



NOTICE AND AGENDA Commission Meeting¹

California Fair Political Practices Commission
1102 Q Street, Suite 3800
Sacramento, CA 95811

Thursday, August 15, 2024
10:00 A.M.

Under Government Code section 11123(a), all meetings of a state body are open and public, and all persons are permitted to attend any meeting of a state body, except as otherwise provided in that article. The section further states that the portion of the teleconferenced meeting that is required to be open to the public must be audible to the public at the location specified in the notice of the meeting. Members of the public may listen to the meeting by phone by calling (669) 444-9171; meeting ID 9856036268; or watch the meeting via Webinar at [YouTube](#). To participate in real time, visit <http://mediasite.fppc.ca.gov/> or call (669) 444-9171; meeting ID 9856036268.

To view the new procedure to participate by telephone, visit our [public comment page](#).

Persons who, due to a disability, need assistance in order to participate in this meeting should, prior to the meeting, contact the Commission Assistant at (916) 322-5745 (voice), CommAsst@fppc.ca.gov (e-mail) and ADACoordinator@fppc.ca.gov. TTY/TDD and Speech-to-Speech users may dial 7-1-1 for the California Relay Service to submit comments on an agenda item or to request special accommodations for persons with disabilities.

The Commission may take action on any item listed on this agenda.

Welcome

Adam E. Silver, Chair

Public Comment

- 1. Public Comment for Items not on Agenda.** During this comment period, any person is invited to speak on any topic that is not listed on this agenda. Action may not be taken on any matter raised during this public comment period until the matter is specifically listed on a future agenda. Those who wish to comment on an item that has been listed on this agenda may comment when that item has been opened for consideration by the Commission and before any action is taken.

¹You can obtain further information about the meeting by contacting the Commission Assistant, 1102 Q Street, Suite 3050, Sacramento, CA, 95811, Tel. (916) 322-5745. Written comments on agenda items should be submitted to the Commission no later than 12:00 p.m. the day before the meeting in order to afford the Commissioners adequate time to fully consider the comments. Email comment letters directly to CommAsst@fppc.ca.gov. To participate in real time, visit <http://mediasite.fppc.ca.gov/>.

The agenda and related documents are posted on the FPPC website at www.fppc.ca.gov. Materials submitted by the public regarding each agenda item will be made available on the website.

Approval of Commission Minutes

2. Approval of June 2024 Commission Meeting Minutes.

Consent Calendar 3-6

Items on the consent calendar will be taken up and voted on as a group. A Commissioner may request that an item be removed from consent, in which case it will be discussed separately in the meeting.

- 3. Adoption of Proposed Amendments to Regulations 18991, 18993 and 18994, Audits and Investigations.** Staff: Dave Bainbridge, General Counsel, Legal Division. The proposed amendments to Regulation 18991 will exclude certain jurisdictions from the audit draw process under Regulation 18993 to avoid duplicative audits, while the proposed amendments to Regulations 18993 and 18994 will clarify their application to audits performed by the Commission. The proposed amendments are presented for adoption by the Commission.

Staff Memo

Proposed Amendments to Regulation 18991

Proposed Amendments to Regulation 18993

Proposed Amendments to Regulation 18994

Misuse of Campaign Funds

- 4. In the Matter of Hallinan for Board of Equalization 2018, Hallinan for Supervisor 2020, Tom Hallinan and Hannah Burcaw; FPPC No. 20/861.** Staff: Bridgette Castillo, Senior Commission Counsel and Lance Hachigian, Special Investigator. This matter arose from an audit performed by the Audit Division of the Fair Political Practices Commission. Tom Hallinan was an unsuccessful candidate for Board of Equalization in the November 6, 2018 General Election. Hallinan for Board of Equalization 2018 (“2018 Committee”) was Hallinan’s candidate-controlled committee. Additionally, Hallinan was an unsuccessful candidate for Stanislaus County Board of Supervisors in the November 3, 2020 General Election. Hallinan for Supervisor 2020 (“2020 Committee”) was Hallinan’s candidate-controlled committee. Hannah Burcaw served as the Committee’s treasurer for both the 2018 Committee and the 2020 Committee. The 2018 Committee, Hallinan, and Burcaw failed to timely file two semi-annual campaign statements, in violation of Government Code Section 84200 (1 count). The 2018 Committee, Hallinan, and Burcaw impermissibly contributed \$3,000 to the 2020 Committee after the funds had become surplus, in violation of Government Code Section 89519 (1 count). The 2020 Committee, Hallinan, and Burcaw failed to properly disclose receipt of a contribution from the 2018 Committee, in violation of Government Code Section 84211 (1 count). **Total Proposed Penalty: \$7,500.**

