



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3050 • Sacramento, CA 95811 • (916) 322-5660

Third Quarter Update 2026

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

Sky Woodruff – [A-25-113](#)

Based on the facts provided, a councilmember has a conflict of interest in a decision to create a facilities district that assesses a fee on offices located within its boundaries, where the official has an interest in a business with leased offices located within the proposed district, because the business has an interest in property subject to the fee, and the property is a named party or subject of the proceeding. Another councilmember does not have a conflict of interest in that same decision, where that official has a financial interest in two business entities, because none of the businesses have facilities located within the boundaries of the proposed district and it is not foreseeable that the decisions will have a material financial effect on the entities.

Kevin Briggs – [A-26-003](#)

A county supervisor who is a local business owner and small business loan recipient through county's Community Development Block Grant ("CDBG") program is prohibited from taking part in decisions about past due CDBG loans, including criteria for forbearance or forgiveness, since the supervisor's financial interests are the subject of these decisions and thus explicitly involved, and the reasonably foreseeable financial effect of these decisions on these interests is presumed to be material.

Christine Dietrick – [A-26-037](#)

The Act does not prohibit a mayor from taking part in decisions related to a sewer lateral program in the city because it is not reasonably foreseeable that the decisions would have a material financial effect on any of the mayor's financial interests, as inspections are already required and the associated costs are allocated between the seller and the buyer.

Osa Wolff – [A-26-064](#)

A country club's general use application to formalize the existing uses of tennis courts for pickleball and a part-time driving range on their golf course, without additional landscaping changes or construction, would have a nominal, inconsequential, or insignificant effect on the Councilmembers' financial interest in their country club memberships. Thus, the Councilmembers are not prohibited from taking part in decisions related to the application.

Mark Vanni – [A-26-067](#)

The Act prohibits a councilmember from taking part in governmental decisions relating to an ordinance to adjust development standards for properties located within defined proximity zones surrounding certain transit stations subject to Senate Bill 79 because his real property is within 500 feet of the zone area surrounding one of the stations and the facts provided do not establish clear and convincing evidence that the decisions would have no measurable impact on his real property. To the extent the relevant decisions can be segmented, the city councilmember may be permitted to take part in the remaining decisions not involving those zone areas within 1,000 feet of his real property, so long as the decisions are not inextricably interrelated to the decisions in which he has a disqualifying financial interest and there is no clear and convincing evidence that the decisions would have a substantial effect on his real property.

Andrew Morris – [A-26-070](#)

Where a councilmember and his spouse own a sporting goods company with a leasehold interest in a retail store location within 54 feet of an approved development project on 1.67 acres of undeveloped land to add 62 multi-family units and commercial space, the councilmember will have a prohibitive financial interest in decisions regarding deviations from the approved project or litigation because the facts indicate that the decisions will likely increase or decrease the potential value of the leased property and impact the councilmember's use and enjoyment of the property. Thus, it is reasonably foreseeable that the decisions will have a material financial effect on the councilmember's leasehold interest, and the councilmember may not take part in the decisions.

Colin Burns – [A-26-074](#)

A council member may take part in the decision to ban overnight street parking on streets located 300 and 1,000 feet away from the residence he owns under the limited neighborhood effects rule, which is a "public generally" exception to the Act. The decision is an on-street parking restriction that will affect residential real property in a specific location, encompass more than 50 residential real properties, and is needed to "improve safety, accessibility, and quality-of-life" for residents of the affected streets.

Heather Baker – [A-26-066](#)

Pursuant to the nexus test, the Act prohibits a city council member, who is also the president and CEO of the chamber of commerce, from taking part in governmental decisions relating to a city

project to design and build transit priority on a specific road within the city, impacting the businesses adjacent to the road. Based on the facts provided, it is reasonably foreseeable that the decisions will have a material financial effect on the council member's interest in the chamber as a source of income because the decisions will achieve, defeat, aid, or hinder a purpose or goal of the source, and the city council member receives or is promised income from the source for achieving the purpose or goal.

John Kennedy – [A-26-085](#)

A mayor does not have a conflict of interest in a series of decisions relating to public safety improvements on a roadway within 500 feet of her condominium residence because the public generally exception for limited neighborhood effects applies. Based on the facts provided, the decision affects residential real property at a specific location, encompassing more than 50, or five percent of the residential real properties in the official's jurisdiction, and the decision improves public safety. Moreover, the city council has gathered sufficient evidence to support the need for the action at the specific location.

