payne For SCLCD 2012 Trustee Area 2

Fresno, CA

0099

8/12/16

Date

Pay to the Order of Fresno County Clerk

\$ 1300.00

One THOUSAND AND THREE HUNDRED DOLLARS AND ZERO CENTS



Security Features Details on back



Wells Fargo Bank, N.A. California wells.fargo.com

For Candidate statement

Security Features exceed industry standards and include:

- Anti-skim technology
- Chip Security - Wearable patches on the back
- Dynamic Security - Changes the card's appearance
- Chip Security - 3-D Secure
- Chip Security - 3-D Secure

8/15/2016 processor Pay to the Order of Vicki Crow Fresno County ACTTC

- Anti-skim technology
- Chip Security - Wearable patches on the back
- Dynamic Security - Changes the card's appearance
- Chip Security - 3-D Secure
- Chip Security - 3-D Secure

8/12/16 107 55ampson

1300.00

Pay to the order of County of Fresno Treasurer Fresno County Clerk

REQUEST 1300.00 ROLL ECIA JOB ECIA P ACCT REQUESTOR 09/22/2017 Research

Summons and Subpoenas Department S4001-01F Phoenix AZ 85038

ERIC PAYNE FOR SCCCD 2012- TRUSTEE  
AREA 2

101

FRESNO, CA

8/26/16 DATE

PAY TO THE  
ORDER OF

FC DCC

\$ 50.00

FIFTY DOLLARS AND ZERO CENTS

DOLLARS



Wells Fargo Bank, N.A.  
California  
wellsfargo.com

FOR CENTRAL Committee Ad

ENDORSE HERE

PAY TO THE ORDER OF  
WestAmerica Bank  
FOR DEPOSIT ONLY  
FRESNO COUNTY DEMOCRATIC  
CENTRAL COMMITTEE  
FEDERAL ACCOUNT DEPOSIT

CHECK NUMBER

REQUEST [REDACTED] 50.00  
ROLL ECIA [REDACTED]  
JOB ECIA P ACCT [REDACTED]  
REQUESTOR [REDACTED]  
[REDACTED] 09/22/2017 Research [REDACTED]

Summons and Subpoenas Department  
S4001-01F  
Phoenix AZ 85038

ERIC PAYNE FOR SCCCD 2012- TRUSTEE

102

AREA 2

FRESNO, CA

9/1/16

DATE

PAY TO THE ORDER OF

Monisha Edwards Truth Branding Agency | \$ 120.00

One hundred and Twenty Dollars AND zero cent DOLLARS



Photo Safe Deposit Check or Note



Wells Fargo Bank, N.A. California wells Fargo.com

FOR Graphic Design

0010

9/1/2016 15:28:34

CHECK HERE

DO NOT WRITE IN THESE SPACES

REQUEST [REDACTED] 120.00

ROLL ECIA [REDACTED]

JOB ECIA - P ACCT [REDACTED]

REQUESTOR [REDACTED]

[REDACTED] 09/22/2017 Research [REDACTED]

Summons and Subpoenas Department

S4001-01F

Phoenix AZ 85038

ERIC PAYNE FOR SCCGD 2012- TRUSTEE  
AREA 2

FRESNO, CA

9/3/16

DATE

PAY TO THE  
ORDER OF

Sherry Moud-DC Customs

\$ 144.00

One hundred and forty four Dollars and zero cents



Photo  
Safe  
Deposit  
Check  
in  
Back



Wells Fargo Bank, N.A.  
California  
wellsfargo.com

FOR

T-shirts

MP

ENDORSE HERE

X

CHECK HERE TO MAKE DEPOSIT

DO NOT WRITE, STAMP OR SIGN IN THESE SPACES

REQUEST [REDACTED] 144.00  
ROLL ECIA [REDACTED]  
JOB ECIA P ACCT [REDACTED]  
REQUESTOR [REDACTED]

[REDACTED] 09/22/2017 Research [REDACTED]

Summons and Subpoenas Department  
S4001-01F  
Phoenix AZ 85038

ERIC PAYNE FOR SCCCD 2012- TRUSTEE  
AREA 2  
FRESNO, CA

107

OCTOBER 17, 2016  
DATE

PAY TO THE ORDER OF TESTA Branding Agency \$ 1,712.89

ONE THOUSAND SEVEN HUNDRED TWELVE DOLLARS AND EIGHT NINE CENTS <sup>89</sup> DOLLARS



Photo  
Safe  
Deposit  
Outside of bank



Wells Fargo Bank, N.A.  
California  
wellsfargo.com

FOR Campaign Materials

10/17/2016 17:10:29

0018

> [REDACTED] < - ATM

*[Handwritten signature]*

REQUEST [REDACTED] 1712.89  
ROLL ECIA [REDACTED] 458  
JOB ECIA P ACCT [REDACTED]  
REQUESTOR [REDACTED]  
[REDACTED] 09/22/2017 Research [REDACTED]

Summons and Subpoenas Department  
S4001-01F  
Phoenix AZ 85038

ERIC PAYNE FOR SCCCD 2012- TRUSTEE  
AREA 2

110

FRESNO, CA

October 24, 2016  
DATE

PAY TO THE  
ORDER OF

Chasity Neal

\$ 200.00

Two Hundred Dollars AND Zero Cents ~~100~~ / 100

DOLLARS

Photo  
Safe  
Deposit  
Dollars of Cash

WELLS  
FARGO

Wells Fargo Bank, N.A.  
California  
wellsfargo.com



FOR Social Media Management



CHECK HERE IF INSTANT DEPOSIT

DO NOT WRITE, STAMP OR SIGN OVER THIS AREA



REQUEST [REDACTED] 200.00  
ROLL ECIA [REDACTED]  
JOB ECIA P ACCT [REDACTED]  
REQUESTOR [REDACTED]

[REDACTED] 09/22/2017 Research [REDACTED]

Summons and Subpoenas Department  
S4001-01F  
Phoenix AZ 85038

ERIC PAYNE FOR SCCCD 2012- TRUSTEE  
AREA 2  
FRESNO, CA

109

October 21, 2016  
DATE

PAY TO THE ORDER OF Central Valley Art Coalition \$ 210.00

TWO HUNDRED AND TEN DOLLARS AND ZERO CENTS DOLLARS



WELLS FARGO Wells Fargo Bank, N.A. California wells.fargo.com

FOR DONATION

2016-10-31

BOFD > [REDACTED] <  
North First  
2016-10-31

PAY TO THE ORDER OF  
UNITED SECURITY BANK  
FOR DEPOSIT ONLY  
CENTRAL VALLEY CULTURAL COALITION

REQUEST [REDACTED] 210.00  
ROLL ECIA [REDACTED]  
JOB ECIA P ACCT [REDACTED]  
REQUESTOR [REDACTED]  
[REDACTED] 09/22/2017 Research [REDACTED]

Summons and Subpoenas Department  
S4001-01F  
Phoenix AZ 85038

ERIC PAYNE FOR SCCCD 2012- TRUSTEE

AREA 2

FRESNO, CA

ft 111

October 28, 2016  
DATE

PAY TO THE ORDER OF KESEE AND RGPE - NEXSTAR \$ 900.00

Nine Hundred Dollars and zero cents <sup>00</sup>/<sub>100</sub> DOLLARS



Wells Fargo Bank, N.A.  
California  
wellsfargo.com

1458194 & 1458339

FOR Filming / MEDIA

Seq: 25  
Dep: 061445

For Dep  
Nexstar  
Nexstar  
Salt Lak  
Deposit  
CHECK  
DO NOT  
IF MOBILE DEPOSIT  
AT AMP OR SIGN BELOW THIS LINE  
null  
casting, Group, Inc  
casting Inc

REQUEST [redacted] 900.00  
ROLL ECIA [redacted]  
JOB ECIA P ACCT [redacted]  
REQUESTOR [redacted]  
[redacted] 09/22/2017 Research [redacted]

Summons and Subpoenas Department  
S4001-01F  
Phoenix AZ 85038

ERIC PAYNE FOR SCCGD 2012- TRUSTEE  
AREA 2

112

FRESNO, CA

November 4, 2014  
DATE

PAY TO THE  
ORDER OF

FTB PRINT AND MAIL

\$ 1,807.85

ONE THOUSAND Eight hundred Seven Dollars AND Eighty five cents

WELLS  
FARGO

Wells Fargo Bank, N.A.  
California  
wellsfargo.com

FOR Mailer

CHECK HERE TO MAKE DEPOSIT

DO NOT WRITE IN THESE SPACES  
OR THE CHECK MAY BE UNDEPOSITABLE

ENDORSE HERE

X

PAY TO THE ORDER OF  
BANK OF AMERICA  
FOR DEPOSIT ONLY

FRESNO TRADE BINDERY & MAILING  
#

REQUEST [REDACTED] 1807.85  
ROLL ECIA [REDACTED]  
JOB ECIA P ACCT [REDACTED]  
REQUESTOR [REDACTED]  
[REDACTED] 09/22/2017 Research [REDACTED]

Summons and Subpoenas Department  
S4001-01F  
Phoenix AZ 85038

ERIC PAYNE FOR SCCCD 2012- TRUSTEE

108

AREA 2

FRESNO, CA

OCTOBER 21, 2017

DATE

PAY TO THE ORDER OF

Mark Dallos

\$ 500.00

Five hundred Dollars AND

cents ~~100~~ DOLLARS



Photo Safe Deposit Details on back



Wells Fargo Bank, N.A. California wells Fargo.com

FOR

LIT. DROP

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Vertical text: OCT 21 2017 11 11 AM

REQUEST [Redacted] 500.00

ROLL ECIA [Redacted]

JOB ECIA P ACCT [Redacted]

REQUESTOR [Redacted]

[Redacted] 09/22/2017 Research [Redacted]

Summons and Subpoenas Department

S4001-01F

Phoenix AZ 85038

ERIC PAYNE FOR SCCCD 2012- TRUSTEE

105

AREA 2

FRESNO, CA

OCTOBER 17, 2014  
DATE

PAY TO THE ORDER OF

CENTRO LA Familia

\$ 55.00

FIFTY FIVE DOLLARS AND ZERO CENTS ~~00~~

DOLLARS



WELLS FARGO



Wells Fargo Bank, N.A.  
California  
wellsfargo.com

FOR DONATION

*Deposit only*  
Centro La Familia Advocacy  
302 Fresno St, Ste. 102  
Fresno, CA 93706

REQUEST [REDACTED] 55.00  
ROLL ECIA [REDACTED]  
JOB ECIA P ACCT [REDACTED]  
REQUESTOR [REDACTED]  
[REDACTED] 09/22/2017 Research [REDACTED]

Summons and Subpoenas Department  
S4001-01F  
Phoenix AZ 85038

**Exhibit A-26**

RECEIVED

FEB 01 2017

Fresno County Elections

**Don Milligan, EA, Inc.**  
*A Professional Service Corporation\**  
1625 E Shaw, Suite 130  
Fresno, CA 93710  
559 227-1530 Fax 559 227-1454  
[www.fresnotaxgroup.com](http://www.fresnotaxgroup.com)

January 30, 2017

Re: Eric Payne for SCCCDC 2016 Trustee Area 2  
ID#1352021

Due to Mr. Payne's failure to provide information in a timely manner so that required campaign statements could be filed, I am hereby resigning as his Treasurer effective today, January 30, 2017.

