



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
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Fourth Quarter Update 2025

Conflict of Interest, Revolving Door, and Statement of Economic Interests

Regulations adopted by the Commission

The following are regulatory changes approved by the Commission during the past quarter concerning conflict of interest, revolving door, and statement of economic interests. To receive updates for all regulations before the Commission, please sign up for our [mailing list here](#).

None.

Advice Letters

The following are advice letters issued by the Commission's Legal Division during the past quarter concerning questions about conflicts of interest, revolving door, or statement of economic interests. To receive the monthly report with all advice letters issued, please sign up for our [mailing list here](#).

Conflict of Interest

Maricela E. Marroquin - [A-25-117](#)

The Act does not prohibit public officials from taking part in decisions relating to the installation of a wireless tower facility located more than 1,000 feet from the officials' respective residences when there is no clear and convincing evidence of a substantial effect on the properties.

Likewise, the Act does not prohibit a public official from taking part in decisions relating to the installation of a wireless tower facility located 910 feet from the official's real property as there is no indication of an impact on the development potential, income producing potential, highest and best use, character, or market value of the official's property considering the distance, buffering properties, and existing roadways and landscaping.

Christopher Schmidt - [A-25-121](#)

County supervisor, who owns a mobile home park, is not disqualified from participating in a governmental decision relating to another mobile home park's application for a fair rate hearing. Based on the facts provided, the decision is specific to the applicant mobile home park and there is no indication that the decision will have any impact on the official's mobile home park.

Erin Weesner- McKinley - [A-25-125](#)

Under the Act, a city auditor is prohibited from taking part in decisions regarding an audit of funds that support development and improvement projects within 500 feet of her residence.

However, her office is not prohibited from conducting the audit, provided she recuses herself from the decisions. Additionally, the auditor is permitted to speak publicly to the general public and media about the governmental decision even if she is disqualified from participating in the audit so long as members, officers, employees, or consultants of her agency are not present.

Rene A. Ortega - [A-25-128](#)

A city manager may not make, participate in making, or attempt to use official position to influence decisions regarding adjustments to the market rent for a city-owned apartment complex. Because the manager rents an apartment in the complex on a month-to-month basis and is subject to the rental cap adjustment, it is reasonably foreseeable that the decision would have a material financial effect on the manager's personal finances in an amount of \$500 or more in a 12-month period.

Richard D. Pio Roda - [I-25-086](#)

Generally, a city engineer with property interests has a prohibitive financial interest in decisions regarding the city's community-based transportation plan, where the real property interests are located within 500 feet of the plan area. However, the city engineer is not generally prohibited from taking part in decisions related to the city's development plan to implement the city's transit-oriented specific plan based on interests in real property if the properties are located over 1,000 feet from the boundaries of the development plan, unless there is a clear and convincing financial effect on the property. However, the financial effect of any specific decisions on the property interests, and any other interests held by the official, must be examined on a case-by-case basis depending on the specific nature of the decisions, which have not yet been identified.

Kristopher J. Kokotaylo - [A-25-130](#)

For two city officials who rent residential real properties subject to prospective ordinances relating to landlord-tenant rights, the public generally exception permits the officials to take part in decisions relating to the ordinances because the ordinances would impact a significant segment of the public and the officials' respective interests would not be uniquely affected.

Solvi Sabol - [A-25-142](#)

An official who serves as the executive director and treasurer of a county transportation planning agency is a public official who manages a public investment and must file Statements of Economic Interests directly with the Commission pursuant to Section 87500(a)(2)(O).

Phaedra A. Norton - [A-25-137](#)

The mayor pro tem is prohibited from taking part in governmental decisions involving a major residential community development project. While the parcels on which construction will occur are further than 500 feet from the official's residence, the residence is located less than 500 feet from property, which will be designated as "open space-parks," under the proposal. Pursuant to applicable Commission regulations, it is reasonably foreseeable that the decision will have a material financial effect on the official's interest in the residence, absent clear and convincing evidence that the decision will not have a measurable effect on the property.

David M. Fleishman - [A-25-140](#)

The Act prohibits a city councilmember with a short-term rental permit from taking part in the adoption of a proposed ordinance that would establish new requirements and restrictions applicable to the official's rental property. Additionally, the public generally exception does not appear to apply to the facts presented. As an existing short-term rental owner, the official is uniquely affected in comparison to properties that are not operated as rental properties, and preexisting short-term rentals are not subject to the same restrictions as new applicants for short-term rentals under the proposal.

