



**NOTICE AND AGENDA
Commission Meeting¹**

**California Fair Political Practices Commission
~~428 J Street, Suite 800
Sacramento, CA 95814~~**

**The meeting will be held in person at:
San Diego County Administration Center
Board Chambers Room 310
1600 Pacific Hwy
San Diego, CA 92101**

**Thursday, December 13, 2012
10:00 A.M.**

According to (Gov. Code Section 11123) (a) all meetings of a state body shall be open and public and all persons shall be permitted to attend any meeting of a state body except as otherwise provided in this article. The Section further states: the portion of the teleconferenced meeting that is required to be open to the public shall be audible to the public at the location specified in the notice of the meeting.

As stated above, the meeting of the Commission will take place at **1600 Pacific Hwy, San Diego, CA 92101**. However, Commissioner Garrett will attend this meeting of the Commission via teleconference from the University of Southern California, 3551 Trousdale Parkway, ADM 102, Los Angeles, CA 90089 and Commissioner Eskovitz from 355 South Grand Avenue, Los Angeles, CA 90071.

Agendas will be posted at the teleconference location and the teleconference location will conduct the meetings in a manner that protects the rights of any party or member of the public appearing before the state body (Commission).

¹You can obtain further information about the meeting by contacting the Commission Assistant, 428 J Street, Suite 620, Sacramento, CA, 95814, 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. The fax number for comment letters is (916) 322-6440.

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 at the meeting and on the website.

Members of the public may listen to the meeting by phone by calling (888) 751-0624; access code 723284; or watch the meeting via Webinar at [FPPC Commission Meeting Webinar](#).

The meeting location is accessible to the disabled. 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), (916) 322-6440 (facsimile) or in writing. 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. Please allow a reasonable period of time between the request and the meeting date.

WELCOME AND CHAIR'S REPORT

Ann Ravel, FPPC Chair

PUBLIC COMMENT

1. Public Comment.

This portion of the meeting is reserved for comment on items not on the agenda. Under the Bagley-Keene Act, the Commission cannot act on items raised during public comment, but may respond briefly to statements made or questions posed; request clarification; or refer the item to staff.

PROPOSED CONSENT CALENDAR ITEM 2 - 77

2. Approval of September 2012 Commission Meeting Minutes.

Money Laundering

3. In the Matter of Ana Maria Gonzalez Ibarra, FPPC No. 11/802. (Default Decision)

Staff: Commission Counsel Bridgette Castillo and Special Investigator Beatrice Moore. Respondent Ana Maria Gonzalez Ibarra ("Respondent") is an individual who works at the Macy's Department Store as a salesperson in the City of Chula Vista. Respondent made two campaign contributions through her friends, by reimbursing them with a personal check, for the campaign contributions they made. The two contributions, totaling \$600, were made to Steve Castaneda in connection with the June 8, 2010 election in the City of Chula Vista, in violation of Government Code section 84301. (2 counts). **Total Proposed Penalty: \$10,000.**

Conflict of Interest

4. In the Matter of Andres Herrera, FPPC No. 12/026.

Staff: Senior Commission Counsel Galena West and Special Investigator Lee Myers. In this matter, Respondent Andres Herrera, City Councilmember for the City of Oxnard, received gifts exceeding the reporting threshold of \$50 in 2007, 2008, and 2009, and failed to report these gifts on his annual SEIs for those years, in violation of Section 87203 of the Government Code (3 counts). In addition, Respondent received gifts exceeding the applicable gift limit in 2007, 2008, and 2009, in violation of Section 89503, subdivision (a) of the Government Code (3 counts). Respondent impermissibly made, participated in the making, or influenced a governmental decision when he voted to approve an ordinance

to authorize the location of a theatre in a Specific Plan and voted to grant authority to the Mayor to approve a Memorandum of Understanding with J.F. Shea Co., & Affiliated Companies, who was the source of a gift that exceeded the annual gift limit applicable, in violation of Section 87100 of the Government Code (1 count). **Total Proposed Penalty: \$12,500.**

5. **In the Matter of Harold Griffith, FPPC No. 12/192.** Staff: Commission Counsel Zachary W. Norton and Special Investigator Janet Seely. In this matter, Respondent Harold Griffith, President of the Rancho Adobe Fire Protection District, attempted to use his official position to influence a governmental decision in which he had a material financial interest, by testifying before the City of Cotati Design Review Committee regarding the proposed roadway modification component of the Old Redwood Highway rehabilitation project, in violation of Government Code Section 87100 (1 count). **Total Proposed Penalty: \$3,000.**

6. **In the Matter of Jack Berry, Sr., FPPC No. 11/804.** Staff: Commission Counsel Milad Dalju and Special Investigator Leon Nurse-Williams. On August 2, 2011, Respondent Jack Berry, Sr., in his capacity as an Oroville City Councilmember, made a governmental decision in which he knew he had a financial interest, by voting on two resolutions related to the imposition of special taxes, in violation of Government Code section 87100 (1 count). **Total Proposed Penalty: \$3,000.**

Campaign Reporting

7. **In the Matter of Colton Police Officers Association PAC, FPPC No. 10/1062.** Staff: Commission Counsel Milad Dalju and Special Investigator Annaraine Diaz. Colton Police Officers Association PAC failed to timely file a preelection statement for the October 1, 2010, through October 16, 2010, reporting period, by October 21, 2010, in violation of Government Code section 84200.5 (1 count); failed to timely report four late independent expenditures made between October 17, 2010, and November 1, 2010, in violation of Government Code section 84204 (1 count); and failed to properly report 60 contributions of \$100 or more received during the July 1, 2010, through December 31, 2010, reporting period, in violation of Government Code section 84211, subdivisions (c) and (f) (1 count). **Total Proposed Penalty: \$7,500.**

8. **In the Matter of Martin Bertram, FPPC No. 10/1093.** Staff: Senior Commission Counsel Neal Bucknell and Program Specialist Grant Beauchamp. Respondent was an unsuccessful candidate for Bakersfield City Council in the November 2, 2010 election. On or about January 27 and May 9, 2011, Respondent made expenditures of campaign

funds in the amounts of \$1,500 and \$2,500, respectively, for personal legal fees—which were unrelated to any political, legislative, or governmental purpose—in violation of Government Code sections 89512, 89513, subdivisions (b)(1) and (2), as well as 89514 (2 counts). **Total Proposed Penalty: \$6,000.**