John D. Lê – [A-26-083](#)

A mayor may take part in decisions regarding a mixed-use project in which the official owns real property within 500 feet of the project location but separated from it by an eight-lane freeway. Based on the facts provided, clear and convincing evidence indicates that the decisions have no measurable impact on his property, which is physically separated from the project location.

John D. Lê – [A-26-104](#)

A mayor has a conflict of interest in a decision on an alternative compliance request by a project applicant for a redevelopment project with boundaries located within 500 feet of his residence, as there is no clear and convincing evidence that the decision would not have any measurable impact on his property. While the project encompasses separate parcels, some of which are more than 500 feet from his residence, there is no evidence that the decision can be segmented as the application was submitted by a single private applicant, and the resulting decisions appear to be "inextricably interrelated."

Revolving Door

Nicole Elliot – [A-26-022](#)

Under the Act's one-year ban, a former director cannot appear before or communicate with the department, for compensation, to influence administrative or legislative actions, or certain discretionary actions, including a contract the former director approved and implemented with the employer's subsidiary. Under the Act's permanent ban, the former director is prohibited, for compensation, from advising or assisting the parent company or any of its subsidiaries regarding the contract, and from communicating with the department regarding a contract amendment, the award of a similar contract, or department decisions that will result in more than a *de minimis* change to the contracted services.

Savannah McLaughlin – [I-26-050](#)

A former state official is prohibited under the one-year ban from engaging in communications or appearances with the official's former agency on behalf of a client to influence any administrative or legislative actions or any discretionary act involving the issuance, amendment, awarding, or revocation of a permit, license, grant, or contract, or the sale or purchase of goods or property. However, the former official may advise clients on agency requirements, plans, or policy, and may draft proposals or comments, so long as the former official is not identified in any of these actions. Under the permanent ban, the former official is prohibited from working on matters that involve specific parties if the former official previously worked personally and substantially on the matter. However, the official is not generally prohibited from working on matters of general application that do not involve specific utilities or parties.

Fred Money – [I-26-042](#)

Under the Act, a former state employee may consult with a private entity to provide subject-matter expertise and advise on the policies, procedures, and plans of their former agency, provided that the former employee does not communicate or appear before their former agency, or an employee or official of their former agency, for one year after leaving state employment. However, the former employee may not assist the private entity in communications or appearances, or participate in matters related to a proceeding involving specific parties if the official previously participated in the proceeding as a state employee. Also, the Act may prohibit the official from consulting for compensation on legislation relating to a “special statute” that involves a specific person, place, or interest, if the official previously participated in a related proceeding involving the same party while employed by the State.

Jake McDermott – [A-26-080](#)

The one-year ban does not prohibit a former state employee from making communications and appearances before their former state agency more than 12 months after their employment, so long as those communications or appearances are not otherwise prohibited by the permanent ban. Also, a rulemaking of general applicability is not a “proceeding” subject to the permanent ban.

Simon Baker – [I-26-077](#)

Under the Act's post-governmental employment provisions, rulemakings of general applicability are not generally subject to the permanent ban, but the permanent ban does apply to particular proceedings involving specific parties. Accordingly, the permanent ban may apply to components of a rulemaking proceeding that involve specific parties. Accordingly, the Act may prohibit a former state employee from advising or assisting their employer in advice letter filings by public utility companies if the former employee, or staff under the former employee's supervision, previously participated in any decisions specific to the advice letter filings, including a previous decision to require the companies to submit advice letter requests.

[Section 1090](#)

Salwa K. Bojack – [I-26-001](#)

Section 87104 prohibition applies to members of a Native American Tribe who serve on an advisory committee to a state agency who receive compensation from the Tribe, or a third party, for work performed on behalf of the Tribe. These members are prohibited from taking part in any appearance or communication before the state agency for the purpose of influencing action on a contract, grant, loan, license, permit, or other entitlement for use. Section 87104 does not apply

to members who receive no compensation. Moreover, even assuming general conflict of interest provisions (other than Section 87104) apply, these provisions only apply to the extent it is reasonably foreseeable that the decision will have a material financial effect on an economic interest enumerated in Section 87103. Similarly, absent any other financial interest in the contract, Section 1090 does not generally apply to the three uncompensated members, as they are not financially interested in a contract under Section 1090 merely because they represent a Tribe on the committee. Regarding the five compensated members, we cannot provide specific advice under Section 1090 without the identification of the actual contract. However, any further determination under Section 1090 is unnecessary as these compensated members are disqualified from taking part in contracts with the Tribe they represent under Section 87104 of the Act.

