



(Approved March 18, 2021)  
**CALIFORNIA FAIR POLITICAL PRACTICES COMMISSION**  
**MINUTES OF HEARING, Public Session**  
**February 18, 2021**  
**10:00 a.m.**

Present: Chair Miadich, Commissioner Cardenas, Commissioner Hatch,  
Commissioner Wilson, and Commissioner Baker

Staff Present: Galena West, Executive Director  
Loressa Hon, Chief of Administration  
Angela Brereton, Chief of Enforcement  
Dave Bainbridge, General Counsel  
Lindsey Nakano, Legislative Counsel  
Katelyn Greene, Commission Counsel  
Sasha Linker, Commission Assistant

**Call to Order.**

Chair Miadich called the meeting to order at 10:03 a.m.

Chair Miadich announced that the Secretary of State has appointed Dr. Abby Wood to the Commission and this meeting would be Commissioner Hatch's last.

**1. Public Comment for Items not on Agenda.**

Chair Miadich stated there was public comment from CPAA that he would like to discuss during item 16, Commissioner Comments and Proposed Future Agenda Items.

Steve Petzold, Santa Clarita, shared that he sent all complaints regarding the College of the Canyons Foundation.

**2. Approval of January 2021 Commission Hearing Minutes.**

**MOTION:** To approve the January 2021 meeting minutes. Moved by Commissioner Hatch, seconded by Commissioner Cardenas. Motion approved 5-0.

**3-8. Approval of Enforcement Consent Calendar.**

Chair Miadich stated he was pulling item 3 from the consent calendar for further discussion.

**MOTION:** To approve the Enforcement Consent Calendar items 4-8. Moved by Commissioner Wilson seconded by Commissioner Cardenas. Motion approved 5-0.

Regarding item 3, Commissioner Baker asked Angela Brereton, Chief of Enforcement, if the cost of production for the advertisement were included in both letters sent to residents. Ms. Brereton commented that there was not a good method to value the cost to produce the advertisement and that is was not an expenditure. Commissioner Baker suggested not to adopt this item and to first find a penalty closer to the maximum allowable penalty, refer this case to the Attorney General, local District Attorney, and to include this situation more prominently into the education and outreach function of the office.

Ms. Brereton stated evidence shows that the City was trying to comply with the rules, but it did not include if they understood the process to abuse the rules. Chair Miadich also asked if there were evidence that the city attorney reached out to the FPPC free advice line. Ms. Brereton responded that there was no data to show if the City contacted the FPPC education unit.

After discussion, the Commissioners were unanimous in directing Enforcement staff to refer the case to the local District Attorney and the Attorney General's office.

**MOTION:** To reject the stipulation in item 3 with instruction for Enforcement to negotiate a new stipulation, and all future cases involving campaigning at public expense, at or above 90% of the maximum penalty. Moved by Chair Miadich seconded by Commissioner Baker. Motion approved 5-0.

Mrs. Brereton clarified the direction for penalties at or above 90% of the maximum penalty should be applied to all counts included in any stipulation that involves campaigning at public expense. Chair Miadich agreed that was the direction given.

## **9. Notice of intent to present Default Decision and Order at the March Commission**

### **Meeting.**

Angela Brereton, Chief of Enforcement, stated that Enforcement has continued to reach out and have not received any word from the respondent in this matter.

## **10. Adoption of Regulations Concerning Local Office Campaign Contribution Limits.**

Katelyn Greene, Commission Counsel, presented amendments to regulations that were affected by

AB 571 which imposed contribution limits on candidates for certain local elective offices.

**MOTION:** To move for adoption. Moved by Commissioner Hatch, seconded by Commissioner Wilson. Motion approved 5-0.

### **11. Discussion of Conflict of Interest Rules Concerning Sources of Income to an Official's Business Entity.**

Dave Bainbridge, General Counsel, gave a brief summary of the memo in two sections: what interest could trigger a conflict of interest for an official and what economic interest they need to be reported on each year.

Chair Miadich asked if there were any modifications to the regulations that could be made. Mr. Bainbridge responded that he believes the current regulation does not need modifications at this time.

### **12. Committee Updates.**

Chair Miadich stated that the Law and Policy meeting heard an update from the Legislative Counsel on progress on various legislation proposals for LLC's. The Budget and Staffing committee meeting received an informative report on the 2021-2022 budget from Loressa Hon, Chief of Administration.

### **13. 2021-2022 Budget.**

Loressa Hon, Chief of Administration, presented the 2021-2022 Budget and stated that every agency was required to take a 5% reduction on the operating budget and that number was reflected in the report.

### **14. Legislative Update.**

Lindsey Nakano, Legislative Counsel, shared updates from committee assignments and stated that she has continued to reach out to multiple potential authors and interested parties. Ms. Nakano also presented the legislative proposals for Enforcement, Transparency, and Modernization, Efficiency, and Consistency.

Chair Miadich suggested to explore more options with the Franchise Tax Board regarding the Tax Record Inspection Authority and report back to the Commission.

**MOTION:** To add Assemblymember Garcia's misuse of public funds bill as a Commission priority. Moved by Commissioner Hatch, seconded by Commissioner Baker. Motion approved 4-0, Commissioner Wilson abstained from the vote.

### **15. Executive Staff Reports.**

Dave Bainbridge, General Counsel, gave an update on new quarterly reports that users could sign up for to view specific areas of the law that had activity during that quarter at the Commission.

Loressa Hon, Chief of Administration, reminded the Commissioners that the filing deadlines for all officers are due on March 1, 2021.

Galena West, Executive Director, reported that the requested budget change proposal is up for approval in the Legislature and that the reimbursement policy for staff telework was approved.

### **16. Commissioner Comments and Proposed Future Agenda Items.**

In discussing the CPAA comment letter, Chair Miadich stated that he believes the legal question to be whether AB 571 compels aggregation for purposes of the new contribution limits, that went into effect January 2021, with contributions made prior to the new law. Chair Miadich asked Mr. Bainbridge and staff to present the issue to the Law and Policy meeting next month and report back to the full Commission in March.

**MOTION:** To adjourn the meeting. Moved by Commissioner Hatch, seconded by Chair Miadich. Motion approved 5-0.

The meeting concluded at 12:48 p.m.

Respectfully Submitted,  
Sasha Linker  
Commission Assistant  
Approved March 8, 2021

Richard C. Miadich, Chair  
Fair Political Practices Commission