NOTICE AND AGENDA
Commission Meeting[1]

California Fair Political Practices Commission
1102 Q Street, Suite 3050
Sacramento, CA 95811

Thursday, December 3, 2026
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 (669) 444-9171; access code: 9856036268; or watch the meeting via Webinar at YouTube. To participate in real time, visit http://mediasite.fppc.ca.gov/ or call (669) 444-9171; access code: 9856036268.

To view the new procedure to participate by telephone, visit our public comment page.

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

Adam E. Silver, Chair

[1]You can obtain further information about the meeting by contacting the Commission Assistant, 1102 Q Street, Suite 3050, 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.

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.

Approval of Commission Minutes

2. **Approval of October 2026 Commission Meeting Minutes**

3-10. Consent Calendar

3. **Cost-of-Living Adjustment ("COLA") to Contribution Limits, Voluntary Expenditure Ceilings and Gift Limit.** Staff: Brian Lau, Assistant General Counsel. Staff recommends amending Regulations 18545, 18700, 18730, and 18940.2 to make biennial cost of living adjustments (COLA) to regulations establishing applicable contribution limits, voluntary expenditure ceilings, state officeholder contributions, and the gift limit for January 1, 2027, through December 31, 2028, as required by the Political Reform Act.

   Staff Memo
   Proposed Amendment to Regulation 18545
   Proposed Amendment to Regulation 18700
   Proposed Amendment to Regulation 18730
   Proposed Amendment to Regulation 18940.2

   Misuse of Campaign Funds

4. **In the Matter of Kevin McCarty, McCarty for Assembly 2018, Kevin McCarty for Assembly 2020, Kevin McCarty for Assembly 2022, Kevin McCarty for Assembly 2024, McCarty for Mayor 2024, and James Santos; FPPC Case No. 22/434.** Staff: Neal Bucknell, Senior Commission Counsel, Ann Flaherty, Special Investigator, Roone Petersen, Special Investigator, and Bob Perna, Senior Program Specialist. Respondents are represented by Richard Rios of Olson Remcho LLP. McCarty impermissibly used campaign funds to pay for personal cellphone expenses of his wife and minor children, in violation of Government Code Sections 89510, subdivision (b), 89512, subdivision (a), and 89517, subdivision (a) (2 counts). McCarty impermissibly used his committee credit cards on 11 occasions for personal purchases, in violation of Government Code Sections 89510, subdivision (b), and 89512, subdivision (a) (1 count). McCarty, his Assembly committees (for 2018-2022), and Santos made approximately 179 expenditures of $100 or more for which required receipts and invoices were not kept, in violation of Government Code section 84104 (3 counts). McCarty, his Assembly committees (for 2022 and 2024), his mayoral committee, and Santos failed to report the transfer of committee art assets between McCarty's Assembly and mayoral committees, in violation of Government Code section 84211 (1 count). McCarty and his 2022 Assembly committee produced and sent a mass mailing that failed to include required

disclosures, in violation of Government Code section 84305 and California Code of Regulations, title 2, section 18435 (1 count). **Total Proposed Penalty: $29,500.**

McCarty – Stipulation

Conflict of Interests

5. **In the Matter of Brendan Ottoboni; FPPC No. 23/717.** Staff: Kevin Cornwall, Senior Commission Counsel and George Aradi, Special Investigator. Respondent is represented by Brian Hildreth of Bell, McAndrews & Hiltachk, LLP. Ottoboni is the Director of Public Works – Engineering for the City of Chico. Ottoboni took part in a governmental decision that was directly related to a prospective employer, in violation of Government Code Sections 87407 and 1090, and Regulation 18747 (1 count). Ottoboni failed to timely disclose Psomas as a source of income on his Assuming Office Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: $7,500.**

Ottoboni – Stipulation

Behested Payments

6. **In the Matter of Colin Parent; FPPC No. 25/772.** Staff: Vanessa Jimmy, Commission Counsel and Paul Rasey, Special Investigator. Respondent is represented by Amber Maltbie of Nossaman LLP. Parent failed to timely file Form 803 Behested Payment Reports regarding approximately seven charitable payments of $5,000 or more totaling approximately $58,650, in violation of Government Code Section 84224 (1 count). **Total Proposed Penalty: $1,500.**

Parent – Stipulation

Advertisements

7. **In the Matter of Stephanie Nguyen for Assembly 2022 and Stephanie Nguyen; FPPC No. 22/443.** Staff: Vanessa Jimmy, Commission Counsel and Alethea Perez, Special Investigator. Respondents are represented by Gary S. Winuk of Kaufman Legal Group, APC. Stephanie Nguyen was a successful candidate for State Assembly, District 10, in the June 7, 2022 Primary Election. Stephanie Nguyen for Assembly 2022 was Nguyen's candidate-controlled committee. Nguyen served as the Committee's treasurer. The Committee and Nguyen failed to include the proper advertisement disclosures in a mailer, in violation of Government Code Section 84305 (1 count). **Total Proposed Penalty: $4,000.**

Nguyen – Stipulation

Campaign Late Filer

8. **In the Matter of Jesse Powell; FPPC No. 24/290.** Staff: Theresa Gilbertson, Attorney Supervisor and Ann Flaherty, Special Investigator. Jesse Powell qualified as a major donor committee in 2021.