Keith Collins - [A-25-143](#)

The city manager, whose residence is located on a street that currently dead-ends 1,400 feet away from the residence, has a disqualifying interest in litigation decisions related to the opening of the street, because the circumstances of the decisions rebut the presumption that the decisions would not be material. Based on the information provided, the opening of the street potentially determines whether a large, undeveloped area will be made available for further development. Accordingly, the decisions involve future development, traffic, and construction that may change the character of his residential street by allowing large-scale development, which will be primarily accessible through the official's street.

Section 1090

Gary B. Bell - [A-25-046](#)

Under the Act, three members of a public service district may participate in decisions regarding the district's purchase of a nonprofit water company because at least 15% of the residential real property within the district would be affected by the decisions, and the officials' properties would not be uniquely affected. Under Section 1091.5(a)(7), two of the officials would have a "noninterest" in a district contract to purchase the company because they are nonsalaried members of a nonprofit corporation. The third official, who is also the director and treasurer for company, has a "noninterest" in the company, under Section 1091.5(a)(8), as an uncompensated officer because the company's primary purpose supports the functions of the district, and the facts indicate that the acquisition would not result in any compensation for the official.

Lilliana K. Selke - [A-25-035](#)

A water district board member with a financial interest in property over which the district must purchase an easement to build a water pipeline has a disqualifying financial interest under the Act and may not participate in the easement decision or purchase. Under Section 1090, the rule of necessity permits the district to contract with the trust that owns the property to purchase the easement, provided that the board member abstains. Once the pipeline project is completed, the trust may contract with the district for the provision of water under Section 1091.5(a)(3), which provides a non-interest exception for public services generally provided.

A. Patrick Munoz - [A-25-131](#)

A councilmember's ownership of a home does not create a disqualifying conflict of interest in decisions or contracts involving a nonprofit under either the Act or Section 1090 merely because

the home was received from the councilmember's mother, who was provided assistance to construct the home from the nonprofit more than 25 years previously.

Joshua Nelson - [A-25-133](#)

An independent contractor's project manager, who advised an agency on the formation of a request for proposals, is a public officer who will have a prohibited financial interest in any contract resulting from the request for proposals. Thus, the agency may not contract with the project manager's new employer, which submitted a proposal in response to the request for proposals.

Melissa Crick - [A-25-150](#)

A school district board member, who is also employed as the executive director at a nonprofit 501(c)(3), must not take part in any school board decisions relating to grant project decisions involving the nonprofit. Under the Act, it is reasonably foreseeable the decisions will have a material financial effect on the nonprofit, which is a source of income to the official. Under 1090, the board member has a remote interest in the nonprofit under Section 1091(b)(1), and the school district may participate in memorandums of understanding with other participant agencies and entities, including the nonprofit, in the grant project, so long as the board member recuses herself from any participation in the grant project. The board member may take part in project decisions as the executive director of the nonprofit organization before agencies, other than the school district, so long as she is acting only in a private capacity and does not act or purport to act on behalf of the official's agency.

Olivia Clark - [I-25-132](#)

The interim city manager, who is a former employee of the county sheriff's office and current president of the sheriff's foundation, does not have an interest in the sheriff's office, sheriff's foundation, or current sheriff under the Act unless the entities or individuals are a source of income or gifts. Thus, the city manager is not disqualified from decisions affecting these entities or individuals unless the decisions may also implicate his interests under the Act including his business and personal finances. Generally, neither the Act nor Section 1090 prohibits an official, acting solely in his private capacity, from contracting with a governmental entity outside the jurisdiction of the official's agency, so long as the official does not act or purport to act on behalf of the agency.

Joshua Nelson - [A-25-134](#)

When an agency consultant has a financial conflict under Section 1090, the consultant's agency may enter into the contract so long as the employee plays no role in the contracting process. Additionally, where a consultant's client is a named subcontractor in a potential contract with the consultant's agency, the consultant has a source of income interest that would be materially financially affected by the contract and, consequently, the Act prohibits the consultant from taking part in the contracting process.

Heidi von Tongeln - [A-25-153](#)

A city councilmember, also employed by a housing production advocacy 501(c)(3) organization, has a disqualifying source of income interest in the nonprofit organization under the Act's nexus test and may not take part in upcoming housing production decisions by the city. Under Section

1090, the official has only a remote interest in city decisions related to a settlement agreement for pending housing production-related litigation as an employee of the nonprofit organization. The city may enter into such an agreement, provided the official does not participate in any manner and recuses in accordance with the Act and Section 1091.

