



NOTICE AND AGENDA Commission Meeting¹

California Fair Political Practices Commission
1102 Q Street, Suite 3800
Sacramento, CA 95811

Thursday, July 21, 2022
10:00 A.M.

Under Government Code section 11123(a), all meetings of a state body are open and public, and all persons are permitted to attend any meeting of a state body, except as otherwise provided in that article. The section further states that the portion of the teleconferenced meeting that is required to be open to the public must be audible to the public at the location specified in the notice of the meeting. Members of the public may listen to the meeting by phone by calling (877) 411-9748; access code 723284; or watch the meeting via Webinar at [YouTube](#). To participate in real time, visit <http://mediasite.fppc.ca.gov/> or call (877) 411-9748; access code 723284.

Persons who, due to a disability, need assistance in order to participate in this meeting should, prior to the meeting, contact the Commission Assistant at (916) 322-5745 (voice), CommAsst@fppc.ca.gov (e-mail) and ADACoordinator@fppc.ca.gov. TTY/TDD and Speech-to-Speech users may dial 7-1-1 for the California Relay Service to submit comments on an agenda item or to request special accommodations for persons with disabilities.

The Commission may take action on any item listed on this agenda.

Welcome

Richard C. Miadich, Chair

Public Comment

- 1. Public Comment for Items not on Agenda.** During this comment period, any person is invited to speak on any topic that is not listed on this agenda. Action may not be taken on any matter raised during this public comment period until the matter is specifically listed on a future agenda. Those who wish to comment on an item that has been listed on this agenda may comment when that item has been opened for consideration by the Commission and before any action is taken.

¹You can obtain further information about the meeting by contacting the Commission Assistant, 1102 Q Street, Suite 3000, Sacramento, CA, 95811, Tel. (916) 322-5745. Written comments on agenda items should be submitted to the Commission no later than 12:00 p.m. the day before the meeting in order to afford the Commissioners adequate time to fully consider the comments. Email comment letters directly to CommAsst@fppc.ca.gov. To participate in real time, visit <http://mediasite.fppc.ca.gov/>.

The agenda and related documents are posted on the FPPC website at www.fppc.ca.gov. Materials submitted by the public regarding each agenda item will be made available on the website.

Closed Session

2. **Closed Session. Pending Litigation (Gov. Code § 11126(e)(1)).** Staff: Dave Bainbridge, General Counsel. Discussion of potential litigation.

Approval of Commission Minutes

3. **Approval of May 2022 Commission Hearing Minutes.**

Consent Calendar 4-9

Items on the consent calendar will be taken up and voted on as a group. A Commissioner may request that an item be removed from consent, in which case it will be discussed separately in the meeting.

Conflict of Interests

4. **In the Matter of Andrew Do; FPPC Nos. 16/510 and 18/648.** Staff: Christopher B. Burton, Assistant Chief of Enforcement; Ann Flaherty, Special Investigator; and Paul Rasey, Special Investigator. The respondent is represented by Nicholas Sanders. Andrew Do is a member of the Orange County Board of Supervisors and the CalOptima Board of Directors. Do violated the pay-to-play restrictions of the Act in 2016 and 2017 when they made, participated in making, and attempted to use their official position to influence governmental contracting decisions involving a participant who contributed to their campaign, and had reason to know the respective contributors contributed to their campaign for county supervisor, in violation of Government Code Section 84308, subdivision (c) (2 counts). In 2015 and 2016, Do also failed to timely file behested payment reports disclosing eight payments totaling approximately \$110,440, in violation of Government Code Section 82015, subdivision (b)(2)(B)(iii) (4 counts). **Total Proposed Penalty: \$12,000.**
5. **In the Matter of Steve Dallas; FPPC No. 18/804.** Staff: Theresa Gilbertson, Senior Commission Counsel and Roone Petersen, Special Investigator. Steve Dallas is represented by Kathryn Meola at Atkinson, Andelson, Loya, Ruud & Romo. In their capacity as Mayor for Carmel-by-the-Sea from 2016 through 2018, failed to timely disclose gifts on a Statement of Economic Interest, in violation of Government Code Section 87207 (1 count). Dallas accepted gifts over the limit, in violation of Government Code Section 89503 and Regulation 18940.2 (1 count). Dallas had a prohibited conflict of interest when voting on and participating in a vote regarding a source of gift to Dallas, in violation of Government Code Section 87100 (1 count). **Total Proposed Penalty: \$9,500.**
6. **In the Matter of Claire Crandall; FPPC No. 16/741.** Staff: Theresa Gilbertson, Senior Commission Counsel and George Aradi, Special Investigator. The respondent is represented by Gary Winuk of the Kaufman Legal Group. Crandall is a former employee with the San Diego County Office of Education. In their capacity as a public official, Crandall influenced a governmental decision of an agency in another county in favor of entering into a contract with a company owned by Crandall's spouse, in violation of Government Code Section 87100 (1 count). **Total Proposed Penalty: \$5,000.**

