



## **NOTICE AND AGENDA Commission Meeting<sup>1</sup>**

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

Thursday, October 18, 2018  
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.

### **Welcome**

Alice Germond, 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.

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<sup>1</sup>You can obtain further information about the meeting by contacting the Commission Assistant, 1102 Q Street, Suite 3000, 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](mailto:CommAsst@fppc.ca.gov).

The agenda and related documents are posted on the FPPC website at [www.fppc.ca.gov](http://www.fppc.ca.gov). Materials submitted by the public regarding each agenda item will be made available 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 [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), [CommAsst@fppc.ca.gov](mailto:CommAsst@fppc.ca.gov) (e-mail) and [ADACoordinator@fppc.ca.gov](mailto: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. Please allow three business days between the request and the meeting date.

- 2. Presentation by Secretary of State.** The Secretary of State's Office will present information about the CAL-ACCESS Replacement Project (CARS). CAL-ACCESS is California's disclosure and reporting system for campaign and lobbying information. The original system was launched in 2000 and is scheduled to be replaced.

### Approval of Commission Minutes

- 3. Approval of September 2018 Commission Hearing Minutes.**

### Enforcement Consent Calendar 4-16

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.

### Advertisements

- 4. In the Matter of Committee for Yes on Measure B, Sunder Ramani, and Mary Alvord; FPPC No. 16/20101.** Staff: Senior Commission Counsel Christopher Burton and Special Investigator Garrett Micheels. Committee for Yes on Measure B was a primarily formed ballot measure committee supporting Burbank City Measure B, a measure on the ballot in the November 8, 2016 General Election that sought to approve the construction of a new terminal at the Burbank Airport. Sunder Ramani was the Committee's principal officer and Mary Alvord was the Committee's treasurer. The Committee, Ramani, and Alvord failed to identify the Committee using a name or phrase that clearly identifies the economic or other special interest of its major donor, and failed to identify its major donor in advertisements, in violation of Government Code Sections 84103, 84503, and 84504, subdivision (a), and Regulation 18450.3 (1 count); failed to timely file 24-hour reports for eight different late contributions, amounting to \$94,000, received during the reporting period of July 1, 2016 to September 24, 2016, and seven different late contributions, amounting to \$32,500, received during the reporting period of September 25, 2016 to October 22, 2016, in violation of Government Code Section 84203 (2 counts); and failed to timely file a 24-hour report for five different late contributions, amounting to \$24,000, received during the reporting period of October 23, 2016 to December 31, 2016, in violation of Government Code Section 84203 (1 count). **Total Proposed Penalty: \$10,500.**
- 5. In the Matter of Bluff Cove Homeowners' Association Measure E Opposition Committee, Jennifer Hope, and Robert L. Chapman, Jr.; FPPC No. 18/188.** Staff: Senior Commission Counsel Christopher Burton and Special Investigator Paul Rasey. Bluff Cove Homeowners' Association Measure E Opposition Committee is a primarily formed ballot measure committee created to oppose Palos Verdes Estates Measure E, which appeared on the ballot in the April 10, 2018 Special Election. Jennifer Hope is the Committee's principal officer and Robert L. Chapman is the Committee's treasurer. The Committee, Hope, and Chapman failed to timely file two pre-election campaign statements, in violation of Government Code Sections 84200.5, subdivision (a), and

84200.8, subdivisions (a) and (b) (1 count); the Committee and Hope also failed to include the name of the Committee and required “Paid for by” phrase on five mailer advertisements, in violation of Government Code Sections 84502 and 84504.2, subdivision (a) (1 count). **Total Proposed Penalty: \$3,500.**

