

# News from the FPPC



California Fair Political Practices Commission  
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Additional information on each of the enforcement cases listed below can be found in the September agenda on the FPPC website at [www.fppc.ca.gov](http://www.fppc.ca.gov). FPPC agendas are distributed and posted on the agency website at least 10 days prior to each monthly meeting.

The web version of the agenda includes links to the stipulations agreed to between the FPPC Enforcement Division and the individuals and organizations subject to the fines, or the default decisions proposed to the Commission. Exhibits in support of the stipulations and proposed default decisions are also available on the website. If you or need further assistance, please contact the FPPC communications office at (916) 322-7761 or [press@fppc.ca.gov](mailto:press@fppc.ca.gov).

I. The following are enforcement decisions approved by the Fair Political Practices Commission at its regular monthly meeting held on Friday, October 18, 2019. Decisions are listed by category and include a brief summary of each case and the total amount of any administrative fine in each case.

## Recordkeeping

**In the Matter of Citizens for Kain – Assembly '14, Palmer Kain, Jay Mosley, and Marc Baylen; FPPC No. 16/467.** Staff: Christopher Burton, Senior Commission Counsel and Roone Petersen, Special Investigator. This matter arose from an audit performed by the Franchise Tax Board's Political Reform Audit Program. Palmer Kain was successful in the June 3, 2014 Primary and unsuccessful in the November 4, 2014 General Election for Assembly. Citizens for Kain – Assembly '14 was his candidate-controlled committee. Jay Mosley was the Committee's treasurer. Marc Baylen was the Committee's assistant treasurer, and acted as treasurer from July 2, 2014 until the Committee's termination. The Committee, Kain, and Mosley failed to timely file two pre-election campaign statements for the reporting periods of January 1, 2014 through March 17, 2014 and March 18, 2014 through May 17, 2014, in violation of Government Code Sections 84200.5, subdivision (a), and 84200.7, subdivision (a) (1 count), and failed to timely report financial activity on two pre-election and two semiannual campaign statements, in violation of Government Code Section 84211, subdivisions (a) – (d), (f), and (i) – (k) (1 count). Additionally, the Committee, Kain, Mosley, and Baylen failed to maintain adequate source documentation for contributions and expenditures, in violation of Government Code Section 84104 and Regulation 18401 (1 count). **Fine: \$5,500.**

## Advertisements

**In the Matter of Brea Olinda Unified School District School Facilities Improvement Measure 2016 in Support of Measure K, David Hale, and Gail Lyons; FPPC No. 16/19873.** Staff: Jenna Rinehart, Commission Counsel and Paul Rasey, Special Investigator. Brea Olinda Unified School District School Facilities Improvement Measure 2016 in Support of Measure K was a local primarily formed committee in support of Measure K, which appeared on the ballot in the November 8, 2016 General Election. David Hale was the Committee's treasurer and Gail Lyons was the Committee's principal officer. The Committee, Hale, and Lyons failed to include the Committee's information in its disclosure statement on four separate mass mailings, in violation of Government Code Section 84305 and Regulation 18402 (1 count), and failed to include the Committee's information in its disclosure statement on doorhangers, which also did not meet size requirements, in violation of Government Code Section 84504, Regulations 18450.4 and 18402 (1 count). Additionally, the Committee, Hale, and Lyons failed to include a disclosure statement in its robocalls, in violation of Government Code Section 84504 and Regulation 18450.4 (1 count). **Fine: \$4,500.**

**In the Matter of Friends of Sierra College 2018 – Yes on Measure E, and Kris Mapes; FPPC No. 18/337.** Staff: Christopher Burton, Senior Commission Counsel. Friends of Sierra College 2018 – Yes on Measure E was a local committee primarily formed to support Sierra Joint Community College District Measure E, which appeared on the ballot in the June 5, 2018 Primary Election. Kris Mapes was the Committee's treasurer and principal officer. The Committee and Mapes failed to timely report subvendor payments for the pre-election reporting period of April 22, 2018 through May 19, 2018, in violation of Government Code Sections 84211, subdivision (k)(6) and 84303 (1 count), and failed to include the Committee's correct name in its disclosure statement on yard signs, which also did not meet size requirements, in violation of Government Code Sections 84502 and 84504.2, subdivision (b) (1 count). **Fine: \$3,000.**

