

News from the FPPC



California Fair Political Practices Commission
1102 Q Street, Suite 3000, Sacramento, CA 95811
www.fppc.ca.gov

For Immediate Release: January 26, 2023

Contact: Jay Wierenga at (916) 322-7761

Additional information on each of the enforcement cases listed below can be found in the January agenda on the FPPC website at 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.

I. The following are enforcement decisions approved by the Fair Political Practices Commission at its regular monthly meeting held on Thursday, January 26, 2023. 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 Contribution Limits

In the Matter of Michael Welsh, Mr. C's Towing of South Gate, and Fubar Properties, LLC; FPPC No. 19/695. Staff: Jenna C. Rinehart, Commission Counsel and George Aradi, Special Investigator. In 2019, Michael Welsh, General Manager of Mr. C's Towing of South Gate and Fubar Properties, LLC made contributions to state and local candidates through the businesses managed by Welsh. As a result, Welsh and the businesses qualified as a major donor committee. Welsh and the businesses made contributions that exceeded the applicable contribution limit, in violation of Government Code Section 85301 and regulation 18545 (1 count). Additionally, as a major donor committee, Welsh and the businesses failed to timely file two semi-annual campaign statements and a 24-Hour Report, in violation of Government Code Section 84200, subdivision (b), and 84203 (1 count). **Fine: \$5,500.**

Behested Payments

In the Matter of William Dodd; FPPC No. 19/439. Staff: Neal Bucknell, Senior Commission Counsel. The respondent is represented by Gary Winuk and Joseph Guardarrama of the Kaufman Legal Group. Dodd is a member of the California State Senate, District 3. In 2017 and 2018, numerous donors made charitable payments in amounts of \$5,000 or more to the Salvation Army and the Napa Valley Education Foundation at Dodd's behest, but Dodd failed to timely report 27 of these payments, totaling \$481,900, in violation of Government Code Section 82015, subdivision (b)(2)(B)(iii), as in effect prior to 2018, and Section 84224, as in effect after 2017 (5 counts). **Fine: \$7,500.**

Conflict of Interests

In the Matter of Dirk Starbuck; FPPC No. 18/297. Staff: Theresa Gilbertson, Senior Commission Counsel and Paul Rasey, Special Investigator. Dirk Starbuck is a council member for the City of Lompoc. As a member of the city council, Starbuck participated in discussions and voted on matters related to the permitting of cannabis dispensaries, in which they knew or had reason to know of a material financial effect on Starbuck's real property, in violation of Government Code Section 87100 (2 counts.) **Fine: \$8,000.**

Advertisements

In the Matter of Yes on Q! Oakland Neighbors For Our Parks and People, Susan Montauk, and Stacy Owens; FPPC No. 20/354. Staff: Theresa Gilbertson, Senior Commission Counsel and Lance Hachigian, Special Investigator. Yes on Q! Oakland Neighbors for Our Parks and People was a primarily formed ballot measure committee active during the March 3, 2020 Primary Election. Susan Montauk served as the principal officer and Stacy Owens served as the treasurer. The Committee, Montauk, and Owens caused two advertisements to be distributed that failed to include the top contributor information in the disclosure statement and exhibited errors in formatting, in violation of Government Code Sections 84106, 84107, 84502, 84503, and 84504.2 (1 count). **Fine: \$3,000.**

Campaign Late Reporter

In the Matter of John Cox for Governor 2018, John Cox, and Mclayn Ryan; FPPC No. 21/1092. Staff: Alex Rose, Commission Counsel. This matter arose from an audit performed by the Franchise Tax Board's Political Reform Audit Program. John Cox was an unsuccessful candidate for Governor in the November 6, 2018 General Election. John Cox for Governor 2018 was Cox's candidate-controlled committee and Mclayn Ryan was the committee treasurer. The Committee, Cox, and Ryan failed to timely disclose contributor occupation and employer information for 1,123 contributors, in violation of Government Code Section 84211 (1 count). **Fine: \$4,500.**

