



EXECUTIVE STAFF REPORTS

February 17, 2022 Commission Hearing

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I. ENFORCEMENT DIVISION

STAFF: ANGELA BRERETON, CHIEF

A. Overview

During the period of December 1, 2021 through January 31, 2022 the Enforcement Division received 69 complaints, opened 7 for investigation, and rejected 37. The Enforcement Division received 248 referrals during this time. The Enforcement Division closed a total of 243 cases including:

- 119 warning letters –advertisement violations (6), campaign violations (26), lobbying violations (1), and statement of economic interests violations (86);
- 37 no action closure letters alleging – advertisement violations (2), campaign violations (6), conflict of interest violations (6), gift reporting violations (3), lobbying violations (1), revolving door (1), statement of economic interests violations (15), and duplicate cases (3);
- 51 approved stipulations from the November and December Commission meetings;
- 1 advisory letter for a conflict of interests violation; and
- 35 committees were administratively terminated.

The Division had 1,573 cases in various stages of resolution at the time of the December Monthly Report and currently has approximately 1,510 cases in various stages of resolution, including the 39 cases before the Commission as listed in the February Agenda.

B. Annual Statistics

On the next page, you will find a chart that details the annual statistics for enforcement complaints, referrals and cases. This chart includes the data from 2021, in which the Enforcement Division had a 16% increase in Streamline Penalties compared to 2020 after the Commission updated the Streamline Program regulations with the goal of making the Streamline Program more inclusive. The information in the chart has been gathered from public reports, information from the defunct and inactive database, and data that has been converted into current form, so the numbers are close estimates in some instances.

	Year	2017	2018	2019	2020	2021
1	Complaints Received	564	1,352	744	1,390	606
2	Referrals Received	1,616	1,529	1,950	1,518	1,751
3	Total Complaint and Referrals Received	2,180	2,881	2,694	2,908	2,357
4	Cases opened	1,480	1,561	1,820	1,155	1,185
5	Cases closed ³	1,477	1,243	1,465	1,526	1,058
6	Cases with penalties ¹	340	235	343	278	269
	a Streamline cases	262	173	263	194	234
	b Mainline cases	66	56	73	77	32
	c Default cases	12	6	7	7	3
7	Total fines imposed	\$1,126,933	\$499,606	\$797,384	\$1,940,107	\$472,248
8	Warning letters issued	505	554	584	777	475
9	Administrative terminations	297	177	104	62	59
10	Cases closed with violations found ²	1,142	966	1,031	1,117	803
1	Advisory letters issued	17	20	9	7	16
12	No action closure letters	318	252	423	402	237

¹ Total for lines 6a, 6b, and 6c.

² Total for lines 6, 8, and 9.

³ Total cases closed includes Commission approved cases from the previous year and Commission approved administrative judgements. It does not include Commission approved cases not yet closed.

C. Prior Year's Workload – 2021 Quarterly Summary

Jan-21		Apr-21	
Year Opened	Existing Case Workload	Year Opened	Existing Case Workload
2015	3	2015	3
2016	38	2016	35
2017	80	2017	70
2018	280	2018	266
2019	428	2019	408
2020	539	2020	441

Jul-21		Nov-21	
Year Opened	Existing Case Workload	Year Opened	Existing Case Workload
2015	2	2015	1
2016	27	2016	15
2017	59	2017	42
2018	249	2018	218
2019	396	2019	327
2020	442	2020	411

D. Unexecuted Streamline Stipulations

Streamline penalty stipulations are approved by the Chief of Enforcement and reported to the Commission for discussion only before they are executed. The following streamline stipulations are presented for that purpose. After the close of the hearing, the Chief of Enforcement may execute all or any of the streamline penalty stipulations, at the Chief's discretion per Regulation 18360.2.

Since the last Monthly Report, the Enforcement Chief has not used discretion to increase the penalties for Tier Two advertising violations resulting in public confusion, under Regulation 18360.3(d)(7)(B)(i)(b), or to increase the penalties for Tier Two violations involving the same candidate, committee, or principal officer who has paid a Tier One penalty to the Commission or received a Warning Letter from the Commission for the same type of violation occurring within the last five years, based on the resulting public harm.

The Enforcement Chief used discretion under Regulation 18360.2 to exclude violations in the following streamline cases presented with this report: In the Matter of Redwood High School Foundation and Becket Colombo; FPPC No. 21/961 (lack of experience or knowledge of the Act's requirements caused multiple violations with minimal public harm that were corrected upon contact); In the Matter of Committee to Elect Robert Gilson KDHCD Board Zone 3 2016, Robert Gilson, and Maria Gilson; FPPC No. 19/1771 (the committee raised and spent less than \$10,000); and In the Matter of Ericka Harden for Natomas School Board 2020, Ericka Harden, and Elton Seagraves; FPPC No. 21/119 (the total penalty exceeds the amount that would be paid in a mainline stipulation).

