



NOTICE AND AGENDA Commission Meeting¹

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

Thursday, August 20, 2020
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.

Pursuant to Executive Order N-29-20, certain provisions of the Bagley Keene Open Meeting Act are suspended due to a State of Emergency in response to the COVID-19 pandemic. Consistent with the Executive Order, this Commission meeting will be conducted by teleconference only. None of the locations from which Commissioners will participate will be open to the public. Members of the public who wish to observe the meeting may do so via [YouTube](#) or via telephone by calling (877) 411-9748; access code 723284. Members of the public who wish to comment during the meeting may do so by telephone or using the Commission's public participation portal found at <http://mediasite.fppc.ca.gov/>.

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

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

¹You 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. To participate in real time, visit <http://mediasite.fppc.ca.gov/>.

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

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 (e-mail) and ADACoordinator@fppc.ca.gov. TTY/TDD and Speech-to-Speech users may dial 7-1-1 for the California Relay Service to submit comments on an agenda item or to request special accommodations for persons with disabilities. Please allow three business days between the request and the meeting date.

Welcome

Richard C. Miadich, 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.

Approval of Commission Minutes

2. **Approval of July 2020 Commission Hearing Minutes.**

Enforcement Consent Calendar 3-12

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.

Controlled Committees

3. **In the Matter of Friends of Highland and Adomitis, Martin, Solano for City Council 2016, Frank Adomitis, Jerry Martin, and Anaeli Solano; FPPC No. 16/19794.** Staff: Jenna C. Rinehart, Commission Counsel and Lance Hachigian, Special Investigator. Frank Adomitis and Jerry Martin were unsuccessful candidates for Highland City Council in the November 8, 2016 General Election, and Anaeli Solano was a successful candidate in the same election. Adomitis, Martin, Solano for City Council 2016 (“AMS Committee”) was the joint candidate-controlled committee of Adomitis, Martin, and Solano. Frank Adomitis was the AMS Committee’s treasurer. Friends of Highland is a local general purpose committee also controlled by Adomitis and Martin. Frank Adomitis was the Committee’s treasurer. Friends of Highland, Adomitis, and Martin failed to identify Friends of Highland as a candidate-controlled committee, in violation of Government Code Sections 84102, subdivision(e), 85201, and Regulations 18402, subdivision (c) and 18521 (1 count). Additionally, the AMS Committee, Adomitis, Martin, and Solano paid for and sent a mass mailing supporting Adomitis, Martin, and Solano’s election which failed to display the required sender identification, in violation of Government Code Section 84305, subdivision (a) (1 count). **Total Proposed Penalty: \$5,500.**

Advertising and Campaign Late Filer

4. **In the Matter of Friends of Acton-Agua Dulce Schools Yes on Measure “CK” Committee, Lee Jennings, and Christine Johnson; FPPC No. 18/1270.** Staff: Ruth Yang, Senior Commission Counsel and Lance Hachigian, Special Investigator. Friends of Acton-Agua Dulce Schools Yes on Measure “CK” Committee is a primarily formed committee. Lee Jennings is the Committee’s treasurer and Christine Johnson is the Committee’s principal officer. The Committee, Jennings and Johnson failed to timely file 24-Hour Reports for six

late contributions, in violation of Government Code Section 84203 (1 count) and failed to include the necessary disclosures on one electronic media advertisement and seven print advertisements, in violation of Government Code Sections 84502, subdivision (a), 84504.2, and 84504.3, subdivision (c) (1 count). **Total Proposed Penalty: \$5,000.**

- 5. In the Matter of Friends of Kurt DeMeire; FPPC No. 18/1285.** Staff: Ruth Yang, Senior Commission Counsel and Lance Hachigian, Special Investigator. Kurt DeMeire qualified as an independent expenditure committee that supported and opposed a number of candidates and ballot measures in the November 6, 2018 General Election. DeMeire failed to include the necessary disclosures on four print advertisements, in violation of Government Code Sections 84502, subdivision (b), 84504.2, subdivision (a), and 84506.5 (1 count) and failed to timely file a semiannual campaign statement, in violation of Government Code Section 84200, subdivision (b) (1 count). **Total Proposed Penalty: \$3,000.**

