



(Approved May 19, 2022)
CALIFORNIA FAIR POLITICAL PRACTICES COMMISSION
MINUTES OF HEARING, Public Session
Wednesday, April 20, 2022
9:00 a.m.

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

Staff Present: Galena West, Executive Director
Angela Brereton, Chief of Enforcement
Dave Bainbridge, General Counsel
Loressa Hon, Chief of Administration
Shrdha Shah, Chief of Audits and Assistance
Kevin Cornwall, Commission Counsel
Lindsey Nakano, Senior Legislative Counsel
Sasha Linker, Commission Assistant

Call to Order.

Chair Miadich called the meeting to order at 9:05 AM.

1. Public Comment for Items not on Agenda.

Geoff Ellsworth, Mayor, St. Helena, gave public comment for items not on the agenda.

Beth Nelson, Napa County Resident, gave public comment for items not on the agenda.

2. Approval of Commission Minutes.

MOTION: To approve March 2022 Commission Meeting Minutes. Moved by Commissioner Baker; seconded by Commissioner Wilson. The motion passed 5-0.

3. In the Matter of Nick for Lake Forest City Council 2016, Adam Nick, individually, Bryan Burch, and Adam Nick, as major donor committee; FPPC No. 16/20096.

MOTION: To approve item 3. Moved by Chair Miadich; seconded by Commissioner Cardenas. The motion passed 5-0.

4. In the Matter of Friends of H. Fangary for Hermosa Beach City Council 2013, H. S. Fangary for City Council 2017, Dina Fangary, and Hany S. Fangary; FPPC No. 18/005.

Hany Fangary gave public comment asking the Commission for an extension of 30 days to address issues raised by FPPC Staff and to get into compliance as much as possible.

Dave Bainbridge, General Counsel, discussed the steps the Commission could take: approving or denying the default, giving further direction to staff, or taking no action. Angela Brereton, Chief of Enforcement, discussed precedent of this specific situation and gave an overview of how Enforcement Staff communicates with respondents throughout the enforcement process.

MOTION: To hold item 4 for one month and for the item to be presented again next month. Moved by Chair Miadich, seconded by Commissioner Baker. The motion passed 5-0.

5. In the Matter of Committee to Oppose Measure E, and James R. Nyman; FPPC No. 18/206.

Ms. Brereton pulled item five from the agenda.

6. Pre-Notice Discussion of Regulation 18360 Amendments Regarding Public Information and Records Requests for Pending Enforcement Matters.

Kevin Cornwall, Commission Counsel, gave an overview of the presented regulation package. In response to questions, Ms. Brereton discussed Staff practices on using read receipts and email tracking software. Jay Wierenga, Communications Director, gave an update on his conversations with several media organizations. Chair Miadich summarized refinements discussed by the Commission: maintaining the two-day window for notices sent by email but including the five-day window for notices sent by mail and using read receipts as an extra measure.

8. Attorney General Opinion No. 19-1001.

Mr. Bainbridge presented the Attorney General opinion as an informational item.

9. Committee Updates.

Chair Miadich gave an update on what was discussed at the April 2022 Law and Policy Committee meeting.

10. Legislative Update.

Commissioner Baker disclosed ex parte communication with Assemblymember Jordan Cunningham's office.

Lindsey Nakano, Senior Legislative Counsel, presented updates to Commission sponsored bills and other Commission related bills.

11. Executive Staff Reports.

The Executive Staff Reports were accepted as submitted.

Commissioner Baker departed the meeting at 11:07 a.m.
The Commission adjourned for break at 11:07 a.m. and reconvened at 11:18 a.m.

7. Pre-Notice Discussion of Proposed Regulation 18315.

Mr. Bainbridge gave an overview of the presented regulation package. The Commission directed additions to the regulation as follows: an explicit timeframe, a notice to the Chair from the Chief of Enforcement that a complaint has been received and referred to the Attorney General, and an encouragement to the Attorney General to use the FPPC timeline for processing a complaint.

12. Commissioner Comments and Proposed Future Agenda Items.

Commissioner Wilson would like to hear an updated audit division assessment in one year.

MOTION: To Adjourn the meeting. Moved by Chair Miadich. seconded by Commissioner Cardenas. The motion passed 4-0.

The meeting adjourned at 11:29 a.m.

Respectfully Submitted,
Sasha Linker
Commission Assistant
Approved May 9, 2022

Richard C. Miadich, Chair
Fair Political Practices Commission