Advertisements

7. **In the Matter of Americans for Safe Neighborhoods and Candice Pressley, FPPC No. 18/314.** Staff: Theresa Gilbertson, Senior Commission Counsel and Paul Rasey, Special Investigator. Americans for Safe Neighborhoods is a state general purpose committee and Candice Pressley serves as treasurer and principal officer. The Committee and Pressley failed to include correct disclosure statements on advertisements, including videos disseminated on a social media page and the landing page of a social media page, in violation of Government Code Sections 84502, 84504, and 84506.5 (1 count.) The Committee and Pressley failed to timely file campaign statements for the reporting periods ending May 19, 2018 and June 30, 2018, in violation of Government Code Sections 84200.5 and 84200 (1 count.) **Total Proposed Penalty: \$3,500.**

Mass Mailing Sent at Public Expense

8. **In the Matter of City of El Monte; FPPC Case No. 20/1040.** Staff: Jenna C. Rinehart, Commission Counsel and Alethea Perez, Special Investigator. The respondent is represented by Colin Barr of Olivarez Madruga Lemieux O’Neill, LLP. The City of El Monte sent five mass mailings that featured a government official at public expense, in violation of Government Code Sections 89001 and 89002 (5 counts). **Total Proposed Penalty: \$15,000.**

Campaign Late Filer

9. **In the Matter of Friends of Maricela Cruz for Trustee 2018, Maricela Cruz, and Daisy S. Martinez; FPPC No. 19/764.** Staff: Theresa Gilbertson, Senior Commission Counsel. Maricela Cruz ran unsuccessfully for re-election to the Alisal Union School District Governing Board Trustee, Area 2 in the November 6, 2018 General Election. The Friends of Maricela Cruz for Trustee 2018 was their candidate-controlled committee. Daisy S. Martinez served as treasurer. The Committee, Cruz, and Martinez failed to timely file a semi-annual campaign statement, in violation of Government Code Section 84200 (1 count). **Total Proposed Penalty: \$2,000.**

Pre-Notice Default

10. **In the Matter of Isaac Galvan, and Galvan for Compton City Council 2013/2017; FPPC Case No. 16/207.** Staff: Neal Bucknell, Senior Commission Counsel and Soni Mangat, Program Specialist II. Galvan first was elected to the Compton City Council, District 2, in June 2013. He was re-elected in April 2017. In 2021, he was re-elected again, and he remained in office until May 2022 when his 2021 re-election was invalidated. Galvan for Compton City Council 2013/2017 was Galvan’s candidate-controlled committee. Galvan served as the Committee’s treasurer. Galvan and the Committee failed to timely file semi-annual and pre-election campaign statements, in violation of Government Code Sections 84200, 84200.5, and 84200.8 (13 counts); failed to properly report committee activity on campaign statements, in violation of Government Code Section 84211 (6 counts); failed to timely file 24-hour contribution reports, in violation of Government Code Section 84203 (8 counts); accepted a money order (of \$100 or more), in violation of Government Code section 84300, subdivision (a) (1 count); made unlawful cash expenditures of campaign funds, in violation of Government Code Section 84300, subdivision (b) (4 counts); and failed to keep required committee records, in violation of Government Code Section 84104 and California Code of Regulations, title 2, section 18401 (4 counts). Also, Galvan unlawfully used campaign funds for personal purposes, in violation of Government Code Sections 89510, subdivision (b); 89512, 89513, and 89517 (17 counts). **Total Proposed Penalty: \$240,000.**
11. **In the Matter of Laura Franco-Perez; FPPC No. 18/083.** Staff: Alex Rose, Commission Counsel. Laura Franco-Perez, Planning Commissioner of the City of Sanger, failed to timely file an Assuming Office, 2017 Annual, and Leaving Office Statement of Economic Interests, in violation of Government Code Section 87202, 87203, and 87204 (3 counts). **Total Proposed Penalty: \$12,000.**

