

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 June 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, June 15, 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 Bank Account

In the Matter of Brayden Haena for Brentwood City Council - District 2 2022, Brayden Haena, and Daniela Costantino; FPPC No. 23/176. Staff: Christopher B. Burton, Acting Chief of Enforcement and Tara Stock, Intake Manager. Brayden Haena was an unsuccessful candidate for Brentwood City Council in the November 8, 2022, General Election. Brayden Haena for Brentwood City Council - District 2 2022 was their candidate-controlled committee. Daniela Costantino was the Committee's treasurer. Haena, Costantino, and the Committee failed to utilize a designated campaign bank account for certain expenditures made during the first and second pre-election reporting periods, in violation of Government Code Section 85201 (2 counts). **Fine: \$823 (Tier Two).**

Advertisements

In the Matter of Haubert for Supervisor 2020, David Haubert, and David Bauer; FPPC No. 20/200. Staff: Jenna C. Rinehart, Commission Counsel, and Kristin Hamilton, Special Investigator. David Haubert was a successful candidate for Alameda County Supervisor, District 1, in the March 3, 2020, Primary Election and November 3, 2020, General Election. Haubert for Supervisor 2020 is Haubert's controlled committee. David Bauer serves as the Committee's treasurer. The Committee failed to include a disclosure on two text message advertisements, in violation of Government Code Section 84504.7 (2 counts). **Fine: \$811 (Tier Two).**

Campaign Late Filer

In the Matter of Richmond Business Political Action Committee, and John Ziesenhenne; FPPC No. 22/746. Staff: Christopher B. Burton, Acting Chief of Enforcement and Ginny Brown, Political Reform Consultant. Richmond Business Political Action Committee is a local general purpose committee. John Ziesenhenne is the Committee's treasurer. The Committee and Ziesenhenne failed to timely file a semi-annual campaign statement and a pre-election campaign statement, in violation of Government Code Sections 84200 (1 count) and 84200.5 (1 count). **Fine: \$693 (Tier One).**

Statement of Economic Interests Late Filer

In the Matter of Michael Denny; FPPC No. 23/224. Staff: Christopher B. Burton, Acting Chief of Enforcement and Amber Rodriguez, Political Reform Consultant. Michael Denny, a Member for the Rice Commission, failed to timely file a 2020 Annual and 2022 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (2 counts). **Fine: \$400 (Tier One).**

In the Matter of Sean Loloee; FPPC No. 22/580. Staff: Christopher B. Burton, Acting Chief of Enforcement and Paul Rasey, Special Investigator. The respondent is represented by Nicholas Sanders of Sanders Political Law. Sean Loloee, Sacramento City Councilmember, failed to timely file their Assuming Office Statement of Economic Interests, in violation of Government Code Section 87202 (1 count). **Fine: \$200 (Tier One).**

In the Matter of James Marshall; FPPC No. 20/701. Staff: Christopher B. Burton, Acting Chief of Enforcement and Taylor Culberson, Assistant Political Reform Consultant. James Marshall, Board Member, West Fresno County Red Scale Protection District, failed to timely file the 2019 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 Larry Elder; FPPC No. 21/698. Staff: Artin Berjikly, Senior Commission Counsel and Paul Rasey, Special Investigator. The respondent is represented by Steve Baric of Baric & Associates. Larry Elder, a candidate for Governor of California in the Gubernatorial Recall Election held on September 14, 2021, failed to accurately disclose a business entity investment, eight sources of business entity income, and an interest in real property on the Candidate Statement of Economic Interests, in violation of Government Code Sections 87206 and 87207 (10 counts). **Fine: \$2,000 (Tier One).**

Gift Over-the-Limit

In the Matter of Katrina Foley; FPPC No. 18/1091. Staff: Jenna C. Rinehart, Commission Counsel and Lance Hachigian, Special Investigator. The respondent is represented by Nicholas Sanders of Sanders Political Law. Katrina Foley, a former Costa Mesa City Council Member, failed to timely disclose the receipt of a gift on the 2017 Annual Statement of Economic Interests, in violation of Government Code Section 87207 (1 count). Additionally, Katrina Foley

accepted two gifts which exceeded the applicable annual gift limit, in violation of Government Code Section 89503 (2 counts). **Fine: \$1,800 (Tiers One & Two).**