Campaign Late Filer

In the Matter of Panama Buena Vista Teachers PAC and Lauri Heffernan; FPPC No.

19/409. Staff: Alex Rose, Commission Counsel. Panama Buena Vista Teachers PAC is a local general purpose committee. Lauri Heffernan is the Committee's treasurer. The Committee and Heffernan failed to timely file five semi-annual campaign statements, in violation of Government Code Section 84200 (5 counts); two preelection campaign statements, in violation of Government Code Section 84200.5 (2 counts); three 24-hour reports, in violation of Government Code Section 84203 (3 counts); and failed to timely amend the Committee's statement of organization, in violation of Government Code Section 84103 (1 count). **Total Penalty: \$3,754 (Tier One & Two).**

In the Matter of Redwood High School Foundation and Becket Colombo; FPPC No.

21/961. Staff: Alex Rose, Commission Counsel. Redwood High School Foundation is a local general purpose committee. Becket Colombo is the Committee's treasurer. The Committee and Colombo failed to timely file a pre-election campaign statement, in violation of Government Code Section 84200.5 (1 count) and a 24-hour report, in violation of Government Code Section 84203 (1 count). **Total Penalty: \$1,807 (Tier Two).**

In the Matter of Committee to Elect Robert Gilson KDHCD Board Zone 3 2016, Robert Gilson, and Maria Gilson; FPPC No. 19/1771.

Staff: Jenna C. Rinehart, Commission Counsel. Robert Gilson was an unsuccessful candidate for Director of Zone 3 for Kaweah Delta Health Care District in the November 8, 2016 General Election. Committee to Elect Robert Gilson KDHCD Board Zone 3 2016 was Gilson's candidate-controlled committee. Maria Gilson was the Committee's treasurer. The Committee, Gilson, and Gilson failed to timely file two preelection campaign statements, in violation of Government Code Section 84200.5 (2 counts); a semi-annual campaign statement, in violation of Government Code Section 84200 (1 count); and two 24-hour reports, in violation of Government Code Section 84203 (2 counts). **Total Penalty: \$1,760 (Tier One & Two).**

In the Matter of Garcia for School Board 2020, Linda Garcia, and Marcelina Bridges; FPPC No. 21/657.

Staff: Angela Brereton, Chief of Enforcement and Dominika Wojenska, Associate Governmental Program Analyst. Linda Garcia was a successful candidate for Paramount Unified School District Board in the November 3, 2020 General Election. Garcia for School Board 2020 was Garcia's candidate-controlled committee. Marcelina Bridges was the Committee's treasurer. The Committee, Garcia, and Bridges failed to timely file two pre-election campaign statements, in violation of Government Code Section 84200.5 (2 counts); one semi-annual campaign statement, in violation of Government Code Section 84200 (1 count); and three 24-hour reports, in violation of Government Code Section 84203 (3 counts). **Total Penalty: \$1,684 (Tier One & Two).**

In the Matter of Sarega for Council 2017 and Andrew Sarega; FPPC No. 21/578.

Staff: Ruth Yang, Senior Commission Counsel and Katelin Angeloni, Special Investigator. The respondents entered into a tolling agreement with the Enforcement Division, which was effective as of December 21, 2021, regarding the applicable statutes of limitations. Andrew Sarega was a successful candidate for La Mirada City Council in the March 7, 2017 Primary Election. Sarega

for Council 2017 was Sarega's candidate-controlled committee. The Committee and Sarega failed to timely file two pre-election campaign statements, in violation of Government Code Sections 84200.5, subdivision (a), and 84200.8 (2 counts); and failed to timely file four 24-hour reports, in violation of Government Code Section 84203 (4 counts). **Total Penalty: \$1,636 (Tier One & Two).**

[In the Matter of Excellent Schools for Arvin-Yes on E 2014, Chris Davis, and Michelle McLean, FPPC No. 17/894.](#) Staff: Megan A. Van Arsdale, Commission Counsel. Excellent Schools for Arvin-Yes on E 2014 is a local primarily formed ballot measure committee. Chris Davis was the Committee's treasurer and Michelle McLean was the Committee's principal officer. The Committee, Davis, and McLean failed to timely file two semi-annual campaign statements, in violation of Government Code Section 84200 (2 counts) and three 24-hour reports, in violation of Government Code Section 84203 (3 counts). **Total Penalty: \$1,624 (Tier One).**

[In the Matter of Climate First: Replacing Oil & Gas \(CFROG\) and Elizabeth Beall; FPPC No. 21/762.](#) Staff: Angela Brereton, Chief of Enforcement and Ginny Lambing, Political Reform Consultant. The respondents were represented by Gary Winuk of Kaufman Legal Group. Climate First: Replacing Oil & Gas (CFROG) was a local primarily formed committee. Elizabeth Beall is the Committee's treasurer. The Committee and Beall failed to timely file a statement of organization, in violation of Government Code Section 84101 (1 count) and four quarterly campaign statements, in violation of Government Code Section 84202.3 (4 counts). **Total Penalty: \$1,549 (Tier One & Two).**

