



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3050 • Sacramento, CA 95811

December 24, 2025

Andrea Sorce
Mayor
City of Vallejo
555 Santa Clara Street
Vallejo, CA , 94590

Re: Your Request for Formal Advice
Our File No: A-25-109

Dear Mayor Sorce:

This letter responds to your request for advice regarding Section 84308 and the conflict of interest provisions of the Political Reform Act (the “Act”).¹

Please note that we are only providing advice under the conflict of interest provisions of the Act and not under other general conflict of interest prohibitions such as common law conflict of interest or Section 1090.

Also note that we are not a finder of fact when rendering advice (*In re Oglesby* (1975) 1 FPPC Ops. 71), and any advice we provide assumes your facts are complete and accurate. If this is not the case or if the facts underlying these decisions should change, you should contact us for additional advice.

QUESTIONS

1. As Mayor of the City of Vallejo, may you take part in decisions related to the Mare Island Community Facilities District tax, given that your campaign manager lives on Mare Island, donated \$260 to your campaign in the previous 12 months, and is part of a group of Mare Island property owners opposed to the tax?

2. May you take part in decisions about ongoing litigation involving the City of Vallejo, given that the case involves the same law firm that represented your husband in separate litigation against the City and resulted in a settlement payment to him, and a partner of the firm contributed \$100 to your mayoral campaign in the past 12 months?

¹ The Political Reform Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18104 through 18998 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

CONCLUSIONS

1. Yes. Because Section 84308 applies only to contributions totaling over \$500 received in the preceding 12 months, Section 84308 does not prohibit you from taking part in decisions concerning the Mare Island Community Facilities District.

2. Yes. Because it was under \$500, a \$100 contribution from Mr. Strauss does not preclude you from taking part in decisions regarding the litigation under Section 84308. While you have an interest in the payor of the settlement as a source of income, due to your community property interest in your husband's settlement award, the ultimate source of the income is the City of Vallejo, not the law firm. Therefore, you do not have a disqualifying interest in the law firm and the Act's conflict of interest provisions do not prohibit you from taking part in decisions about the ongoing litigation involving the law firm.

FACTS AS PRESENTED BY REQUESTER

The Mare Island CFD

You were elected Mayor of the City of Vallejo (the "City") on November 5, 2024 and assumed office on January 7, 2025. Over the course of your mayoral campaign, Vallejo resident Sherianne Grimm served as your unpaid campaign manager. In addition to volunteering for your campaign, Ms. Grimm contributed a total of \$260 to your campaign in the last 12 months, most recently \$10 on December 23, 2024.

Ms. Grimm lives on Mare Island, a Vallejo community located on a peninsula that was the site of a US Naval shipyard until 1996, when the shipyard was decommissioned and its underlying real property was transferred to the City, sold, and developed into neighborhoods of single-family residences. For over two decades, property owners on Mare Island have paid a special Community Facilities District (CFD) tax to finance public improvements and services on Mare Island. For more than a decade, Ms. Grimm has been involved with the Mare Island Special Tax Elimination Association (MISTEA), a volunteer group seeking relief from what they characterize as unfair special taxes on Mare Island property owners.

As part of her work on behalf of MISTEA, Ms. Grimm frequently comments at City Council meetings and submits public records requests in support of the organization's goal of tax relief for Mare Island residents. MISTEA has not submitted any specific proposal, and the City does not have any vote on the Mare Island CFD tax scheduled or planned. Moreover, the previous City Council prior to you taking office voted to defer any changes to the CFD tax until the Mare Island Specific Plan is processed at least one year from now, or potentially even two years from now. You now ask whether you may participate in the City's decisions concerning the Mare Island CFD tax, given that Ms. Grimm served as your campaign treasurer, donated \$260 to your mayoral campaign within the past 12 months, and is involved in MISTEA.