Campaign Late Filer and Campaign Bank Account

- 6. In the Matter of Baron P. Bruno for 62nd Assembly CA 2016 and Baron P. Bruno; FPPC No. 18/779.** Staff: Christopher Burton, Senior Commission Counsel. This matter arose from an audit performed by the Franchise Tax Board's Political Reform Audit Program. Baron P. Bruno was an unsuccessful candidate for State Assembly in the November 8, 2016 General Election. Baron P. Bruno for 62nd Assembly CA 2016 was his candidate-controlled committee. The Committee and Bruno failed to timely file two semiannual and two pre-election campaign statements, in violation of Government Code Sections 84200 and 84200.5 (1 count); failed to timely file eight 24-Hour Reports, in violation of Government Code Section 84203 (1 count); and failed to pay expenditures out of the Committee's designated bank account, in violation of Government Code Section 85201 (1 count). **Total Proposed Penalty: \$6,500.**
- 7. In the Matter of Vergne for LMUSD Trustee Area 3 2018 and Andrea Vergne; FPPC No. 18/867.** Staff: Jenna C. Rinehart, Commission Counsel. Andrea Vergne was an unsuccessful candidate for Trustee of Area 3 for Lucia Mar Unified School District in the November 6, 2018 General Election. Vergne for LMUSD Trustee Area 3 2018 was her candidate-controlled committee. The Committee and Vergne failed to deposit all campaign contributions to, and failed to make all campaign expenditures from, the designated campaign bank account, in violation of Government Code Section 85201, subdivisions (c), (d) and (e) (1 count). **Total Proposed Penalty: \$2,000.**

San Bernardino County Ordinance – Campaign Late Filer and Campaign Bank Account

- 8. In the Matter of Elect Angela Valles for 1st District Supervisor 2016 and Angela Valles; FPPC No. 16/17170.** Staff: Christopher Burton, Senior Commission Counsel. This matter arose from an audit performed by the Franchise Tax Board's Political Reform Audit Program. Angela Valles was a successful candidate for San Bernardino County Supervisor in the June 7, 2016 Primary and November 8, 2016 General Elections. Elect Angela Valles for 1st District Supervisor 2016 was her candidate-controlled committee. The Committee and Valles failed to timely file a pre-election campaign statement in electronic format, in violation of Government Code Sections 84200.5, subdivision (a), and 84200.8, subdivision (b), and San Bernardino County Ordinance No. 4226, Section 12.4311 (1 count); and failed to timely file four 24-Hour Reports, in violation of Government Code Sections 84203 and

84203.3, and San Bernardino County Ordinance No. 4226, Section 12.4311 (1 count). Additionally, the Committee and Valles failed to pay expenditures from and failed to deposit contributions to the designated campaign bank account, in violation of Government Code Section 85201, subdivisions (c), (d), and (e) (1 count). **Total Proposed Penalty: \$5,000.**

Campaign Late Filer

- 9. In the Matter of the Upland Teachers Association Fund for Quality Education, Greg Lander, and John McNally; FPPC No. 16/125.** Staff: Michael W. Hamilton, Commission Counsel and Roone Petersen, Special Investigator. Upland Teachers Association Fund for Quality Education is a local general purpose committee that was active during the 2016 and 2018 elections. Greg Lander served as the Committee's treasurer from January 2012 through September 2016 and John McNally served as treasurer from September 2016 to present. The Committee, Lander, and McNally failed to timely file semiannual campaign statements, in violation of Government Code Section 84200 (1 count); failed to timely file pre-election campaign statements, in violation of Government Code Section 84200.5. (2 counts); and failed to timely file 24-Hour Reports, in violation of Government Code Sections 84203, 84203.3, and 84204 (3 counts). **Total Proposed Penalty: \$11,000.**
- 10. In the Matter of College of the Canyons Foundation; FPPC No. 19/475.** Staff: Ruth Yang, Senior Commission Counsel and Lance Hachigian, Special Investigator. The respondent was represented by Lacey Keys by Olson Remcho, LLP. College of the Canyons Foundation is a non-profit auxiliary organization formed to generate philanthropic support for College of the Canyons. The Foundation engaged in campaign activities as a major donor committee and failed to timely file three 24-Hour Reports, in violation of Government Code Section 84203 (1 count) and failed to timely file a major donor campaign statement, in violation of Government Code Section 84200, subdivision (b) (1 count). **Total Proposed Penalty: \$5,500.**
- 11. In the Matter of Karla Jurvetson; FPPC No. 18/1562.** Staff: Ruth Yang, Senior Commission Counsel and Marshall Miller, Special Investigator. The respondent was represented by Beverly Grossman Palmer of Strumwasser & Woocher LLP. Karla Jurvetson qualified as a major donor committee after making contributions to a California primarily formed committee. Jurvetson failed to timely file two 24-Hour Reports in 2018, in violation of Government Code Section 84203 (1 count). **Total Proposed Penalty: \$3,000.**