Mr. Payne should be contacted directly regarding his committee at the following address:

[REDACTED]  
Fresno, CA [REDACTED]

or

1444 Fulton Street  
Fresno, CA 93721-1610

Sincerely,

[REDACTED]  
Don Milligan, EA

CC  
Eric Payne  
Secretary of State  
Fresno County Clerk

**Don Milligan, EA, Inc.**  
*A Professional Service Corporation\**  
1625 E Shaw, Suite 130  
Fresno, CA 93710  
559 227-1530 Fax 559 227-1454  
[www.fresnotaxgroup.com](http://www.fresnotaxgroup.com)

July 17, 2017

Re: Eric Payne for SCCCD 2016 Trustee Area 2  
ID#1352021

Due to Mr. Payne's failure to provide information in a timely manner so that required campaign statements could be filed, I am hereby resigning as his Treasurer effective today, January 30, 2017.

Mr. Payne has not responded to my request for a signature.

Enclosed is an amended Form 410 removing myself as treasurer, along with the letter first sent to the Secretary of State, Mr Payne and the Fresno County Clerk on January 30, 2017.

Mr. Payne should be contacted directly regarding his committee at the following address:

  
Fresno, CA 

or

1444 Fulton Street *Suite 121*  
Fresno, CA 93721-1610

Sincerely,

  
Don Milligan, EA

CC  
Eric Payne  
Secretary of State  
Fresno County Clerk

**Exhibit A-27**

**DeeDee**

---

**From:** Eric Payne [REDACTED]  
**Sent:** Wednesday, November 30, 2016 11:24 AM  
**To:** DeeDee  
**Subject:** Fwd: Your Receipt from Nordstrom Fresno Rack

NORDSTORMS

In Community,

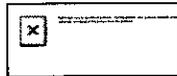
Eric Payne

**CONFIDENTIALITY NOTICE:** This communication with its contents may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use or disclosure is prohibited and may violate applicable law including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication

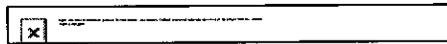
----- Forwarded message -----

**From:** Nordstrom Rack Stores <[REDACTED]>  
**Date:** Sat, Sep 24, 2016 at 8:49 PM  
**Subject:** Your Receipt from Nordstrom Fresno Rack  
**To:** [REDACTED]

Thanks for stopping by our store!



[Store Locations](#)   [New Store Openings](#)   [Nordstrom Rewards](#)   [Gift Cards](#)



Thanks for shopping at  
**FRESNO RACK.**  
We're sending this receipt to  
eric.paynecmc@gmail.com  
per your in-store confirmation.



## Your Sale Details

Store Number: 471

Register Number: 4904

Transaction Number: 5764

Date: 09/24/16, at 08:48 PM

Ringling Employee: Vivian N.

\*NOTE: Bring this receipt in store if you'd like to return or exchange items.

## Item(s) Purchased

**Description:**

SP MENS DE: BRIXTON (888380385890)

Qty:	Color:	Size:	Price:
1	Blue	38	\$79.97

**Description:**

SP MENS DE: SAVILE ROW (888380363720)

Qty:	Color:	Size:	Price:
1	Navy	38	\$79.97

**Description:**

SP SHRT/NE: SILVER SPUN SOLID (793775285092)

Qty:	Color:	Size:	Price:
1	Black	O/S	\$17.97

**Description:**

SP MEN SPO: THE ULTIMATE (439044225221)

Qty:	Color:	Size:	Price:
1	Charcoal	3XL	\$29.97

**Description:**

MISC MENS : SEPT16 49.97 PREVIOUSLY ALTER (439043323515)

Qty:	Color:	Size:	Price:
1	Assorted Pre-pack	NONE	\$49.97

**Description:**

HL MENS AP: HL MENS APPAREL RTR 3997 SEP1 (439043077326)

Qty:	Color:	Size:	Price:
1	Assorted Pre-pack	NONE	\$39.97

**Description:**

SP MEN SPO: CASUAL TWILL CHINO (439013151292)

Qty:	Color:	Size:	Price:
------	--------	-------	--------

1 Dark Grey 38 34 \$29.97

**Description:**

SP SHRT/NE:TRIM STRAIGHT FF FC (439011740443)

Qty: Color: Size: Price:  
1 White 17.5 34-35 \$39.97

**Description:**

SP SHRT/NE:TRIM SPREAD ALPHA FF ADJ MC (439010976874)

Qty: Color: Size: Price:  
1 Black 2XL \$29.97

**Description:**

SP SHRT/NE:SAPPHIRE SOLID (029407793001)

Qty: Color: Size: Price:  
1 Red O/S \$17.97

**Description:**

SP MN FURN:MENS TOTESPORT AU M (022653824130)

Qty: Color: Size: Price:  
1 Black NONE \$19.97

**Your Transaction Summary**



Sales Subtotal \$435.67  
Sales Tax \$35.83  
Sales Total \$471.50

Debit \$471.50

\*\*\*\*\*1878 I

(000000-00)

CARD ENTRY METHOD: Chip Read

AID:

APPL LABEL: US DEBIT

SIGNATURE NOT REQUIRED, PIN

VALIDATED

Total Items Purchased 11



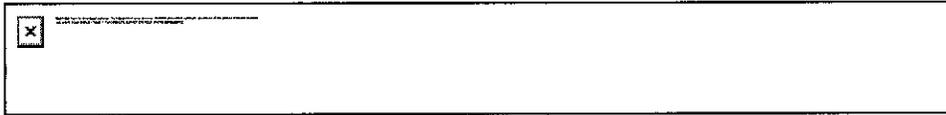
FRESNO RACK  
7883 N BLACKSTONE AVE  
FRESNO, CA 93720-4307



GET DIRECTIONS

559-440-0111

Share your finds using [#NordstromRack](#)



If you are not the intended recipient or have received this email in error, please delete immediately. Any dissemination, distribution, or copying of this message by any person other than the intended recipient is strictly prohibited.

Nordstrom Rack Return Policy: We'll gladly accept returns or exchanges within 90 days of purchase. Just be sure your merchandise is:

- Un-worn and un-altered
- Accompanied by the receipt
- With price tags attached

Eligible returns will be credited to your original form of tender or a gift card (gift cards cannot be redeemed for cash unless required by law).

We do not offer price adjustments.

\*Savings are based on estimated comparison prices which may be from the same or similar items from prior seasons. We strive to give you the best value, we encourage you to shop around. For more details regarding our return and pricing policies, please visit [nordstromrack.com/faq](http://nordstromrack.com/faq).

[Nordstrom Privacy Policy](#)

©2016 Nordstrom

**Exhibit A-28**

## Marshall Miller

---

**From:** Melissa Ferry <[REDACTED]>  
**Sent:** Friday, December 08, 2017 5:46 PM  
**To:** Marshall Miller  
**Cc:** Julianna Mosier; Melissa Ferry  
**Subject:** RE: FPPC Case No. 16/19917 - Trustee Eric Payne  
**Attachments:** AR 2710 - Conflict of Interest.pdf; AR 2712 - Conflict of Interest Code.pdf; BP 2710 - Conflict of Interest.pdf; Payne, Eric - Redacted 700 Forms.pdf

Hi Marshall,

Attached are our current conflict of interest codes and the 700 forms that we have received for Trustee Eric Payne from January 1, 2012 to current. Please let me know if you need anything else or if you have any questions.

Thank you,

**Melissa Ferry**

Secretary to the Vice Chancellor

Human Resources | Phone: (559) 244-5972 | Fax: (559) 499-6007

State Center Community College District | 1525 E. Weldon Avenue | Fresno, CA 93704

---

**From:** Marshall Miller [mailto:[REDACTED]]  
**Sent:** Thursday, December 7, 2017 9:48 AM  
**To:** Melissa Ferry <[REDACTED]>  
**Subject:** FPPC Case No. 16/19917 - Trustee Eric Payne

Hi Melissa,

Thank you for taking the time to speak with me today. At this time, I would like to request the following information and Form 700 Statements of Economic Interest (SEIs):

- A copy of the SCCCD's current Conflict of Interest Code, as well as any other versions of the code active from January 1, 2012 through the present. Please ensure to include that part of the code that designates employees required to file SEIs and describes their filing obligations, i.e. "all interest in real property within the jurisdiction or within 2 miles of any facility used by the jurisdiction."
- All SEIs on file for Board of Trustees Member (Area 2) Eric Payne including all candidate, assuming office, leaving office, annual statements, and any amendments filed to any SEI covering any period or date from January 1, 2012 through the present.

If you have any questions about this request please contact me. **Emailed production of the requested documents is preferred.**

Please respond to let me know an estimate for when we can expect a response to this request.

Best Regards,

**Marshall Miller**

Special Investigator, Enforcement Division

FAIR POLITICAL PRACTICES COMMISSION

1102 Q Street, Suite 3000, Sacramento, CA 95811

Office: (916) 327-6357 · Fax: (916) 322-1932 · Email: [REDACTED]



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**Exhibit A-29**



Book	Admin Regulations
Section	Chapter 2 Board of Trustees
Title	Conflict of Interest Code
Number	AR 2712
Status	Active
Legal	1. 1
Adopted	August 18, 2008

### Conflict of Interest Code

Pursuant to Section 18730 of Title 2 of the California Code of Regulations, incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Appendix referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of Government Code Section 87300 or the amendment of a conflict of interest code within the meaning of Government Code Section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of article 2 of chapter 7 of the Political Reform Act, Government Code Sections 81000, et seq. The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Government Code Section 87100, and to other state or local laws pertaining to conflicts of interest.

#### Section 1. Definitions

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (2 California Code of Regs. Sections 18100 et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

#### Section 2. Designated Employees

The persons holding positions listed in Section 13 are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on financial interests.

#### Section 3. Disclosure Categories

This code does not establish any disclosure obligation for those designated employees who are also specified in Government Code Section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their financial interests pursuant to article 2 of chapter 7 of the Political Reform Act, Government Code Sections 87200, et seq. In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

(a) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of

the other agency;

(b) The disclosure assigned in the code of the other agency is the same as that required under article 2 of chapter 7 of the Political Reform Act, Government Code Section 87200; and

(c) The filing officer is the same for both agencies.<sup>1</sup> Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Appendix specify which kinds of financial interests are reportable. Such a designated employee shall disclose in his or her statement of economic interests those financial interests he or she has which are of the kind described in the disclosure categories to which he or she is assigned in the Appendix. It has been determined that the financial interests set forth in a designated employee's disclosure categories are the kinds of financial interests which he or she foreseeably can affect materially through the conduct of his or her office.

#### Section 4. Statements of Economic Interests

Place of Filing:

The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing body, as provided by the code reviewing body in the agency's conflict of interest code.<sup>2</sup>

#### Section 5. Statements of Economic Interests

Time of Filing:

(a) Initial Statements. All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.

(b) Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

(c) Annual Statements. All designated employees shall file statements no later than April 1.

(d) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

#### Section 5.5. Statements for Persons Who Resign Prior to Assuming Office

Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided he or she did not make or participate in the making of, or use his or her position to influence any decision and did not receive or become entitled to receive any form of payment as a result of his or her appointment. Such persons shall not file either an assuming or leaving office statement.

(a) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

(1) File a written resignation with the appointing power; and

(2) File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he or she did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

#### Section 6. Contents of and Period Covered by Statements of Economic Interests

(a) Contents of Initial Statements. Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

(b) Contents of Assuming Office Statements. Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(c) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later.