[In the Matter of Ericka Harden for Natomas School Board 2020, Ericka Harden, and Elton Seagraves; FPPC No. 21/119.](#) Staff: Angela Brereton, Chief of Enforcement and Ginny Lambing, Political Reform Consultant. Ericka Harden was a successful candidate for Natomas Unified School District in the November 3, 2020 General Election. Ericka Harden for Natomas School Board 2020 was Harden's candidate-controlled committee. Elton Seagraves was the Committee's treasurer. The Committee, Harden, and Seagraves failed to timely file three 24-hour reports, in violation of Government Code Section 84203 (3 counts). **Total Penalty: \$1,411 (Tier Two).**

[In the Matter of Ramona Landeros for City Council 2020, Ramona Landeros, and Diana Garcia; FPPC No. 20/125.](#) Staff: Marissa Nash, Commission Counsel. Ramona Landeros was an unsuccessful candidate for Sacramento City Council in the March 3, 2020 Primary Election. Ramona Landeros for City Council 2020 was Landeros' candidate-controlled committee. Diana Garcia was the Committee's treasurer. The Committee, Landeros, and Garcia failed to timely amend the Committee's statement of organization, in violation of Government Code Section 84103 (1 count) and failed to timely file a pre-election campaign statement and a semiannual campaign statement, in violation of Government Code Sections 84200.5 and 84200 (2 counts). **Total Penalty \$1,086 (Tier One & Two).**

[In the Matter of Ana Valencia for School Board 2018, Ana Valencia for Norwalk City Council 2020, and Ana Valencia; FPPC No. 20/153.](#) Staff: Alex Rose, Commission Counsel. Ana Valencia was a successful candidate for Norwalk-La Mirada Unified School District Board in the November 5, 2018 General Election, and also a successful candidate for Norwalk City

Council in the November 3, 2020 General Election. Ana Valencia for School Board 2018 and Ana Valencia for Norwalk City Council 2020 were Valencia's candidate-controlled committees. The Committees and Valencia failed to timely file one semi-annual campaign statement, in violation of Government Code Section 84200 (1 count); two pre-election campaign statements, in violation of Government Code Section 84200.5 (2 counts); and one 24-hour report, in violation of Government Code Section 84203 (1 count). **Total Penalty: \$866 (Tier One).**

[In the Matter of Committee to Re-Elect Margarita Vargas for Valley County Water District Director 2020 and Margarita Vargas; FPPC No. 21/759.](#) Staff: Angela Brereton, Chief of Enforcement and Dominika Wojenska, Associate Governmental Program Analyst. Margarita Vargas was an unsuccessful candidate for Valley County Water District Board of Directors in the November 3, 2020 General Election. Committee to Re-Elect Margarita Vargas for Valley County Water District Director 2020 was Vargas' candidate-controlled committee. The Committee and Vargas failed to timely file two 24-hour reports, in violation of Government Code Section 84203 (2 counts). **Total Penalty: \$780 (Tier One & Two).**

[In the Matter of Andy Medellin for Mayor 2016, Andy Medellin, and Dolores Olmos-Rodriguez; FPPC No. 20/040.](#) Staff: Angela Brereton, Chief of Enforcement and Tara Stock, Intake Manager. Andy Medellin was a successful candidate for Mayor of Madera in the November 8, 2016 General Election. Andy Medellin for Mayor 2016 was Medellin's candidate-controlled committee. Dolores Olmos-Rodriguez was the Committee's Treasurer. The Committee, Medellin, and Olmos-Rodriguez failed to timely file two semi-annual campaign statements, in violation of Government Code Section 84200 (2 counts). **Total Penalty: \$422 (Tier One).**

[In the Matter of Y'Anad Burrell for West Contra Costa Unified School District Board 2020, Y'Anad Burrell, and Dana Burrell; FPPC No. 21/1119.](#) Staff: Angela Brereton, Chief of Enforcement and Tara Stock, Intake Manager. Y'Anad Burrell was an unsuccessful candidate for West Contra Costa Unified School District Board in the November 3, 2020 General Election. **Y'Anad Burrell for West Contra Costa Unified School District Board 2020** is Burrell's candidate-controlled committee. Dana Burrell is the Committee's treasurer. The Committee, Burrell, and Burrell failed to timely file a pre-election campaign statement, in violation of Government Code Section 84200.5 (1 count). **Total Penalty: \$259 (Tier One).**

[In the Matter of Reina Robinson for Board of Education 2020, Reina Robinson, and Emily Arevalo; FPPC No. 21/1089.](#) Staff: Angela Brereton, Chief of Enforcement and Tara Stock, Intake Manager. Reina Robinson was an unsuccessful candidate for Vallejo City Unified School District Board in the November 3, 2020 General Election. **Reina Robinson for Board of Education 2020** is Robinson's candidate-controlled committee. Emily Arevalo is the Committee's treasurer. The Committee, Robinson, and Arevalo failed to timely file a pre-election campaign statement, in violation of Government Code Section 84200.5 (1 count). **Total Penalty: \$245 (Tier One).**