9. **In the Matter of 38th Assembly District Republican Central Committee, and Michael Hildebrand, Jr., Treasurer; FPPC No. 10/562.** Staff: Commission Counsel Milad Dalju and Special Investigator Paul Rasey. 38th Assembly District Republican Central Committee and its treasurer Michael Hildebrand, Jr., failed to itemize 44 contributions of \$100 or more, totaling \$10,469, received during the July 1, 2010, through September 30, 2010, reporting period, in violation of Government Code sections 84200.5, subdivision (e), 84200.7, subdivision (b)(2), and 84211, subdivisions (c) and (f) (1 count); and failed to report \$5,348 in contributions received during the October 17, 2010, through December 31, 2010, reporting period, in violation of Government Code sections 84200, and 84211, subdivisions (a) and (d) (1 count). **Total Proposed Penalty: \$5,000.**

10. **In the Matter of Mike Stoker, Stoker for Assembly 2012, and Trent Benedetti, FPPC No. 12/090.** Staff: Commission Counsel Dave Bainbridge and Program Specialist William Marland. Respondent Mike Stoker ran for State Assembly in 2010 but lost in the General Election. Respondent Stoker for Assembly 2012 is his campaign committee and respondent Trent Benedetti was at all times relevant in this case the treasurer for the committee. In 2010, Respondents failed to timely report contributor occupation and employer information on a total of 23 contributions of \$100 or more in violation of Government Code section 84211, subdivision (f) (2 counts). Respondents also failed to report 12 campaign expenditures of \$100 or more in violation of Government Code section 84211, subdivision (k) (1 count) and accepted four campaign contributions after the election which exceeded the net debts outstanding from the campaign in violation of Government Code section 85316, subdivision (a) (1 count). **Total Proposed Penalty: \$6,000.**

11. **In the Matter of Lawrence Westerlund and Friends of Larry Westerlund for City Council 2008 , FPPC No. 12/605.** Staff: Commission Counsel Dave Bainbridge and Political Reform Consultant Jeanette Turvill. Respondent Larry Westerlund is a city councilman for the City of Fresno. He also is a licensed attorney. Respondent Friends of Larry Westerlund for City Council 2008 is his campaign committee. Respondent Westerlund expended funds from his campaign bank account to pay his State Bar dues

for the years 2010 and 2012, and his Fresno County Bar Association dues for 2011 in violation of Government Code section 89512 (1 count). **Total Proposed Penalty: \$1,000.**

- 12. In the Matter of Badru Valani, FPPC No. 12/430.** Staff: Commission Counsel Milad Dalju. On October 12, 2009, Respondent Badru Valani contributed in excess of the \$3,900 contribution limit to a candidate for elective state office by contributing \$5,500 to State Assembly candidate Robert Livengood's unsuccessful 2010 primary election campaign, in violation of Government Code Section 85301, subdivision (a) (1 count). **Total Proposed Penalty: \$2,000.**
- 13. In the Matter of Carl Hilliard and Hilliard for Supervisor 2012, FPPC No. 12/108.** Staff: Commission Counsel Milad Dalju and Political Reform Consultant Jeanette Turvill. In this matter, Respondent Carl Hilliard, a candidate for County Supervisor for San Diego's Supervisorial District 3 in the June 5, 2012, primary election, and his candidate controlled committee Hilliard for Supervisor 2012 failed to timely file a semiannual statement for the reporting period ending December 31, 2011, by January 31, 2012, in violation of Section 84200, subdivision (a), of the Government Code (1 count). **Total Proposed Penalty: \$1,500.**
- 14. In the Matter of Warren P. Willis, and Warren Willis for Senate 2010, FPPC No. 12/089.** Staff: Senior Commission Counsel Angela Brereton, and Program Specialist, Luz Bonetti. Respondent Warren P. Willis (Respondent Willis), a first-time candidate, was a successful candidate for California State Senate, 30th District, in the June 8, 2010 primary election and he was an unsuccessful candidate in the November 2, 2010 general election. Respondent Warren Willis for Senate 2010 (Respondent Committee) was Respondent Willis' candidate controlled committee. At all relevant times, Respondent Willis was treasurer of Respondent Committee. This matter arose out of an audit performed by the Political Reform Audit Program of the Franchise Tax Board (FTB) for the period of January 1, 2010, through December 31, 2010. In this matter, Respondents failed to file a statement of organization by the April 19, 2010 due date, in violation of Government Code Section 84101, subdivision (a) (1 count); failed to file a pre-election campaign statement by the May 27, 2010 due date, for the reporting period of January 1 through May 22, 2010, in violation of Government Code Sections 84200.5, subdivision (a), and 84200.7, subdivision (a) (1 count); and Respondent Committee accepted and Respondent Willis made two personal loans from Respondent Willis to Respondent Committee, in the amount of \$15,000 each, which caused the outstanding

balance of personal loans made by Respondent Willis to Respondent Committee to exceed the \$100,000 threshold by \$25,000, in violation of Government Code Section 85307, subdivision (b) (1 count). **Total proposed penalty: \$10,000.**

15. **In the Matter of Shannon Grove, Shannon Grove for Assembly 2010, and Karen Cain, FPPC No. 10/1098.** Staff: Senior Commission Counsel Neal Bucknell and Program Specialist Grant Beauchamp. In 2010, Respondent Shannon Grove was a successful candidate for the California State Assembly, 32nd District. Respondent Shannon Grove for Assembly 2010 was her candidate controlled committee. Respondent Karen Cain was the committee treasurer. In this matter, Respondents failed to timely report subvendor information for payments totaling approximately \$229,374 on campaign statements filed for the reporting periods ending May 22 and June 30, 2010, in violation of Sections 84211, subdivision (k), and 84303 (1 count). **Total Proposed Penalty: \$2,250.**

16. **In the Matter of Gregory Salcido and Gregory Salcido – City Council, FPPC No. 11/693.** Staff: Commission Counsel Dave Bainbridge and Special Investigator Paul Rasey. Respondent Gregory Salcido is a city councilman for the City of Pico Rivera and Respondent Gregory Salcido – City Council is his campaign committee. In January 2010, Respondent Salcido accepted a \$2,000 campaign contribution in cash in violation of Government Code section 84300, subdivision (a) (1 count). In June of 2011, Respondent Salcido received five campaign contributions from five people who worked for La Noria Entertainment, Inc. Respondents reported the five contributions as a single contribution from La Noria Entertainment, Inc. and did not identify the individual contributors in violation of Government Code section 84211, subdivision (f) (1 count). **Total proposed penalty: \$2,500.**

17. **In the Matter of Independent Coalition of Educators Sponsored by the California Association of Private Postsecondary Schools and Robert Johnson, Treasurer, FPPC No. 12/559.** Staff: Commission Counsel Milad Dalju and Program Specialist Bill Marland . This matter originated as a Franchise Tax Board audit. In this matter, Respondent Independent Coalition of Educators Sponsored by California Association of Private Postsecondary Schools, a state general purpose committee, and its treasurer Respondent Robert Johnson failed to timely file a preelection statement for the January 1, 2010, through March 17, 2010, reporting period, by March 22, 2010, the March 18, 2010, through May 22, 2010, reporting period, by May 27, 2010, and the July 1, 2010, through September 30, 2010, reporting period, by October 5, 2010, in violation of Government Code section 84200.5 (1 count); failed to timely file a preelection statement for the January 1, 2012, through March 17, 2012, reporting period, by March

22, 2012, and the March 18, 2012, through May 19, 2012, reporting period, by May 24, 2012, in violation of Government Code section 84200.5 (1 count); and on August 31, 2009, impermissibly accepted a contribution in excess of the \$6,500 contribution limit from a single person for the purpose of making contributions to candidates for elective state office, in violation of Government Code section 85303, subdivision (a) (1 count).