General Items 12-19

12. **Prenotice Discussion of Proposed Amendments to Regulations 18960, Direct Personal Benefit; 18225.7, Made at the Behest; Independent versus Coordinated Expenditures; and 18728.5, Reporting of Commission Income and Incentive Compensation.** Staff: Karen Harrison, Senior Commission Counsel. Staff presents proposed amendments to Regulation 18960, to extend its application to Section 89521, defining an “egregious personal benefit, and other cleanup amendments; Regulation 18225.7, to remove a citation to a repealed regulation; and Regulation 18728.5 to correct a regulation citation. The proposed amendments are presented for discussion and direction by the Commission and will be presented for adoption at a subsequent meeting.

Staff Memo

Proposed Amendments to Regulation 18960
Proposed Amendments to Regulation 18225.7
Proposed Amendments to Regulation 18728.5

- 13. Adoption of Proposed Regulatory Changes Regarding Requirements for Referrals and Public Information and Records Requests for Pending Enforcement Matters.** Staff: Kevin Cornwall, Commission Counsel and Toren Lewis, Commission Counsel. Staff presents proposed amendments to Regulation 18360 concerning the requirements for referrals to the Enforcement Division under the Act and the Commission's practices when responding to public requests for records and other information concerning a pending Enforcement matter. These proposed amendments were presented for prenotice discussion at the April and May Commission meetings, respectively, and are now presented for adoption by the Commission.

Staff Memo
Proposed Amendments to Regulation 18360

- 14. Adoption of Proposed Regulation to Authorize the Making of Contributions via Cryptocurrency.** Staff: Zachary W. Norton, Senior Commission Counsel. This proposed item would repeal the existing prohibition on cryptocurrency campaign contributions contained in Regulation 18215.4, and adopt a new regulation permitting the making of contributions with cryptocurrency through a payment processor. The issue was presented for prenotice discussion and direction by the Commission at the May 2022 hearing and is now presented for Commission adoption.

Staff Memo
Repeal of Regulation 18215.5
Adoption of Regulation 18421.2

- 15. Adoption of Proposed Regulation 18315.** Staff: Dave Bainbridge, General Counsel. Staff proposes a new regulation requiring the Enforcement Division to refer to the Office of the Attorney General any complaint alleging a sitting Commission violated the Political Reform Act. The regulation was previously presented to the Commission for discussion at its meeting on April 21, 2022. It is now presented to the Commission for adoption.

Staff Memo
Proposed Regulation 18315

- 16. 2022/2023 Budget.** Staff: Loressa Hon, Chief of Administration. The Commission will receive an update on the 2022/2023 budget.

2022/2023 Budget

- 17. Legislative Update.** Staff: Lindsey Nakano, Senior Legislative Counsel. The Commission will review and discuss potential sponsored and other legislation. The Commission will provide direction on future legislation to be sought by the agency.

Legislative Update

- 18. Executive Staff Reports.**
Enforcement Division. Angela Brereton, Chief.
Audits and Assistance Division. Shrdha Shah, Chief.
Legal Division. David Bainbridge, General Counsel.
Administration and Technology Division. Loressa Hon, Chief.
Executive Director Update. Galena West, Executive Director.

Executive Staff Report

19. Commissioner Comments and Proposed Future Agenda Items.

Note: Although any Commissioner may identify a topic of interest, the Commission may not substantially discuss or take action on any matter raised during the meeting that is not included on this agenda, except to decide to place the matter on the agenda of a future meeting. (Government Code Sections 11125 & 11125.7(a).)