[In the Matter of William Brown; FPPC No. 21/1165.](#) Staff: Angela Brereton, Chief of Enforcement and Amber Rodriguez, Assistant Political Reform Consultant. William Brown, as a candidate for Santa Barbara County Sheriff-Coroner in the June 7, 2022 Primary Election, failed

to timely file a Candidate Intention Statement, in violation of Government Code Section 85200 (1 count). **Total Penalty: \$200 (Tier One).**

Statement of Economic Interests Late Filer

In the Matter of Greg Nunley; FPPC No. 18/1556. Staff: Alex Rose, Commission Counsel. Greg Nunley, as a member of the Tulare City Council, failed to timely report 22 sources of income on the Assuming Office Statement of Economic Interests, in violation of Government Code Sections 87206 and 87207 (22 counts), and failed to timely file the 2017 Annual Statement of Economic Interests, in violation of Government Code Section 87200 (1 count). **Total Penalty: \$2,400 (Tier One).**

In the Matter of Kelly Giordano; FPPC No. 19/029. Staff: David E. Castro, Commission Counsel. Kelly Giordano, a member of the Montague Elementary School District Board, failed to timely file an Assuming Office, a 2017 Annual, and a Leaving Office Statement of Economic Interests, in violation of Government Code Section 87302 (3 counts). **Total Penalty: \$1,800.**

In the Matter of Douglas Burton; FPPC No. 19/244 Staff: Marissa Nash, Commission Counsel. Douglas Burton, as a Del Rey Oaks Planning Commissioner, failed to timely file an Assuming Office, 2017 Annual, 2020 Annual, and a Leaving Office Statement of Economic Interests, in violation of Government Code Sections 87202 and 87203 (4 counts). **Total Penalty: \$800 (Tier One).**

In the Matter of Natalie Ybarra; FPPC No. 18/790. Staff: Angela Brereton, Chief of Enforcement and Tara Stock, Intake Manager. Natalie Ybarra, a former Board Member for Bassett Unified School District, failed to timely file an Officeholder Campaign Statement Short Form for 2018 and 2019, in violation of Government Code Section 84206 (2 counts). **Total Penalty: \$400 (Tier One).**

In the Matter of Guy Leemhuis; FPPC No. 19/015. Staff: Marissa Nash, Commission Counsel. Guy Leemhuis, member of the California Disability Access Commission, failed to timely file a 2019 Annual and 2020 Annual Statement of Economic Interest, in violation of Government Code Section 87300 (2 counts). **Total Penalty: \$400 (Tier One).**

In the Matter of Bill Drescher; FPPC No. 19/519. Staff: Marissa Nash, Commission Counsel. Bill Drescher, Governing Board Member for Black Oak Mine School District, failed to timely file a 2018 and 2020 Annual Statement of Economic Interest, in violation of Government Code Section 87300 (2 counts). **Total Penalty \$400 (Tier One).**

In the Matter of Russ Cremer; FPPC No. 21/078. Staff: Marissa Nash, Commission Counsel. Russell Cremer, member of the Clearlake City Council, failed to timely file the 2019 Annual Statement of Economic Interests, in violation of Government Code Section 87203 (1 count). **Total Penalty: \$400 (Tier One).**

In the Matter of Jes Vargas; FPPC No. 19/1245. Staff: Angela Brereton, Chief of Enforcement and Amber Rodriguez, Assistant Political Reform Consultant. Jes Vargas, Board Member for the

CORE Placer Charter School, failed to timely file an Assuming Office Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Penalty: \$200 (Tier One).**

In the Matter of Michael Hanson; FPPC No. 21/950. Staff: Angela Brereton, Chief of Enforcement and Ginny Lambing, Political Reform Consultant. Michael Hanson, Governing Board Member of McCloud Community Services District, failed to timely file a 2019 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Penalty: \$200 (Tier One).**

In the Matter of Andrea Salazar; FPPC No. 21/979. Staff: Angela Brereton, Chief of Enforcement and Taylor Culberson, Assistant Political Reform Consultant. Andrea Salazar, Chief Business and Operations Officer for Lake Tahoe Unified School District, failed to timely file the 2020 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Penalty: \$200 (Tier One).**

In the Matter of Randy Rossi; FPPC No. 21/991. Staff: Angela Brereton, Chief of Enforcement and Ginny Lambing, Political Reform Consultant. Randy Rossi, Director of the Pioneer Fire Protection District, failed to timely file a 2020 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Penalty: \$200 (Tier One).**

In the Matter of Christopher Grabill; FPPC No. 20/551. Staff: Angela Brereton, Chief of Enforcement and Taylor Culberson, Assistant Political Reform Consultant. Christopher Grabill, a Board Member of Public Utilities for the City of Santa Rosa, failed to timely file a 2019 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Penalty: \$200 (Tier One).**