Campaign Late Filer

In the Matter of Thomas Patti, Tom Patti for County Supervisor 2016/2020, and Kimm Lovelace; FPPC No. 21/725. Staff: Neal Bucknell, Senior Commission Counsel and Paul Rasey, Special Investigator. Patti is a member of the San Joaquin County Board of Supervisors. Tom Patti for County Supervisor 2016/2020 was their candidate-controlled committee, and Lovelace was the committee treasurer. Respondents are represented by Gary Winuk of the Kaufman Legal Group. During the months of September through November 2016, and December 2019 through February 2020, the committee, Patti, and Lovelace failed to timely file 24-Hour Reports, in violation of Government Code Section 84203 (2 counts). Also, they failed to report and itemize credit card charges of \$100 or more and payments to subvenders in amounts of \$500 or more on semi-annual and pre-election campaign statements, in violation of Government Code Sections 84211, subdivision (k), 84303, and regulation 18421.9 (4 counts). **Fine: \$12,000.**

Gift Over-the-Limit

In the Matter of Jeffrey Bryant; FPPC Case No. 20/201. Staff: Jenna C. Rinehart, Commission Counsel. The respondent was represented by Ren Nosky of JRG Attorneys at Law. Jeffrey Bryant, General Manager of the Firebaugh Canal Water District and Alternate Director of the San Joaquin River

Exchange Contractors Water Authority, failed to timely report the receipt of gifts on the 2015 Annual Statement of Economic Interests, in violation of Government Code Section 87207 (2 counts). Additionally, these gifts exceeded the applicable annual gift limit, in violation of Government Code Section 89503 (2 counts). **Fine: \$13,000.**

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 January 26, 2023 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 Bank Account

In the Matter of Jack Lavers, Lavers for Assembly 2018, and Thomas Montgomery III; FPPC Case No. 20/503. Staff: Neal Bucknell, Senior Commission Counsel. This matter arose from an audit performed by the Franchise Tax Board's Political Reform Audit Program. Jack Lavers was an unsuccessful candidate for California State Assembly, District 26. Lavers for Assembly 2018 was their controlled committee, and Thomas Montgomery was the committee's treasurer. In 2017 and 2018, Lavers, the committee, and Montgomery failed to keep required payee source records regarding campaign expenditures incurred during two reporting periods, in violation of Government Code Section 84104 (2 counts); and in 2017, they failed to pay certain campaign expenditures from the committee's single, designated bank account during one reporting period, in violation of Government Code Section 85201 (1 count). **Fine: \$1,694 (Tier Two).**

Recordkeeping

In the Matter of Friends of Alhambra, and Lawrence Seligman; FPPC No. 20/881. Staff: Theresa Gilbertson, Senior Commission Counsel and Special Investigator, Ann Flaherty. Friends of Alhambra was a local, primarily formed ballot measure committee active during the November 3, 2020 General Election. Lawrence Seligman was the committee treasurer. The Committee and Seligman failed to timely file a 24-Hour Report, in violation of Government Code Section 84203 (1 count). The Committee and Seligman also failed to maintain adequate records and documentation to fully substantiate the campaign reporting, in violation of Government Code Section 84104 (1 count). **Fine: \$814 (Tiers One & Two).**

Advertisements

In the Matter of Oceanside SOAR – Save Open Space and Agricultural Resources, Suzy Martinek, and Dennis Martinek; FPPC No. 18/159. Staff: Theresa Gilbertson, Senior Commission Counsel. Oceanside SOAR – Save Open Space and Agricultural Resources was a local primarily formed ballot measure committee formed to support a local ballot measure during the November 6, 2018 General Election in the City of Oceanside. Suzy Martinek was the treasurer. Dennis Martinek was the principal officer. The Committee, Suzy Martinek, and Dennis Martinek failed to include a compliant disclosure statement on two mailers and a yard sign, in violation of Government Code Sections 84502, 84504.2, and 84107 (3 counts). The Committee, Suzy Martinek, and Dennis Martinek failed to timely file a 24-Hour Report, in violation of Government Code Section 84203 (1 count). The Committee, Suzy Martinek, and Dennis Martinek failed to timely file a semi-annual campaign statement, in violation of Government Code Section 84200 (1 count). **Fine: \$1,311 (Tiers One & Two).**