### **Campaign Non-Filer**

- 6. In the Matter of Sallings for Santa Clara School Board 2014 and Noelani Sallings; FPPC No. 16/009 (Streamline Settlement).** Staff: Commission Counsel Ruth Yang and Associate Governmental Program Analyst Dominika Wojenska. Noelani Sallings was a successful candidate for the Santa Clara Unified School District Board in 2014 and served as a member of the Santa Clara Unified School District’s Measure J Oversight Committee from 2009 through 2014. Sallings for Santa Clara School Board 2014 was her candidate-controlled committee. The Committee and Sallings failed to timely file four semi-annual campaign statements for the reporting period of July 1, 2015 through June 30, 2017, in violation of Government Code section 84200 (4 counts). Additionally, Sallings failed to timely file four Annual Statements of Economic Interests for 2012 through 2015, in violation of Government Code section 87300 (4 counts). **Total Proposed Penalty: \$5,600.**
- 7. In the Matter of Eric Swanson for Hesperia School Board 2014, Eric Swanson, and Rebekah Swanson; FPPC No. 16/133 (Streamline Settlement).** Staff: Commission Counsel Ruth Yang and Associate Governmental Program Analyst Dominika Wojenska. Eric Swanson was a successful candidate for the Hesperia Unified School District Board in 2014. Eric Swanson for Hesperia School Board 2014 was his candidate-controlled committee. Rebekah Swanson was the Committee’s treasurer. The Committee, Mr. Swanson, and Mrs. Swanson failed to timely file five semi-annual campaign statements for the reporting period of October 19, 2014 through December 31, 2016, in violation of Government Code section 84200 (5 counts). **Total Proposed Penalty: \$1,045.**
- 8. In the Matter of Committee to Elect Brent A. Fernandes to MUSD Trustee Area 7 2014 and Brent A. Fernandes; FPPC No. 17/646 (Streamline Settlement).** Staff: Commission Counsel Theresa Gilbertson and Associate Governmental Program Analyst Dominika Wojenska. Brent A. Fernandes was a successful candidate for Board Member of Trustee Area 7 for Madera Unified School District, where he presently serves. The Committee and Fernandes failed to timely file a 24-hour report for a late contribution received on October 8, 2014, in violation of Government Code 84203 (1 count); failed to timely file a pre-election statement for the period of October 1, 2014 through October 18, 2014, in violation of Government Code 84200.5 (1 count); and also failed to timely file two semiannual campaign statements for the reporting periods ending December 31, 2014 and June 30, 2014 in violation of Government Code 84200 (2 counts). **Total Proposed Penalty: \$837**

- 9. In the Matter of Perrin Swanlund for Assembly 2016 and Perrin Swanlund; FPPC No. 17/720 (Streamline Settlement).** Staff: Commission Counsel Ruth Yang and Law Clerk Savannah Weil-Dye. Perrin Swanlund was an unsuccessful candidate for the California State Assembly District 34 in 2016. Perrin Swanlund for Assembly 2016 was his candidate-controlled committee. The Committee and Swanlund failed to timely file two pre-election campaign statements for the reporting periods of July 1, 2016 through September 24, 2016 and September 25, 2016 through October 22, 2016, in violation of Government Code section 84200.5 (2 counts); and two semi-annual campaign statements for the reporting periods of May 22, 2016 through June 30, 2016 and October 23, 2016 through December 31, 2016, in violation of Government Code section 84200 (2 counts). **Total Proposed Penalty: \$819.**
- 10. In the Matter of Beebe for Trustee, Marie Beebe, and Dennis Beebe; FPPC No. 17/158 (Streamline Settlement).** Staff: Commission Counsel Ruth Yang. Dennis Beebe was a successful candidate for the Kern Community College District Board for Area 3 in 2016. Beebe for Trustee is his candidate-controlled committee. Marie Beebe is the Committee's treasurer. The Committee, Mrs. Beebe, and Mr. Beebe failed to timely file two pre-election campaign statements for the reporting periods of July 1, 2016 through September 24, 2016 and September 25, 2016 through October 22, 2016, in violation of Government Code section 84200.5 (2 counts). The Committee also failed to timely file one semi-annual campaign statement for the reporting period of October 23, 2016 through December 31, 2016, in violation of Government Code section 84200 (1 count). **Total Proposed Penalty: \$600.**
- 11. In the Matter of Miguel Garcia for Sheriff 2018 and Miguel Garcia; FPPC No. 18/625 (Streamline Settlement).** Staff: Chief of Enforcement Galena West and Political Reform Consultant Chris Holm. Miguel Garcia was an unsuccessful candidate for Riverside County Sheriff in the June 5, 2018 Primary Election. Miguel Garcia for Sheriff 2018 is his candidate-controlled committee. The Committee and Garcia failed to timely file two pre-election campaign statements for the reporting periods of January 1, 2018 through April 21, 2018, and April 22, 2018 through May 19, 2018, in violation of Government Code Section 84200.5 (2 counts). **Total Proposed Penalty: \$586.**
- 12. In the Matter of Alan Cade Jr. for Auditor Controller 2018 and Alan Cade Jr.; FPPC No. 18/593 (Streamline Settlement).** Staff: Chief of Enforcement Galena West and Political Reform Consultant Chris Holm. Alan Cade Jr. was an unsuccessful candidate for Auditor Controller of Fresno in the June 5, 2018 Primary Election. Alan Cade Jr. for Auditor Controller 2018 is his candidate-controlled committee. Cade and the Committee failed to timely file one pre-election campaign statement for the reporting period of April 22, 2018 through May 19, 2018, in violation of Government Code Section 84200.5 (1 count). **Total Proposed Penalty: \$215.**

