



NOTICE AND AGENDA Commission Meeting¹

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

Thursday, January 21, 2016
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. The Commission may take action on any item listed on this agenda.

Commissioner Casher will attend this meeting of the Commission via teleconference from Welwood Murray Memorial Library 100 S Palm Canyon Dr, Palm Springs, CA 92262.

Welcome

Jodi Remke, 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.

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 (877) 411-9748; access code 723284; or watch the meeting via Webinar at [meeting via YouTube](#).

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.

Approval of Commission Minutes

2. Approval of December 2015 Commission Hearing Minutes.

Proposed Consent Calendar Items 3 – 48 Enforcement Matters

Permanent Ban

3. **In the Matter of Marcella Faye Gallagher; FPPC No. 13/945.** Staff: Commission Counsel Zachary W. Norton and Special Investigator Simon Russell. Marcella Faye Gallagher worked as Staff Counsel III at the California Department of Managed Healthcare, prior to accepting a position as Health Plan Regulatory Consultant IV with Kaiser Permanente in July of 2012. After termination of her state employment, for compensation, Marcella Gallagher aided, advised, consulted, or assisted Kaiser in responding to a Department of Managed Healthcare survey, the same proceeding in which she participated while a state administrative official, in violation of Government Code Section 87402 (1 count). **Total Proposed Penalty: \$3,000.**

Campaign Non-Filer

4. **In the Matter of Michael Rogers and Mike Rogers for Supervisor; FPPC No. 13/280 (Default Decision).** Staff: Commission Counsel Michael W. Hamilton. Michael Rogers was an unsuccessful candidate for County Supervisor in Nevada County in the June 5, 2012 Primary Election. Mike Rogers for Supervisor was his candidate controlled committee. Mike Rogers for Supervisor and Rogers did not file a preelection statement for the reporting period of March 18, 2012 through May 19, 2012, in violation of Government Code Sections 84200.5 subdivision (b) and 84200.7 subdivision (a) (1 count). **Total Proposed Penalty: \$5,000.**

5. **In the Matter Southern Californians for Good Government and Denisse Rodarte; FPPC No. 13/872.** Staff: Senior Commission Counsel Angela Brereton and Special Investigator Jay Martin. Southern Californians for Good Government is a state general purpose committee. Denisse Rodarte is the committee treasurer. Southern Californians for Good Government and Rodarte failed to timely file a semiannual campaign statement for the reporting period of July 1 through December 31, 2013, in violation of Government Code Sections 84200 (1 count). **Total Proposed Penalty: \$223.**

6. **In the Matter of Myrna Valdez for Oceanside School Board 2014 and Myrna Valdez; FPPC No. 15/20.** Staff: Assistant Chief of Enforcement Dave Bainbridge and Law Clerk Emily Reynolds. Myrna Valdez was an unsuccessful candidate for Oceanside School Board in 2014 in the November 4, 2014 General Election. Myrna Valdez for Oceanside School Board 2014 was her candidate controlled committee. Valdez and Myrna Valdez for Oceanside School Board 2014 failed to timely file a preelection campaign statement for the reporting period of October 1,

2014 through October 18, 2014, in violation of Government Code Section 84200.5 (1 count).
Total Proposed Penalty: \$212.

7. In the Matter of John Swan, John Swan for LASD Trustee 2014 , and Jim Lai; FPPC No. 15/1383. Staff: Political Reform Consultant Adrienne Korchmaros. John Swan was a successful candidate for Governing Board Member of the Los Altos School District in the November 4, 2014 General Election. John Swan for LASD Trustee 2014 was his candidate controlled committee and Jim Lai was the committee treasurer. Swan, John Swan for LASD Trustee 2014, and Lai failed to timely file a semiannual campaign statement for the reporting period of January 1, 2015 through June 30, 2015, in violation of Government Code Section 84200 (1 count). **Total Proposed Penalty: \$200.**

Campaign Non-Reporter

8. In the Matter of Gino Kwok for Hacienda La Puente Unified School Board, Gino Kwok, and Karen Su; FPPC File No. 15/1634. Staff: Political Reform Consultant Jeanette Turvill. Gino Kwok was a successful candidate for the Hacienda La Puente Unified School District Board of Trustees in the November 3, 2015 General Election. Kwok, Su, and Gino Kwok for Hacienda La Puente Unified School Board failed to provide street addresses for contributors on a semiannual campaign statement for the reporting period of January 1, 2015 through June 30, 2015, in violation of Government Code Section 84211 (1 count). **Total Proposed Penalty: \$414.**