**In the Matter of Committee in Support of Measure G 2018 and Michele Perrault; FPPC No. 18/443.** Staff: Christopher Burton, Senior Commission Counsel and Paul Rasey, Special Investigator. Committee in Support of Measure G 2018 is a local primarily formed committee supporting Plumas Lake Elementary School District Measure G, which appeared on the ballot in the June 5, 2018 Primary Election. Michele Perrault is the Committee's principal officer. The Committee and Perrault failed to include the required disclosures on six different advertisements, in violation of Government Code Sections 84502, 84504.2, and 84504.3 (1 count). **Fine: \$3,000.**

**In the Matter of Santa Monicans for Council Term Limits, Yes on Measure TL, and Nancy Coleman; FPPC No. 18/200.** Staff: Christopher Burton, Senior Commission Counsel and Lance Hachigian, Special Investigator. Santa Monicans for Council Term Limits, Yes on Measure TL was a local primarily formed committee supporting Santa Monica Measure TL, which appeared on the ballot in the November 6, 2018 General Election. Nancy Coleman was the Committee's principal officer. The Committee and Coleman failed to include the required disclosures on one print and three electronic media advertisements, in violation of Government Code Sections 84502 and 84504.3 (1 count). **Fine: \$2,500.**

**In the Matter of Betsy Tunnell; FPPC No. 16/19759.** Staff: Jenna Rinehart, Commission Counsel and Garrett Micheels, Special Investigator. Betsy Tunnell, as an Independent Expenditure Committee against Measure B in the November 8, 2016 General Election, failed to include the required disclosures on each of her campaign advertisements, in violation of Government Code Section 84506 and Regulation 18450.4 (1 count). **Fine: \$1,500.**

## Cash Expenditures

**In the Matter of Jaime Hurtado for Supervisor 2018, Jaime Hurtado, and Richard Teaman; FPPC No. 18/104.** Staff: Megan A. Van Arsdale, Commission Counsel and Lance Hachigian, Special Investigator. Jaime Hurtado was an unsuccessful candidate for Riverside County Supervisor in the June 5, 2018 Primary Election. Jaime Hurtado for Supervisor 2018 was his candidate-controlled committee. Richard Teaman was the Committee's treasurer. The Committee, Hurtado, and Teaman made seven cash expenditures of \$100 or more in 2017, in violation of Government Code Section 84300, subdivision (b) (1 count). **Fine: \$2,000.**

II. The following are enforcement decisions approved through the streamline penalty process and were executed by the Chief of Enforcement per Regulation 18360.2 following the October 18, 2019 meeting. Decisions are listed by category and include a brief summary of each case and the total amount of any administrative fine in each case.

### **Campaign Late Filer**

**In the Matter of Kern County Young Republicans Voting Guide and Bryan Williams; FPPC No. 18/1548.** Staff: Galena West, Chief of Enforcement and Teri Rindahl, Political Reform Consultant. Kern County Young Republicans Voting Guide is a state slate mailer organization. Bryan Williams is the Organization's treasurer. The Organization and Williams failed to timely file two semiannual campaign statements for the reporting periods of January 1, 2018 through June 30, 2018 and July 1, 2018 through December 31, 2018, in violation of Government Code Section 84218 (2 counts). **Fine: \$1,997.**

**In the Matter of Ensen Mason for San Bernardino County Auditor-Controller/Treasurer-Tax Collector and Ensen Mason; FPPC No. 18/1150.** Staff: Galena West, Chief of Enforcement and Dominika Wojenska, Associate Governmental Program Analyst. Ensen Mason was a successful candidate for San Bernardino County Auditor-Controller/Treasurer-Tax Collector in the June 5, 2018 Primary Election. Ensen Mason for San Bernardino County Auditor-Controller/Treasurer-Tax Collector is his candidate-controlled committee. The Committee and Mason failed to timely file three 24-Hour Reports, in violation of Government Code Section 84203 (3 counts). **Fine: \$1,943.**

**In the Matter of Union Labor Party (Sponsored by Teamsters Union Local 665) and Mark Gleason; FPPC No. 18/182.** Staff: Theresa Gilbertson, Commission Counsel and Roone Petersen, Special Investigator. The respondents were represented by Matthew C. Alvarez of the Sutton Law Firm. Union Labor Party (Sponsored by Teamsters Union Local 665) is a state general purpose committee. Mark Gleason is the Committee's treasurer. The Committee and Gleason failed to timely file five semiannual campaign statements for the reporting periods ending on December 31, 2016; June 30, 2017; December 31, 2017; June 30, 2018; and December 31, 2018, in violation of Government Code Section 84200 (5 counts). **Fine: \$1,653.**