Kimberley White – [A-26-008](#)

The rule of necessity, an exception to Section 1090, permits a city to transfer a city loan to the mayor's deceased ex-spouse into the mayor's name. The city could execute a new loan agreement with the mayor when the loan origination and transfer application predated the mayor's term in office, because the city is the only entity that can legally act to transfer the city loan to the mayor, and the city's ability to manage its loans is an essential government function.

Julia M. Lew – [A-26-027](#)

Spouse's uncompensated position as a director for the chamber of commerce does not generally disqualify a mayor pro tempore from taking part in decisions involving requests for funding or the provision of city services related to special events from the chamber to the extent the official does not have any other interest in the decisions, and the decisions will not in any way affect the official's personal finances. Similarly, Section 1090 does not prohibit the official from taking part in the decisions because the spouse does not receive income from the non-profit organization whose primary purpose supports the functions of the city. Thus, the noninterest exception under Section 1091.5(a)(8) applies. Lastly, in regard to interest in business owned by the official's mother as a source of income, the Act would not generally disqualify the official from taking part in the decisions, provided the decisions do not have any effect on the business. .

Maricela E. Marroquín – [A-26-031](#)

Section 1090 would prohibit a councilmember from participating in, and the city from contracting with, an auto glass service company (the company) in which the councilmember is president and a 50% owner. The rule of necessity would not permit the city to enter into the contract because there are alternative sources the city can use for auto glass services. For a prospective contract with the county or the company, which provides waste services collection services, Section 1090 would prohibit the councilmember from participating in, and the city from entering into, decisions and negotiations to amend the contracts, because the rule of necessity would not apply to a situation the official voluntarily chose to enter.

Joshua Nelson – [A-26-043](#)

The landlord-tenant exception does not apply where a district board member has an ownership interest in the equipment used by the company to carry out its snow-plowing operations, and Section 1090 prohibits the district from contracting with the company for snow removal.

Matthew Alaniz – [A-26-047](#)

Under the Act, an official is not prohibited from taking part in an amendment to a settlement agreement or sewer disposal agreement with a community services district where his spouse is employed as a general manager. The official does not have a financial interest in their spouse's salary because the salary from a government entity is not considered income. Under Section 1090, the official has a non-interest in the agreements with the district because the spouse's employment with the district predates the official's election to the city council by more than one year. Additionally, neither the Act nor Section 1090 prohibits the city from contracting with a consultant to negotiate the agreements because the official has not identified a financial interest involving the consultant.

Joanna Powell – [A-26-044](#)

The president of a school district's board of trustees who performs contract work for a company has a conflict of interest under Section 1090 in any contract between the school district and the company. However, the "remote interest" exception under Section 1091(b)(2) applies because the company has 10 or more other employees, the president was an employee or agent of the company for at least three years prior to taking office, the president does not own more than 3 percent shares of stock in the company, and the president would not provide services relating to the proposed projects and would not participate in formulating a bid. Accordingly, the school district is not prohibited from entering the contract provided that the president does not participate in the decisions.

Joshua Nelson – [A-26-046](#)

To the extent that preliminary design services for a water project include preparing the bid specifications that would be issued, inviting contractors to bid for the work as either a request for proposals or notice to invite bids, the independent contractors working for the water authority on an existing project would be public officers subject to Section 1090. As a result, Section 1090 would prohibit the independent contractors from entering into a contract to perform the subsequent final design due to their prior participation in the making of the contract.

Abel Salinas – [A-26-056](#)

For an officer of a family business, it does not appear that the remote interest exception under Section 1091(b)(2) was intended to apply when a board director of a regional water district resigns as an officer of the family business, but retains an employment position, in order to enter an otherwise prohibited contract. Thus, the district is prohibited from entering into a contract with the director's employer. Additionally, under Section 1090, the district could not contract with private companies that become clients of the director's consulting business. However, the remote interest exception under Section 1091(b)(13) allows the district to contract with a member agency of the district if that member agency becomes a client of that director's business.