Campaign Late Reporter

In the Matter of Committee to Re-Elect Cardenas for Imperial Irrigation District 2022 – Division 1, Alex Cardenas, and Karina Alvarez; FPPC No. 22/408. Staff: Angela Brereton, Chief of Enforcement and Ginny Brown, Political Reform Consultant. Alex Cardenas was a successful candidate for Imperial Irrigation District in the June 7, 2022 Primary Election. Committee to Re-Elect Cardenas for Imperial

Irrigation District 2022 – Division 1 was Cardenas' candidate-controlled committee, and Karina Alvarez served as treasurer. The Committee, Cardenas, and Alvarez failed to timely disclose contributor and expenditure information on two pre-election campaign statements, in violation of Government Code Section 84211 (2 counts). **Fine: \$491 (Tier One).**

In the Matter of Gregory Tatum for District #6 City Council 2020, Gregory Tatum, and Kristan Dinkins; FPPC No. 20/1011. Staff: Marissa Nash, Commission Counsel. Gregory Tatum was an unsuccessful candidate for Bakersfield City Council in the November 3, 2020 General Election. Gregory Tatum for District #6 City Council 2020 was Tatum's candidate-controlled committee and Kristan Dinkins served as the committee treasurer. The Committee, Tatum and Dinkins failed to timely file a pre-election campaign statement, in violation of Government Code Section 84200.5 (1 count) and failed to timely report \$4,000 in contributions and \$5,063 in expenditures on a pre-election campaign statement, in violation of Government Code Section 84211 (1 count). **Fine: \$458 (Tier One).**

In the Matter of Conlon for State Treasurer 2018, Gregory Conlon and, Thomas Montgomery; FPPC No. 21/637. Staff: Marissa Nash, Commission Counsel. This matter arose from an audit performed by the Franchise Tax Board's Political Reform Audit Program. Gregory Conlon was an unsuccessful candidate for State Treasurer in the November 6, 2018 General Election. Conlon for State Treasurer 2018 was Conlon's candidate-controlled committee and Thomas Montgomery served as the committee treasurer. The Committee, Conlon and Montgomery failed to timely disclose \$7,799 of subvendor information on two pre-election campaign statements, and a semi-annual campaign statement, in violation of Government Code Section 84211 (3 counts). **Fine: \$376 (Tier One).**

Campaign Late Filer

In the Matter of Sudduth for Assembly 2018, Cheryl Sudduth, and LeAnn Hall; FPPC No. 18/1384. Staff: Alex Rose, Commission Counsel. Cheryl Sudduth was an unsuccessful candidate for the State Assembly in the June 5, 2018 Primary Election. Sudduth For Assembly 2018 was Sudduth's candidate-controlled committee and LeAnn Hall was the treasurer. The Committee, Sudduth, and Hall failed to timely file two pre-election campaign statements, two semi-annual campaign statements, and two 24-Hour Reports, in violation of Government Code Sections 84200, 84200.5, and 84203 (6 counts). **Fine: \$2,409 (Tiers One & Two).**

In the Matter of Bob Archuleta for Senate 2018, Bob Archuleta, and Cine Ivery; FPPC No. 21/109. Staff: Theresa Gilbertson, Senior Commission Counsel and Ann Flaherty, Special Investigator. This matter arose from an audit performed by the Franchise Tax Board's Political Reform Audit Program. Bob Archuleta was a successful candidate for State Senate in the November 6, 2018 General Election. Bob Archuleta for Senate 2018 was Archuleta's candidate-controlled committee and Cine Ivery served as the committee treasurer. The Committee, Archuleta, and Ivery failed to timely file two 10-day Reports, in violation of Government Code Section 85309, subdivision (c) (2 counts). The Committee, Archuleta, and Ivery failed to timely file a 24-Hour Report, in violation of Government Code Section 84203 (1 count). **Fine: \$1,571 (Tiers One & Two).**

In the Matter of Intuit Inc.; FPPC No. 22/1031. Staff: Angela Brereton, Chief of Enforcement and Ginny Brown, Political Reform Consultant. The Respondent was represented by Rachel Provencher & Samuel Brown of Holland & Knight LLP. Intuit, Inc., a major donor committee for the calendar year 2020, failed to file a major donor committee campaign statement, in violation of Government Code Section 84200(b) (1 count). **Fine: \$800 (Tier Two).**