Total Proposed Penalty: \$6,500.

18. **In the Matter of Edwin Jacinto; FPPC No. 12/197 (Default Decision).** Staff: Commission Counsel Zachary W. Norton and Special Investigators Paul Rasey and Leon Nurse-Williams. Edwin Jacinto, as a candidate for a seat on the Lynwood City Council in the November 8, 2011 general election, and his candidate controlled committee, the Committee to Elect Edwin Jacinto, failed to file a pre-election campaign statement for the September 25, 2011 through October 22, 2011 reporting period, by the October 27, 2011 deadline, in violation of Government Code Sections 84200.5, subdivision (c) and 84200.8, subdivision (b) (1 count), and failed to file a semi-annual campaign statement for the reporting period October 23, 2011 through December 31, 2011, by the January 31, 2012 deadline, in violation of Government Code Section 84200, subdivision (a) (1 count). **Total Proposed Penalty: \$5,000.**

19. **In the Matter of Daniel K. Tabor, Tabor for Mayor 2010, and Krishna Tabor, Treasurer, FPPC No. 10/1025 (Default Decision).** Staff: Commission Counsel Milad Dalju and Program Specialist Bob Perna. Respondent Daniel K. Tabor was a candidate for mayor of the City of Inglewood in the June 8, 2010, special election, the August 31, 2010, run-off election, the November 2, 2010, general election, and the January 11, 2011, run-off election. Respondent Tabor for Mayor 2010 was his candidate-controlled committee, and Respondent Krishna Tabor was the committee's treasurer. Respondents failed to timely file preelection statements for the March 18, 2010, through May 22, 2010, the July 1, 2010, through August 14, 2010, the August 15, 2010, through September 30, 2010, the October 1, 2010, through October 16, 2010, the October 17, 2010, through November 27, 2010, and the November 28, 2010, through December 25, 2010, reporting periods, in violation of Government Code section 84200.5 (6 counts); failed to timely file a semiannual statement for the May 23, 2010, through June 30, 2010, reporting period, in violation of Government Code section 84200 (1 count); and failed to file late contribution reports within 24 hours of receiving nine late contributions, totaling approximately \$29,500, between August 15, 2010, and January 10, 2011, in violation of Government Code section 84203, subdivisions (a) and (b) (1 count). **Total Proposed Penalty: \$32,000.**

- 20. In the Matter of Californians for Privacy, Luke Breit and Michael Gunter, FPPC No. 10/1119. (Default Decision)** Staff: Commission Counsel Bridgette Castillo and Special Investigator Leon Nurse-Williams. Respondent Californians for Privacy (“Respondent Committee”) is a State General Purpose Committee organized for the purpose of decriminalizing prostitution. Respondent Luke Breit (“Respondent Breit”) was the treasurer of Respondent Committee from April 2008, through the termination of Respondent Committee, on or about November 9, 2012. Respondent Michael Gunter (“Respondent Gunter”) took over the treasurer duties from approximately June 2008, through approximately April 29, 2009, when Respondent Breit resumed the treasurer duties. In this matter, Respondent Gunter and Respondent Committee failed to file an amended statement of organization regarding a change of the treasurer of the Respondent Committee, in violation of Government Code section 84103, subdivision (a) (1 Count); Between October 15, 2008, and March 11, 2009, Respondent Gunter caused Respondent Committee to make expenditures of campaign funds, which conferred a substantial personal benefit on him, for purposes other than directly related to a political, legislative, or governmental purpose, in violation of Government Code section 89512.5, subdivision (b) (1 Count); On or about December 2, 2009, Respondent Breit made a loan of Respondent Committee campaign funds for purposes other than reasonably related to a political, legislative, or governmental purpose, in violation of Government Code sections 89513, subdivision (g) and 89515 (1 Count); Respondent Committee and Respondent Breit failed to timely file a semi-annual campaign statement for the reporting period January 1, 2010, through June 30, 2010, which was due by August 2, 2010, in violation of Government Code section 84200, subdivision (a) (1 Count); Respondent Committee and Respondent Breit failed to maintain the detailed accounts, records, bills, and receipts necessary to prepare the semi-annual campaign statement, for the reporting period of July 1, 2009, through December 31, 2009, to establish that the campaign statement was properly filed, and to comply with the campaign reporting provisions of the Act, in violation of Government Code section 84104 (1 Count). **Total Proposed Penalty: \$17,000.**
- 21. In the Matter of Ronald Smith and Friends of Ron Smith; FPPC No. 11/1053.** Staff: Commission Counsel Zachary W. Norton. Respondent Ronald Smith, as a candidate for re-election to the West Basin Municipal Water District Board in the November 2, 2010 election, and his candidate controlled committee, Friends of Ron Smith, failed to file semi-annual campaign statements for the reporting periods January 1, 2011 through June 30, 2011, by the August 1, 2011 due date, and July 1, 2011 through December 31, 2011, by the January 31, 2012 due date, in violation of Government Code Sections 84200, subdivision (a) (1 count). **Total Proposed Penalty: \$1,500.**

22. **In the Matter of Zack Scrivner, Scrivner for Supervisor 2010, and Shawn Kelly, FPPC No. 10/1099.** Staff: Senior Commission Counsel Neal Bucknell and Program Specialist Grant Beauchamp. Respondent Zack Scrivner was elected to the Kern County Board of Supervisors in the 2010 General Election. Respondent Scrivner for Supervisor 2010 was his candidate controlled committee. Respondent Shawn Kelly was the committee treasurer. In this matter, Respondents failed to report subvendor information for payments totaling approximately \$297,182 on the six original campaign statements filed for the period July 1, 2009 through October 16, 2010, in violation of Government Code sections 84211, subdivision (k), and 84303 (1 count). Also, Respondents failed to report accrued expenses totaling approximately \$99,685 on the four campaign statements filed for the period January 1, 2010 through September 30, 2010, in violation of Government Code section 84211, subdivision (b), (i), and (k), and California Code of Regulations, title 2, section 18421.6 (1 count). **Total Proposed Penalty: \$4,750.**
23. **In the Matter of Pari Mutuel Employees Guild, Local 280, FPPC No. 11/319 (Default Decision).** Staff: Commission Counsel Dave Bainbridge. Respondent Pari Mutuel Employees Guild, Local 280 is a general purpose committee. Respondent failed to file semi-annual campaign statements for the reporting periods ending on December 31, 2010, June 30, 2011, and December 31, 2011 in violation of Government Code Section 84200, subdivision (a) (3 counts). **Total Proposed Penalty: \$7,500.**