**In the Matter of Committee to Elect Katalina Penland for El Centro Elementary School Board 2018 and Katalina Penland; FPPC No. 19/726.** Staff: Galena West, Chief of Enforcement and Tara Stock, Intake Manager. Katalina Penland was a successful candidate for Trustee of El Centro Elementary School Board in the November 6, 2018 General Election. Katalina Penland for El Centro Elementary School Board 2018 is her candidate-controlled committee. The Committee and Penland failed to timely file a semiannual campaign statement for the reporting period of October 22, 2018 through December 31, 2018, in violation of

Government Code Section 84200 (1 count); a pre-election campaign statement for the reporting period of January 1, 2018 through September 22, 2018, in violation of Government Code Section 84200.5 (1 count); and three 24-Hour Reports, in violation of Government Code Section 84203 (3 counts). **Fine: \$1,120.**

**In the Matter of Oliva for City Council 2013, Anne Oliva, and Jill CdeBaca; FPPC No. 18/1002.** Staff: Galena West, Chief of Enforcement and Ginny Lambing, Political Reform Consultant. Anne Oliva was a successful candidate for Millbrae City Council in the November 6, 2018 General Election. Olivia for City Council 2013 was her candidate-controlled committee. Jill CdeBaca was the Committee's treasurer. The Committee, Olivia, and CdeBaca failed to timely file a semiannual campaign statement for the reporting period of January 1, 2018 through June 30, 2018, in violation of Government Code Section 84200 (1 count), and two pre-election campaign statements for the reporting periods of July 1, 2018 through September 22, 2018 and September 23, 2018 through October 20, 2018, in violation of Government Code Section 84200.5 (2 counts). **Fine: \$622.**

**In the Matter of Bret Daniels for Sheriff 2018 and Bret Daniels; FPPC No. 19/955.** Staff: Galena West, Chief of Enforcement and Chloe Hackert, Political Reform Consultant. Bret Daniels was an unsuccessful candidate for Sacramento County Sheriff in the June 5, 2018 Primary Election. Bret Daniels for Sheriff 2018 was his candidate-controlled committee. The Committee and Daniels failed to timely file two semiannual campaign statements for the reporting periods of May 20, 2018 through June 30, 2018 and July 1, 2018 through December 31, 2018, in violation of Government Code Section 84200 (2 counts). **Fine: \$429.**

**In the Matter of Sarah Kirby-Gonzalez for School Board 2018, Sarah Kirby-Gonzalez, and Rebecca LaVally; FPPC No. 18/1223.** Staff: Angela Brereton, Assistant Chief Counsel and Lance Hachigian, Special Investigator. Sarah Kirby-Gonzalez was a successful incumbent candidate for Washington Unified School District Trustee in the November 6, 2018 General Election. Sarah Kirby-Gonzalez for School Board 2018 was her candidate-controlled committee. Rebecca LaVally was the Committee's treasurer. The Committee, Gonzalez, and LaVally failed to timely file two 24-Hour Reports, in violation of Government Code Section 84203 (2 counts). **Fine: \$421.**

**In the Matter of Fernando Mercado for AUSD Trustee Area 1 2015, Fernando Mercado, and Jose Placencia; FPPC No. 18/617.** Staff: Galena West, Chief of Enforcement and Chloe Hackert, Political Reform Consultant. Fernando Mercado was a successful candidate for Board Member of Alisal Union School District in the November 3, 2015 General Election. Fernando Mercado for AUSD Trustee Area 1 2015 was his candidate-controlled committee. Jose Placencia was the Committee's treasurer. The Committee, Mercado, and Placencia failed to timely file two semiannual campaign statements for the reporting periods of January 1, 2016 through June 30, 2016 and July 1, 2016 through December 31, 2016, in violation of Government Code Section 84200 (2 counts). **Fine: \$403.**

**In the Matter of South Placer Firefighters Local 3809 PAC and Brian Midtlyng; FPPC No. 19/389.** Staff: Galena West, Chief of Enforcement and Chloe Hackert, Political Reform Consultant. South Placer Firefighters Local 3809 was a local general purpose committee. Brian Midtlyng was the Committee's treasurer. The Committee and Midtlyng failed to timely file a

semiannual campaign statement for the reporting period of July 1, 2018 through December 31, 2018, in violation of Government Code Section 84200 (1 count).