(d) Contents of Leaving Office Statements. Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

### Section 7. Manner of Reporting

Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(a) Investments and Real Property Disclosure. When an investment or an interest in real property<sup>3</sup> is required to be reported,<sup>4</sup> the statement shall contain the following:

1. A statement of the nature of the investment or interest;
2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
3. The address or other precise location of the real property;
4. A statement whether the fair market value of the investment or interest in real property exceeds two thousand dollars (\$2,000), exceeds ten thousand dollars (\$10,000), exceeds one hundred thousand dollars (\$100,000), or exceeds one million dollars (\$1,000,000).

(b) Personal Income Disclosure. When personal income is required to be reported,<sup>5</sup> the statement shall contain:

1. The name and address of each source of income aggregating five hundred dollars (\$500) or more in value, or fifty dollars (\$50) or more in value if the income was a gift, and a general description of the business activity, if any, of each source;
2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was one thousand dollars (\$1,000) or less, greater than one thousand dollars (\$1,000), greater than ten thousand dollars (\$10,000), or greater than one hundred thousand dollars (\$100,000);
3. A description of the consideration, if any, for which the income was received;
4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;
5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

(c) Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported,<sup>6</sup> the statement shall contain:

1. The name, address, and a general description of the business activity of the business entity;
2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than ten thousand dollars (\$10,000).

(d) Business Position Disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(e) Acquisition or Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

#### Section 8. Prohibition on Receipt of Honoraria

(a) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (a), (b), and (c) of Government Code section 89501 shall apply to the prohibitions in this section.

This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Government Code section 89506.

#### Section 8.1 Prohibition on Receipt of Gifts in Excess of \$390.

(a) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than \$390 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (e), (f), and (g) of Government Code section 89503 shall apply to the prohibitions in this section.

#### Section 8.2. Loans to Public Officials

(a) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

(b) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(c) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

(d) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's

regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(e) This section shall not apply to the following:

1. Loans made to the campaign committee of an elected officer or candidate for elective office.
2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.
3. Loans from a person which, in the aggregate, do not exceed five hundred dollars (\$500) at any given time.
4. Loans made, or offered in writing, before January 1, 1998.

#### Section 8.3. Loan Terms

(a) Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of his or her election to office through the date he or she vacates office, receive a personal loan of five hundred dollars (\$500) or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

(b) This section shall not apply to the following types of loans:

1. Loans made to the campaign committee of the elected officer.
2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.
3. Loans made, or offered in writing, before January 1, 1998.

(c) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

#### Section 8.4. Personal Loans

(a) Except as set forth in subdivision (B), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:

1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.
2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:
  - a. The date the loan was made.
  - b. The date the last payment of one hundred dollars (\$100) or more was made on the loan.
  - c. The date upon which the debtor has made payments on the loan aggregating to less than two hundred fifty dollars (\$250) during the previous 12 months.

(b) This section shall not apply to the following types of loans:

1. A loan made to the campaign committee of an elected officer or a candidate for elective office.

2. A loan that would otherwise not be a gift as defined in this title.
3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.
4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.
5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

(c) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

#### Section 9. Disqualification

No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

- (a) Any business entity in which the designated employee has a direct or indirect investment worth two thousand dollars (\$2,000) or more;
- (b) Any real property in which the designated employee has a direct or indirect interest worth two thousand dollars (\$2,000) or more;
- (c) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating five hundred dollars (\$500) or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;
- (d) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or
- (e) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$390 or more provided to; received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

#### Section 9.3. Legally Required Participation

No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make his or her participation legally required for purposes of this section.

#### Section 9.5. Disqualification of State Officers and Employees

In addition to the general disqualification provisions of section 9, no state administrative official shall make, participate in making, or use his or her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family has, within 12 months prior to the time when the official action is to be taken:

- (a) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or
- (b) Engaged in a business transaction or transactions on terms not available to members of the public

regarding the rendering of goods or services totaling in value one thousand dollars (\$1,000) or more.

#### Section 10. Disclosure of Disqualifying Interest

When a designated employee determines that he or she should not make a governmental decision because he or she has a disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest.

#### Section 11. Assistance of the Commission and Counsel

Any designated employee who is unsure of his or her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Government Code Section 83114 or from the attorney for his or her agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

#### Section 12. Violations

This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Government Code Sections 81000 - 91015. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Government Code Section 87100 or 87450 has occurred may be set aside as void pursuant to Government Code Section 91003.

#### Section 13. Designated Positions and Disclosure Requirements

1. The persons occupying following positions manage public investments. They shall file a full statement of economic interests pursuant to Government Code Sections 87200 et seq.:

Governing Board Members  
Chancellor  
Vice Chancellor, Finance and Administration

2. Disclosure Categories: The disclosure categories listed below identify the types of investments, business entities, sources of income, or real property which the designated employees must disclose for each disclosure category to which he or she is assigned.

Category 1: All investments and business positions and sources of income from, business entities that do business with the District or own real property within the boundaries of the District, plan to do business or own real property within in the boundaries of the District within the next year, or have done business with or owned real property within the boundaries of the District within the past two (2) years.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the boundaries of the District.

Category 3: All investments and business positions in, and sources of income from, business entities that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the District, plan to engage in such activities within the jurisdiction of the District within the past two (2) years.

Category 4: All investments and business positions in, and sources of income from, business entities that are banking, savings and loan, or other financial institutions.

Category 5: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the District.

Category 6: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Employee's Department.

Designated Positions, and the Disclosure Categories assigned to them, are as follows:

District Office

Associate Vice Chancellor-Human Resources	6
Vice Chancellor-Educational Services & Planning	5, 6
General Counsel	1, 2
Executive Director-Public & Legislative Relations	6
Executive Director-Foundation	6
Director of Management Information Systems	6
District Dean-Human Resources	6
Director of Classified Personnel	6
Director of Finance	4, 5
Director of Purchasing	1, 4, 5
Director of Grants & External Funding	6
District Director of Disabled Students Programs & Services	6
Vice President of Admissions & Records	6
Associate Vice Chancellor-Business & Operations	1, 2, 3, 4
Police Chief	5, 6
Director of Environmental Health & Safety	6
Citizens Bond Oversight Committee Members	6
Personnel Commission Members	1, 2

Fresno City College

President	1, 2, 5, 6
Vice President of Instruction	6
Deans of Instruction	6
Vice-President of Students Services	6
Deans of Students	6
Vice President of Administrative Services	6
Director of Grant Funded Education	6
Director of College Activities	6
Athletic Director	6
Bookstore Manager	6
Executive Director Training Institute	6
Director, Extended Opportunities Programs & Services	6
Director of Technology	6

Reedley College

President	1,2,5,6
Vice President of Administrative Services	6
Vice President of Instruction	6
Deans of Instruction	6
Vice President of Students Services	6
Deans of Students	6
Accounting Supervisor	6
Athletic Director	6
Bookstore Manager	6
Manager-Food Services	6
Director, Extended Opportunities Programs & Services	6
Director of Technology	6

Career and Technology Center

Director	1,2,5,6
----------	---------

North Centers

Vice Chancellor-North Centers	1,2
Assistant College Business Manager	6

Vice President of Instruction & Student Services	6
Dean of Instruction	6
Dean of Student Services	6

Consultants must be included in the list of designated employees and must disclose pursuant to the broadcast disclosure category in this Code subject to the following limitation: The Chancellor or his or her designee may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that are limited in scope and thus is not required to comply fully with the disclosure requirements described in this Section. Such written determination shall include a description of the consultant's duties and, based on that description, a statement of the extent of disclosure requirements. The superintendent/president's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

References: Title 2 Section 18730; Government Code Sections 87103(e), 873000-87302, 89501, 89502 and 89503

Adopted by Chancellor's Cabinet: August 18, 2008

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<sup>1</sup> Designated employees who are required to file statements of economic interests under any other agency's conflict of interest code, or under article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Government Code Section 81004.

<sup>2</sup>See Government Code section 81010 and 2 Cal. Code of Regs. Section 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.

<sup>3</sup>For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

<sup>4</sup>Investments and interests in real property which have a fair market value of less than \$2,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

<sup>5</sup>A designated employee's income includes his or her community property interest in the income of his or her spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

<sup>6</sup>Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.

Last Modified by Jo Lewis on June 30, 2017



Book	Admin Regulations
Section	Chapter 2 Board of Trustees
Title	Conflict of Interest
Number	AR 2710
Status	Active
Adopted	August 18, 2008

### **Conflict of Interest**

#### **Incompatible Activities** (Government Code Sections 1099, 1126)

Board members shall not engage in any employment or activity that is inconsistent with, incompatible with, in conflict with or inimical to the Board member's duties as an officer of the District. A board member shall not simultaneously hold two public offices that are incompatible. When two offices are incompatible, a board member shall be deemed to have forfeited the first office on acceding to the second.

#### **Financial Interest** (Government Code Section 1090 et seq.)

Board members and designated employees shall not be financially interested in any contract made by the Board or in any contract they make in their capacity as members of the Board or as designated employees.

A board member shall not be considered to be financially interested in a contract if his or her interest meets the definitions contained in applicable law (Government Code Section 1091.5).

A board member shall not be deemed to be financially interested in a contract if he or she has only a remote interest in the contract and if the remote interest is disclosed during a board meeting and noted in the official board minutes. The affected board member shall not vote or debate on the matter or attempt to influence any other member of the Board to enter into the contract. Remote interests are specified in Government Code Sections 1091(b); they include, but are not limited to, the interest of a parent in the earnings of his or her minor child.

#### **No Employment Allowed** (Education Code Section 72103(b))

An employee of the District may not be sworn in as an elected or appointed member of the governing board unless and until he or she resigns as an employee. If the employee does not resign, the employment will automatically terminate upon being sworn into office. This provision does not apply to an individual who is usually employed in an occupation other than teaching and who also is at the time of election to the Board, employed part time by the District to teach no more than one course per semester or quarter in the subject matter of that individual's occupation (Education Code Section 72103(b)).

#### **Financial Interest in a Decision** (Government Code Section 87100 et seq.)

If a board member or designated employee determines that he or she has a financial interest in a decision, as described in Government Code Section 87103, this determination shall be disclosed and made part of the Board's official minutes. In the case of a designated employee, this announcement shall be made in writing and submitted to the Board. A board member, upon identifying a conflict of interest, or a potential conflict of interest, shall do all of the following prior to consideration of the matter:

- Publicly identify the financial interest in detail sufficient to be understood by the public;
- Recuse himself or herself from discussing and voting on the matter;
- Leave the room until after the discussion, vote, and any other disposition of the matter is concluded unless the matter is placed on the agenda reserved for uncontested matters. A board member may, however, discuss the issue during the time the general public speaks on the issue.

#### Gifts (Government Code Section 89503)

Board members and any employees who manage public investments shall not accept from any single source in any calendar year any gifts in excess of the prevailing gift limitation specified in law.

Designated employees shall not accept from any single source in any calendar year any gifts in excess of the prevailing gift limitation specified in law if the employee would be required to report the receipt of income or gifts from that source on his/her statement of economic interests.

The above limitations on gifts do not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value.

Gifts of travel and related lodging and subsistence shall be subject to the above limitations except as described in Government Code Section 89506.

A gift of travel does not include travel provided by the District for board members and designated employees.

Board members and any employees who manage public investments shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private gathering (Government Code Sections 89501, 89502).

Designated employees shall not accept any honorarium that is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private gathering, if the employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. The term "honorarium" does not include:

- Earned income for personal services customarily provided in connection with a bona fide business, trade, or profession unless the sole or predominant activity of the business, trade or profession is making speeches.
- Any honorarium that is not used and, within 30 days after receipt, is either returned to the donor or delivered to the District for donation into the general fund without being claimed as a deduction from income tax purposes.