In the Matter of Ana Azaldegui; FPPC No. 21/1042. Staff: Angela Brereton, Chief of Enforcement and Taylor Culberson, Assistant Political Reform Consultant. Ana Azaldegui, Social Worker I for HHSA Social Services in El Dorado County, failed to timely file a 2020 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Penalty: \$200 (Tier One).**

In the Matter of Victoria Ross; FPPC No. 21/1044. Staff: Angela Brereton, Chief of Enforcement and Taylor Culberson, Assistant Political Reform Consultant. Victoria Ross, a Social Services Supervisor II for HHSA Social Services in El Dorado County, failed to timely file a 2020 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Penalty: \$200 (Tier One).**

In the Matter of Barrie Grant; FPPC No. 21/1103. Staff: Angela Brereton, Chief of Enforcement and Taylor Culberson, Assistant Political Reform Consultant. Barrie Grant, an Official Veterinarian for the California Horse Racing Board, failed to timely file a 2019 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Penalty: \$200 (Tier One).**

In the Matter of Laurie Bohannon; FPPC No. 21/1104. Staff: Angela Brereton, Chief of Enforcement and Taylor Culberson, Assistant Political Reform Consultant. Laurie Bohannon, an Official Veterinarian for the California Horse Racing Board, failed to timely file an Assuming Office Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Penalty: \$200 (Tier One).**

In the Matter of Darice Trafton; FPPC No. 22/020. Staff: Angela Brereton, Chief of Enforcement and Amber Rodriguez, Assistant Political Reform Consultant. Darice Trafton, an Information Technology Manager I for the Department of Financial Protection and Innovation, failed to timely file an Assuming Office Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Penalty: \$200 (Tier One).**

In the Matter of Scott Miller; FPPC No. 22/027. Staff: Angela Brereton, Chief of Enforcement and Laura Mandler, Political Reform Consultant. Scott Miller, a Board Member for the Fresno Regional Workforce Development Board, failed to timely file a 2020 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Penalty: \$200 (Tier One).**

Statement of Economic Interests Late Reporter

In the Matter of Jay Higgins; FPPC No. 21/343. Staff: Angela Brereton, Chief of Enforcement and Ginny Lambing, Political Reform Consultant. The respondent was represented by Gary Winuk of Kaufman Legal Group. Jay Higgins, Planning Commissioner for the City of Santa Barbara, failed to timely report one source of income on the 2017, 2018, 2019, and 2020 Annual Statements of Economic Interests, in violation of Government Code Section 87207 (4 counts). **Total Penalty: \$400 (Tier One).**

In the Matter of James Gore; FPPC No. 21/998. Staff: Angela Brereton, Chief of Enforcement and Ginny Lambing, Political Reform Consultant. James Gore, Supervisor for Sonoma County, failed to timely report a source of income on the 2017, 2018, 2019, and 2020 Annual Statements of Economic Interests, in violation of Government Code Section 87207 (4 counts). **Total Penalty: \$400 (Tier One).**

In the Matter of Patty Fuller; FPPC No. 21/1135. Staff: Angela Brereton, Chief of Enforcement and Tara Stock, Intake Manager. Patty Fuller, a member of the Anderson Union High School District Board, failed to timely disclose a source of income on the Assuming Office, 2019 Annual, and 2020 Annual Statements of Economic Interests, in violation of Government Code Section 87302 (3 counts). **Total Penalty: \$300 (Tier One).**

II. AUDITS AND ASSISTANCE DIVISION

STAFF: SHRDHA SHAH, CHIEF

A. Overview

The Audits and Assistance Division is a newly created division of the California Fair Political Practices Commission (FPPC). Prior to December 2021, the Audits and Assistance team was within the Enforcement Division. The team comprises of Division Chief, a Supervising Management Auditor and a team of five (5) auditors and reports directly to the Executive Director. The Political Reform Act (the Act) requires the FPPC to conduct an ongoing program of mandatory as well as discretionary audits. The FPPC Audits and Assistance Division is responsible for auditing the statements filed by candidates for State Controller, State Board of Equalization, and the Board of Administration of the Public Employees' Retirement System. The Act requires full disclosure of receipts and expenditures of candidates and committees and disclosure of finances of lobbyists. Once an audit is completed, the opinion of the level of compliance is expressed in an audit reported, which is a public document.

Common areas of non-compliance noted over the past few years include, but are not limited, to the following:

- Prior campaign committees being redesignated for a future campaign
- Required information not disclosed or not disclosed timely
- Funds transferred are not attributed or not attributed properly
- Campaign statements not filed, not filed timely, or not filed in required format
- 24 Hour Reports not filed or not filed timely prior to respective election

B. Impact of COVID-19 on Audit workload

Due to the COVID-19 pandemic, audit staff, as well as most candidates and treasurers have been teleworking. This has allowed staff to conduct audits remotely, eliminating the need to travel. However, it has also in some cases created issues with obtaining records timely or in a paperless format. In some cases, the candidate or treasurer has moved out of the state or retired and that has added challenges to obtaining complete records for audits. However, staff has continued to work diligently to complete their assigned audits efficiently and in a timely manner.