Lobbying Reporting

24. **In the Matter of Sacramento Advocacy and Catherine Barankin; FPPC No. 11/427 (Default Decision).** Staff: Legal Analyst Tracey Frazier. Respondent Barankin, a registered California lobbyist, and Respondent Sacramento Advocacy, a California lobbying firm, failed to timely file quarterly lobbyist and lobbying firm reports from July 1, 2010 through September 30, 2012 involving over \$500,000 in payments received for lobbying services in violation of Government Code Section 86113, 86114, 86117, 84605 (9 counts). **Total Proposed Penalty: \$22,500.**
25. **In the Matter of California Industrial Hygiene Council and Jaime Steedman-Lyde; FPPC No. 10/361 (Default Decision).** Staff: Legal Analyst Tracey Frazier. Respondent California Industrial Hygiene Council, a California lobbyist employer, and Respondent Steedman-Lyde, California Industrial Hygiene Council's Responsible Officer, failed to timely file ten Lobbyist Employer Reports (Form 635) between October 1, 2009 and September 30, 2012, failing to disclose total payments made for lobbying services in the amount of \$95,557.03, in violation of Government Code Section 86115, 86117, 84605 (10 counts). **Total Proposed Penalty: \$10,000.**

26. **In the Matter of California Collaboration for Youth and Rick Benfield; FPPC No. 10/362 (Default Decision).** Staff: Legal Analyst Tracey Frazier. Respondent California Collaboration for Youth, a California lobbyist employer, and Respondent Benfield, California Collaboration for Youth's Responsible Officer, failed to timely file twelve Lobbyist Employer Reports (Form 635) between October 1, 2009 and September 30, 2012, failing to disclose total payments made for lobbying services in the amount of \$149,032.28, in violation of Government Code Section 86115, 86117, 84605 (12 counts). **Total Proposed Penalty: \$12,000.**
27. **In the Matter of State Public Affairs Committee – Junior Leagues of California and Wendy Penbera; FPPC No. 10/366 (Default Decision).** Staff: Legal Analyst Tracey Frazier. Respondent State Public Affairs Committee - Junior Leagues of California, a California lobbyist employer, and Respondent Penbera, State Public Affairs Committee – Junior Leagues of California's Responsible Officer, failed to timely file two Lobbyist Employer Reports (Form 635) between October 1, 2009 and March 31, 2010, failing to disclose total payments made for lobbying services in the amount of \$11,708.27, in violation of Government Code Section 86115, 86117, 84605 (2 counts). **Total Proposed Penalty: \$2,000.**
28. **In the Matter of Wildlife Center and Lindy O'Leary; FPPC No. 10/367 (Default Decision).** Staff: Legal Analyst Tracey Frazier. Respondent Wildlife Center, a California lobbyist employer, and Respondent O'Leary, Wildlife Center's Responsible Officer, failed to timely file five Lobbyist Employer Reports (Form 635) between October 1, 2009 and December 31, 2010, failing to disclose total payments made for lobbying services in the amount of \$65,910.76, in violation of Government Code Section 86115, 86117, 84605 (5 counts). **Total Proposed Penalty: \$5,000.**
29. **In the Matter of California State Alliance of YMCAs and Sal Cisnaros; FPPC No. 10/681 (Default Decision).** Staff: Legal Analyst Tracey Frazier. Respondent California State Alliance of YMCAs, a California lobbyist employer, and Respondent Cisnaros, California State Alliance of YMCAs's Responsible Officer, failed to timely file twelve Lobbyist Employer Reports (Form 635) between October 1, 2009 and September 30, 2012, failing to disclose total payments made for lobbying services in the amount of \$397,623.11, in violation of Government Code Section 86115, 86117, 84605 (12 counts). **Total Proposed Penalty: \$12,000.**

Public Agency Mass Mailing

30. **In the Matter of Yorba Linda Water District and Michael Beverage; FPPC No. 11/499.** Staff: Commission Counsel Milad Dalju and Special Investigator Annaraine Diaz. On or about June 6, 2011, Respondents Yorba Linda Water District (“District”) and Michael Beverage, an elected board member of the District, used public funds to mail a newsletter that featured Respondent Michael Beverage to 22,271 members of the District, in violation of Government Code section 89001 (1 count). **Total Proposed Penalty: \$2,000.**

Behested Payment Reporting

31. **In the Matter of Kevin Johnson, FPPC No. 12/555.** Staff: Senior Commission Counsel Neal Bucknell and Special Investigator Simon Russell. Respondent Kevin Johnson is the Mayor of Sacramento. In 2009, 2010, 2011, and 2012, various donors made payments of \$5,000 or more, for a total of over \$3.5 million in payments, to certain charities at the behest of Respondent, but Respondent failed to file the required behested payment reports within 30 days of the dates that the payments were made, in violation of Government Code section 82015, subdivision (b)(2)(B)(iii) (25 counts). **Total Proposed Penalty: \$37,500.**
32. **In the Matter of Robert Fong, FPPC No. 12/588.** Staff: Commission Counsel Dave Bainbridge and Special Investigator Simon Russell. Respondent is a councilmember for the City of Sacramento. Respondent failed to timely report two payments of \$5,000 or more made at his behest by the Plumber and Pipefitters Local 447 to Faith and Homeless Families, a non-profit organization founded by Respondent, within 30 days of the date of the respective payment in violation of Government Code section 82015, subdivision (b)(2)(B)(iii) (2 counts). **Total Proposed Penalty: \$3,000.**

Lobbying Activity

33. **In the Matter of Kammerer and Company and Lori Kammerer, FPPC No. 11/1168.** Staff: Commission Counsel Bridgette Castillo and Special Investigator Leon Nurse-Williams. Respondent Kammerer and Company (“Respondent Firm”) is a registered lobbying firm located in Sacramento. Respondent Lori Kammerer (“Respondent Kammerer”) is a registered lobbyist and the owner of Respondent Firm. In this matter, on or about August 26, 2011, Respondent Firm and Respondent Kammerer caused a communication to be sent on behalf of a fictitious coalition named the Coalition of Small

and Disabled Veteran Businesses to the California Legislature, in violation of Government Code section 86205, subdivision (d) (1 count). **Total Proposed Penalty: \$2,000.**