9. In the Matter of Jim Reed for City Council 2014, Jim Reed, and Karen Reed; FPPC File No. 14/1291. Staff: Political Reform Consultant Jeanette Turvill. Jim Reed was a successful candidate to the Paso Robles City Council in the November 4, 2014 General Election. Jim Reed for City Council 2014, Jim Reed, and Karen Reed failed to timely report a billboard advertising valued at \$1,925 as a non-monetary contribution on a preelection campaign statement for the reporting period of July 1, 2014 through September 30, 2014, in violation of Government Code Section 84211 (1 count). **Total Proposed Penalty: \$219.**

Statement of Economic Interests – Non-Filer

10. In the Matter of Katherine Walker; FPPC No. 15/1745. Staff: Commission Counsel Tanya Smith. Katherine Walker, as a Board Member of the Board of Registered Nursing Diversion Evaluation Committee, failed to file an Assuming Office and 2014 Annual Statements of Economic Interests, in violation of Government Code Sections 87300 and 87302 (2 counts). **Total Proposed Penalty: \$600.**

11. In the Matter of Wing Tam; FPPC File No. 15/1743. Staff: Political Reform Consultant Jeanette Turvill. Wing Tam, as an Alternate Member of the Santa Monica Bay Restoration Commission, failed to timely file a 2014 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$300.**

12. In the Matter of John Dmytriw; FPPC No. 15/1583. Staff: Political Reform Consultant Teri Rindahl. John Dmytriw, as a Commissioner of the California Avocado Commission, failed to timely file a 2014 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$300.**

13. In the Matter of Alfred Holzheu, FPPC No. 15/1144. Staff: Assistant Chief of Enforcement Dave Bainbridge and Law Clerk Amanda Kelly. Alfred Holzheu, as a former Director for the Surf Development Company in Santa Barbara County, failed to timely file a 2013 Annual Statement of Economic Interests, in violation of Government Code section 87300 (1 count). **Total Proposed Penalty: \$200.**

Statement of Economic Interests – Non-Reporter

14. In the Matter of Sheila Whitley; FPPC No. 14/1034. Staff: Commission Counsel Tanya Smith. Sheila Whitley, as a Board Member of the Atwater Elementary School District, failed to disclose a gift valued at \$99.81 on her 2011 Annual Statement of Economic Interests, in violation of Government Code Sections 87300 and 87302 (1 count). **Total Proposed Penalty: \$200.**

Annual Fee

15. In the Matter of Petaluma Firefighters Association PAC; FPPC No. 15/1475. Staff: Senior Commission Counsel Bridgette Castillo. Petaluma Firefighters Association PAC failed to pay the 2013 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$400.**

16. In the Matter of Torrance Democratic Club; FPPC No. 15/1066. Staff: Commission Counsel Michael W. Hamilton. Torrance Democratic Club failed to pay the 2013 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$400.**

17. In the Matter of West Covina Firefighters PAC; FPPC No. 15/1109. Staff: Commission Counsel Michael W. Hamilton. West Covina Firefighters PAC failed to pay the 2013 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$400.**

18. In the Matter of Oakland Rainbow PAC; FPPC No. 15/1438. Staff: Commission Counsel Michael W. Hamilton. Oakland Rainbow PAC failed to pay the 2013 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$400.**

19. In the Matter of Katzakian for City Council 2014 and Keith Watts; FPPC No. 15/2169. Staff: Senior Commission Counsel Bridgette Castillo. Katzakian for City Council 2014 and Keith Watts failed to pay the 2014 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$400.**

20. In the Matter of Shannon Grove for Assembly 2012 and Shannon Grove for Assembly 2014; FPPC No. 15/2203. Staff: Commission Counsel Michael W. Hamilton. Shannon Grove for Assembly 2012 and Shannon Grove for Assembly 2014 failed to pay the 2013 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$400.**

21. In the Matter of Committee to Elect Michael G. Milhiser; FPPC No. 15/1476. Staff: Senior Commission Counsel Bridgette Castillo. Committee to Elect Michael G. Milhiser failed to pay the 2013 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

22. In the Matter of Committee to Elect Jenni Klose to SRCS School Board 2012; FPPC No. 15/1349. Staff: Senior Commission Counsel Bridgette Castillo. Committee to Elect Jenni Klose to SRCS School Board 2012 failed to pay the 2013 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