Greg Jones – [A-26-068](#)

Under the Act, a public official who has a financial interest in their employer as a business entity and source of income is prohibited from taking part in governmental decisions involving a grant application submitted by their employer. Additionally, Section 1090 prohibits the board on which the official serves from acting on a grant application. Based on the facts provided, the board has final approval of the grants and discretion regarding the specific types of projects to

fund. Thus, the noninterest exception for public services generally provided, under Section 1091.5(a)(3), does not apply,

Richard D. Pio Roda – [A-26-087](#)

Under the Act, a city finance director is prohibited from participating in decisions regarding contracts with a firm in which her spouse serves as president and holds an ownership interest. Under Section 1090, because the public official is an employee and not a member of the decision-making body, the city is not prohibited from entering or continuing contracts with the firm, provided the director completely abstains from the contract-making process.

Kevin G. Ennis – [A-26-100](#)

Section 1090 generally prohibits a city councilmember from taking part in, and the city from entering into or amending, any contracts between the city and an organization that is represented by a law firm that employs the councilmember. However, because the firm has provided its services to the city for at least five years prior to the councilmember's being elected to office, the remote interest exception under Section 1091(b)(8) applies. Thus, the city may enter, or amend, such contracts so long as the interested councilmember does not take part in the decisions, the councilmember discloses their interest in the contracts to the city, and such interest is noted in the city's official records.

Conflict of Interest Code

Jon Ansolabehere – [A-26-089](#)

A county supervisor is not prohibited from taking part in decisions to dissolve and reestablish a business improvement district. Based on the facts provided, the decisions will not have a foreseeable material financial effect on his interest in his spouse's nonprofit employer as a source of income, or his personal finances, merely because the nonprofit was previously awarded a grant by the business improvement district.

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](#).

Failure to Properly Recuse

[In the Matter of Doria Robinson, FPPC No. 25/236.](#) Staff: Theresa Gilbertson, Attorney Supervisor and Paul Rasey, Special Investigator. Doria Robinson is a city councilmember for the City of Richmond. On October 3, 2023, Robinson improperly recused from a governmental

decision in which Robinson had a conflict of interest. Robinson left the room during the governmental decision but failed to identify, on the record, the financial interest that gave rise to the conflict of interest, in violation of Government Code section 87105 (1 count). **Fine: \$400 (Tier One).**

Statement of Economic Interests Late Filer/Reporter

In the Matter of Kevin Riley; FPPC No. 26/160. Staff: Kendall L.D. Bonebrake, Chief of Enforcement and Amber Rodriguez, Associate Governmental Program Analyst. Kevin Riley, a Planning Commissioner for the City of Antioch, failed to timely file a 2024 Annual Statement of Economic Interests, in violation of Government Code Section 87203 (1 count). **Fine: \$800 (Tier Two).**

In the Matter of Mike Kozlowski; FPPC No. 25/662. Staff: Alex Rose, Senior Commission Counsel. Mike Kozlowski, as a Folsom City Council Member and Alternate Member and Member of the Board of Directors, Elk Grove-Rancho Cordova-EL Dorado, failed to timely file a 2022, 2024, and 2025 Annual Statements of Economic Interests, in violation of Government Code Sections 87203 and 87300 (3 counts). **Fine: \$600 (Tier One).**

In the Matter of Rod Houser; FPPC No. 24/1393. Staff: Jack Blattner, Commission Counsel. Rod Houser, Consultant for the City of Santa Rosa's Water Department, failed to timely file a 2021 Annual Statement of Economic Interests and a Leaving Office Statement of Economic Interest, in violation of Government Code Section 87300 (2 counts). **Fine: \$600 (Tier One).**

In the Matter of Luhua Cheng; FPPC No. 23/711. Staff: Theresa Gilbertson, Attorney Supervisor and Joselyne Soto, Associate Governmental Program Analyst. Luhua Cheng, as a Primary Care Physician for the County of Santa Clara, failed to timely file the 2021 and 2023 Annual Statements of Economic Interests, in violation of Government Code Section 87300 (2 counts). **Fine: \$400 (Tier One).**