Statement of Economic Interest – Non-Reporting

- 34. In the Matter of Matthew G. Winegar, FPPC No. 12/309.** Staff: Senior Commission Counsel Galena West and Special Investigator Lee Myers. Respondent Matthew G. Winegar, Development Services Director for the City of Oxnard, received a gift exceeding the reporting threshold of \$50 in the year 2007, and failed to report this gift on his annual Statements of Economic Interests for reporting period, January 1, 2007, through December 31, 2007, due April 1, 2008, in violation of Government Code Sections 87300 and 87302 (1 count). **Total Proposed Penalty: \$1,000.**
- 35. In the Matter of Dean Maulhardt, FPPC No. 12/395.** Staff: Senior Commission Counsel Galena West and Special Investigator Lee Myers. Respondent Dean Maulhardt, City Councilmember for the City of Oxnard, received gifts exceeding the reporting threshold of \$50 in the year 2007, and failed to report these gifts on his annual Statements of Economic Interests for reporting period, January 1, 2007, through December 31, 2007, due April 1, 2008, in violation of Government Code Section 87203 (1 count). **Total Proposed Penalty: \$1,000.**
- 36. In the Matter of Patrick Hume, FPPC No. 10/758.** Staff: Senior Commission Counsel Galena West and Special Investigator Leon Nurse-Williams. Respondent Patrick Hume, City Councilmember for the City of Elk Grove, received gifts exceeding the reporting threshold of \$50 in the year 2009, and failed to report these gifts on his annual Statements of Economic Interests for reporting period, January 1, 2009, through December 31, 2009, due April 1, 2010, in violation of Government Code Section 87203 (1 count). **Total Proposed Penalty: \$1,000.**
- 37. In the Matter of Dr. Irene G. Pinkard, FPPC No. 12/310.** Staff: Senior Commission Counsel Galena West and Special Investigator Lee Myers. Respondent Dr. Irene G. Pinkard, City Councilmember for the City of Oxnard, received gifts exceeding the reporting threshold of \$50 in the year 2009, and failed to report these gifts on her annual Statements of Economic Interests for reporting period, January 1, 2009, through December 31, 2009, due April 1, 2010, in violation of Government Code Sections 87203 (1 count). **Total Proposed Penalty: \$1,000.**

- 38. In the Matter of Percy McGee, FPPC No. 09/637.** Staff: Senior Commission Counsel Neal Bucknell and Special Investigator Paul Rasey. Respondent Percy McGee was a member of the Pittsburg Unified School District Board of Trustees. He managed public investments and was required to file annual Statements of Economic Interests disclosing certain sources of income. In this matter, Respondent filed Statements of Economic Interests for the 2008 and 2009 calendar years, but he failed to list Merrill Lynch as a source of income in violation of Government Code sections 87200, 87203, and 87207 (2 counts). **Total Proposed Penalty: \$2,000.**

Receipt of Gift Over the Limit

- 39. In the Matter of Bryan MacDonald, FPPC No. 12/028.** Staff: Senior Commission Counsel Galena West and Special Investigator Lee Myers. Respondent Bryan MacDonald, City Councilmember for the City of Oxnard, received gifts exceeding the reporting threshold of \$50 in the year 2009, and failed to report these gifts on his annual Statements of Economic Interests for that reporting period, January 1, 2009, through December 31, 2009, due April 1, 2010, in violation of Government Code Section 87203 (1 count). Additionally, these gifts received by Respondent exceeded the applicable gift limit from one source in 2009, in violation of Government Code Section 89503, subdivision (a) (1 count). **Total Proposed Penalty: \$3,000.**

Slate Mailer

- 40. In the Matter of Ventura Blue Committee and Sandra Kinsler, FPPC No. 12/506.** Staff: Commission Counsel Dave Bainbridge. Respondent Ventura Blue Committee is a slate mailer organization. Respondent Sandra Kinsler was, at all time relevant in this matter, the treasurer of the organization. Respondents sent out a slate mailer that did not contain the "Notice to Voters" language required by Government Code section 84305.5, subdivision (a)(2) and did not include asterisks to indicate those candidates who paid to appear on the mailer in violation of Government Code section 84305.5, subdivision (a)(4) (1 count). **Total Proposed Penalty: \$1,500.**
- 41. In the Matter of Democratic Club of Ventura and Sanford Bothman, FPPC No. 12/507.** Staff: Commission Counsel Dave Bainbridge and Special Investigator Paul Rasey. Respondent Democratic Club of Ventura is a general purpose committee. Respondent Sanford Bothman was at all times relevant in this matter the committee treasurer. Respondents sent out a slate mailer in October of 2009 that did

not contain the “Notice to Voters” language required by Section 84305.5, subdivision (a)(2) and did not include asterisks to indicate those candidates and committees that paid to appear on the slate mailer in violation of Section 84305.5, subdivision (a)(4) (1 count). **Total Proposed Penalty \$1,250.**

Late Contribution Reports

42. In the Matter of California Conference Board, Amalgamated Transit Union PAC; Donald Delis, Treasurer, FPPC No. 12/556. Staff: Program Specialist William Marland and Political Reform Consultant Teri Rindahl. This case arose from an audit of the California Conference Board, Amalgamated Transit Union PAC by the Franchise Tax Board. The California Conference Board, Amalgamated Transit Union PAC made a contribution in the amount of \$32,400 to the California Democratic Party, during the late contribution reporting period in connection with the August 17, 2010 Special General Election, Fifteenth Senate District, and failed to report the contribution in a timely manner, in violation of Government Code Section 84203 (1 count). **Total Proposed Penalty: \$4,860.**

43. In the Matter of California New Car Dealers; Thomas W. Hiltachk, Treasurer, FPPC No. 12/557. Staff: Program Specialist William Marland and Political Reform Consultant Teri Rindahl. This case arose from an audit of the California New Car Dealers by the Franchise Tax Board. The California New Car Dealers made a contribution in the amount of \$10,000 to the Budget Reform Now committee, during the late contribution reporting period in connection with the May 19, 2009 Statewide Special Election, and failed to report the contribution in a timely manner, in violation of Government Code Section 84203 (1 count). **Total Proposed Penalty: \$1,500.**

Major Donor Reporting

44. In the Matter of North Salinas Valley Fund for Responsible Growth; Marjorie B. Kay, FPPC No. 12/642. Staff: Political Reform Consultant Jeanette E. Turvill. The North Salinas Valley Fund for Responsible Growth and Marjorie B. Kay, failed to timely file a semi-annual campaign statement disclosing contributions totaling \$95,000 in 2012 in violation of Government Code Section 84200, subdivision (a) (1 count). **Total proposed penalty: \$1,350.**

45. **In the Matter of Takeda Pharmaceuticals America; Steven Kermisch, FPPC No. 12/762.** Staff: Political Reform Consultant Jeanette E. Turvill. The Takeda Pharmaceuticals America; Steven Kermisch, failed to timely file a semi-annual campaign statement disclosing contributions totaling \$64,342 in 2011 in violation of Government Code Section 84200, subdivision (a) (1 count). **Total proposed penalty: \$1,043.**