**Fine: \$364.**

**In the Matter of Terri McBrayer for Treasurer-Tax Collector 2018 and Terri McBrayer; FPPC No. 18/1136.** Staff: Galena West, Chief of Enforcement and Dominika Wojenska, Associate Governmental Program Analyst. Terri McBrayer was a successful incumbent candidate for Trinity County Treasurer-Tax Collector in the June 5, 2018 Primary Election. Terri McBrayer for Treasurer-Tax Collector 2018 is her candidate-controlled committee. The Committee and McBrayer failed to timely file a pre-election campaign statement for the reporting period of February 28, 2018 through May 24, 2018, in violation of Government Code Section 84200.5 (1 count). **Fine: \$263.**

**In the Matter of Committee to Elect Irene G. Garcia for City Council in the City of Greenfield 2018, Irene G. Garcia, and Beatriz Diaz; FPPC No. 19/383.** Staff: Galena West, Chief of Enforcement and Ginny Lambing, Political Reform Consultant. Irene G. Garcia was an unsuccessful candidate for Greenfield City Council in the November 6, 2018 General Election. Committee to Elect Irene G. Garcia for City Council in the City of Greenfield 2018 was her candidate-controlled committee. Beatriz Diaz was the Committee's treasurer. The Committee, Garcia, and Diaz failed to timely file a semiannual campaign statement for the reporting period of October 21, 2018 through December 31, 2018, in violation of Government Code Section 84200 (1 count). **Fine: \$246.**

**In the Matter of College Democrats at Sac State and Arman Gevorgyan; FPPC No. 18/755.** Staff: Galena West, Chief of Enforcement and Chloe Hackert, Political Reform Consultant. College Democrats at Sac State is a local general purpose committee. Arman Gevorgyan is the Committee's treasurer. The Committee and Gevorgyan failed to timely file a semiannual campaign statement for the reporting period of January 1, 2018 through June 30, 2018, in violation of Government Code Section 84200 (1 count). **Fine: \$230.**

**In the Matter of Committee to Elect Brian Hall for Rim School Board 2018 and Brian Hall; FPPC No. 18/1037.** Staff: Galena West, Chief of Enforcement and Chloe Hackert, Political Reform Consultant. Brian Hall was an unsuccessful candidate for Board Member of Rim School Board in the November 6, 2018 General Election. Committee to Elect Brian Hall for Rim School Board 2018 was his candidate-controlled committee. The Committee and Hall failed to timely file a pre-election campaign statement for the reporting period of January 1, 2018 through September 22, 2018, in violation of Government Code Section 84200.5 (1 count). **Fine: \$228.**

**In the Matter of Better Elementary Schools Today - Committee for Measure B and Robert Fellingner; FPPC No. 18/1126.** Staff: Galena West, Chief of Enforcement and Tara Stock, Intake Manager. Better Elementary Schools Today - Committee for Measure B was a primarily formed committee supporting Measure B, which was approved by Shasta County voters at the June 5, 2018 Primary Election. Robert Fellingner was the Committee's treasurer. The Committee and Fellingner failed to timely file a pre-election campaign statement for the reporting period of January 1, 2018 through April 21, 2018, in violation of Government Code Section 84200.5 (1 count). **Fine: \$227.**

**In the Matter of Arellanes for Azusa School Board 2018 and Gabriela Arellanes; FPPC No. 18/1088.** Staff: Galena West, Chief of Enforcement and Ginny Lambing, Political Reform Consultant. Gabriela Arellanes was a successful candidate for Board Member of Azusa Unified School District in the November 6, 2018 General Election. Arellanes for Azusa School Board 2018 was her candidate-controlled committee. The Committee and Arellanes failed to timely file a pre-election campaign statement for the reporting period of July 1, 2018 through September 22, 2018, in violation of Government Code Section 84200.5 (1 count). **Fine: \$226.**

**In the Matter of Jim Barnes for Sacramento Metro Fire Board of Directors 2018 and Jim Barnes; FPPC No. 19/795.** Staff: Galena West, Chief of Enforcement and Chloe Hackert, Political Reform Consultant. Jim Barnes was a successful candidate for Director of Sacramento Metro Fire Board in the November 6, 2018 General Election. Jim Barnes for Sacramento Metro Fire Board of Directors 2018 was his candidate-controlled committee. The Committee and Barnes failed to timely file a semiannual campaign statement for the reporting period of October 21, 2018 through December 31, 2018, in violation of Government Code Section 84200 (1 count). **Fine: \$200.**