Powell failed to timely file a semiannual statement, in violation of Government Code Section 84200, subdivision (b) (1 count) and failed to timely file a 24-Hour Report, in violation of Government Code Section 84203 (1 count). **Total Proposed Penalty: $8,000.**

Powell – Stipulation

Gift Over-the-Limit

9. **In the Matter of Caroline Menjivar; FPPC No. 26/863.** Staff: Jonathan Rivera, Commission Counsel. Respondent is represented by Lacey Keys of Keys Law Corporation. Caroline Menjivar is a member of the California State Senate. Menjivar accepted a gift that exceeded the 2025 annual gift limit, in violation of Government Code Section 89503 (1 count). **Total Proposed Penalty: $3,000.**

   Menjivar – Stipulation

   Revolving Door

10. **In the Matter of James Mayer; FPPC No. 25/141.** Staff: Vanessa Jimmy, Commission Counsel and George Aradi, Special Investigator. Respondent is represented by Gary S. Winuk of Kaufman Legal Group, APC. James Mayer separated from employment with the Mental Health Services Oversight & Accountability Commission ("MHSOAC") in December 2020 after serving as the Chief of Innovation Incubation. In the year that followed, Mayer worked as an Adjunct Professor and Senior Fellow at the University of the Pacific during which he communicated with MHSOAC employees for the purpose of influencing the awarding of a contract, in violation of Government Code Section 87406, subdivision (d)(1) (1 count). **Total Proposed Penalty: $3,000.**

    Mayer – Stipulation

Default Proceeding Requesting Commission Action

11. **In the Matter of Robert Scharffenberg; FPPC No. 24/787.** Staff: Kristin E. Goulet, Commission Counsel. Robert Scharffenberg, a Physician and Surgeon for the California Correctional Health Care Services, failed to timely file the 2021, 2022, 2023, and 2024 Annual Statements of Economic Interests, in violation of Government Code Section 87300 (4 counts). **Total Proposed Penalty: $18,000.**

    Scharffenberg – Default Decision and Order

12-13. Pre-Notice Defaults

12. **In the Matter of Harold Shafer; FPPC No. 24/1217.** Staff: Kristin E. Goulet, Commission Counsel. Harold Shafer, an Associate Governmental Program Analyst for the Division of Rehabilitative Programs of the California Department of Corrections and Rehabilitation, failed to

timely file the Assuming Office Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: $3,000.**

13. **In the Matter of Margaret Fernandez; FPPC No. 24/354.** Staff: Kristin E. Goulet, Commission Counsel. Margaret Fernandez, a Board Member of the Yuba Sutter Economic Development Corporation, failed to timely file the 2022, 2023, and 2024 Annual Statements of Economic Interests, in violation of Government Code Section 87203 (3 counts). **Total Proposed Penalty: $10,500.**

14-21. General Items

14. **California State University, Sacramento Student Project Overview. Braylon Parker, William Peters, and Angel Jimenez.** CSUS computer science students will give an overview of a collaborative software development project between FPPC and CSUS.

15. **Adoption of the 2026/2027 Statement of Economic Interests, Form 700.** Staff: Chloe Hackert, Manager, Education and External Affairs Unit, Legal Division. Forms and related documents have been revised to reflect relevant dates, filing deadlines, updated gift limit, and resulting changes from the passage of recent legislation regarding digital financial assets. The Commission will consider the revised forms for adoption.

    Staff Memo
    Form 700
    Form 700-U
    Form 700-A
    Attachment Form 700-P
    Amendment Attachment Form 700-P
    Form 700 Amendments
    Form 700 FAQ
    Reference Pamphlet

16. **Adoption of Updated Form 803, Behested Payment Report, Instructions.** Staff: Chloe Hackert, Manager, Education & External Affairs Unit, Legal Division. Staff presents updated Form 803 instructions as a result of recent legislation, AB 775. The Commission will consider the updated form for adoption.

    Staff Memo
    Form 803 – Behested Payment Report

17. **Adoption of Proposed Amendments to Regulations 18237, 18705, and 18730, Reporting Digital Financial Assets on Statements of Economic Interests.** Staff: Margaret Roeckl-Navazio, Commission Counsel. Staff proposes adoption of amendments to Regulations 18237, 18705, and 18730 to align the Commission's regulations with statutory changes made by AB 1029 to the definition of "investment" and reporting requirements for "digital financial assets" on Statements of Economic Interests.

Staff Memo
Proposed Amendments to Regulation 18237
Proposed Amendments to Regulation 18705
Proposed Amendments to Regulation 18730

18. **2026-27 Fiscal Year Budget Summary Expenditure Report (1st Quarter).** Staff: Jue Wang, Chief of Administration.

    Staff Memo

19. **Legislative Update.** Staff: Lindsey Nakano, Senior FPPC Legislative Counsel. The Commission will review and discuss potential sponsored and other legislation. The Commission may provide direction to staff regarding the same.

    Legislative Update

20. **Executive Staff Reports.**
    Enforcement Division. Kendall L.D. Bonebrake, Chief.
    Audits and Assistance Division. Shrdha Shah, Chief.
    Legal Division. Dave Bainbridge, General Counsel.
    Administration and Technology Division. Jue Wang, PhD, Chief.
    Executive Director Update. Galena West, Executive Director.

    Executive Staff Report

21. **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).)