Campaign Reporting Streamline:

46. **In the Matter of Albert Robles, and his controlled committees; Committee to Re-Elect Albert Robles, and Friends of Albert Robles Officeholder Account, FPPC No. 12/347.** Staff: Political Reform Consultant Teri Rindahl. Respondents, Albert Robles, Committee to Re-Elect Albert Robles, and Friends of Albert Robles Officeholder Account, failed to timely file the Form 460 semiannual campaign statements for both committees covering the periods July 1, 2012 – December 31, 2010, due January 31, 2011; January 1, 2011 – June 30, 2011, due August 1, 2011; and July 1, 2011 - December 31, 2011, due January 31, 2012, with the County of Los Angeles in violation of Government Code Section 84200 (3 counts). **Total Proposed Penalty: \$1,200.**
47. **In the Matter of San Francisco Tenants Union, and Ted Gullicksen, Treasurer, FPPC No. 12/473.** Staff: Political Reform Consultant Teri Rindahl. Respondent San Francisco Tenants Union, a slate mailer organization, and Ted Gullicksen, Treasurer, failed to file paper and electronic semi-annual campaign statements in a timely manner for the period covering October 18, 2011, through December 31, 2011, due January 31, 2012, in violation of Government Code Sections 84200 and 84605 (2 counts). **Total Proposed Penalty: \$400.**
48. **In the Matter of Raymundo Chacon FPPC No. 12/205.** FPPC Staff: Political Reform Consultant Jeanette E. Turvill. Respondent Raymundo Chacon, officeholder with the Los Nietos School District, failed to file Form 470 Officeholder Campaign Statement – Short Form, for the period January 1, 2012 through December 31, 2012, due July 31, 2012 in violation of Government Code Section 84200 (1 count). **Total proposed penalty: \$200.**
49. **In the Matter of Powerpac Leadership Fund; Lisa Le, Treasurer FPPC No. 12/595.** FPPC Staff: Political Reform Consultant Jeanette E. Turvill. Respondents Powerpac Leadership Fund, a state general purpose committee and its treasurer, Lisa Le failed to file Form 460 semiannual campaign statements for the period July 1, 2010 through

December 31, 2010, due January 31, 2011; January 1, 2011 through June 30, 2011, due July 31, 2011; July 1, 2011 through December 31, 2011, due January 31, 2012 and January 1, 2012 through June 30, 2012, due July 31, 2012 with the Office of the Secretary of State in violation of Government Code Section 84200 (4 counts). **Total proposed penalty: \$800.**

50. **In the Matter of David Gonzalez, David Gonzalez for Otay Water District 2010, and David Gonzalez, Treasurer, FPPC No. 12/232.** Staff: Political Reform Consultant Adrienne Korchmaros. Respondent, current San Diego County Otay Water District Board Member David Gonzalez, failed to timely file the Form 460 campaign statement covering the period July 1, 2011 through December 31, 2011, due January 31, 2012, with the Registrar of Voters of San Diego County in violation of Government Code Section 84200 (1 count). **Total Proposed Penalty: \$200.**
51. **In the Matter of Frank C. Guzman, 2011 Committee to Elect Frank Guzman PUSD Governing Board Member, and Frank C. Guzman, Treasurer, FPPC No. 12/345.** Staff: Political Reform Consultant Adrienne Korchmaros. Respondent, Frank C. Guzman, as a candidate for member of a Los Angeles County School Board failed to timely file the Form 460 campaign statement covering the period October 23, 2011, through December 31, 2011, due January 31, 2012, with the Registrar-Recorder of Los Angeles County in violation of Government Code Section 84200 (1 count). **Total Proposed Penalty: \$200.**
52. **In the Matter of Andrew L. Ammon, Committee to Elect Andrew Ammon to School Board 2011, and Andrew L. Ammon, Treasurer, FPPC No. 12/342.** Staff: Political Reform Consultant Adrienne Korchmaros. Respondent, current Los Angeles County School Board Member Andrew L. Ammon, failed to timely file the Form 460 campaign statement covering the period October 23, 2011, through December 31, 2011, due January 31, 2012, with the Registrar-Recorder of Los Angeles County in violation of Government Code Section 84200 (1 count). **Total Proposed Penalty: \$200.**
53. **In the Matter of James K. Pan, Individually and as a Committee, and James K. Pan, Treasurer, FPPC No. 12/400.** Staff: Political Reform Consultant Adrienne Korchmaros. Respondent, James K. Pan, failed to timely file the Form 460 campaign statement covering the period January 1, 2012, through May 19, 2012, due May 24, 2012, with the Secretary of State in violation of Government Code Section 84200.5 (1 count). **Total Proposed Penalty: \$200.**

54. **In the Matter of California Conservative PAC and John Fugatt, Treasurer, FPPC No. 12/ 378.** Staff: Political Reform Consultant Adrienne Korchmaros. Respondents, California Conservative PAC and John Fugatt, Treasurer, failed to timely file, with the appropriate filing officers in paper and electronic format, Late Independent Expenditure reports, Form 496, for late independent expenditures made on the dates May 26, 2012, May 30, 2012, and May 31, 2012, all due within 24 hours of the making of the late independent expenditure, in violation of Government Code Sections 84204 and 85500 (4 counts). **Total Proposed Penalty: \$1,000.**
55. **In the Matter of Paulette Simpson-Gipson, Committee to Elect Paulette for Compton Kids, and Paulette Simpson-Gipson, Treasurer, FPPC No. 12/348.** Staff: Political Reform Consultant Adrienne Korchmaros. Respondents, Los Angeles County school board candidate Paulette Simpson-Gipson, the Committee to Elect Paulette for Compton Kids, and Paulette Simpson-Gipson, Treasurer, failed to timely file the Form 460 campaign statement covering the period July 1, 2011 – December 31, 2011, due January 31, 2012, with the County of Los Angeles in violation of Government Code Section 84200 (1 count). **Total Proposed Penalty: \$200.**
56. **In the Matter of Northern California District Council – International Longshoremen’s & Warehousemen’s Union and Fred Pecker, Treasurer, FPPC No. 11/1092.** Staff: Legal Analyst Tracey Frazier. Respondents, Northern California District Council – International Longshoremen’s & Warehousemen’s Union and Fred Pecker, failed to timely file Form 450 Semiannual Campaign Statements in paper and/or electronic formats between January 1, 2011 and June 30, 2012 with the California Secretary of State’s Office in violation of Government Code Section 84200 and 84605 (6 counts). **Total Proposed Penalty: \$2,400.**