In the Matter of Mary Hien Pollett for Evergreen School Board 2022, and Mary Hien Pollett; FPPC No. 22/1013. Staff: Angela Brereton, Chief of Enforcement and Shaina Elkin, Associate Governmental Program Analyst. Mary Hien Pollett was a successful candidate for Evergreen School District Board of Trustees in the November 8, 2022 General Election. Mary Hien Pollett for Evergreen School Board 2022

was Pollett's candidate-controlled committee. The Committee and Pollett failed to timely file a 24-Hour Report, in violation of Government Code Section 84203 (1 count). **Fine: \$458 (Tier Two).**

In the Matter of Lina Tan & Pilot Construction Management; FPPC No. 22/306. Staff: Angela Brereton, Chief of Enforcement and Ginny Brown, Political Reform Consultant. Lina Tan and Pilot Construction Management, a major donor committee for the calendar year 2018, failed to file a major donor committee campaign statement, in violation of Government Code Section 84200 (1 count). **Fine: \$400 (Tier One).**

In the Matter of Tony Daysog, and Daysog for Council 2022; FPPC No. 22/755. Staff: Angela Brereton, Chief of Enforcement and Amber Rodriguez, Political Reform Consultant. Tony Daysog was a successful candidate for the Alameda City Council in the November 8, 2022 General Election. Daysog for Council 2022 was their candidate-controlled committee. The Committee and Daysog failed to timely file a 24-Hour Report, in violation of Government Code Section 84203 (1 count). **Fine: \$215 (Tier One).**

In the Matter of Mike Campbell for L.A. County Assessor, and Mike Campbell; FPPC No. 22/603. Staff: Angela Brereton, Chief of Enforcement and Ginny Brown, Political Reform Consultant. Mike Campbell was an unsuccessful candidate for Los Angeles County Assessor in the June 7, 2022 Primary Election. Mike Campbell for L.A. County Assessor was Campbell's candidate-controlled committee. The Committee and Campbell failed to timely file a semi-annual campaign statement, in violation of Government Code Section 84200 (1 count). **Fine: \$205 (Tier One).**

Statement of Economic Interests Late Filer

In the Matter of Albert Robles; FPPC No. 19/1397. Staff: Jonathan Rivera, Commission Counsel. Albert Robles, as mayor for the City of Carson, failed to timely file a 2018 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count), and a 2019 Annual Statement of Economic Interests, in violation of Government Code Section 87203 (1 count). **Fine: \$400 (Tier One).**

In the Matter of Nicholas Sottero; FPPC No. 19/1766. Staff: Angela Brereton, Chief of Enforcement and Tara Stock, Intake Manager. Nicholas Sottero, as a Member of the Disabled Access Appeals Board for the City of Modesto, failed to timely file an Assuming Office and 2018 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (2 counts). **Fine: \$400 (Tier One).**

In the Matter of Kevin Connolly; FPPC No. 22/064. Staff: Angela Brereton, Chief of Enforcement and Laura Mandler, Political Reform Consultant. Kevin Connolly, Manager at San Francisco Bay Water Emergency Transportation Authority, failed to timely file a 2020 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Fine: \$200 (Tier One).**

Statement of Economic Interests Late Reporter

In the Matter of John Stephens; FPPC No. 18/279. Staff: Bridgette Castillo, Senior Commission Counsel and George Aradi, Special Investigator. John Stephens is the Mayor of Costa Mesa. Stephens failed to timely disclose a source of a gift on the 2017 Statement of Economic Interests, in violation of Government Code Section 89503. **Fine: \$600 (Tier Two).**

In the Matter of Theresa Taylor; FPPC No. 20/562. Staff: Christopher Burton, Assistant Chief of Enforcement and Jay Gehres, Special Investigator. Theresa Taylor, a member of the CalPERS Board of Administration and a principal compliance representative with the Franchise Tax Board, failed to timely disclose a source of income on the 2017 and 2018 Annual Statements of Economic Interests, in violation of Government Code Sections 87207 and 87300 (2 counts). **Fine: \$200 (Tier One).**