Statement of Economic Interests Late Reporter

- 12. In the Matter of LeeAnn Walette Schierburg; FPPC No. 16/586.** Staff: Angela Brereton, Assistant Chief Counsel and Ann Flaherty, Special Investigator. LeeAnn Walette Schierburg, Director of Health Information Management at Alameda Health System, a local government agency, failed to fully disclose sources of income on her 2015 Annual Statement of Economic Interests, in violation of Government Code Sections 87207 and 87300 (1 count). **Total Proposed Penalty: \$2,000.**

General Items 13-20

Campaign Related Communications at Public Expense – This item is an Enforcement Action Removed from the Consent Calendar by Request of Commissioner Wilson.

13. In the Matter of County of Los Angeles; FPPC Nos. 17/150 and 18/1258. Staff: Galena West, Enforcement Chief, Ruth Yang, Senior Commission Counsel and Paul Rasey, Special Investigator. The respondent was represented by Stephen J. Kaufman and Gary S. Winuk of the Kaufman Legal Group, APC and Louis R. Miller and Amnon Z. Siegel of Miller Barondess, LLP. The County of Los Angeles placed Measure H, a proposed countywide sales tax increase, on the March 7, 2017 Special Election ballot held throughout the County. Measure H received 69.34% of the vote, passing by approximately 2.68%. Measure H is projected to produce \$3.55 billion in tax revenue over its 10-year term. The Enforcement Division then received an additional complaint alleging that the County of Los Angeles had used public funds to support Measure W for the November 6, 2018 election. The Enforcement Division opened two cases alleging that the County of Los Angeles's activities qualified it as a committee, triggering the Act's filing and disclosure requirements and failed to include advertisement disclosures, in violation of the Political Reform Act and the corresponding regulations. The Howard Jarvis Taxpayers Association filed a civil suit with similar allegations regarding the Measure H election. (See *Howard Jarvis Taxpayers, et. al. vs. Los Angeles County*, Superior Court Case No. BC714579 and Appellate Court Case No. 8302793.) All parties have agreed to resolve these matters with this joint settlement, which is in conjunction with the civil settlement of the above-referenced case and the conditions and requirements of that settlement. **Total Proposed Penalty: \$1,350,000.**

Stipulation

Civil Stipulation

Exhibit A

Exhibit B

14. Assignment of Hearing to Administrative Law Judge (ALJ): In the Matter of Gabrielle Dolphin; FPPC No. 18/1423. Staff: Loressa Hon, Acting Executive Director; Galena West, Chief of Enforcement; and Christopher Burton, Senior Commission Counsel. The Acting Executive Director and the Chief of Enforcement are recommending that a hearing be conducted before an ALJ pursuant to Government Code Section 11512, subdivision (a). The ALJ will make a recommendation to the Commission on the findings of fact, law and penalty, if applicable, in the matter. The Commission will then have the opportunity to review the proposed decision and make the final determination on the case. If the Commission agrees with this recommendation, no action is required.

Staff Memo

15. Fiscal Year 2020-2021 Budget. Staff: Loressa Hon, Chief of Administration. The Commission will receive information on the Fiscal Year 2020-2021 budget allocation.

2020/2021 Budget

16. Legislative Development. Staff: Jay Wierenga, Communications Director. The Commission will review and discuss memorandums provided by the Legislative Director on Commission sponsored legislation and other PRA related legislation, if any. The Commission may provide direction on sponsored legislation and other PRA related legislation. The Commission may direct staff to amend bill proposals and provide additional updates.

17. Committee Updates.

Law and Policy Committee Update.

Budget and Staffing Committee Update.

Public Outreach and Technology Committee Update.

18. Advisory Committee Procedures. Commission members will discuss and take action to standardized procedures for setting advisory committee meetings, agendas, and activities.

Advisory Committee Procedures

19. Executive Staff Reports.

Enforcement Division. Galena West, Chief of Enforcement

Legal Division. David Bainbridge, General Counsel

Administration and Technology Division. Loressa Hon, Chief of Administration

Executive Director Update

Executive Staff Report

20. Commissioner Comments and Proposed Future Agenda Items.

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