Statement of Economic Interests Streamline

57. **In the Matter of Judge Kevin McCarthy, FPPC No. 12/355.** Staff: Political Reform Consultant Adrienne Korchmaros. Respondent San Francisco County Superior Court Judge Kevin McCarthy failed to timely file the 2011 Annual Statement of Economic Interests covering the period January 1, 2011 through December 31, 2011, due March 1, 2012, in violation of Government Code Section 87203 (1 count). **Total Proposed Penalty: \$400.**

- 58. In the Matter of Robert Douglas, FPPC No. 12/457.** Staff: Political Reform Consultant Teri Rindahl. In this matter, Robert Douglas, a board member of the Butte Valley Fire Protection District, failed to file a timely 2011 Annual Statement of Economic Interests, in violation of Government Code section 87300 (1 count). **Total Proposed Penalty: \$200.**
- 59. In the Matter of Bart Murphy, FPPC No. 12/750.** Staff: Political Reform Consultant Adrienne Korchmaros. Respondent Bart Murphy, as a Member of the Residential Rent Stabilization and Arbitration Board for the City and County of San Francisco, failed to timely file the 2011 Annual Statement of Economic Interests covering the period January 1, 2011 through December 31, 2011, due April 2, 2012, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**
- 60. In the Matter of David Bearman, FPPC No. 12/ 700.** Staff: Political Reform Consultant Adrienne Korchmaros. Respondent David Bearman, as a Member of the City of Santa Barbara Measure P Committee, failed to timely file the 2011 Annual Statement of Economic Interests covering the period January 1, 2011 through December 31, 2011, due April 2, 2012, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**
- 61. In the Matter of Christopher Petlock, FPPC No. 12/664.** Staff: Political Reform Consultant Teri Rindahl. Respondent Christopher Petlock, City of Sonoma Community Services and Environment Commissioner, failed to timely file a 2011 Annual Statement of Economic Interests for the reporting period January 1, 2011, through December 31, 2011, by the April 2, 2012 due date, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**
- 62. In the Matter of Robert Brewer, FPPC No. 12/ 521.** Staff: Political Reform Consultant Adrienne Korchmaros. Respondent Robert Brewer, as a Member of the Department of Consumer Affairs Acupuncture Committee, failed to timely file the 2011 Annual Statement of Economic Interests covering the period January 1, 2011 through December 31, 2011, due April 2, 2012, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**
- 63. In the Matter of Stacey Garcia, FPPC No. 12/089.** Staff: Senior Commission Counsel Angela Brereton, and Special Investigator, Michael Beavers. Respondent Stacey Garcia (Respondent), was elected as City Treasurer of the City of Coachella in November 2008, and she is currently serving a four-year term. As a the City Treasurer for the City of Coachella, Respondent was required to file annual statements of

economic interests for calendar years 2009 and 2010. In this matter, Respondent failed to timely file a 2009 annual statement of economic interests by the April 1, 2010 deadline, and failed to file a 2010 annual statement of economic interests by the April 1, 2011 deadline, in violation of Government Code Section 87203 (2 counts). **Total proposed penalty: \$800.**

- 64. In the Matter of Mary Jin, FPPC No. 12/551.** Staff: Political Reform Consultant Teri Rindahl. Respondent Mary Jin, Orange County Health Care Agency Environmental Health Specialist, failed to timely file a 2011 Annual Statement of Economic Interests for the reporting period January 1, 2011, through December 31, 2011, by the April 2, 2012 due date, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**
- 65. In the Matter of Roberto Cruz, FPPC No. 12/650.** Staff: Political Reform Consultant Jeanette E. Turvill. Respondent Roberto Cruz, officeholder with the El Monte City School District, failed to timely file Form 470 Officeholder Campaign Statement – Short Form, for the period January 1, 2012 through December 31, 2012, due July 31, 2012 in violation of Government Code Section 84200 (1 count). **Total proposed penalty: \$400.**
- 66. In the Matter of Gilbert Ramirez, Jr., FPPC No. 11/130.** Staff: Commission Counsel Zachary W. Norton and Political Reform Consultant Teri Rindahl. In this matter, Gilbert Ramirez, Jr., a member of the Coachella City Council, failed to file a timely 2009 annual Statement of Economic Interests, in violation of Government Code section 87203 (1 count). **Total Proposed Penalty: \$200.**
- 67. In the Matter of M. David Kroot, FPPC No. 12/411.** Staff: Political Reform Consultant Teri Rindahl. Respondent M. David Kroot, San Bernardino County Housing Authority Consultant, failed to timely file a 2011 Annual Statement of Economic Interests for the reporting period January 1, 2011 through December 31, 2011, by the April 2 2012, due date, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$400.**
- 68. In the Matter of Jerry Baker, FPPC No. 12/628.** Staff: Political Reform Consultant Adrienne Korchmaros. Respondent Jerry Baker, a Tuolumne County Planning Commissioner, failed to timely file a Statement of Economic Interests for the reporting period January 1, 2011, through December 31, 2011, by the April 2, 2012, due date, in violation of Government Code Section 87203 (1 count). **Total Proposed Penalty: \$200.**

69. **In the Matter of Roy Moore, FPPC No. 12/548.** Staff: Political Reform Consultant Teri Rindahl. Respondent Roy Moore, Orange County Sanitation District Board Member, failed to timely file a 2011 Annual Statement of Economic Interests for the reporting period January 1, 2011 through December 31, 2011, by the April 2 2012, due date, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**
70. **In the Matter of Will Rivera, FPPC No. 12/453.** Staff: Political Reform Consultant Jeanette E. Turvill. Respondent Will Rivera, a member of the Board of Architectural Review for the County of Santa Barbara, failed to timely file an annual Statement of Economic Interests for the reporting period of January 1, 2011 through December 31, 2011, due April 2, 2012, in violation of Government Code Section 87300. (1 count). **Total Proposed Penalty: \$200.**
71. **In the Matter of Nadia Mendoza, FPPC No. 12/539.** Staff: Political Reform Consultant Adrienne Korchmaros. Respondent Nadia Mendoza, Member of the Foothill Transit Commission for the County of Los Angeles, failed to timely file a Statement of Economic Interests for the reporting period January 1, 2011, through December 31, 2011, by the April 2, 2012, due date, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**
72. **In the Matter of Samuel Perdomo, FPPC No. 12/531.** Staff: Political Reform Consultant Adrienne Korchmaros. Respondent Samuel Perdomo, as a Member for the Los Angeles County Integrated Waste Management Board, failed to timely file the 2011 Annual Statement of Economic Interests covering the period January 1, 2011 through December 31, 2011, due April 2, 2012, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**
73. **In the Matter of Manuel Lozano, FPPC No. 12/537.** Staff: Political Reform Consultant Adrienne Korchmaros. Respondent Manuel Lozano, as a Member for the Los Angeles County Foothill Transit Board, failed to timely file the 2011 Annual Statement of Economic Interests covering the period January 1, 2011 through December 31, 2011, due April 2, 2012, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