Mass Mailings at Public Expense

- 5. In the Matter of North Yuba Water District; FPPC No. 20/917.** Staff: Jenna C. Rinehart, Senior Commission Counsel and Jay Gehres, Special Investigator. North Yuba Water District was represented by its General Legal Counsel, Paul Boylan. The North Yuba Water District sent seven mass mailings that featured an elected officer at public expense, in violation of Government Code Sections 89001 and 89002 (7 counts). **Total Proposed Penalty: \$22,000.**

Default Proceedings

Default Proceedings Requesting Commission Action

- 6. In the Matter of Ramos for City Council 2018, Committee to Elect Daniel Ramos Adelanto City Council 2020, Daniel Ramos, Arley Arsineda; FPPC No. 19/464.** Staff: Alex Rose, Senior Commission Counsel and Ann Flaherty, Special Investigator. Daniel Ramos was an unsuccessful

candidate for the Victorville City Council in the November 6, 2018 General Election and a successful candidate for the Adelanto City Council, in the November 3, 2020 General Election. Ramos for City Council 2018 (the “Victorville Committee”) and Committee to Elect Daniel Ramos Adelanto City Council 2020 (the “Adelanto Committee”) are Daniel Ramos’ candidate-controlled committees. Arsineda served as the Adelanto Committee’s treasurer. The Committees, Daniel Ramos, and Arsineda failed to timely file a Statement of Organization, sixteen semi-annual campaign statements, and four pre-election campaign statements, in violation of Government Code Sections 84103, 84200, 84200.5. (13 counts). Additionally, the Adelanto Committee, Daniel Ramos, and Arsineda failed to establish, maintain, and utilize a campaign bank account, in violation of Government Code Section 85201 (1 count). **Total Proposed Penalty: \$57,500.**

Pre-Notice Defaults

- 7. In the Matter of Caserta for Supervisor 2018 and Dominic Caserta; FPPC No. 19/329.** Staff: Theresa Gilbertson, Senior Commission Counsel and Roone Petersen, Special Investigator. Respondents were represented by James Sutton of Rutan & Tucker, LLP. Dominic Caserta was an unsuccessful candidate for Supervisor for Santa Clara County in the June 5, 2018 Primary Election. Caserta for Supervisor 2018 was Caserta’s candidate-controlled committee. Caserta served as the Committee’s treasurer. The Committee and Caserta made numerous expenditures using campaign funds that were not compliant with the Act’s restrictions on the use of campaign funds as they had no legislative, governmental, or political purpose, and some provided a substantial personal benefit to the candidate, in violation of Government Code Sections 89510 and 89512 (5 counts). In addition, these expenditures were made using campaign funds that had become surplus and the expenditures were not made with a purpose consistent with the enumerated permissible uses of surplus funds, in violation of Government Code Section 89519 (5 counts). Several payments were made to Caserta’s spouse, in violation of Government Code Section 84307.5 (1 count). Further, the Committee and Caserta failed to timely and accurately report activity on a semi-annual campaign statement, in violation of Government Code Section 84211 (1 count) and failed to maintain detailed campaign records for the Committee’s contributions and expenditures for the life of the Committee, in violation of Government Code Section 84104 (1 count). **Total Proposed Penalty: \$65,000.**
- 8. In the Matter of Kern Neighborhoods for Responsible Regulation in Support of Measure J and Tim Blakeley; FPPC 18/976.** Staff: Marissa Corona, Commission Counsel and Kaitlin Osborn, Special Investigator. Kern Neighborhoods for Responsible Regulation in Support of Measure J was a primarily formed committee in support of Measure J, a measure on the ballot in the November 6, 2018 General Election. The Committee’s acting treasurer and principal officer was Tim Blakeley. The Committee and Blakeley failed to timely file a semi-annual campaign statement, in violation of the Government Code Sections 84200 (1 count), failed to timely file a preelection campaign statement, in violation of Government Code Sections 84200.5, subdivision (a) and 84200.8, subdivision (b) (1 count), failed to timely file a 24-Hour Report, in violation of Government Code Section 84203 (1 count) and failed to accurately report contributions, in violation of Government Code Section 84211, subdivision (f) (1 count). Additionally, the Committee and Blakeley failed to keep accurate records, in violation of Government Code Section 84104 (2 counts), received cash contributions of \$100 or more, in violation of Government Code Section 84300, subdivision (a) (1 count) and made cash expenditures of \$100 or more, in violation of Government Code Section 84300, subdivision (b) (1 count). **Total Proposed Penalty: \$29,000.**
- 9. In the Matter of Augusto Caudillo; FPPC No. 22/191.** Staff: Cinthya Bernabé, Commission Counsel. Augusto Caudillo, a Planning Commissioner to the City of Lompoc between January 20, 2021, and April 13, 2023, failed to timely file an Assuming Office, a 2021 Annual, a 2022 Annual, and a Leaving Office Statement of Economic Interest, in violation of Government Code Sections 87200, 87202, 87203, and 87204 (4 counts). **Total Proposed Penalty: \$16,000.**