#### Representation (Government Code 87406.3)

Elected officials shall not, for a period of one year after leaving their position, act as an agent or attorney for, or otherwise represent for compensation, any person appearing before that local government agency.

References: Government Code Sections 87100 et seq.; 87200-87210; 87406.3; 89503; Education Code Section 72103(b); Title 2 Section 18700 et seq.  
Adopted by Chancellor's Cabinet: August 18, 2008

Last Modified by Jo Lewis on June 29, 2017

**Exhibit A-30**

FILED

CALIFORNIA FORM 700  
FAIR POLITICAL PRACTICES COMMISSION  
A PUBLIC DOCUMENT

STATEMENT OF ECONOMIC INTERESTS  
COVER PAGE

Date Initial Filing Received  
AUG 12 2016

Please type or print in Ink.

BRANDI L ORTH  
DEPUTY

NAME OF FILER (LAST) Byrne (FIRST) Eric S.

1. Office, Agency, or Court

Agency Name (Do not use acronyms)  
State Center Community College District Governing Boardmember Area 2  
Division, Board, Department, District, if applicable Your Position

If filing for multiple positions, list below or on an attachment. (Do not use acronyms)

Agency: \_\_\_\_\_ Position: \_\_\_\_\_

2. Jurisdiction of Office (Check at least one box)

- State
- Multi-County \_\_\_\_\_
- City of \_\_\_\_\_
- Judge or Court Commissioner (Statewide Jurisdiction)
- County of Fresno
- Other \_\_\_\_\_

3. Type of Statement (Check at least one box)

- Annual: The period covered is January 1, 2015, through December 31, 2015.
- or-
- The period covered is \_\_\_\_\_, through December 31, 2015.
- Assuming Office: Date assumed \_\_\_\_\_
- Leaving Office: Date Left \_\_\_\_\_ (Check one)
- The period covered is January 1, 2015, through the date of leaving office.
- or-
- The period covered is \_\_\_\_\_, through the date of leaving office.
- Candidate: Election year 2014 and office sought, if different than Part 1: \_\_\_\_\_

4. Schedule Summary (must complete) Total number of pages including this cover page: 1

Schedules attached

- Schedule A-1 - Investments - schedule attached
- Schedule A-2 - Investments - schedule attached
- Schedule B - Real Property - schedule attached
- Schedule C - Income, Loans, & Business Positions - schedule attached
- Schedule D - Income - Gifts - schedule attached
- Schedule E - Income - Gifts - Travel Payments - schedule attached

-or-

None - No reportable interests on any schedule

5. Verification

MAILING ADDRESS STREET CITY STATE ZIP CODE  
Fresno CA \_\_\_\_\_

DAYTIME TELEPHONE NUMBER E-MAIL ADDRESS  
\_\_\_\_\_

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete. I acknowledge this is a public document.

I certify under penalty of perjury under the laws of the State of California th

Date Signed 8/12/16  
(month, day, year)

Signat

Received  
State Center CCD  
Date Initial Filing Received  
OCT 27 2017

**CALIFORNIA FORM 700**  
FAIR POLITICAL PRACTICES COMMISSION  
A PUBLIC DOCUMENT

**STATEMENT OF ECONOMIC INTERESTS**

**COVER PAGE**

Office of  
Vice Chancellor, HR

Please type or print in ink.

NAME OF FILER (LAST) Payne (FIRST) Eric (MIDDLE) S.

**1. Office, Agency, or Court**

Agency Name (Do not use acronyms) State Center CCD  
Division, Board, Department, District, if applicable  
Your Position Board of trustee

► If filing for multiple positions, list below or on an attachment. (Do not use acronyms)

Agency: \_\_\_\_\_ Position: \_\_\_\_\_

**2. Jurisdiction of Office (Check at least one box)**

State  
 Multi-County Fresno, Tulare, Kings, Madera  
 City of \_\_\_\_\_  
 Judge or Court Commissioner (Statewide Jurisdiction)  
 County of \_\_\_\_\_  
 Other \_\_\_\_\_

**3. Type of Statement (Check at least one box)**

**Annual:** The period covered is January 1, 2016, through December 31, 2016.  
-or-  
The period covered is \_\_\_\_/\_\_\_\_/\_\_\_\_, through December 31, 2016.  
 **Assuming Office:** Date assumed \_\_\_\_/\_\_\_\_/\_\_\_\_  
 **Candidate:** Election year \_\_\_\_\_ and office sought, if different than Part 1: \_\_\_\_\_  
 **Leaving Office:** Date Left \_\_\_\_/\_\_\_\_/\_\_\_\_ (Check one)  
 The period covered is January 1, 2016, through the date of leaving office.  
-or-  
 The period covered is \_\_\_\_/\_\_\_\_/\_\_\_\_, through the date of leaving office.

**4. Schedule Summary (must complete) ► Total number of pages including this cover page: \_\_\_\_\_**

**Schedules attached**  
 **Schedule A-1 - Investments** - schedule attached  
 **Schedule A-2 - Investments** - schedule attached  
 **Schedule B - Real Property** - schedule attached  
 **Schedule C - Income, Loans, & Business Positions** - schedule attached  
 **Schedule D - Income - Gifts** - schedule attached  
 **Schedule E - Income - Gifts - Travel Payments** - schedule attached  
-or-  
 **None - No reportable interests on any schedule**

**5. Verification**

MAILING ADDRESS STREET CITY STATE ZIP CODE  
(Business or Agency Address Recommended - Public Document) Fresno Ca [Redacted]  
DAYTIME TELEPHONE NUMBER [Redacted] E-MAIL ADDRESS [Redacted]

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete. I acknowledge this is a public document.

I certify under penalty of perjury under the laws of the State of California that [Redacted]  
Date Signed 10/27/17 (month, day, year) Signature [Redacted]  
(File the originally signed statement with your filing official.)

ME  
11/7/17

**Exhibit A-31**

## Marshall Miller

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**From:** Eric Payne [REDACTED]  
**Sent:** Monday, December 18, 2017 5:53 PM  
**To:** Marshall Miller  
**Subject:** Re: FPPC Case No. 16/19917 - Eric Payne for SCCCD 2016 Trustee Area 2

I hope, I did this correctly.

Calendar Year	Source of Income	Gross Income Received*	Business Position**
2012	Housing Authority Foundation	\$10,001-100,000	Director of Building Neighborhood Capacity
2013	N/A	N/A	N/A
2014	N/A	N/A	N/A
2015	N/A	N/A	N/A
2016	Toure Associates	\$1,001-\$10,000	Managing Partner

\*Categories for Gross Income Received are "No Income – business position only," \$500 - \$1,000, \$1,001 - \$10,000, \$10,001 – 100,000, and over \$100,000.

\*\*Business position could be "independent contractor" or "managing partner" or another title or job descriptions.

In Community,

Eric Payne

**CONFIDENTIALITY NOTICE:** This communication with its contents may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use or disclosure is prohibited and may violate applicable law including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication

On Fri, Dec 15, 2017 at 8:38 AM, Marshall Miller [REDACTED] wrote:

Hi Mr. Payne,

**Exhibit A-32**



- [ABOUT US](#)
- [OUR SERVICES](#)
- [PROJECTS](#)
- [OUR TEAM](#)
- [MONITORING / INSPECTIONS](#)
- [LINKS](#)

**Contact Us**

- ▣ **Biological Assessments**
- ▣ **Biological Technical Studies**
- ▣ **Plant and Wildlife Surveys**
- ▣ **Archeological Studies**
- ▣ **Cultural Resources Assessments**
- ▣ **Biological Monitoring**
- ▣ **Regulatory Services**

**1485 Bayshore Blvd, Suite 427**  
**San Francisco, CA 94124**  
**(415)209-5631 (Office)**  
**email: tshaka@toureassociates.com**  
**email: services@toureassociates.com**

**1444 Fulton Street, Suite 121,**  
**Fresno CA 93721**  
**(559)682-1075 (office)**  
**(559)470-5586 (mobile)**

Search

**Exhibit A-33**

**State Center Community College District  
Trustee Area Boundaries  
Plan Adopted December 6, 2011**

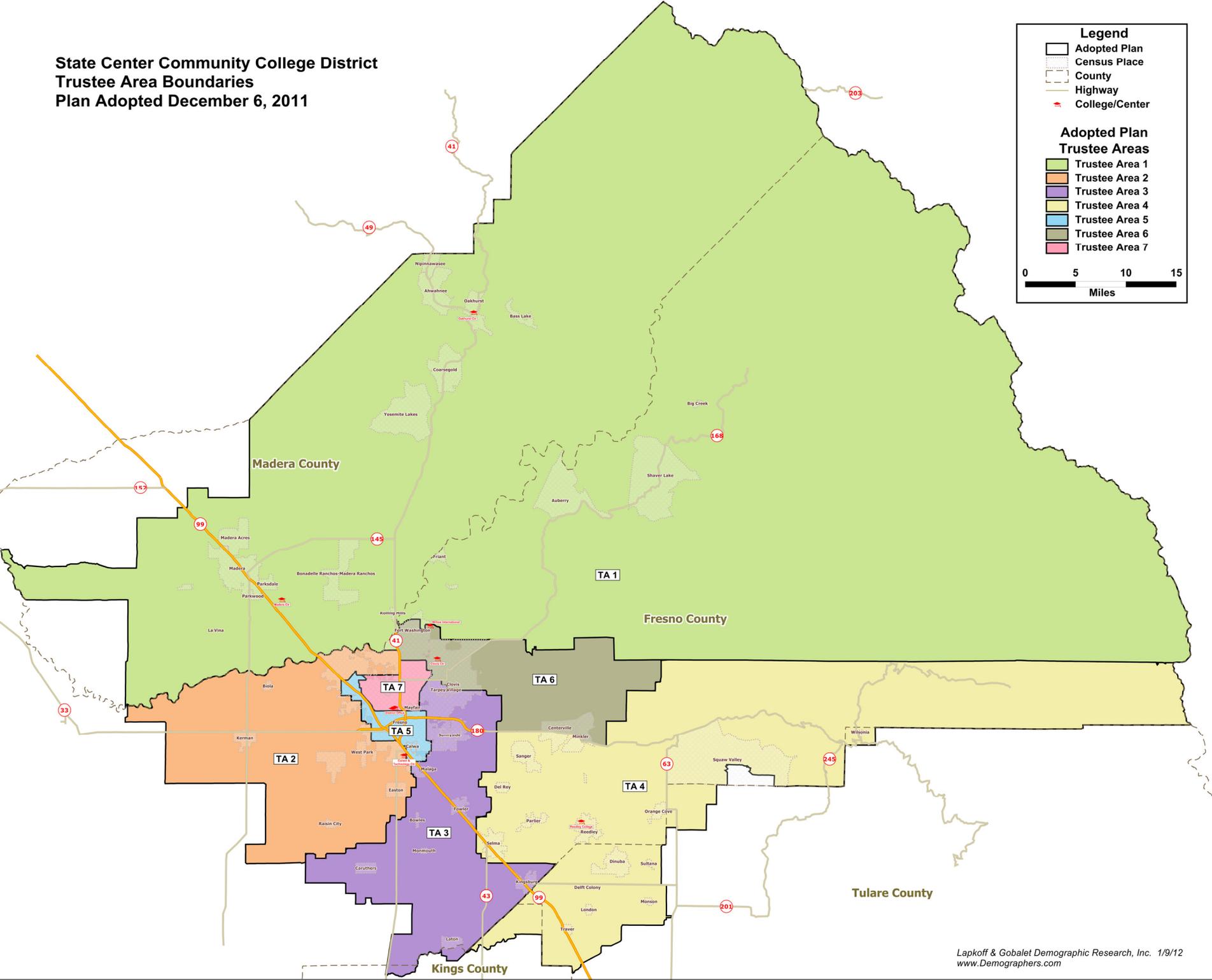
**Legend**

- Adopted Plan
- Census Place
- County
- Highway
- College/Center

**Adopted Plan Trustee Areas**

- Trustee Area 1
- Trustee Area 2
- Trustee Area 3
- Trustee Area 4
- Trustee Area 5
- Trustee Area 6
- Trustee Area 7

0 5 10 15  
Miles



**Exhibit A-34**

STATEMENT OF ECONOMIC INTERESTS  
COVER PAGE

Received  
State Center CCD  
Date Received  
Official Use Only  
MAY 24 2019

Office of  
Vice Chancellor, HR  
(MIDDLE)

Please type or print in ink.