C. Audit Selection Process

All candidates for statewide office, supreme court, court of appeal, and Board of Equalization are subject to an audit if they have raised or spent \$25,000 or more. Additionally, all state ballot measure committees which have spent more than \$10,000 and all candidates for the legislature in a special election who have raised or spend \$15,000 or more are subject to audit. The FPPC website provides a detailed breakdown on how many of each category of candidates are selected for an audit. The remainder of the workload is determined in a series of random drawings conducted shortly after each two-year election cycle. The most current public draw was held on December 30, 2021. The results of the public draw are posted on the FPPC website.

D. Annual Statistics

Below, are statistics on the total number of audits completed annually over the last five (5) years. The information in the chart has been gathered from the agency’s completed audit reports.

Audit Type	Year Audit Report Adopted*				
	2017	2018	2019	2020	2021
2016 Election(s) SB County Audits	4	2	3	2	
2017 through 2019 CalPers Election				1	1
2018 Election(s) - SB County Audits			2	3	7
2018 Election(s) - City of Sacramento Audits				10	
2018 Election(s) - Statewide Audits				5	1
2019-2020 Session Lobbying Firms & Lobbyist Employers					1
Total Audit Reports Adopted	4	2	5	21	10

* In addition to audits, auditors assist with Enforcement cases as well.

E. Future Plans

Going forward, the Audits and Assistance team will be reviewing and streamlining the audit process to ensure workpapers, templates, and audit reports are standardized, and be able to complete all audits efficiently within a reasonable time. In addition, staff continues to be cross-trained on different types of audits enabling them to gain experience in conducting various audits. The team is also working diligently on providing clear information on audit related FPPC webpages which are helpful and used by other state and local agencies, as well as our agency staff.

III. LEGAL DIVISION

STAFF: DAVE BAINBRIDGE, GENERAL COUNSEL

A. Pending Litigation

Mat Wahlstrom v. FPPC, Steven J. Kaufman and Kaufman Legal Group, APC

San Diego County Superior Court, Central Division

Case No. 37-2020-00030654-CU-WMCTL

Petitioner filed a petition for writ of mandate on August 31, 2020. The petition seeks to set aside a streamline stipulation, decision and order against Todd Gloria adopted by the Commission in November 2019. The Attorney General is representing the Commission. The Commission timely filed an answer to the complaint. Petitioner filed an amended petition on May 12, 2021. The Commission filed a demurrer to the amended petition, the parties submitted briefs and at a hearing on December 13, 2021, the court issued an order continuing the demurrer hearing to March 18, 2022, at 8:30 a.m. in Department 65 before Judge Ronald F. Frazier.

B. Outreach and Training

Webinars

- December 7, the FPPC hosted a Statement of Economic Interests (Form 700) Filing Officer webinar. Political Reform Consultants, Katie Trumbly, and Adam Ramirez, presented. 5 people attended.
- December 9, the FPPC presented on new laws and regulations at the City Clerks Annual Conference. Education Program Manager, Chloe Hackert, and Political Reform Consultant, Alex Castillo, presented. 175 people attended.
- December 14, the FPPC hosted a Statement of Economic Interests (Form 700) Filing Officer webinar. Political Reform Consultants, Alex Castillo, and Stephen Hernandez, presented. 10 people attended.
- January 5, the FPPC hosted a Candidate/Treasurer webinar. Political Reform Consultants, Adam Ramirez, and Alex Castillo, presented. 17 people attended.
- January 5, the FPPC presented a Candidate/Treasurer webinar requested by the California Republican Party. Education Program Manager, Chloe Hackert, and Political Reform Consultant, Katie Trumbly, presented. 57 people attended.
- January 6, the FPPC hosted a Statement of Economic Interests Filing Officer webinar. Education Program Manager, Chloe Hackert, and Political Reform Consultant, Adam Ramirez, presented. 9 people attended.
- January 13, the FPPC hosted a Statement of Economic Interests Filing Officer webinar. Education Program Manager, Chloe Hackert, and Political Reform Consultant, Katie Trumbly, presented. 23 people attended.