In the Matter of Masaru Oshita; FPPC No. 26/382. Staff: Kendall L.D. Bonebrake, Chief of Enforcement and Amber Rodriguez, Associate Governmental Program Analyst. Masaru Oshita, a Commission Member for the Emergency Medical Services Authority Commission, failed to timely file a 2024 Annual and 2025 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (2 counts). **Fine: \$400 (Tier One).**

In the Matter of Samuel Burton; FPPC No. 26/128. Staff: Alex Rose, Senior Commission Counsel. Samuel Burton, as a Blythe City Council Member, failed to timely file a 2024 and 2025 Annual Statements of Economic Interests, in violation of Government Code Section 87203 (2 counts). **Fine: \$400 (Tier One).**

In the Matter of Timothy Banuelos; FPPC No. 25/634. Staff: Theresa Gilbertson, Attorney Supervisor and Joselyne Soto, Associate Governmental Program Analyst. Timothy Banuelos, as Planning Commissioner for the City of Pinole, failed to timely file the 2023 Annual and Leaving Office Statements of Economic Interests, in violation of Government Code Section 87203 and 87204 (2 counts). **Fine: \$400 (Tier One).**

In the Matter of Dale Beatty; FPPC No. 26/607. Staff: Kendall L.D. Bonebrake, Chief of Enforcement and Amber Rodriguez, Associate Governmental Program Analyst. Dale Beatty, an Alternate Committee Member for the Emergency Medical Care Committee, failed to timely file a 2024 Annual Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Fine: \$200 (Tier One).**

In the Matter of Joanna Rees; FPPC No. 26/419. Staff: Kendall L.D. Bonebrake, Chief of Enforcement and Amber Rodriguez, Associate Governmental Program Analyst. Joanna Rees, a Board Member for the Workforce Development Board, 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 LanPhuong Nguyen; FPPC No. 25/1103. Staff: Franceska Gonzalez, Commission Counsel. LanPhuong Nguyen, Commissioner for the Measure W Oversight Committee of the City of Stockton, failed to timely file their Assuming Office Statement of Economic Interests and 2025 Annual Statement of Economic Interests in violation of Government Code Section 87300 (2 counts). **Fine: \$400 (Tier One).**

In the Matter of Robert Lea; FPPC No. 26/288. Staff: Stephanie Meaglia, Commission Counsel. The Respondent is represented by Charles Deyoe. Robert Lea, a former member of the California Walnut Commission, failed to timely file a 2024 Annual Statement of Economic Interests and a Leaving Office Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Fine: \$200 (Tier One).**

Legislation

SB 401 (Hurtado) – PRA Filing Deadline Extensions in Emergency Situations **[CHAPTERED]**

Short Summary: SB 401 authorizes the Commission to extend filing deadlines in the PRA for individuals impacted by a state or local emergency.

Detailed Summary:

Existing law: The PRA imposes deadlines for filing various reports and statements under the PRA, including statements of economic interests, lobbying reports, behested payment reports, and campaign reports and statements.

New authority: SB 401 authorizes the Commission to extend any filing deadline under the PRA for individuals that live in an area impacted by an emergency proclaimed by the Governor or a local governing body pursuant to specified authority, if the emergency situation is reasonably likely to affect the individual's ability to timely file.

Maximum extension: SB 401 provides that any filing extension granted by the Commission may be no more than 60 days from the original filing deadline.

Does not apply to campaign filings near the election: The authority to grant an extension does not apply to filing deadlines for campaign statements or reports during the 90 days before an election.

SB 1389 (Dahle) – Form 700 Late Fee Waiver Authority [CHAPTERED]

Short Summary: SB 1389 expands the authority for discretionary waiver of the Form 700 late fee in circumstances where the late filing was not willful.

Detailed Summary:

Existing law: Existing law permits filing officers to waive the \$10/day late fee for late Statements of Economic Interests (Form 700s) if the late filing was not willful and enforcement of the liability will not further the purposes of the PRA. Waiver is limited to within 30 days of the original deadline of the Form 700.

Extension of waiver period: SB 1389 extends the duration of this waiver authority to permit waiver of a late Form 700 up to 30 days after a referral for the late or missing filing is filed with the FPPC.

Clarification: The bill clarifies language relating to how the maximum late fee is calculated.