



NOTICE AND AGENDA Commission Meeting¹

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

Wednesday, January 15, 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. The section further states that the portion of the teleconferenced meeting that is required to be open to the public must be audible to the public at the location specified in the notice of the meeting. The Commission may take action on any item listed on this agenda.

Commissioner Cardenas will be attending this meeting via teleconference from:

California State University, Los Angeles
Salazar Hall, Room 139
5151 State University Drive, Los Angeles, CA 90032

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.

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.

Approval of Commission Minutes

2. Approval of December 2019 Commission Hearing Minutes.

Enforcement Consent Calendar 3-5

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.

Campaign Late Filer

- 3. In the Matter of Butte County Awareness and Accountability and Thomas Kozik; FPPC No. 16/706.** Staff: Neal Bucknell, Senior Commission Counsel and Roone Peterson, Special Investigator. The respondents were represented by Emelyn Rodriguez of Rodriguez Political Law. Butte County Awareness and Accountability was a local general purpose committee, and Thomas Kozik was the Committee's treasurer and principal officer. The Committee and Kozik failed to timely file five semiannual campaign statements, in violation of Government Code Section 84200, subdivision (a) (2 counts), and two pre-election campaign statements, in violation of Government Code Sections 84200.5, subdivision (e) and 84200.8, subdivisions (a) and (b) (1 count). Additionally, the Committee and Kozik failed to timely file four 24-Hour Reports, in violation of Government Code Section 84204 (1 count). **Total Proposed Penalty: \$7,500.**

Recordkeeping

- 4. In the Matter of Greg Rodriguez for 42nd State Assembly 2016 and Greg Rodriguez; FPPC No. 18/179.** Staff: Jenna C. Rinehart, Commission Counsel. Greg Rodriguez was a successful candidate for State Assembly of the 42nd District in the June 7, 2016 Primary Election, but was unsuccessful in the November 8, 2016 General Election. Greg Rodriguez for 42nd State Assembly 2016 was his candidate-controlled committee. The Committee and Rodriguez failed to maintain adequate records for contributions and expenditures, in violation of Government Code Section 84104 (1 count); failed to timely file three 24-Hour Reports, in violation of Government Code Section 84203 (1 count); and failed to timely report the required contributor information on campaign statements, in violation of Government Code Section 84211 (1 count). **Total Proposed Penalty: \$6,000.**

Default Proceedings

- 5. In the Matter of Alfonso Sanchez for School Board 2016 and Alfonso Sanchez; FPPC No. 16/20105.** Staff: Christopher Burton, Senior Commission Counsel and Roone Petersen, Special Investigator. Alfonso Sanchez was re-elected as a trustee to Ontario-Montclair Elementary School District in the November 8, 2016 General Election. Alfonso Sanchez for School Board 2016 was his candidate-controlled committee. The Committee and Sanchez failed to timely file one semiannual campaign statement, in violation of Government Code Section 84200 (1 count), two pre-election campaign statements, in violation of Government Code Sections 84200.5 and 84200.8 (2 counts), and failed to timely disclose information regarding a late contribution on a 24-Hour Report, in violation of Government Code Section 84203 (1 count). **Total Proposed Penalty: \$17,000.**

General Items 6-16

- 6. Assignment of Hearing to Administrative Law Judge (ALJ): In the Matter of City of Fountain Valley; FPPC No. 16/20109.** Staff: Thomas Jones, Executive Director; Galena West, Chief of Enforcement; and Ruth Yang, Commission Counsel. The 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 and Accusation

- 7. Assignment of Hearing to Administrative Law Judge (ALJ): In the Matter of Albert Robles for Carson City Council 2013 and Albert Robles; FPPC No. 17/1164.** Staff: Thomas Jones, Executive Director; Galena West, Chief of Enforcement; and Christopher Burton, Senior Commission Counsel. The 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 and Accusation

- 8. Update on Task Force to Study Best Practices for Regulating Campaign Activity on Digital Media.** Chair Miadich and Commissioner Hayward.
- 9. Budget Process.** Staff: Thomas Jones, Executive Director and Loressa Hon, Chief of Administration. Discussion and consideration of the current internal budget process and how the staff will continue to keep the Commission updated on developments related to the FPPC budget.

Staff Memo

- 10. FPPC 2020/2021 Governor's Budget.** Staff: Loressa Hon, Chief of Administration.
- 11. Legislative Development.** Staff: Phillip Ung, Director, Legislative and External Affairs. The Commission will review and discuss memorandums provided by the Legislative Director on potential sponsored legislation. The Commission may approve sponsored legislation and direct staff to seek bill authors. The Commission may direct staff to amend bill proposals and provide additional updates or to seek authors.

Legislative Update Legislative Development

12. Discussion of Enforcement Priorities/Processes. The Commission may review, discuss, and take action to provide strategic direction to Enforcement Division Staff and/or modify enforcement related priorities.

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

Advice Letter Report

14. Executive Staff Reports.

Enforcement Division. Galena West, Chief of Enforcement
Legal Division. David Bainbridge, General Counsel
Administration & Technology Division, Loressa Hon, Chief of Administration
Executive Director Update, Thomas Jones
FPPC Legislative Supplemental Report
2019 Annual Report

Executive Staff Report

15. Closed Session. Administrative Adjudication (Gov. Code § 11126(c)(3).) Consideration of Proposed Decision of Administrative Law Judge, In the Matter of Friends of Chris Stampolis, Friends of Chris Stampolis for Santa Clara School Board 2012, and Chris Stampolis, FPPC No. 15/1045, OAH No. 201901677.

ALJ's Proposed Decision, October 23, 2019 Enforcement's Brief in Support of the Proposed Decision

16. 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).)