- January 18, the FPPC presented a Candidate/Treasurer Getting Started workshop requested by the County of Contra Costa. Political Reform Consultant, Alex Castillo, presented. 35 people attended.
- January 21, the FPPC presented Campaign Filing Officer and Candidate/Treasurer workshops requested by the County of Merced. Education Program Manager, Chloe Hackert, presented. 29 people attended.
- January 25, the FPPC presented a Statement of Economic Interests filers webinar requested by the San Diego Unified Port District. Education Program Manager, Chloe Hackert, and Political Reform Consultant, Katie Trumbly, presented. 22 people attended.
- January 28, the FPPC presented a Candidate/Treasurer Getting Started webinar requested by Hispanas Organized for Political Equality (HOPE). Education Program Manager, Chloe Hackert, presented. 40 people attended.
- January 29, the FPPC presented a Candidate/Treasurer Getting Started workshop requested by the County of Contra Costa. Political Reform Consultant, Stephen Hernandez, presented. 15 people attended.
- January 31, the FPPC presented a Candidate/Treasurer webinar requested by the County of Santa Clara. Education Program Manager, Chloe Hackert, and Political Reform Consultant, Stephen Hernandez, presented. 7 people attended.

Scheduled Webinars

- February 8, the FPPC is hosting a Statement of Economic Interests (Form 700) Filing Officer webinar.
- February 15, the FPPC is hosting a Statement of Economic Interests (Form 700) Filers webinar.
- February 16, the FPPC is hosting an AB 571 webinar.
- February 22, the FPPC is hosting a Candidate/Treasurer webinar.
- February 24, the FPPC is hosting a Campaign Filing Officer webinar.

Video Tutorials

Commission video tutorials were accessed a total of 384 times in December. Form 700 videos were accessed 223 times, the Candidate/Treasurer video was accessed 91 times, and the filing officer videos were accessed 70 times.

Commission video tutorials were accessed a total of 806 times in January. Form 700 videos were accessed 458 times, the Candidate/Treasurer video was accessed 169 times, and the filing officer videos were accessed 179 times.

C. New and Updated Educational Resources

- Behested payment reporting requirements and instructions on how to satisfy those requirements on the existing Form 803: <https://www.fppc.ca.gov/learn/new-behested-payment-reporting-rules-and-completing-the-form-803.html>.

- Behested Payment Report fact sheet: https://www.fppc.ca.gov/content/dam/fppc/NS-Documents/TAD/behested-payments/Behested_Payment_Report_Fact_Sheet_Final.pdf.
- New Laws fact sheet: https://fppc.ca.gov/content/dam/fppc/NS-Documents/TAD/new-laws/New_Laws_2021.pdf
- Advertising disclosure charts updated: <https://www.fppc.ca.gov/learn/campaign-rules/campaign-advertising-requirements-restrictions.html>
- Where to File pages updated: <https://www.fppc.ca.gov/learn/campaign-rules/where-and-when-to-file-campaign-statements.html>

D. Advice

The December Advice Letter Report is available on the FPPC website at <https://www.fppc.ca.gov/advice/advice-opinion-search/advice-letter-reports/2021-advice-letter-reports/FPPC-advice-letter-report-dec-2021.html>.

In December, the Legal Division responded to the following requests for advice:

- **Education:** The Education unit responded to 291 requests for technical assistance via telephone.
- **Requests for Advice:** The Email Advice and Conflict of Interest Code Program and Legal Division attorneys collectively responded to 470 email requests for advice, 89 of which were not responded to within 24 hours.
- **Advice Letters:** The Legal Division received 11 advice letter requests under the Political Reform Act and completed 14.
- **Section 1090 Letters:** The Legal Division received 3 advice letter request concerning Section 1090 and completed 4. This year to date, we have received 63 advice requests regarding Section 1090.

The January Advice Letter Report is available on the FPPC website at <https://www.fppc.ca.gov/advice/advice-opinion-search/advice-letter-reports/2022-advice-letter-reports/FPPC-advice-letter-report-jan-2022.html>.

In January, the Legal Division responded to the following requests for advice:

- **Education:** The Education unit responded to 564 requests for technical assistance via telephone.
- **Requests for Advice:** The Email Advice and Conflict of Interest Code Program and Legal Division attorneys collectively responded to 773 email requests for advice, 119 of which were not responded to within 24 hours.

- **Advice Letters:** The Legal Division received 7 advice letter requests under the Political Reform Act and completed 9.
- **Section 1090 Letters:** The Legal Division received 2 advice letter request concerning Section 1090 and completed 4. This year to date, we have received 2 advice requests regarding Section 1090.

E. Miscellaneous Decisions

None

F. Potential Upcoming Regulations

The regulations calendar for 2022 will be presented at the February 2022 Commission meeting.

G. Conflict of Interest Codes

Adoptions and Amendments

State Agencies

- Department of Aging
- Alcoholic Beverage Control Appeals Board
- Department of Justice

Multi-County Agencies

- Central-Delta Mendota Groundwater Sustainability Agency
- California Virtual Academy
- Aspire Public Schools
- Sierra Joint Community College District
- Hanford Joint Union High School District
- Upper Mokelumne River Watershed
- Scholarship Prep
- Tahoe-Truckee Sanitation District

Exemptions

- Approved exemption request made pursuant to Regulation 18751 by the Stakeholder Advisory Group of the California Health and Human Services Agency

Extensions

None

G. Probable Cause Hearings

Probable cause proceedings are conducted per Government Code section 83115.5. A finding of probable cause does not constitute a finding a violation occurred. Respondents are presumed innocent of any violation of the Act unless a violation is proven in a subsequent proceeding.