23. In the Matter of Barstow College Faculty Association-California Teachers Association-Association for Better Citizens Political Action Committee; FPPC No. 15/1443. Staff: Senior Commission Counsel Bridgette Castillo. Barstow College Faculty Association-California Teachers Association-Association for Better Citizens Political Action Committee failed to pay the 2013 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

24. In the Matter of California Hearing Health Providers and Pamela K. Woudstra; FPPC No. 15/2128. Staff: Senior Commission Counsel Bridgette Castillo. California Hearing Health Providers and Pamela K. Woudstra failed to pay the 2014 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

25. In the Matter of Fire P.A.C. AKA Coronado Firefighters Association PAC and Nathan Ramos; FPPC No. 15/2129. Staff: Senior Commission Counsel Bridgette Castillo. Fire P.A.C. AKA Coronado Firefighters Association PAC and Nathan Ramos failed to pay the 2014

\$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

26. In the Matter of Committee to Support Ray Mueller for Menlo Park City Council 2012 and Nathan Hodges; FPPC No. 15/2140. Staff: Senior Commission Counsel Bridgette Castillo. Committee to Support Ray Mueller for Menlo Park City Council 2012 and Nathan Hodges failed to pay the 2014 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

27. In the Matter of San Jose Firefighters, IAFF Local 230 Political Action Committee and Patrick Chung; FPPC No. 15/2141. Staff: Senior Commission Counsel Bridgette Castillo. San Jose Firefighters, IAFF Local 230 Political Action Committee and Patrick Chung failed to pay the 2014 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

28. In the Matter of Committee to Elect Liat Meitzenheimer to City Council 2013 and David D. Cates; FPPC No. 15/2163. Staff: Senior Commission Counsel Bridgette Castillo. Committee to Elect Liat Meitzenheimer to City Council 2013 and David D. Cates failed to pay the 2014 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

29. In the Matter of Dave Cogdill, Jr. for Modesto City Council District 6 - 2011 and James Cogdill; FPPC No. 15/2164. Staff: Senior Commission Counsel Bridgette Castillo. Dave Cogdill, Jr. for Modesto City Council District 6 - 2011 and James Cogdill failed to pay the 2014 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

30. In the Matter of Steve Ngo for College Board 2012 and Steve Ngo; FPPC No. 15/2170. Staff: Senior Commission Counsel Bridgette Castillo. Steve Ngo for College Board 2012 and Steve Ngo failed to pay the 2014 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

31. In the Matter of Friends of Wendy McCammack for San Bernardino City Council 7th Ward-2015 and Marvin M. Reiter; FPPC No. 15/2176. Staff: Senior Commission Counsel Bridgette Castillo. Friends of Wendy McCammack for San Bernardino City Council 7th Ward-2015 and Marvin M. Reiter failed to pay the 2014 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

32. In the Matter of Lopez Hanson 4 School Board 2010 and Richard M. Hanson; FPPC No. 15/2165. Staff: Senior Commission Counsel Bridgette Castillo. Lopez Hanson 4 School Board 2010 and Richard M. Hanson failed to pay the 2014 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

33. In the Matter of Committee to Elect Bill Ivey City Council 2013; FPPC No. 15/671. Staff: Commission Counsel Michael W. Hamilton. Committee to Elect Bill Ivey City Council 2013 failed to pay the 2013 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

34. In the Matter of Magana for City Council 2011; FPPC No. 15/889. Staff: Commission Counsel Michael W. Hamilton. Magana for City Council 2011 failed to pay the 2013 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

35. In the Matter of John Nolte for City Council 2012; FPPC No. 15/907. Staff: Commission Counsel Michael W. Hamilton. John Nolte for City Council 2012 failed to pay the 2013 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

36. In the Matter of Martin Bertram for City Council 2010; FPPC No. 15/1369. Staff: Commission Counsel Michael W. Hamilton. Martin Bertram for City Council 2010 failed to pay the 2013 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

37. In the Matter of Asher for City Council 2011 and Shirley Enomoto, Treasurer; FPPC No. 15/2111. Staff: Commission Counsel Michael W. Hamilton. Asher for City Council 2011 and Shirley Enomoto failed to pay the 2014 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

38. In the Matter of Committee to Elect Jose J. Mendoza City Council 2013 and Jose J. Mendoza, Treasurer; FPPC No. 15/2118. Staff: Commission Counsel Michael W. Hamilton. Committee to Elect Jose J. Mendoza City Council 2013 and Jose J. Mendoza failed to pay the 2014 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

