



NOTICE AND AGENDA Commission Meeting¹

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

Thursday, December 17, 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.

Pursuant to Executive Order N-29-20, certain provisions of the Bagley Keene Open Meeting Act are suspended due to a State of Emergency in response to the COVID-19 pandemic. Consistent with the Executive Order, this Commission meeting will be conducted by teleconference only. None of the locations from which Commissioners will participate will be open to the public. Members of the public who wish to observe the meeting may do so via [YouTube](#) or via telephone by calling (877) 411-9748; access code 723284. Members of the public who wish to comment during the meeting may do so by telephone by calling (877) 411-9748; access code 723284 or using the Commission's public participation portal found at <http://mediasite.fppc.ca.gov/>.

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.

The Commission may take action on any item listed on this agenda.

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.

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.

Approval of Commission Minutes

2. **Approval of November 2020 Commission Hearing Minutes.**

Enforcement Consent Calendar 3-4

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 Bank Account

3. **In the Matter of Rossana Mitchell-Arrieta for Chino Hills City Council 2016, Rossana Mitchell-Arrieta, and Frank Arrieta; FPPC No. 17/462.** Staff: Christopher Burton, Senior Commission Counsel and Lance Hachigian, Special Investigator. Rossana Mitchell-Arrieta was an unsuccessful candidate for Chino Hills City Council in the November 8, 2016 General Election. Rossana Mitchell-Arrieta for Chino Hills City Council 2016 was her candidate-controlled committee. Frank Arrieta was the Committee's treasurer. The Committee, Mitchell-Arrieta, and Arrieta failed to pay expenditures from the designated campaign bank account, in violation of Government Code Section 85201, subdivisions (d) and (e) (1 count), and failed to maintain adequate source documentation for contributions and expenditures, in violation of Government Code Section 84104 and Regulation 18401 (1 count). **Total Proposed Penalty: \$6,500.**

Campaign Late Filer

4. **In the Matter of Del Terra Real Estate Services Inc.; FPPC No. 18/619.** Staff: Theresa Gilbertson, Senior Commission Counsel and Ann Flaherty, Special Investigator. The respondent was represented by Zweiback, Fiset & Coleman LLP. Del Terra Real Estate Services, Inc. qualified as a major donor in 2014, 2015, 2016, and 2017. Del Terra Real Estate Services, Inc failed to timely file six semiannual campaign statements, in violation of Government Code Section 84200 (4 counts) and failed to timely file three 24-Hour Reports, in violation of Government Code Section 84203 (1 count). **Total Proposed Penalty: \$11,500.**

Notice of Intent to Present Default Decision and Order at the January Commission Meeting

- 5. In the Matter of Friends of Long Beach City College – Yes on Measure LB and Lexi Donovan; FPPC No. 17/1003.** Staff: Jenna C. Rinehart, Commission Counsel. Friends of Long Beach City College – Yes on Measure LB was a local ballot measure committee primarily formed to support the approval of Measure LB, a bond issue measure in the June 7, 2016 Primary Election. Lexi Donovan was the Committee’s treasurer. The Committee and Donovan failed to timely file two pre-election campaign statements, in violation of Government Code Section 84200.5 and 84200.8 (2 counts); failed to timely file two semiannual campaign statements, in violation of Government Code Section 84200 (2 counts); and failed to timely file 44 24-Hour Reports, in violation of Government Code Section 84203 (44 counts). **Total Proposed Penalty: \$142,500.**

General Items 6-15

- 6. Updates to Lobbying, Campaign, and Slate Mailer Forms.** Staff: Alana Jeydel, PhD, Manager, Education Program, Legal Division. Staff presents for Commission approval proposed changes to various lobbying forms, campaign forms, and slate mailer forms. The proposed amendments relate to the new Cal-Access Replacement System currently in development and recently adopted LLC regulations.

Staff Memo

Updated Campaign Forms 410, 425, 450, 460, 461, 470, 496, 497, 501, 511, E-530

Updated Slate Mailer Forms 400, 401, 402, and 498.

Elimination of Forms 462 and T-10.

Updated Lobbying Forms 601, 602, 603, 604, 605, 606, 607, 615, 625, 630, 635, 635-c, 640, and 645

- 7. Pre-Notice Discussion of Regulations Concerning Campaign Contribution Limits.** Staff Dave Bainbridge, General Counsel; and Katelyn Green, Commission Counsel, Legal Division. Staff proposes regulatory changes as a result of Assembly Bill 571, which imposes contribution limits on candidates for certain local offices that previously were only applicable to candidates for state office. The proposed regulatory changes are presented for discussion and direction by the Commission and will be presented for adoption at a subsequent meeting.

Staff Memo

Proposed Amendments to Regulation 18404.1

Proposed Amendments to Regulation 18421.4

Proposed Amendments to Regulation 18421.8

Proposed Amendments to Regulation 18521

Proposed Amendments to Regulation 18521.5

Proposed Amendments to Regulation 18523.1

Proposed Amendments to Regulation 18530.2

Proposed Amendments to Regulation 18530.8

Proposed Amendments to Regulation 18531.2

Proposed Amendments to Regulation 18531.5

Proposed Amendments to Regulation 18531.61

Proposed Amendments to Regulation 18535

Proposed Amendments to Regulation 18536

Proposed Amendments to Regulation 18537.1

Proposed Amendments to Regulation 18545
Proposed Amendments to Regulation 18951
Proposed Adoption of Regulation 18531.63
Proposed Adoption of Regulation 18531.64

8. **Adoption of Amendment to Regulation 18351.** Dave Bainbridge, General Counsel, Legal Division, Sukhi Brar, Assistant Chief Counsel, Legal Division, and Toren Lewis, Commission Counsel, Legal Division. Staff proposes to amend Regulation 18351 to update the positions and disclosure categories in the FPPC's conflict of interest code.

Staff Memo
Proposed Final Statement of Reasons
Proposed Amendments to Regulation 18351

9. **Regulation Projects and Schedule for 2021.** Staff: Galena West, Executive Director and Dave Bainbridge, General Counsel. Staff proposes for Commission consideration a list of regulation projects for 2021 and a schedule for presenting these regulation projects to the Commission for pre-notice discussion and adoption.

Staff Memo

10. **Committee Updates.**

Law and Policy Committee Update.

Public Outreach and Technology Committee Update.

11. **Commissioner Compensation Policy.** The Commission will consider delegating its authority to amend its existing Commissioner compensation policy adopted at the Commission's February, 2018 meeting and updated at the Commission's June, 2018 meeting.

12. **Legislative Update.** Staff: Lindsey Nakano, Legislative Counsel. The Commission may provide direction on sponsored legislation and other PRA related legislation. The Commission may direct staff to amend bill proposals and provide additional updates.

13. **Executive Staff Reports.**

Enforcement Division. Angela Brereton, Chief of Enforcement

Legal Division. David Bainbridge, General Counsel

Administration and Technology Division, Loressa Hon, Chief of Administration

Executive Director Update. Galena West, Executive Director

Executive Staff Report

14. **Closed Session. Pending Litigation (Gov. Code § 11126(e)(1))** Staff: Dave Bainbridge, General Counsel, and John Feser, Senior Commission Counsel. Discussion of pending litigation.

15. **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).)