74. **In the Matter of Lola Skelton, FPPC No. 12/530.** Staff: Political Reform Consultant Adrienne Korchmaros. Respondent Lola Skelton, as a Member of the Hughes-Elizabeth lakes Union School District Board, failed to timely file the 2011 Annual Statement of Economic Interests covering the period January 1, 2011 through December 31, 2011, due April 2, 2012, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

Statement of Economic Interest – Non-Reporting Streamline

75. **In the Matter of Karrie Scully Johnston, FPPC No. 12/ 304.** Staff: Political Reform Consultant Adrienne Korchmaros. Respondent Karrie Scully Johnston, Board Member for the County of San Diego San Miguel Consolidated Fire Protection District, failed to disclose her financial interest in American Medical Response as a source of income on the Statements of Economic Interests for the reporting periods January 1, 2010 – December 31, 2010, due April 1, 2011, and January 1, 2011 – December 31, 2011, due April 2, 2012, in violation of Government Code Section 87300 (2 counts). **Total Proposed Penalty: \$400.**

Lobbyist Reporting – Streamline

76. **In the Matter of Healthmarkets, Inc., FPPC No. 11/093.** Staff: Legal Analyst Tracey Frazier, Law Clerk Catherine Bonanno. Respondent Healthmarkets, Inc., a registered California lobbyist employer, and Respondent David A. Thompson, Deputy General Counsel and responsible filing officer, failed to timely file Lobbyist Employer Reports for the 7th quarter of 2009/2010 (7/1/10–9/30/10), a period in which Respondents made \$12,000.00 in lobbying payments, in violation of Government Code Section 86115 (1 count). **Total Proposed Penalty: \$400.**
77. **In the Matter of Argo Partners, Inc., FPPC Case No. 11/768.** Staff: Commission Counsel Dave Bainbridge. Respondent Argo Partners, Inc. employed a lobbying firm to lobby on its behalf but failed to timely file Reports of Lobbyist Employer (Form 635) for quarters 1 through 6 of the 2011-2012 legislative session in violation of Government Code section 86115 (6 counts). **Total Proposed Penalty: \$1,200.**

GENERAL ITEMS 78 - 86

- 78. Adoption of Amendments – Campaign Regulations 18410, 18425, 18550, 18435 and 18465.1; Repeal of Regulation 18539.** Staff: General Counsel Zackery P. Morazzini and Senior Commission Counsel Hyla Wagner. These amendments to campaign regulations relate to (1) early identification of committees funding ballot measure qualification, (2) 24-hour reporting of contributions, (3) 24-hour reporting of independent expenditures, (4) sender identification requirements on mass mailings sent by email, and (5) verification of independent expenditures.
- 79. Adoption of Regulation 18756 – Statements of Economic Interests: Certification of Electronic Filing Systems.** Staff: General Counsel Zackery P. Morazzini and Senior Commission Counsel Hyla Wagner. This regulation sets forth the requirements for a city or county to obtain approval of an online statement of economic interests (SEI) filing system from the Commission. It implements legislation (AB 2062 – Davis) effective September 24, 2012, authorizing local agencies to permit electronic filing of SEIs under programs certified by the FPPC.
- 80. Adoption of Amendment to Regulations 18723 and 18730:** Staff: General Counsel Zackery P. Morazzini and Senior Commission Counsel Jack Woodside. Staff proposes to amend Regulation 18723 and 18730 to provide an extension of the annual Statement of Economic Interest filing deadlines for persons who are on active military duty and thus unable to comply.
- 81. Adoption of Amendments to Regulations 18545, 18703.4, 18730 and 18940.2 - Biennial Adjustments of Gift Limit, Contribution Limits and Voluntary Expenditure Ceilings.** Staff: General Counsel Zackery P. Morazzini and Commission Counsel Sukhi Brar. Government Code Sections 83124, 85316(b), 87103(c) and 89503(f) require biennial adjustments of the Act's gift limit, contribution limits and voluntary expenditure ceilings to reflect changes in the consumer price index. These amendments implement these adjustments for the period January 1, 2013 through December 31, 2014.
- 82. Amendment to Regulation 18705.5: Materiality Standard: Economic Interest in Personal Finances.** Staff: General Counsel Zackery P. Morazzini and Commission Counsel Sukhi K. Brar. Proposal to amend Regulation 18705.5 submitted by Adam D. Link of Somach Simmons & Dunn. The proposed amendment would expand upon an amendment from earlier this year and allow public officials to vote on their appointments to ad hoc and internal standing committees of their agencies when they

receive additional compensation for those duties and would eliminate the requirement that such appointments be required by law.

- 83. Adoption of the 2012/13 Statement of Economic Interests, Form 700 and related documents. Staff: Lynda Cassady, Chief of TAD.** Draft forms are available on the interested persons section of the FPPC website.
- 84. Campaign Forms: Staff: Lynda Cassady, Chief of TAD.** Adoption of revisions to campaign form instructions and the adoption of a new form requiring principal officers to sign a verification related to the independent nature of campaign communications reported as independent expenditures. Draft forms are available on the interested persons section of the FPPC website.

Form 501 - Candidate Statement of Intention

Form 410 - Statement of Organization

Form 496 - Independent Expenditure Report

Form 497 - Contribution Report

Form 470 - Officeholder/Candidate Short Form

Form 462 - Verification of Independent Expenditures

- 85. Sub-Committee to Develop Structure and Process for National Search for Executive Director.** Staff: Commissioner Lynn Montgomery. The Commission will be embarking on a national search for an Executive Director and it is proposed that the Commission establish and approve a sub-committee to develop the structure and process to guide the search. It is also proposed that Commissioners Eskovitz and Montgomery are appointed to the sub-committee.
- 86. Assignment of Hearing to Administrative Law Judge (“ALJ”) - Berryhill:** In the Matter of Bill Berryhill, Tom Berryhill, Bill Berryhill for Assembly - 2008, Berryhill for Assembly 2008, Stanislaus Republican Central Committee (State Acct.), and San Joaquin County Republican Central Committee/Calif. Republican Victory Fund (FPPC Case No. 10/828). Staff: Gary S. Winuk, Chief of Enforcement and Neal P. Bucknell, Senior Commission Counsel.

EXECUTIVE STAFF REPORTS ITEM 87

Legislative Report. Staff: Commission Counsel, Sukhi Brar

Litigation Report. Staff: General Counsel, Zackery P. Morazzini

Legal Division Report. Staff: General Counsel, Zackery P. Morazzini

Enforcement Division Report. Staff: Chief of Enforcement, Gary Winuk

Technical Assistance Division Report. Staff: Chief of T.A.D., Lynda Cassady

Administrative Division Report. Staff: Chief of Administration, Tina Bass

CLOSED SESSION ITEM 88

One item of personnel (Government Code section 1126(a))