## Campaign Reporting

- 13. In the Matter of Watchdog for San Clemente Responsible Govt – A Committee Formed to Oppose Dan Bane and Steve Swartz for City Council 2016 and Jeri L. Mann; FPPC No. 16/19833 (Streamline Settlement).** Staff: Senior Commission Counsel Christopher Burton and Special Investigator Jeffrey Kamigaki. Watchdog for San Clemente Responsible Govt is a committee primarily formed to oppose Dan Bane and Steve Swartz, candidates for the San Clemente City Council in the November 8, 2016 General Election. Jeri L. Mann is the Committee's treasurer. The Committee and Mann failed to timely file a 24-hour report for a \$10,000 loan, in violation of Government Code Section 84203 (1 count); and failed to timely report an expenditure on a semiannual campaign statement, in violation of Government Code Section 84211, subdivision (k) (1 count). **Total Proposed Penalty: \$510.**
- 14. In the Matter of Calexico Police Officers Association PAC and Miguel Carbajal, FPPC No. 17/589 (Streamline Settlement).** Staff: Commission Counsel Theresa Gilbertson. Calexico Police Officers Association PAC was a local general purpose committee that contributed to a Calexico City Council candidate in the November 8, 2016 General Election. Miguel Carbajal was the Committee's treasurer. The Committee and Carbajal failed to timely file a 24-hour report on October 27, 2016, in violation of Government Code Section 84203. The Committee also failed to report an expenditure on a semiannual campaign statement, in violation of Government Code Section 84211 (2 counts). **Total Proposed Penalty: \$494.**

## Statement of Economic Interest Non-Filers

- 15. In the Matter of Travis Norton; FPPC No. 18/761 (Streamline Settlement).** Staff: Chief of Enforcement Galena West and Political Reform Consultant Chris Holm. Travis Norton, a City of Oceanside Police Lieutenant, failed to timely file an Assuming Office Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$200.**

## Default Proceedings

- 16. In the Matter of Violeta Alvarez, Re-Elect Violeta Alvarez for Bell City Council 2015 and Mario Estrada; FPPC No. 15/150.** Staff: Senior Commission Council Angela J. Brereton, Special Investigator Marshall Miller, Associate Governmental Program Analyst Dominika Wojenska, and Law Clerk Savannah Weil-Dye. Violeta Alvarez was an unsuccessful incumbent candidate for the Bell City Council in the March 3, 2015 Special Election. Re-Elect Violeta Alvarez for City Council 2015 was her candidate-controlled committee. Mario Estrada was the Committee's treasurer. The Committee, Alvarez, and Estrada failed to timely report all contributions and expenditures and failed to disclose required contributor and payee information on originally filed and amended campaign statements for the reporting periods of January 1, 2014 through December 31, 2015, in violation of Government Code Section 84211, subdivisions (a), (b), (c), (d), (f),

(i), j, and (k) (1 count). The Committee, Alvarez, and Estrada also received and made cash contributions and expenditures of \$100 or more, in violation of Government Code Section 84300, subdivisions (a) and (b) (1 count), and failed to maintain supporting records for contributions and expenditures, in violation of Government Code Section 84104 (1 count). **Total Proposed Penalty: \$5,500.**

### **General Items 17-24**

**17. Enforcement Review Task Force.** Task Force Chair Stephen Kaufman and Vice Chair Norman Coppinger. The Enforcement Review Task Force will respond to the Commission's proposal to (1) extend the deadline for the Task Force to file its final report, and (2) provide the Commission with separate presentations/reports at three Commission meetings between December 2018 and April 2019 from each of its subject-matter working groups. The Commission may provide further direction to the Task Force.

**18. Approval of Commissioner Compensation Request.** Staff: Loressa Hon, Acting Executive Director. Consideration of Commissioner's requests for compensation exceeding 40 hours in a calendar month as required by the Commission's Compensation and Reimbursement Policy.

#### **Staff Memo**

### **19. Committee Updates**

**Law and Policy Committee Update** (This Committee did not meet this month)  
**Budget and Personnel Committee Update**

**20. Legislative Update.** Legislative and External Affairs. Phillip Ung, Director.

#### **Staff Memo**

**21. Advice Letter Report and Commission Review.** Staff: Dave Bainbride, General Counsel and Brian Lau, Assistant General Counsel. The Commission may review and discuss advice letters that have been issued since the September Executive Staff Report. The Commission may act to withdraw the advice provided.

#### **Advice Letter Report**

### **22. Executive Staff Reports.**

Enforcement Division. Galena West, Enforcement Chief  
Legal Division. David Bainbridge, General Counsel  
External Affairs and Education. Deborah Hanephin, Manager

#### **Executive Staff Report**

**23. Closed Session. Personnel Matter (Gov. Code § 11126, subds. (a) and (b); 11126(e)(1).)**

**24. Commissioner Comments and Proposed Future Agenda Items.**

Note: While a 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).)