Ongoing Litigation Involving the City

Unrelated to the Mare Island CFD, your husband was part of a legal case against the City of Vallejo that settled in October of 2024. Your husband was represented by the Oakland law firm Gwilliam Ivary Chiosso Cavalli & Brewer (the “Law Firm”), where he worked most closely with Randall Strauss, a managing partner. The settlement payment to your husband was made through the Law Firm, and Mr. Strauss also individually made a \$100 contribution to your mayoral campaign in the fall of 2024. The City is now involved in ongoing litigation with a different plaintiff represented by the Law Firm that previously represented your husband. You ask whether, as Mayor, you may participate in the City’s decisions concerning the ongoing litigation, given that the Law Firm representing the plaintiff against the City also previously represented your husband, and the Law Firm’s managing partner contributed to your mayoral campaign.

ANALYSIS

One of the Act’s findings and declarations is that “public officials, whether elected or appointed, should perform their duties in an impartial manner, free from bias caused by their own financial interests or the financial interests of persons who have supported them.” (Section 81001(b).) To this end, the Act’s “pay to play” restrictions, contained in Section 84308, aim to ensure that state and local government officers are not biased by significant campaign contributions from contributors who might appear before them in a proceeding involving a license, permit, or entitlement for use (an “entitlement for use proceeding”).

Relevant here, Section 84308 places two restrictions on “officers,” defined as any elected or appointed officer of an agency, any alternate to an elected or appointed officer of an agency, and any candidate for elective office in an agency. (Section 84308(a)(4).) First, officers are prohibited from soliciting, directing, or accepting contributions in excess of the limit from a party, participant, or their agent while an entitlement for use proceeding is pending before the officer’s agency, and for 12 months thereafter. (Section 84308(b).) Second, if an officer has received such a contribution in the preceding 12 months, the officer must disclose this fact on the record and recuse themselves from the proceeding. (Section 84308(c).) Prior to January 1, 2025, the contribution limit under Section 84308 was \$250. On January 1, 2025, legislation went into effect raising the contribution limit from \$250 to \$500. Here, since the decisions in question would take place after the effective date of the statutory amendment, the \$500 limit applies.

The Mare Island CFD

As an elected mayor, you are an “officer” within the meaning of Section 84308 and are thus subject to its prohibitions. (Section 84308(a)(4).) However, to date, you have received only \$260 in contributions from Ms. Grimm in the past 12 months. Therefore, even to the extent Mr. Grimm is a party or participant in an entitlement proceeding, you have not received contributions from Mr. Grimm over \$500 in the preceding 12 months and Section 84308 does not prohibit you from participating in decisions regarding the Mare Island CFD based on these contributions alone.

Ongoing Litigation Involving the City

A separate question is whether the Act's conflict of interest provisions and Section 84308 prohibit you from participating in the City's decisions concerning ongoing litigation involving the City and the Law Firm that represented your husband in a whistleblower action against the City that ultimately settled, and whose managing partner, Mr. Strauss, contributed \$100 to your mayoral campaign. As noted above, the prohibitions and requirements of Section 84308 apply only contributions in excess of \$500. Therefore, the \$100 contribution from Mr. Strauss does not preclude you from participating in decisions regarding the litigation under Section 84308.

Turning to the conflict of interest issue, the Act's conflict of interest provisions prohibit any public official from making, participating in making, or otherwise using his or her official position to influence a governmental decision in which the official has a financial interest. (Section 87100.) Relevant here, the types of interests that may result in disqualification include a source of income, defined as an individual or an entity from whom the official has received income or promised income aggregating to \$500 or more in the previous 12 months, including the official's community property interest in the income of his or her spouse or registered domestic partner. (Section 82030(a).)

In this case, you have a community property interest greater than \$500 in the source of the settlement payment to your husband. While settlement payment to your husband was made through the Law Firm, in the *McCarthy* Advice Letter, No. A-14-193, we advised a school district member whose husband settled a whistleblower lawsuit with his school district employer that the true source of the settlement was the defendant school district. Thus, the source of income for purposes of your husband's settlement is the City, not the Law Firm. Therefore, the Act's conflict of interest provisions do not prohibit you from participating in decisions about the ongoing litigation involving the Law Firm as you have no disqualifying interest in the firm.

If you have other questions on this matter, please contact me at (916) 322-5660.

Sincerely,

Dave Bainbridge
General Counsel

Teren Lewis

By: Counsel, Legal Division

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