NAME OF FILER (LAST) Payne (FIRST) Eric

1. Office, Agency, or Court

Agency Name

State Center Community College District Trustee Area #2  
Division, Board, Department, District, if applicable. Your Position

► If filing for multiple positions, list below or on an attachment.

Agency: \_\_\_\_\_ Position: \_\_\_\_\_

2. Jurisdiction of Office (Check at least one box)

- State
- Multi-County Fresno, Kings, Madera, Tulare
- City of \_\_\_\_\_
- Judge or Court Commissioner (Statewide Jurisdiction)
- County of Fresno
- Other \_\_\_\_\_

3. Type of Statement (Check at least one box)

- Annual: The period covered is January 1, 2012, through December 31, 2012.
- or-
- The period covered is \_\_\_\_/\_\_\_\_/\_\_\_\_, through December 31, 2012.
- Assuming Office: Date assumed \_\_\_\_/\_\_\_\_/\_\_\_\_
- Leaving Office: Date Left \_\_\_\_/\_\_\_\_/\_\_\_\_ (Check one)
- The period covered is January 1, 2012, through the date of leaving office.
- The period covered is \_\_\_\_/\_\_\_\_/\_\_\_\_, through the date of leaving office.
- Candidate: Election year \_\_\_\_\_ and office sought, if different than Part 1: \_\_\_\_\_

4. Schedule Summary

Check applicable schedules or "None."

► Total number of pages including this cover page: \_\_\_\_\_

- Schedule A-1 - Investments - schedule attached
- Schedule A-2 - Investments - schedule attached
- Schedule B - Real Property - schedule attached
- Schedule C - Income, Loans, & Business Positions - schedule attached
- Schedule D - Income - Gifts - schedule attached
- Schedule E - Income - Gifts - Travel Payments - schedule attached

-or-

None - No reportable interests on any schedule

5. Verification

MAILING ADDRESS STREET CITY STATE ZIP CODE  
(Business or Agency Address Recommended - Public Document)

DAYTIME TELEPHONE NUMBER E-MAIL ADDRESS (OPTIONAL)

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete. I acknowledge this is a public document.

I certify under penalty of perjury under the laws of the State of California that th

Date Signed 5/24/19  
(month, day, year)

Signature \_\_\_\_\_  
(File the signed statement with your filing official.)



STATEMENT OF ECONOMIC INTERESTS  
COVER PAGE

Office of  
Vice Chancellor, HR

Please type or print in ink.

NAME OF FILER (LAST) Byrne (FIRST) Eric (MIDDLE)

1. Office, Agency, or Court

Agency Name (Do not use acronyms)

State Center Community College District Trustee Area #2  
Division, Board, Department, District, if applicable Your Position

▶ If filing for multiple positions, list below or on an attachment. (Do not use acronyms)

Agency: \_\_\_\_\_ Position: \_\_\_\_\_

2. Jurisdiction of Office (Check at least one box)

- State
- Multi-County Fresno, Kings, Madera, Tulare
- City of \_\_\_\_\_
- Judge or Court Commissioner (Statewide Jurisdiction)
- County of Fresno
- Other \_\_\_\_\_

3. Type of Statement (Check at least one box)

- Annual: The period covered is January 1, 2013, through December 31, 2013.
- or-
- The period covered is \_\_\_\_/\_\_\_\_/\_\_\_\_, through December 31, 2013.
- Assuming Office: Date assumed \_\_\_\_/\_\_\_\_/\_\_\_\_
- Candidate: Election year \_\_\_\_\_ and office sought, if different than Part 1: \_\_\_\_\_
- Leaving Office: Date Left \_\_\_\_/\_\_\_\_/\_\_\_\_ (Check one)
- The period covered is January 1, 2013, through the date of leaving office.
- The period covered is \_\_\_\_/\_\_\_\_/\_\_\_\_, through the date of leaving office.

4. Schedule Summary

Check applicable schedules or "None."

▶ Total number of pages including this cover page: \_\_\_\_\_

- Schedule A-1 - Investments - schedule attached
- Schedule A-2 - Investments - schedule attached
- Schedule B - Real Property - schedule attached
- Schedule C - Income, Loans, & Business Positions - schedule attached
- Schedule D - Income - Gifts - schedule attached
- Schedule E - Income - Gifts - Travel Payments - schedule attached

-or-

None - No reportable interests on any schedule

5. Verification

MAILING ADDRESS \_\_\_\_\_ STREET \_\_\_\_\_ CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_  
(Business or Agency Address Recommended - Public Document)

DAYTIME TELEPHONE NUMBER \_\_\_\_\_ E-MAIL ADDRESS (OPTIONAL) \_\_\_\_\_

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete. I acknowledge this is a public document.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date Signed 5/24/19  
(month, day, year)

Signature \_\_\_\_\_  
(Last, first, middle initial)



STATEMENT OF ECONOMIC INTERESTS  
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State Center CCD  
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Office of  
Vice Chancellor, HR

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NAME OF FILER (LAST) Pyne (FIRST) Eric (MIDDLE)

1. Office, Agency, or Court

Agency Name (Do not use acronyms)

State Center Community College District Trustee Area  
Division, Board, Department, District, if applicable Your Position

► If filing for multiple positions, list below or on an attachment. (Do not use acronyms)

Agency: \_\_\_\_\_ Position: \_\_\_\_\_

2. Jurisdiction of Office (Check at least one box)

- State
- Multi-County Fresno, Kings, Madera, Tulare
- City of \_\_\_\_\_
- Judge or Court Commissioner (Statewide Jurisdiction)
- County of Fresno
- Other \_\_\_\_\_

3. Type of Statement (Check at least one box)

- Annual: The period covered is January 1, 2014, through December 31, 2014.
- or-
- Assuming Office: Date assumed \_\_\_\_\_
- Candidate: Election year \_\_\_\_\_ and office sought, if different than Part 1: \_\_\_\_\_
- Leaving Office: Date Left \_\_\_\_\_ (Check one)
- The period covered is January 1, 2014, through the date of leaving office.
- The period covered is \_\_\_\_\_, through the date of leaving office.

4. Schedule Summary

Check applicable schedules or "None."

► Total number of pages including this cover page: \_\_\_\_\_

- Schedule A-1 - Investments - schedule attached
- Schedule A-2 - Investments - schedule attached
- Schedule B - Real Property - schedule attached
- Schedule C - Income, Loans, & Business Positions - schedule attached
- Schedule D - Income - Gifts - schedule attached
- Schedule E - Income - Gifts - Travel Payments - schedule attached

-or-

None - No reportable interests on any schedule

5. Verification

MAILING ADDRESS STREET CITY STATE ZIP CODE  
(Business or Agency Address Recommended - Public Document)

DAYTIME TELEPHONE NUMBER

E-MAIL ADDRESS

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete. I acknowledge this is a public document.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date Signed 5/24/19  
(month, day, year)

Signature \_\_\_\_\_  
(File the original signed statement with your filing official.)

**SCHEDULE C**  
**Income, Loans, & Business**  
**Positions**  
 (Other than Gifts and Travel Payments)

**CALIFORNIA FORM 700**  
 FAIR POLITICAL PRACTICES COMMISSION

Name  
Eric Payne

**1. INCOME RECEIVED**

NAME OF SOURCE OF INCOME  
1444 Fulton Street Fresno, CA  
 ADDRESS (Business Address Acceptable)

Toure Environmental Engineering  
 BUSINESS ACTIVITY, IF ANY, OF SOURCE

Regulatory Compliance officer  
 YOUR BUSINESS POSITION

---

GROSS INCOME RECEIVED

\$500 - \$1,000       \$1,001 - \$10,000  
 \$10,001 - \$100,000       OVER \$100,000

CONSIDERATION FOR WHICH INCOME WAS RECEIVED

Salary       Spouse's or registered domestic partner's income  
 (For self-employed use Schedule A-2.)

Partnership (Less than 10% ownership. For 10% or greater use  
 Schedule A-2.)

Sale of \_\_\_\_\_  
 (Real property, car, boat, etc.)

Loan repayment

Commission or       Rental Income, list each source of \$10,000 or more

\_\_\_\_\_  
 (Describe)

Other \_\_\_\_\_  
 (Describe)

**1. INCOME RECEIVED**

NAME OF SOURCE OF INCOME

ADDRESS (Business Address Acceptable)

BUSINESS ACTIVITY, IF ANY, OF SOURCE

YOUR BUSINESS POSITION

---

GROSS INCOME RECEIVED

\$500 - \$1,000       \$1,001 - \$10,000  
 \$10,001 - \$100,000       OVER \$100,000

CONSIDERATION FOR WHICH INCOME WAS RECEIVED

Salary       Spouse's or registered domestic partner's income  
 (For self-employed use Schedule A-2.)

Partnership (Less than 10% ownership. For 10% or greater use  
 Schedule A-2.)

Sale of \_\_\_\_\_  
 (Real property, car, boat, etc.)

Loan repayment

Commission or       Rental Income, list each source of \$10,000 or more

\_\_\_\_\_  
 (Describe)

Other \_\_\_\_\_  
 (Describe)

**2. LOANS RECEIVED OR OUTSTANDING DURING THE REPORTING PERIOD**

\* You are not required to report loans from commercial lending institutions, or any indebtedness created as part of a retail installment or credit card transaction, made in the lender's regular course of business on terms available to members of the public without regard to your official status. Personal loans and loans received not in a lender's regular course of business must be disclosed as follows:

NAME OF LENDER\* \_\_\_\_\_

ADDRESS (Business Address Acceptable) \_\_\_\_\_

BUSINESS ACTIVITY, IF ANY, OF LENDER \_\_\_\_\_

HIGHEST BALANCE DURING REPORTING PERIOD

\$500 - \$1,000  
 \$1,001 - \$10,000  
 \$10,001 - \$100,000  
 OVER \$100,000

INTEREST RATE \_\_\_\_\_%       None

TERM (Months/Years) \_\_\_\_\_

SECURITY FOR LOAN

None       Personal residence

Real Property \_\_\_\_\_  
 Street address \_\_\_\_\_  
 City \_\_\_\_\_

Guarantor \_\_\_\_\_

Other \_\_\_\_\_  
 (Describe)

Comments: \_\_\_\_\_

STATEMENT OF ECONOMIC INTERESTS  
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Vice Chancellor, HR  
(MIDDLE)

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NAME OF FILER (LAST) (FIRST) (MIDDLE)  
Rhyne Eric

1. Office, Agency, or Court

Agency Name (Do not use acronyms)

State Center Community College District Trustee Area #2  
Division, Board, Department, District, if applicable Your Position

► If filing for multiple positions, list below or on an attachment. (Do not use acronyms)

