



## NOTICE AND AGENDA Commission Meeting<sup>1</sup>

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

Thursday, November 19, 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](mailto:CommAsst@fppc.ca.gov) (e-mail) and [ADACoordinator@fppc.ca.gov](mailto: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.

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<sup>1</sup>You 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](mailto: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](http://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](mailto:CommAsst@fppc.ca.gov) (e-mail) and [ADACoordinator@fppc.ca.gov](mailto: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 October 2020 Commission Hearing Minutes.**

## Enforcement Consent Calendar 3-9

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 and Campaign Late Filer**

3. **In the Matter of Patty Padilla-Salsberg for SUHSD Board of Trustees 2015, Patricia Padilla-Salsberg, and Guadalupe Osornio; FPPC No. 18/633.** Staff: Christopher Burton, Senior Commission Counsel and Lance Hachigian, Special Investigator. Patricia Padilla-Salsberg was a successful candidate for Salinas Union High School District Board of Trustees in the November 3, 2015 General Election. Patty Padilla-Salsberg for SUHSD Board of Trustees 2015 was her candidate-controlled committee. Guadalupe Osornio was the Committee's treasurer. The Committee, Padilla-Salsberg, and Osornio failed to timely file seven semiannual campaign statements, in violation of Government Code Section 84200, subdivision (a) (2 counts). The Committee and Padilla-Salsberg failed to pay expenditures from the designated campaign bank account, in violation of Section 85201, subdivisions (c), (d), and (e) (1 count). **Total Proposed Penalty: \$6,500.**

## **Advertising and Campaign Late Reporter**

4. **In the Matter of The Committee for Yes on Measure V Sponsored by the Mountain View Tenants Coalition, Steve Chandler, and Mitchell Oster; FPPC No. 17/1081.** Staff: Jenna C. Rinehart, Commission Counsel. The Committee for Yes on Measure V Sponsored by the Mountain View Tenants Coalition was a ballot measure committee primarily formed to support the approval of Measure V in the November 8, 2016 General Election. Steve Chandler was the Committee's treasurer, and Mitchell Oster, doing business as Eveleth Consulting Group LLC, was the Committee's paid campaign consultant. The Committee and Chandler failed to accurately report the Committee's contributions and expenditures, in violation of Government Code Section 84211 (1 count). The Committee, Chandler, and Oster failed to meet the 5% height requirement for the disclosure statement on window signs, in violation of Government Code Section 84504 and Regulation 18450.4 (1 count) and failed to include the Committee's street address or city on two mass mailings, in violation of Government Code Section 84305 (1 count). **Total Proposed Penalty: \$6,000.**

## Campaign Late Filer

5. **In the Matter of Cupertino Chamber PAC and Andrew Walters; FPPC No. 16/20089.** Staff: Theresa Gilbertson, Senior Commission Counsel. The respondents were represented by James Sutton of the Sutton Law Firm. Cupertino Chamber PAC is a city general purpose committee that was active during the November 8, 2016 General Election. Andrew Walters served as the Committee's treasurer during the time of the violations. The Committee and Walters failed to timely file four 24-Hour Reports, in violation of Government Code Sections 84203 and 84204 (2 counts). **Total Proposed Penalty: \$5,000.**
6. **In the Matter of David Ernst for Assembly 2018 and David Ernst; FPPC No. 20/391.** Staff: Jenna C. Rinehart, Commission Counsel. David Ernst was an unsuccessful candidate for California State Assembly, District 19, in the June 5, 2018 Primary Election. David Ernst for Assembly 2018 is his candidate-controlled committee. The Committee and Ernst failed to timely file two pre-election campaign statements and four semiannual campaign statements, in violation of Government Code Sections 84200.5, 84200.8, and 84200 (1 count). Additionally, the Committee and Ernst failed to timely file three 24-Hour Reports, in violation of Government Code Section 84203 (1 count). **Total Proposed Penalty: \$4,500.**

## Statement of Economic Interests Late Reporter

7. **In the Matter of John Reed; FPPC No. 19/1117.** Staff: Theresa Gilbertson, Senior Commission Counsel. John Reed, as a Planning Commissioner for the County of Madera, failed to disclose a source of income to his business on his 2015 and 2016 Annual Statements of Economic Interest, in violation of Government Code Section 87207 (1 count). **Total Proposed Penalty: \$1,500.**

## Default Proceedings

8. **In the Matter of Tommie Nellon; FPPC No. 18/512.** Staff: Jenna C. Rinehart, Commission Counsel and Lance M. Hachigian, Special Investigator. Tommie Nellon was appointed as a Board Member to the Fresno Regional Workforce Development Board on November 19, 2009 and is currently still in office. Nellon failed to timely file a 2015, 2016, 2017, and 2018 Annual Statement of Economic Interests, in violation of Government Code Section 87203 (4 counts). **Total Proposed Penalty: \$12,000.**
9. **In the Matter of Kiniko Willingham; FPPC No. 18/501.** Staff: Jenna C. Rinehart, Commission Counsel. Kiniko Willingham was appointed as a Commissioner to the City of Long Beach Veteran Affairs Commission on September 26, 2016 and left office on February 1, 2019. Willingham failed to timely file a 2017 Annual and Leaving Office Statement of Economic Interests, in violation of Government Code Section 87300 (2 counts). **Total Proposed Penalty: \$7,000.**

## General Items 10-16

10. **Regulations Governing the Filing of Statements of Economic Interests.** Staff: Dave Bainbridge, General Counsel; and Matthew Christy, Commission Counsel, Legal Division. Staff presents proposed updates to regulations governing the filing of statements of economic interests, primarily to address the use of electronic filing systems and to reduce duplicative filings. The proposed amendments were presented for discussion and direction at the September 2020 meeting, and are now presented for adoption.

## **Staff Memo**

**Proposed Repeal of Regulation 18115**

**Proposed Adoption of New Regulation 18115**

**Proposed Adoption of New Regulation 18115.1**

**Proposed Adoption of New Regulation 18115.2**

**Proposed Adoption of New Regulation 18723.1**

**Proposed Amendment of Regulation 18730**

**Proposed Amendment of Regulation 18732.5**

**Proposed Amendment of Regulation 18735**

**Proposed Amendment of Regulation 18754**

### **11. Biennial Cost of Living Adjustments (COLA) to monetary limits in the Political Reform**

**Act. Amend Regulations 18545, 18700, 18730, and 18940.2** Staff: Brian Lau, Assistant General Counsel and Amanda Apostol, Regulations Coordinator. Government Code sections 83124, 85316, and 89503 obligate the Commission to make cost of living adjustments to reflect changes in the Consumer Price Index (CPI), in January of every odd-numbered year to various monetary limits contained in the Act. Staff proposes these amendments to update the relevant monetary limits in the Act.

## **Staff Memo**

**Proposed Amendments to Regulation 18545**

**Proposed Amendments to Regulation 18700**

**Proposed Amendments to Regulation 18730**

**Proposed Amendments to Regulation 18940.2**

### **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.

## **Legislative Update**

### **13. FY 2020-2021 First Quarter Expenditure Report.** Staff: Loressa Hon, Chief of Administration.

### **14. Committee Updates.**

**Law and Policy Committee Update.**

### **15. 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**

### **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).)