39. In the Matter of James Lau for Assembly 2010 and James Lau, Treasurer; FPPC No. 15/2126. Staff: Commission Counsel Michael W. Hamilton. James Lau for Assembly 2010 and James Lau failed to pay the 2014 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

40. In the Matter of Teva Pharmaceuticals USA Inc. and Deborah Alice Griffin, Treasurer; FPPC No. 15/2147. Staff: Commission Counsel Michael W. Hamilton. Teva Pharmaceuticals USA Inc. and Deborah Alice Griffin failed to pay the 2014 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

41. In the Matter of John Knight for Supervisor 2012 and Joy Knight, Treasurer; FPPC No. 15/2148. Staff: Commission Counsel Michael W. Hamilton. John Knight for Supervisor 2012 and Joy Knight failed to pay the 2014 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

42. In the Matter of Fresno Chamber Political Action Committee and Al Smith, Treasurer; FPPC No. 15/2149. Staff: Commission Counsel Michael W. Hamilton. Fresno Chamber Political Action Committee and Al Smith failed to pay the 2014 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

43. In the Matter of Friends of Doug Verboon Supervisor District 3 Kings County 2010 and Jill Verboon, Treasurer; FPPC No. 15/2151. Staff: Commission Counsel Michael W. Hamilton. Friends of Doug Verboon Supervisor District 3 Kings County 2010 and Jill Verboon failed to pay the 2014 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

44. In the Matter of the Committee to Elect Patrick Flora Truckee Town Council 2018 and Patrick Flora, Treasurer; FPPC No. 15/2152. Staff: Commission Counsel Michael W. Hamilton. Committee to Elect Patrick Flora Truckee Town Council 2018 and Patrick Flora failed to pay the 2014 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

45. In the Matter of Fullerton Elementary Teachers Association Political Action Committee (FETA-PAC) and Cathy Wilson, Treasurer; FPPC No. 15/2157. Staff: Commission Counsel Michael W. Hamilton. Fullerton Elementary Teachers Association Political Action Committee (FETA-PAC) and Cathy Wilson failed to pay the 2014 \$50 annual fee to the

Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

46. In the Matter of Helen Jaramillo for Azusa Unified School Board and Diana Williams, Treasurer; FPPC No. 15/2172. Staff: Commission Counsel Michael W. Hamilton. Helen Jaramillo for Azusa Unified School Board and Diana Williams failed to pay the 2014 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

47. In the Matter of San Fernando Police Officers Association PAC and Jeffery Pak, Treasurer; FPPC No. 15/2181. Staff: Commission Counsel Michael W. Hamilton. San Fernando Police Officers Association PAC and Jeffery Pak failed to pay the 2014 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

48. In the Matter of Committee to Elect Elaine Merriweather for School Board 2014, Markela Jones, Treasurer; FPPC No. 15/2259. Staff: Commission Counsel Michael W. Hamilton. Committee to Elect Elaine Merriweather for School Board 2014 and Markela Jones failed to pay the 2014 \$50 annual fee to the Secretary of State's Office, in violation of Government Code Section 84101.5. **Total Proposed Penalty: \$200.**

General Items 49 - 50

49. Assignment of Hearing to Administrative Law Judge ("ALJ"): In the Matter of Kendra Okonkwo; FPPC No. 12/334. Staff: Chief of Enforcement Galena West and Senior Commission Counsel Angela Brereton. The Executive Director and the Chief of Enforcement are recommending that a hearing be conducted before an Administrative Law Judge pursuant to Section 11512, subdivision (a). The ALJ will then 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 make the final determination on the case. If the Commission agrees with the recommendation, no action is required.

50. Amend Regulation 18616: Lobbying - Disclosure of Other Payments to Influence. Staff: Hyla Wagner, General Counsel and Emelyn Rodriguez, Senior Commission Counsel. Staff proposes that the Commission amend Regulation 18616 to require more detail of "other payments to influence" in reports filed by lobbyist employers and persons spending \$5,000 or more to influence legislative or administrative action. This proposal would require that any payment to influence of \$2,500 or more include such details as to whom the payment was made, the amount paid and the purpose for which it was made.

Executive Staff Reports Item 51

- **Legal Division Report.** General Counsel, Hyla P. Wagner
- **Enforcement Division Report.** Chief, Galena West
- **Technical Assistance Division Report.** Assistant Division Chief, Trish Mayer
- **Administrative and Technology Division (2015-2016 Budget).** Chief, Loressa Hon