General Items 10-16

- 10. Assignment of Hearing to Administrative Law Judge (ALJ): In the Matter of City of Norco and Andy Okoro, FPPC No. 18-789.** Staff: Executive Director Galena West, Chief of Enforcement James M. Lindsay, and Senior Commission Counsel Theresa Gilbertson. The Executive Director and the Chief of Enforcement are recommending that a hearing be conducted before an ALJ pursuant to Government Code Section 11512, subdivision (a). The ALJ will make a recommendation to the Commission on the findings of fact, law and penalty, if applicable, in the matter. The Commission will then have the opportunity to review the proposed decision and make the final determination on the case. If the Commission agrees with this recommendation, no action is required.

Staff Memo and Accusation

- 11. No Action Closure letters in Enforcement.** Staff: James M. Lindsay, Chief of Enforcement. Discussion on the content of “no action” closure letters for Enforcement cases.
- 12. Pre-Notice Discussion of Proposed Amendment to Regulation 18534.** Staff: Kevin Cornwall, Senior Commission Counsel, Legal Division. Currently, FPPC regulations expressly permit a candidate-controlled campaign committee to temporarily transfer contributions from the committee’s primary bank account into a higher interest-bearing account prior to expenditure. Staff proposes a regulatory amendment that would expressly permit other recipient committees, such as general purpose committees, to do the same, subject to certain additional requirements. Staff presents this proposal for pre-notice discussion, with presentation for potential adoption to occur at a later Commission meeting.

Staff Memo

Proposed Amendments to Regulation 18534

- 13. 2024/2025 Budget Act.** Staff: Jue Wang, PhD, Chief of Administration.

Staff Memo

- 14. Legislative Update.** Staff: Lindsey Nakano, Senior FPPC Legislative Counsel. The Commission will review and discuss potential sponsored and other legislation. The Commission may provide direction to staff regarding the same.

Legislative Update

- 15. Executive Staff Reports.**

Enforcement Division. James M. Lindsay, Chief.
Audits and Assistance Division. Shrdha Shah, Chief.
Legal Division. Dave Bainbridge, General Counsel.
Administration and Technology Division. Jue Wang, PhD, Chief.
Executive Director Update. Galena West, Executive Director.

Executive Staff Report

- 16. Commissioner Comments and Proposed Future Agenda Items.**

Note: Although any Commissioner may identify a topic of interest, the Commission may not substantially discuss or take action on any matter raised during the meeting that is not included on this agenda, except to decide to place the matter on the agenda of a future meeting. (Government Code Sections 11125 & 11125.7(a).)