Agency: \_\_\_\_\_ Position: \_\_\_\_\_

2. Jurisdiction of Office (Check at least one box)

State  
 Multi-County Fresno, Tulare, and Kings  
 City of \_\_\_\_\_  
 Judge or Court Commissioner (Statewide Jurisdiction)  
 County of Fresno  
 Other \_\_\_\_\_

3. Type of Statement (Check at least one box)

Annual: The period covered is January 1, 2015, through December 31, 2015.  
-or-  
The period covered is \_\_\_\_\_ through December 31, 2015.  
 Assuming Office: Date assumed \_\_\_\_\_  
 Leaving Office: Date Left \_\_\_\_\_ (Check one)  
○ The period covered is January 1, 2015, through the date of leaving office.  
-or-  
○ The period covered is \_\_\_\_\_ through the date of leaving office.  
 Candidate: Election year \_\_\_\_\_ and office sought, if different than Part 1: \_\_\_\_\_

4. Schedule Summary (must complete) ► Total number of pages including this cover page: \_\_\_\_\_

Schedules attached

Schedule A-1 - Investments - schedule attached  
 Schedule A-2 - Investments - schedule attached  
 Schedule B - Real Property - schedule attached  
 Schedule C - Income, Loans, & Business Positions - schedule attached  
 Schedule D - Income - Gifts - schedule attached  
 Schedule E - Income - Gifts - Travel Payments - schedule attached

-or-

None - No reportable interests on any schedule

5. Verification

MAILING ADDRESS STREET CITY STATE ZIP CODE  
(Business or Agency Address Recommended - Public Document)

DAYTIME TELEPHONE NUMBER E-MAIL ADDRESS

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete. I acknowledge this is a public document.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date Signed 5/24/19  
(month, day, year)

Signature \_\_\_\_\_

**SCHEDULE C**  
**Income, Loans, & Business**  
**Positions**  
 (Other than Gifts and Travel Payments)

**CALIFORNIA FORM 700**  
 FAIR POLITICAL PRACTICES COMMISSION  
 Name \_\_\_\_\_

**▶ 1. INCOME RECEIVED**

NAME OF SOURCE OF INCOME  
1444 Fulton Street Fresno, CA  
 ADDRESS (Business Address Acceptable)

Torre Environmental Engineering  
 BUSINESS ACTIVITY, IF ANY, OF SOURCE

Director of Reg. Comp. / Managing Partner  
 YOUR BUSINESS POSITION

---

GROSS INCOME RECEIVED

\$500 - \$1,000       \$1,001 - \$10,000  
 \$10,001 - \$100,000       OVER \$100,000

CONSIDERATION FOR WHICH INCOME WAS RECEIVED

Salary       Spouse's or registered domestic partner's income  
 (For self-employed use Schedule A-2.)

Partnership (Less than 10% ownership. For 10% or greater use  
 Schedule A-2.)

Sale of \_\_\_\_\_  
 (Real property, car, boat, etc.)

Loan repayment

Commission or       Rental Income, list each source of \$10,000 or more

\_\_\_\_\_  
 (Describe)

Other \_\_\_\_\_  
 (Describe)

**▶ 1. INCOME RECEIVED**

NAME OF SOURCE OF INCOME  
 \_\_\_\_\_

ADDRESS (Business Address Acceptable)  
 \_\_\_\_\_

BUSINESS ACTIVITY, IF ANY, OF SOURCE  
 \_\_\_\_\_

YOUR BUSINESS POSITION  
 \_\_\_\_\_

---

GROSS INCOME RECEIVED

\$500 - \$1,000       \$1,001 - \$10,000  
 \$10,001 - \$100,000       OVER \$100,000

CONSIDERATION FOR WHICH INCOME WAS RECEIVED

Salary       Spouse's or registered domestic partner's income  
 (For self-employed use Schedule A-2.)

Partnership (Less than 10% ownership. For 10% or greater use  
 Schedule A-2.)

Sale of \_\_\_\_\_  
 (Real property, car, boat, etc.)

Loan repayment

Commission or       Rental Income, list each source of \$10,000 or more

\_\_\_\_\_  
 (Describe)

Other \_\_\_\_\_  
 (Describe)

**▶ 2. LOANS RECEIVED OR OUTSTANDING DURING THE REPORTING PERIOD**

\* You are not required to report loans from commercial lending institutions, or any indebtedness created as part of a retail installment or credit card transaction, made in the lender's regular course of business on terms available to members of the public without regard to your official status. Personal loans and loans received not in a lender's regular course of business must be disclosed as follows:

NAME OF LENDER\* \_\_\_\_\_

ADDRESS (Business Address Acceptable) \_\_\_\_\_

BUSINESS ACTIVITY, IF ANY, OF LENDER \_\_\_\_\_

HIGHEST BALANCE DURING REPORTING PERIOD

\$500 - \$1,000  
 \$1,001 - \$10,000  
 \$10,001 - \$100,000  
 OVER \$100,000

INTEREST RATE \_\_\_\_\_%       None

TERM (Months/Years) \_\_\_\_\_

SECURITY FOR LOAN

None       Personal residence

Real Property \_\_\_\_\_  
 Street address \_\_\_\_\_  
 City \_\_\_\_\_

Guarantor \_\_\_\_\_

Other \_\_\_\_\_  
 (Describe)

Comments: \_\_\_\_\_

STATEMENT OF ECONOMIC INTERESTS  
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Date Initial Filing Received  
Official Use Only  
MAY 24 2019

Office of  
Vice Chancellor, HR  
(MIDDLE)

Please type or print in ink.

NAME OF FILER (LAST) Byrne (FIRST) Eric

1. Office, Agency, or Court

Agency Name (Do not use acronyms)

State Center Community College District Trustee  
Division, Board, Department, District, if applicable Your Position

► If filing for multiple positions, list below or on an attachment. (Do not use acronyms)

Agency: \_\_\_\_\_ Position: \_\_\_\_\_

2. Jurisdiction of Office (Check at least one box)

- State
- Multi-County Fresno, Tulare, Kings, Madera
- City of \_\_\_\_\_
- Judge or Court Commissioner (Statewide Jurisdiction)
- County of \_\_\_\_\_
- Other \_\_\_\_\_

3. Type of Statement (Check at least one box)

- Annual: The period covered is January 1, 2016, through December 31, 2016.
- or-
- The period covered is \_\_\_\_/\_\_\_\_/\_\_\_\_, through December 31, 2016.
- Assuming Office: Date assumed \_\_\_\_/\_\_\_\_/\_\_\_\_
- Candidate: Election year 2016 and office sought, if different than Part 1: \_\_\_\_\_
- Leaving Office: Date Left \_\_\_\_/\_\_\_\_/\_\_\_\_ (Check one)
- The period covered is January 1, 2016, through the date of leaving office.
- or-
- The period covered is \_\_\_\_/\_\_\_\_/\_\_\_\_, through the date of leaving office.

4. Schedule Summary (must complete) ► Total number of pages including this cover page: \_\_\_\_\_

Schedules attached

- Schedule A-1 - Investments - schedule attached
- Schedule C - Income, Loans, & Business Positions - schedule attached
- Schedule A-2 - Investments - schedule attached
- Schedule D - Income - Gifts - schedule attached
- Schedule B - Real Property - schedule attached
- Schedule E - Income - Gifts - Travel Payments - schedule attached

-or-

None - No reportable interests on any schedule

5. Verification

MAILING ADDRESS \_\_\_\_\_ STREET \_\_\_\_\_ CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_  
(Business or Agency Address Recommended - Public Document)

DAYTIME TELEPHONE NUMBER \_\_\_\_\_

E-MAIL ADDRESS \_\_\_\_\_

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete. I acknowledge this is a public document.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date Signed 5/24/19  
(month, day, year)

Signature \_\_\_\_\_

**SCHEDULE C**  
**Income, Loans, & Business**  
**Positions**  
 (Other than Gifts and Travel Payments)

**CALIFORNIA FORM 700**  
 FAIR POLITICAL PRACTICES COMMISSION

Name \_\_\_\_\_

**▶ 1. INCOME RECEIVED**

NAME OF SOURCE OF INCOME  
 1444 Fulton Street Fresno, CA  
 ADDRESS (Business Address Acceptable)

Public Environmental Engineering  
 BUSINESS ACTIVITY, IF ANY, OF SOURCE

Director of Reg. Camp. / Managing Partner  
 YOUR BUSINESS POSITION

---

GROSS INCOME RECEIVED  No Income - Business Position Only  
 \$500 - \$1,000  \$1,001 - \$10,000  
 \$10,001 - \$100,000  OVER \$100,000

CONSIDERATION FOR WHICH INCOME WAS RECEIVED  
 Salary  Spouse's or registered domestic partner's income  
 (For self-employed use Schedule A-2.)

Partnership (Less than 10% ownership. For 10% or greater use  
 Schedule A-2.)

Sale of \_\_\_\_\_  
 (Real property, car, boat, etc.)

Loan repayment

Commission or  Rental Income, list each source of \$10,000 or more  
 \_\_\_\_\_  
 (Describe)

Other \_\_\_\_\_  
 (Describe)

**▶ 1. INCOME RECEIVED**

NAME OF SOURCE OF INCOME \_\_\_\_\_

ADDRESS (Business Address Acceptable) \_\_\_\_\_

BUSINESS ACTIVITY, IF ANY, OF SOURCE \_\_\_\_\_

YOUR BUSINESS POSITION \_\_\_\_\_

---

GROSS INCOME RECEIVED  No Income - Business Position Only  
 \$500 - \$1,000  \$1,001 - \$10,000  
 \$10,001 - \$100,000  OVER \$100,000

CONSIDERATION FOR WHICH INCOME WAS RECEIVED  
 Salary  Spouse's or registered domestic partner's income  
 (For self-employed use Schedule A-2.)

Partnership (Less than 10% ownership. For 10% or greater use  
 Schedule A-2.)

Sale of \_\_\_\_\_  
 (Real property, car, boat, etc.)

Loan repayment

Commission or  Rental Income, list each source of \$10,000 or more  
 \_\_\_\_\_  
 (Describe)

Other \_\_\_\_\_  
 (Describe)

**▶ 2. LOANS RECEIVED OR OUTSTANDING DURING THE REPORTING PERIOD**

\* You are not required to report loans from commercial lending institutions, or any indebtedness created as part of a retail installment or credit card transaction, made in the lender's regular course of business on terms available to members of the public without regard to your official status. Personal loans and loans received not in a lender's regular course of business must be disclosed as follows:

NAME OF LENDER\* \_\_\_\_\_

ADDRESS (Business Address Acceptable) \_\_\_\_\_

BUSINESS ACTIVITY, IF ANY, OF LENDER \_\_\_\_\_

HIGHEST BALANCE DURING REPORTING PERIOD  
 \$500 - \$1,000  
 \$1,001 - \$10,000  
 \$10,001 - \$100,000  
 OVER \$100,000

INTEREST RATE \_\_\_\_\_%  None

TERM (Months/Years) \_\_\_\_\_

SECURITY FOR LOAN  
 None  Personal residence

Real Property \_\_\_\_\_  
 Street address \_\_\_\_\_  
 City \_\_\_\_\_

Guarantor \_\_\_\_\_

Other \_\_\_\_\_  
 (Describe)

Comments: \_\_\_\_\_

**Exhibit A-35**

STATEMENT OF ECONOMIC INTERESTS  
COVER PAGE

Received  
State Center CCD  
Date Initial Filing Received  
APR 02 2018

Office of  
Vice Chancellor, HR

Please type or print in ink.

