



(Approved July 24, 2020)
CALIFORNIA FAIR POLITICAL PRACTICES COMMISSION
MINUTES OF HEARING, Public Session
Thursday, June 18, 2020
10:00 a.m.

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

Staff Present: Loressa Hon, Acting Executive Director
Dave Bainbridge, General Counsel
Galena West, Enforcement Chief
Sukhi Brar, Assistant General Counsel
John Feser, Senior Commission Counsel
Zachary Norton, Senior Counsel
Karen Harrison, Senior Commission Counsel
Toren Lewis, Commission Counsel
Jay Wierenga, Communications Director
Alana Jeydel, PhD, Manager, Education Program
Ivy Branaman, Manager, Email Advice and Conflict of Interest Code
Program
Sasha Linker, Commission Assistant

A. Call to Order.

Chair Miadich called the meeting to order at 10:05 a.m.

B. Public Comment for Items not on Agenda.

C. Approval of May 2020 Commission Hearing Minutes.

MOTION: Approve the May 2020 meeting minutes. Moved by Commissioner Hayward,
seconded by Commissioner Wilson. Motion approved 5-0.

D. Approval of Enforcement Consent Calendar.

Galena West, Enforcement Chief, discussed Item 3 to highlight how often the Enforcement
Division works with other Enforcement Agencies.

MOTION: Motion to approve Enforcement Consent Calendar, items 3-11. Moved by Commissioner Hayward, seconded by Commissioner Hatch. Motion approved 5-0.

E. Update of Campaign Manuals.

Sukhi Brar, Assistant General Counsel, provided an update on Campaign Manuals to reflect new legislation and added clarification on ad charts to contributor names. Commissioner Wilson suggested for information on the new manual to be highlighted as an updated item on the FPPC website. Chair Miadich proposed that Ms. Brar provide a highlight on updated items and provide a link to access manuals on the FPPC website homepage.

MOTION: Motion to approve campaign manuals. Moved by Commissioner Wilson, seconded by Commissioner Hatch. Motion approved 5-0.

F. FPPC Conflict of Interest Code.

G. Prenotice Discussion of Proposed Amendments to Regulations Governing Enforcement Processes.

John Feser, Senior Commission Counsel, summarized the amendments to each regulation presented. Chair Miadich suggested emphasizing ‘majority vote’ for Proposed Amendment of Regulation 18361.5 to encompass a two-member vote if only three Commissioners are present.

H. Repeal and Adoption of Regulation 18707 – Disqualification Requirements (Public Identification of a Financial Interest in an Agenda Item).

Chair Miadich suggested greater outreach on the new adoption of Regulation 18707 to quickly spread the new rules.

MOTION: Motion to approve the Regulation 18707 package. Moved by Commissioner Hatch, seconded by Commissioner Hayward. Motion approved 4-0 with Commissioner Wilson not voting.

I. Amendment of Regulation 18419.

Commissioner Hayward stated that the sponsored committees need a statutory fix.

MOTION: Motion to reinstate the language that staff proposed in the February Law and Policy Committee meeting and to refer the regulation package back to Law and Policy

Committee for further discussion and consideration. Motion failed with no second.

MOTION: Motion to approve Regulation 18419 package. Moved by Commissioner Hayward, seconded by Commissioner Cardenas. Motion approved 4-1 with Commissioner Hatch voting no.

Chair Miadich suggested Ms. West come back to the Commission to discuss if the new timing requirement is providing Enforcement with enough clarity to enforce this provision of the act.

The Commission adjourned for a break at 12:03 p.m. and reconvened at 12:18 p.m.

J. Adoption of Regulations 18402.2 and 18421.10.

Chair Miadich stated that if the regulations are approved, the Legal Division, Education Unit should put together a fact sheet and update the website as soon as possible to keep the regulated community as up to date on the new laws as possible.

MOTION: Motion to approve adoption of Regulations 18402.2 and 18421.10. Moved by Commissioner Hatch, seconded by Commissioner Cardenas. Motion approved 4-1 with Commissioner Wilson voting no.

K. Update on Digital Transparency Task Force.

Chair Miadich presented to the Commission the idea of having a statewide archive of digital ads.

Commissioner Hayward stated an interest of having more directed conversations and key speakers at the next meeting.

L. Legislative Development.

M. Committee Updates.

Chair Miadich gave an update on the Law and Policy Committee. Commissioner Hayward also discussed adding a FAQ sheet or decision tree for Committee naming requirements. Chair Miadich then provided an update on the Public Outreach and Technology Committee meeting that included video tutorials, data tracking, and document security on the FPPC website.

N. Executive Staff Reports.

Dave Bainbridge, General Counsel, discussed the new Advice Letter Report process and gave direction to the link to view advice letters. He also stated the advice phone lines will be accepting calls starting July 1, 2020. Loressa Hon, Acting Executive Director, also mentioned that the office has resumed regular business hours for anyone who wishes to utilize those services.

O. Closed Session. Personnel Matter.

The Commission adjourned for closed session at 1:18 p.m. and returned in open session at 1:36 p.m.

P. Commissioner Comments and Proposed Future Agenda Items.

Q. Adjourn.

MOTION: Motion to adjourn the meeting. Moved by Commissioner Hatch, seconded by Commissioner Hayward. Motion approved 5-0.

The meeting adjourned at 1:37 p.m.

Respectfully Submitted,
Sasha Linker
Commission Assistant
Approved July 6, 2020

Richard C. Miadich, Chair
Fair Political Practices Commission