Josh G. Varinsky - [A-25-155](#)

The mayor, who is also employed by a local business, is disqualified from taking part in an easement decision by the city allowing a county water agency to build a pipeline for wastewater. While the pipeline increases the water agency's capacity, wastewater would be delivered to the local business for its "beneficial" use. Thus, the local business is explicitly involved in the easement decision, and it is reasonably foreseeable that the decision will have a material effect on the business. Under Section 1090, the city may make the easement decision under the rule of necessity in order to provide the essential service of facilitating water services for its residents, so long as the official does not participate in any manner.

Rachel Van Mullem - [A-25-163](#)

An official, with a residence located eight feet from an underground oil pipeline, is disqualified from taking part in decisions to approve the transfer of ownership, operation, and guarantor and the transfer of the existing permits to the new pipeline owner. Under applicable Commission regulations, it is reasonably foreseeable that the decisions will have a material financial effect on the official's property interest unless there is clear and convincing evidence to establish no impact on the property. However, based on the facts provided, there are community-wide concerns over the impacts of the pipeline on nearby properties and groundwater, and the facts fail to establish that the decisions will not have an impact on the official's residence.

Notwithstanding the fact that the official must recuse under the Act, Section 1090 is not applicable to these facts. For purposes of Section 1090, an official does not have a financial interest in a contract solely due to the proximity of the official's property to the pipeline.

Revolving Door

Andrew Quinn - [I-25-127](#)

Under the Act, the "one-year ban" prohibits a former state official from appearing before or communicating with their former agency as a paid consultant for the purpose of influencing any administrative, legislative, or discretionary action, to the extent that such action involves the issuance of a permit, license, grant, contract, or sale of goods or property. The "permanent ban" also prohibits the former state official from "switching sides" and participating or assisting in proceedings involving the State of California and specific parties if the official previously participated in the proceedings while employed by their former agency.

Commission Opinions

None.

Enforcement Matters

The following are summaries of significant enforcement actions approved by the Commission in the past quarter involving violations of the Act's conflicts of interest, revolving door, or statement of economic interests. To receive a monthly report of all enforcement actions, please sign up for our [mailing list here](#).

Statement of Economic Interests Late Filer/Reporter

In the Matter of Edrie De Los Santos; FPPC No. 25/936. Staff: Kendall L.D. Bonebrake, Chief of Enforcement and Fela Williams, Staff Services Analyst. Edrie De Los Santos, a Consultant with the City of Monterey, failed to timely file an Assuming Office and the 2024 Annual Statements of Economic Interests, in violation of Government Code Section 87300 (2 counts). **Fine: \$400 (Tier One).**

In the Matter of John Hoadley; FPPC No. 25/942. Staff: Kendall L.D. Bonebrake, Chief of Enforcement and Amber Rodriguez, Staff Services Analyst. John Hoadley, a Member for the Sea Urchin Commission, failed to timely file an Assuming Office Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Fine: \$200 (Tier One).**

In the Matter of Charles Martin III; FPPC No. 25/388. Staff: Kristin E. Goulet, Commission Counsel. Charles Martin III, a Commissioner for the California Apprenticeship Council, failed to timely file the 2023 and 2024 Annual Statements of Economic Interests, in violation of Government Code Section 87300 (2 counts). **Fine: \$400 (Tier One).**

In the Matter of Jose Aranda; FPPC No. 25/943. Staff: Kendall L.D. Bonebrake, Chief of Enforcement and Amber Rodriguez, Staff Services Analyst. Jose Aranda, a former Planning Commissioner and current City Council Member for the City of San Juan Bautista and a Member of the Board of Directors for the Association of Monterey Bay Area Governments, failed to timely file a Leaving Office and two Assuming Office Statements of Economic Interests, in violation of Government Code Sections 87202 and 87204 (3 counts). **Fine: \$400 (Tier One).**

In the Matter of Kevin DeHaan; FPPC No. 25/967. Staff: Kendall L.D. Bonebrake, Chief of Enforcement and Amber Rodriguez, Staff Services Analyst. Kevin DeHaan, an Independent Citizens Oversight Committee Member for the San Dieguito Union High School District, failed to timely file a 2024 Annual and Leaving Office Statement of Economic Interests, in violation of Government Code Section 87300 (2 counts). **Fine: \$200 (Tier One).**

Prohibited Loans

In the Matter of Miguel Pulido; FPPC No. 19/531. Staff: Neal Bucknell, Senior Commission Counsel and Paul Rasey, Special Investigator. Miguel Pulido was the Mayor of Santa Ana. Pulido received personal loans, which were not in writing, from three different lenders, in violation of Section 87461 (2 counts). **Fine: \$6,500.**

Legislation

None.