NAME OF FILER (LAST) (FIRST) (MIDDLE)  
Payne Eric

1. Office, Agency, or Court

Agency Name (Do not use acronyms)  
State Center Community College District Board of Trustee  
Division, Board, Department, District, if applicable Your Position

► If filing for multiple positions, list below or on an attachment. (Do not use acronyms)

Agency: \_\_\_\_\_ Position: \_\_\_\_\_

2. Jurisdiction of Office (Check at least one box)

State  Judge or Court Commissioner (Statewide Jurisdiction)  
 Multi-County Fresno, Madera, Kings, Tulare  County of \_\_\_\_\_  
 City of \_\_\_\_\_  Other \_\_\_\_\_

3. Type of Statement (Check at least one box)

Annual: The period covered is January 1, 2017, through December 31, 2017.  
-or-  
The period covered is \_\_\_\_\_, through December 31, 2017.  
 Assuming Office: Date assumed \_\_\_\_\_  
 Candidate: Date of Election \_\_\_\_\_ and office sought, if different than Part 1: \_\_\_\_\_  
 Leaving Office: Date Left \_\_\_\_\_ (Check one)  
 The period covered is January 1, 2017, through the date of leaving office.  
-or-  
 The period covered is \_\_\_\_\_, through the date of leaving office.

4. Schedule Summary (must complete) ► Total number of pages including this cover page: 24

Schedules attached

Schedule A-1 - Investments - schedule attached  Schedule C - Income, Loans, & Business Positions - schedule attached  
 Schedule A-2 - Investments - schedule attached  Schedule D - Income - Gifts - schedule attached  
 Schedule B - Real Property - schedule attached  Schedule E - Income - Gifts - Travel Payments - schedule attached

-or-

None - No reportable interests on any schedule

5. Verification

MAILING ADDRESS STREET CITY STATE ZIP CODE  
(Business or Agency Address Recommended - Public Document)

DAYTIME TELEPHONE NUMBER E-MAIL ADDRESS  
eric.payne@sccd.edu

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete. I acknowledge this is a public document.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date Signed March 30, 2018  
(month, day, year)

Signature \_\_\_\_\_ (Official)

**SCHEDULE C**  
**Income, Loans, & Business**  
**Positions**  
 (Other than Gifts and Travel Payments)

**CALIFORNIA FORM 700**  
 FAIR POLITICAL PRACTICES COMMISSION

Name  
Eric Payne

▶ 1. INCOME RECEIVED

NAME OF SOURCE OF INCOME  
1444 Fulton Street

ADDRESS (Business Address Acceptable)

BUSINESS ACTIVITY, IF ANY, OF SOURCE  
Tour Environmental Engineering

YOUR BUSINESS POSITION  
SENIOR ASSOCIATE

GROSS INCOME RECEIVED  No Income - Business Position Only  
 \$500 - \$1,000  \$1,001 - \$10,000  
 \$10,001 - \$100,000  OVER \$100,000

CONSIDERATION FOR WHICH INCOME WAS RECEIVED  
 Salary  Spouse's or registered domestic partner's income  
 (For self-employed use Schedule A-2.)  
 Partnership (Less than 10% ownership. For 10% or greater use  
 Schedule A-2.)  
 Sale of \_\_\_\_\_  
 (Real property, car, boat, etc.)  
 Loan repayment  
 Commission or  Rental Income, list each source of \$10,000 or more  
Commission  
 (Describe)  
 Other \_\_\_\_\_  
 (Describe)

▶ 1. INCOME RECEIVED

NAME OF SOURCE OF INCOME

ADDRESS (Business Address Acceptable)

BUSINESS ACTIVITY, IF ANY, OF SOURCE

YOUR BUSINESS POSITION

GROSS INCOME RECEIVED  No Income - Business Position Only  
 \$500 - \$1,000  \$1,001 - \$10,000  
 \$10,001 - \$100,000  OVER \$100,000

CONSIDERATION FOR WHICH INCOME WAS RECEIVED  
 Salary  Spouse's or registered domestic partner's income  
 (For self-employed use Schedule A-2.)  
 Partnership (Less than 10% ownership. For 10% or greater use  
 Schedule A-2.)  
 Sale of \_\_\_\_\_  
 (Real property, car, boat, etc.)  
 Loan repayment  
 Commission or  Rental Income, list each source of \$10,000 or more  
 \_\_\_\_\_  
 (Describe)  
 Other \_\_\_\_\_  
 (Describe)

▶ 2. LOANS RECEIVED OR OUTSTANDING DURING THE REPORTING PERIOD

\* You are not required to report loans from commercial lending institutions, or any indebtedness created as part of a retail installment or credit card transaction, made in the lender's regular course of business on terms available to members of the public without regard to your official status. Personal loans and loans received not in a lender's regular course of business must be disclosed as follows:

NAME OF LENDER\* \_\_\_\_\_

ADDRESS (Business Address Acceptable) \_\_\_\_\_

BUSINESS ACTIVITY, IF ANY, OF LENDER \_\_\_\_\_

HIGHEST BALANCE DURING REPORTING PERIOD  
 \$500 - \$1,000  
 \$1,001 - \$10,000  
 \$10,001 - \$100,000  
 OVER \$100,000

INTEREST RATE \_\_\_\_\_%  None

TERM (Months/Years) \_\_\_\_\_

SECURITY FOR LOAN  
 None  Personal residence  
 Real Property \_\_\_\_\_  
 Street address \_\_\_\_\_  
 City \_\_\_\_\_  
 Guarantor \_\_\_\_\_  
 Other \_\_\_\_\_  
 (Describe)

Comments: \_\_\_\_\_

**SCHEDULE D**  
**Income – Gifts**

Name  
 Payne, Eric

▶ NAME OF SOURCE (Not an Acronym)  
 POM's and Associates

ADDRESS (Business Address Acceptable)  
 5700 Canoga Ave., Suite 400, Woodland Hills

BUSINESS ACTIVITY, IF ANY, OF SOURCE  
 Strategic Planning, CAJPA

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
04 / 19 / 17	\$ 27.50	Beverages
09 / 13 / 17	\$ 27.38	Beverages
___ / ___ / ___	\$ _____	_____

▶ NAME OF SOURCE (Not an Acronym)  
 Athen

ADDRESS (Business Address Acceptable)  
 P.O. Box 696, Concord, CA 94522

BUSINESS ACTIVITY, IF ANY, OF SOURCE  
 Strategic Planning

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
04 / 20 / 17	\$ 55.00	Beverages
___ / ___ / ___	\$ _____	_____
___ / ___ / ___	\$ _____	_____

▶ NAME OF SOURCE (Not an Acronym)  
 York Risk Services

ADDRESS (Business Address Acceptable)  
 333 City Blvd., Orange CA

BUSINESS ACTIVITY, IF ANY, OF SOURCE  
 CAJPA

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
09 / 12 / 17	\$ 42.64	Beverages
2 / 14 / 17	\$ 55.28	DINNER
___ / ___ / ___	\$ _____	_____

▶ NAME OF SOURCE (Not an Acronym)  
 JLT Re

ADDRESS (Business Address Acceptable)  
 225 W Wacker Dr.,

BUSINESS ACTIVITY, IF ANY, OF SOURCE  
 CAJPA

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
09 / 14 / 17	\$ 68.48	Entertainment/Cruise
___ / ___ / ___	\$ _____	_____
___ / ___ / ___	\$ _____	_____

▶ NAME OF SOURCE (Not an Acronym)  
 Safety National

ADDRESS (Business Address Acceptable)  
 515 S. Figueroa St., Los Angeles

BUSINESS ACTIVITY, IF ANY, OF SOURCE  
 CAJPA

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
09 / 14 / 17	\$ 11.08	Beverages
___ / ___ / ___	\$ _____	_____
___ / ___ / ___	\$ _____	_____

▶ NAME OF SOURCE (Not an Acronym)  
 Brit Global Specialty, VSA Bradenton

ADDRESS (Business Address Acceptable)  
 1101 North Clark Street Suite 2900

BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
1 / 19 / 17	\$ 71.81	DINNER
___ / ___ / ___	\$ _____	_____
___ / ___ / ___	\$ _____	_____
___ / ___ / ___	\$ _____	_____

Comments: \_\_\_\_\_

**SCHEDULE D**  
**Income – Gifts**

Name  
 Payne, Eric

▶ NAME OF SOURCE (Not an Acronym)  
1101 E. UNIVERSITY AVE Fresno, Ca  
 ADDRESS (Business Address Acceptable) 93741  
Fresno City College  
 BUSINESS ACTIVITY, IF ANY, OF SOURCE  
1/9/2018 \$75.00 Sweat shirt, Soccer ball, Towel

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
____/____/____	\$ _____	_____
____/____/____	\$ _____	_____
____/____/____	\$ _____	_____

▶ NAME OF SOURCE (Not an Acronym)  
 ADDRESS (Business Address Acceptable)  
 BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
____/____/____	\$ _____	_____
____/____/____	\$ _____	_____
____/____/____	\$ _____	_____

▶ NAME OF SOURCE (Not an Acronym)  
 ADDRESS (Business Address Acceptable)  
 BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
____/____/____	\$ _____	_____
____/____/____	\$ _____	_____
____/____/____	\$ _____	_____

▶ NAME OF SOURCE (Not an Acronym)  
 ADDRESS (Business Address Acceptable)  
 BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
____/____/____	\$ _____	_____
____/____/____	\$ _____	_____
____/____/____	\$ _____	_____

▶ NAME OF SOURCE (Not an Acronym)  
 ADDRESS (Business Address Acceptable)  
 BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
____/____/____	\$ _____	_____
____/____/____	\$ _____	_____
____/____/____	\$ _____	_____

▶ NAME OF SOURCE (Not an Acronym)  
 ADDRESS (Business Address Acceptable)  
 BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
____/____/____	\$ _____	_____
____/____/____	\$ _____	_____
____/____/____	\$ _____	_____

Comments: \_\_\_\_\_

**Exhibit A-36**

STATEMENT OF ECONOMIC INTERESTS  
COVER PAGE  
A PUBLIC DOCUMENT

Received  
State Center CCD  
Date Initial Filing Received  
Official Use Only  
MAY 02 2019

Office of  
Vice Chancellor, HR  
(MIDDLE)

Please type or print in ink.

NAME OF FILER (LAST) (FIRST) (MIDDLE)  
Byrne Eric S.

1. Office, Agency, or Court

Agency Name (Do not use acronyms)

STATE CENTER COMMUNITY College District, Board Trustee/governing Boardmember #2  
Division, Board, Department, District, if applicable Your Position

► If filing for multiple positions, list below or on an attachment. (Do not use acronyms)

Agency: \_\_\_\_\_ Position: \_\_\_\_\_

2. Jurisdiction of Office (Check at least one box)

- State
- Multi-County \_\_\_\_\_
- City of \_\_\_\_\_
- Judge or Court Commissioner (Statewide Jurisdiction)
- County of FRESNO
- Other \_\_\_\_\_

3. Type of Statement (Check at least one box)

- Annual: The period covered is January 1, 2018, through December 31, 2018.
- or- The period covered is \_\_\_\_\_, through December 31, 2018.
- Assuming Office: Date assumed \_\_\_\_\_
- Candidate: Date of Election \_\_\_\_\_ and office sought, if different than Part 1: \_\_\_\_\_
- Leaving Office: Date Left \_\_\_\_\_ (Check one circle.)
- The period covered is January 1, 2018, through the date of leaving office.
- or- The period covered is \_\_\_\_\_, through the date of leaving office.