The following matters were decided based solely on the papers. The respondents did not request a probable cause hearing.

In the Matter of Jim Avalos for City Council and Jim Avalos, Case Nos. 2017-00509 and 2018-00722. On January 31, 2022, probable cause was found to believe Respondents committed the following violations of the Act:

- Count 1: The Committee and Avalos failed to timely file a semi-annual campaign statement for the reporting period of January 1, 2014 through June 30, 2014, due July 31, 2014, in violation of Government Code Section 84200.
- Count 2: The Committee and Avalos failed to timely file a semi-annual campaign statement for the reporting period of July 1, 2014 through December 31, 2014, due February 2, 2015, in violation of Government Code Section 84200.
- Count 3: The Committee and Avalos failed to timely file a semi-annual campaign statement for the reporting period of January 1, 2015 through June 30, 2015, due July 31, 2015, in violation of Government Code Section 84200.
- Count 4: The Committee and Avalos failed to timely file a semi-annual campaign statement for the reporting period of July 1, 2015 through December 31, 2015, due February 1, 2016, in violation of Government Code Section 84200.
- Count 5: The Committee and Avalos failed to timely file a semi-annual campaign statement for the reporting period of January 1, 2016 through June 30, 2016, due August 1, 2016, in violation of Government Code Section 84200.
- Count 6: The Committee and Avalos failed to timely file a pre-election campaign statement for the reporting period of July 1, 2016 through September 24, 2016, due September 29, 2016, in violation of Government Code Sections 84200.5 and 84200.8.
- Count 7: The Committee and Avalos failed to timely file a pre-election campaign statement for the reporting period of September 25, 2016 through October 22, 2016, due October 27, 2016, in violation of Government Code Sections 84200.5 and 84200.8.
- Count 8: The Committee and Avalos failed to timely file a semi-annual campaign statement for the reporting period of October 23, 2016 through December 31, 2016, due January 31, 2017, in violation of Government Code Section 84200.
- Count 9: The Committee and Avalos failed to timely file a semi-annual campaign statement for the reporting period of January 1, 2017 through June 30, 2017, due July 31, 2017, in violation of Government Code Section 84200.
- Count 10: The Committee and Avalos failed to timely file a semi-annual campaign statement for the reporting period of July 1, 2017 through December 31, 2017, due January 31, 2018, in violation of Government Code Section 84200.

- Count 11: The Committee and Avalos failed to timely file a semi-annual campaign statement for the reporting period of January 1, 2018 through June 30, 2018, due July 31, 2018, in violation of Government Code Section 84200.
- Count 12: The Committee and Avalos failed to timely file a semi-annual campaign statement for the reporting period of July 1, 2018 through December 31, 2018, due January 31, 2019, in violation of Government Code Section 84200.
- Count 13: The Committee and Avalos failed to file a 24-hour contribution report within 24 hours of receiving a late contribution from UFCW-8 Political Action Committee on October 25, 2016, in violation of Government Code Section 84203.
- Count 14: The Committee and Avalos failed to timely pay the 2015 \$50 annual fee by the January 15, 2015 due date, and failed to pay the resulting \$150 late penalty, in violation of Government Code Section 84101.5, subdivisions (c) and (d).
- Count 15: The Committee and Avalos failed to timely pay the 2016 \$50 annual fee by the January 15, 2016 due date, and failed to pay the resulting \$150 late penalty, in violation of Government Code Section 84101.5, subdivisions (c) and (d).
- Count 16: The Committee and Avalos failed to timely pay the 2017 \$50 annual fee by the January 15, 2017 due date, and failed to pay the resulting \$150 late penalty, in violation of Government Code Section 84101.5, subdivisions (c) and (d).
- Count 17: The Committee and Avalos failed to timely pay the 2018 \$50 annual fee by the January 15, 2018 due date, and failed to pay the resulting \$150 late penalty, in violation of Government Code Section 84101.5, subdivisions (c) and (d).
- Count 18: Avalos failed to timely file his Assuming Office SEI by the May 11, 2018 due date, in violation of Government Code section 87300 and Regulation 18730, subdivision (b)(5)(B).

IV. ADMINISTRATION & TECHNOLOGY DIVISION

STAFF: LORESSA HON, CHIEF

A. New Employee Report

Legal Division

Silvia Riveros, Political Reform Consultant I (Promotion)

Enforcement Division

Shaina Elkin, Associate Governmental Program Analyst (Promotion)

Laura Mandler, Political Reform Consultant I (Promotion)

B. Statement of Economic Interest (Form 700)

As of February 1, 2022, there were 186 Form 700 non-filers of the 2020/2021 Annual Form 700 filing. The Statement of Economic Interest Unit has made 173 non-filer referrals to the Enforcement Division.