### **Campaign Late Reporter**

**In the Matter of JM Brown for Santa Cruz City Council 2016, JM Brown, and Donna Meyers; FPPC No. 16/19814.** Staff: Galena West, Chief of Enforcement and Chloe Hackert, Political Reform Consultant. JM Brown was an unsuccessful candidate for Santa Cruz City Council in the November 8, 2016 General Election. JM Brown for Santa Cruz City Council 2016 was his candidate-controlled committee. Donna Meyers was the Committee's treasurer. The Committee, Brown, and Meyers failed to timely disclose occupation and employer information for nine contributors on a semiannual campaign statement for the reporting period of January 1, 2016 through June 30, 2016, in violation of Government Code Section 84211 (1 count). **Fine: \$117.**

### **Statement of Economic Interests Late Filer**

**In the Matter of Daniel Gutierrez; FPPC No. 18/210.** Staff: Galena West, Chief of Enforcement and Tara Stock, Intake Manager. Daniel Gutierrez, an Engineering Inspector for the City of San Leandro, failed to timely file a 2014, 2015, 2016, and 2017 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (4 counts). **Fine: \$800.**

**In the Matter of Fabiola Contreras; FPPC No. 18/1502.** Staff: Galena West, Chief of Enforcement and Cheng Saetern, Staff Services Analyst. Fabiola Contreras, a Board Member for the Darnall Charter School, failed to timely file a 2017 and 2018 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (2 counts). **Fine: \$800**

**In the Matter of Greg Medici; FPPC No. 16/20056.** Staff: Megan A. Van Arsdale, Commission Counsel. Greg Medici, a Board Member for South Bay Area School Insurance Authority, failed to timely file a 2015 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Fine: \$600.**

**In the Matter of Christopher Shahzaad; FPPC No. 18/1135.** Staff: Jenna Rinehart, Commission Counsel. Christopher Shahzaad, a Staff Psychiatrist for California Correctional Healthcare Services, failed to timely file a 2017 and 2018 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (2 counts). **Fine: \$400.**

**In the Matter of Lisa O'Malley; FPPC No. 18/1022.** Staff: Galena West, Chief of Enforcement and Cheng Saetern, Staff Services Analyst. Lisa O'Malley, a Consultant for the City of Walnut Creek Building Division, failed to timely file a 2016 Annual Statement of Economic Interests and a 2017 Annual/Leaving Office Statement of Economic Interests, in violation of Government Code Section 87300 (2 counts). **Fine: \$400.**

**In the Matter of Don McDonald; FPPC No. 19/253.** Staff Galena West, Chief of Enforcement and Cheng Saetern, Staff Services Analyst. Don McDonald, a Planning Commissioner for the City of Fairfield, failed to timely file a 2017 Annual Statement of Economic Interests, in violation of Government Code Section 87203 (1 count). **Fine: \$400.**

**In the Matter of Sheree Davis; FPPC No. 19/302.** Staff: Galena West, Chief of Enforcement and Cheng Saetern, Staff Services Analyst. Sheree Davis, a Planning Commissioner for the City of Paso Robles, failed to timely file a 2017 Annual Statement of Economic Interests, in violation of Government Code Section 87203 (1 count). **Fine: \$200.**

**In the Matter of John Gentry; FPPC No. 19/201.** Staff: Galena West, Chief of Enforcement and Cheng Saetern, Staff Services Analyst. John Gentry, a Consultant for the San Diego Association of Governments, failed to timely file a 2017 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Fine: \$200.**

**In the Matter of Erik Ryberg; FPPC No. 19/248.** Staff: Galena West, Chief of Enforcement and Cheng Saetern, Staff Services Analyst. Erik Ryberg, Mayor for the City of Etna, failed to timely file a 2017 Annual Statement of Economic Interests, in violation of Government Code Section 87203 (1 count). **Fine: \$200.**

#### **Statement of Economic Interests Late Reporter**

**In the Matter of Sandra Salazar; FPPC No. 16/20085.** Staff: Galena West, Chief of Enforcement and Chloe Hackert, Political Reform Consultant. Sandra Salazar, as a Board Member for Cerritos Community College District, failed to timely disclose a source of income on her 2015 Annual Statement of Economic Interests, in violation of Government Code Section 87207 (1 count). **Fine: \$100.**