4. Schedule Summary (must complete) ► Total number of pages including \_\_\_\_\_

- Schedules attached
- Schedule A-1 - Investments - schedule attached
  - Schedule A-2 - Investments - schedule attached
  - Schedule B - Real Property - schedule attached
  - Schedule C - Income
  - Schedule D - Income
  - Schedule E - Income

-or-  None - No reportable interests on any schedule

5. Verification

MAILING ADDRESS \_\_\_\_\_ STREET \_\_\_\_\_ CITY \_\_\_\_\_  
(Business or Agency Address Recommended - Public Document)

DAYTIME TELEPHONE NUMBER \_\_\_\_\_ EMAIL ADDRESS \_\_\_\_\_

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to herein and in any attached schedules is true and complete. I acknowledge this is a

I certify under penalty of perjury under the laws of the State of California that

Date Signed 4/6/19  
(month, day, year)

Signature \_\_\_\_\_

Per Juli, 5/3/19  
Trustee Payne came by on 5/2/19 (Muel was out of office) to sign the copy of his scanned Form 700  
orig signature ↓

**SCHEDULE C**  
**Income, Loans, & Business**  
**Positions**  
 (Other than Gifts and Travel Payments)

Name  
Eric Payne

**▶ 1. INCOME RECEIVED**

NAME OF SOURCE OF INCOME  
P.O. Box 884 Fresno, CA 93721  
 ADDRESS (Business Address Acceptable)

The CENTRAL VALLEY Urban Institute  
 BUSINESS ACTIVITY, IF ANY, OF SOURCE

Executive Director  
 YOUR BUSINESS POSITION

---

GROSS INCOME RECEIVED  No Income - Business Position Only

\$500 - \$1,000  \$1,001 - \$10,000

\$10,001 - \$100,000  OVER \$100,000

CONSIDERATION FOR WHICH INCOME WAS RECEIVED

Salary  Spouse's or registered domestic partner's income  
 (For self-employed use Schedule A-2.)

Partnership (Less than 10% ownership. For 10% or greater use  
 Schedule A-2.)

Sale of \_\_\_\_\_  
 (Real property, car, boat, etc.)

Loan repayment

Commission or  Rental Income, list each source of \$10,000 or more  
 \_\_\_\_\_  
 (Describe)

Other \_\_\_\_\_  
 (Describe)

**▶ 1. INCOME RECEIVED**

NAME OF SOURCE OF INCOME  
 \_\_\_\_\_

ADDRESS (Business Address Acceptable)  
 \_\_\_\_\_

BUSINESS ACTIVITY, IF ANY, OF SOURCE  
 \_\_\_\_\_

YOUR BUSINESS POSITION  
 \_\_\_\_\_

---

GROSS INCOME RECEIVED  No Income - Business Position Only

\$500 - \$1,000  \$1,001 - \$10,000

\$10,001 - \$100,000  OVER \$100,000

CONSIDERATION FOR WHICH INCOME WAS RECEIVED

Salary  Spouse's or registered domestic partner's income  
 (For self-employed use Schedule A-2.)

Partnership (Less than 10% ownership. For 10% or greater use  
 Schedule A-2.)

Sale of \_\_\_\_\_  
 (Real property, car, boat, etc.)

Loan repayment

Commission or  Rental Income, list each source of \$10,000 or more  
 \_\_\_\_\_  
 (Describe)

Other \_\_\_\_\_  
 (Describe)

**▶ 2. LOANS RECEIVED OR OUTSTANDING DURING THE REPORTING PERIOD**

\* You are not required to report loans from a commercial lending institution, or any indebtedness created as part of a retail installment or credit card transaction, made in the lender's regular course of business on terms available to members of the public without regard to your official status. Personal loans and loans received not in a lender's regular course of business must be disclosed as follows:

NAME OF LENDER*	INTEREST RATE	TERM (Months/Years)
_____	_____ % <input type="checkbox"/> None	_____
ADDRESS (Business Address Acceptable)	SECURITY FOR LOAN	
_____	<input type="checkbox"/> None <input type="checkbox"/> Personal residence	
BUSINESS ACTIVITY, IF ANY, OF LENDER	<input type="checkbox"/> Real Property _____	Street address
_____		_____
HIGHEST BALANCE DURING REPORTING PERIOD	<input type="checkbox"/> Guarantor _____	City
<input type="checkbox"/> \$500 - \$1,000	<input type="checkbox"/> Other _____	(Describe)
<input type="checkbox"/> \$1,001 - \$10,000		
<input type="checkbox"/> \$10,001 - \$100,000		
<input type="checkbox"/> OVER \$100,000		

Comments: \_\_\_\_\_

**SCHEDULE D**  
**Income – Gifts**

Name  
Eric Payne

▶ NAME OF SOURCE (Not an Acronym)  
WLC Architects  
 ADDRESS (Business Address Acceptable)  
2400 10<sup>th</sup> Street, Suite 500 Berkeley, CA  
 BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
<u>1/26/19</u>	<u>\$ 60.00</u>	<u>Dinner</u>
<u>1/27/19</u>	<u>\$ 60.00</u>	<u>Dinner</u>
<u>   /   /   </u>	<u>\$</u>	<u>   </u>

▶ NAME OF SOURCE (Not an Acronym)  
 ADDRESS (Business Address Acceptable)  
 BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
<u>   /   /   </u>	<u>\$</u>	<u>   </u>
<u>   /   /   </u>	<u>\$</u>	<u>   </u>
<u>   /   /   </u>	<u>\$</u>	<u>   </u>

▶ NAME OF SOURCE (Not an Acronym)  
 ADDRESS (Business Address Acceptable)  
 BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
<u>   /   /   </u>	<u>\$</u>	<u>   </u>
<u>   /   /   </u>	<u>\$</u>	<u>   </u>
<u>   /   /   </u>	<u>\$</u>	<u>   </u>

▶ NAME OF SOURCE (Not an Acronym)  
 ADDRESS (Business Address Acceptable)  
 BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
<u>   /   /   </u>	<u>\$</u>	<u>   </u>
<u>   /   /   </u>	<u>\$</u>	<u>   </u>
<u>   /   /   </u>	<u>\$</u>	<u>   </u>

▶ NAME OF SOURCE (Not an Acronym)  
 ADDRESS (Business Address Acceptable)  
 BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
<u>   /   /   </u>	<u>\$</u>	<u>   </u>
<u>   /   /   </u>	<u>\$</u>	<u>   </u>
<u>   /   /   </u>	<u>\$</u>	<u>   </u>

▶ NAME OF SOURCE (Not an Acronym)  
 ADDRESS (Business Address Acceptable)  
 BUSINESS ACTIVITY, IF ANY, OF SOURCE

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
<u>   /   /   </u>	<u>\$</u>	<u>   </u>
<u>   /   /   </u>	<u>\$</u>	<u>   </u>
<u>   /   /   </u>	<u>\$</u>	<u>   </u>

Comments: \_\_\_\_\_

**Exhibit A-37**



STATE OF CALIFORNIA  
FAIR POLITICAL PRACTICES COMMISSION  
1102 Q Street, Suite 3000 • Sacramento, CA 95811

May 1, 2019

Eric Payne, individually and o/b/o Eric Payne For SCCCD 2016 Trustee Area 2

██████████  
Fresno, CA ██████████  
████████████████████

**NOTICE OF DEFAULT DECISION AND ORDER**

**Re: FPPC Case No. 16/19917: In the Matter of Eric Payne and Eric Payne For SCCCD 2016 Trustee Area 2**

Dear Mr. Payne and Eric Payne For SCCCD 2016 Trustee Area 2:

On January 22, 2019, you were personally served with an accusation in the above referenced matter. Pursuant to the Administrative Procedure Act, you were required to file a notice of defense within 15 days after service of the accusation to request an administrative hearing. You did not file a notice of defense. **As a result, you have waived your right to an administrative hearing.**<sup>1</sup>

The Fair Political Practices Commission (the “Commission”) will proceed with a default, decision and order (“default”) against you. The initial notice of this default will appear on the published agenda for the Commission’s public meeting on May 16, 2019. This agenda will be public and you could be contacted by the media with questions. The Commission will be asked to adopt the default at the subsequent public meeting on June 13, 2019 and impose an administrative penalty of \$37,000 against Mr. Payne individually, and \$29,000 against Mr. Payne and Eric Payne For SCCCD 2016 Trustee Area 2, for a total administrative penalty of \$66,000.

Following the issuance of the default, the Commission will obtain a judgment in superior court for the amount owed and then take action to collect the judgment. Please be advised that administrative penalties for violations of the Political Reform Act cannot be discharged in bankruptcy proceedings.

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<sup>1</sup> Government Code section 11505.

You may still resolve this matter informally by way of a stipulated settlement if an agreement can be reached prior to this matter appearing for consideration by the Commission. Please contact me at (916) 322-5771 or [REDACTED] if you wish to enter into a settlement to resolve this matter in its entirety.

Sincerely,

[REDACTED]

Angela V. Brereton  
Assistant Chief Counsel  
Enforcement Division

**Exhibit A-38**



STATE OF CALIFORNIA  
FAIR POLITICAL PRACTICES COMMISSION  
1102 Q Street, Suite 3000 • Sacramento, CA 95811

May 28, 2019

Eric Payne, individually and o/b/o Eric Payne For SCCCD 2016 Trustee Area 2

[REDACTED]  
Fresno, CA [REDACTED]  
[REDACTED]

**NOTICE OF DEFAULT DECISION AND ORDER**

**Re: FPPC Case No. 16/19917: In the Matter of Eric Payne and Eric Payne For SCCCD 2016 Trustee Area 2**

Dear Mr. Payne and Eric Payne For SCCCD 2016 Trustee Area 2:

On January 22, 2019 you were personally served with an accusation in the above referenced matter. Pursuant to the Administrative Procedure Act, you were required to file a notice of defense within 15 days after service of the accusation to request an administrative hearing. You did not file a notice of defense. **As a result, you have waived your right to an administrative hearing.**<sup>1</sup>

The Fair Political Practices Commission (the “Commission”) will proceed with a default, decision and order (“default”) against you. The initial notice of this default appeared on the published agenda for the Commission’s public meeting on May 16, 2019. The Commission will be asked to adopt the default at its public meeting scheduled for June 13, 2019 and impose an administrative penalty of \$37,000 against Mr. Payne individually, and \$29,000 against Mr. Payne and Eric Payne For SCCCD 2016 Trustee Area 2, for a total administrative penalty of \$66,000. A copy of the default, decision, and order and accompanying exhibits the Commission will consider at its meeting on June 13, 2019 is enclosed with this letter.

You may, but you are not required to, provide a response brief, along with any supporting materials, no later than five calendar days before the Commission hearing at which the default is scheduled to be heard. Your response brief must be served on the Commission Assistant, at the above address.

Following the issuance of the default order and imposition of the administrative penalty, we will commence legal proceedings to collect this fine, which may include converting the Commission’s order to a court judgment. Please be advised that administrative penalties for violations of the Political Reform Act cannot be discharged in bankruptcy proceedings.

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<sup>1</sup> Government Code section 11505.

This letter is your last opportunity to resolve this matter informally by way of a stipulated settlement, before the default proceedings are commenced. If we do not reach a resolution, the enclosed documents will be placed on the Commission's agenda for the June 13, 2019 meeting. Please contact me at (916) 322-5771 or [REDACTED] if you wish to enter into a negotiated settlement.

Sincerely,

[REDACTED]

Angela J. Breton  
Assistant Chief Counsel  
Enforcement Division

Enclosures