



## NOTICE AND AGENDA Commission Meeting<sup>1</sup>

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

Thursday, November 16, 2023  
11:00 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](mailto:CommAsst@fppc.ca.gov) (e-mail) and [ADACoordinator@fppc.ca.gov](mailto: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

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<sup>1</sup>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](mailto: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](http://www.fppc.ca.gov). Materials submitted by the public regarding each agenda item will be made available on the website.

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 2023 Commission Meeting Minutes.

#### Consent Calendar 3-6

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.

#### Advertisements

3. **In the Matter of City of Campbell; FPPC No. 17/125.** Staff: Theresa Gilbertson, Senior Commission Counsel and Katelin Angeloni, Special Investigator. The respondent is represented by Gary Winuk with the Kaufman Legal Group. The City of Campbell engaged in communications, including newspaper advertisements and mass mailings, that qualified as an expenditure under the Political Reform Act. The City failed to include proper advertisement disclosure statements, in violation of Government Code Sections 84506 and 84507 (1 count), sent two prohibited campaign related mass mailings at public expense, in violation of Government Code Section 89001 (2 counts), failed to timely file three 24-hour independent expenditure reports, in violation of Government Code Section 84204 (2 counts), and failed to timely file a semi-annual campaign statement, in violation of Government Code Section 84200 (1 count). **Total Proposed Penalty: \$35,000.**

**City of Campbell Stip.**

**City of Campbell Exhibits**

#### Default Proceedings Requesting Commission Action

4. **In the Matter of Bill Brough, Bill Brough State Assembly 2018, and Bill Brough State Assembly 2020; FPPC No. 19/963.** Staff: Neal Bucknell, Senior Commission Counsel, Ann Flaherty, Special Investigator and Roone Petersen, Special Investigator. The respondents are represented by Ashlee Titus of Bell, McAndrews & Hiltachk, LLP. Bill Brough was first elected to the California State Assembly, 73rd District, in 2014. They were re-elected in 2016 and 2018, and lost re-election in 2020. Bill Brough State Assembly 2018 was their candidate-controlled committee for the 2018 election and Bill Brough State Assembly 2020 was their candidate-controlled committee for the 2018 election. Beginning in early 2019, Brough served as the Committee's treasurer for both committees. Prior to this, the Committee's treasurer was JenEve Slater. From February 2017 through March 2020, Brough used campaign funds for personal purposes, in violation of Government Code Sections 89510, subdivision (b); 89512; 89513; and 89517 (6 counts). Also, Brough appropriated campaign assets, in violation of Government Code Sections 89510, subdivision (b), 89512, 89517 and 89519 (1 count). Additionally, Brough and the Committees failed to keep required committee records, in violation of Government Code Section 84104 and California Code of Regulations, title 2, Section 18401 (3 counts); and violated Government Code Section 84211, subdivisions (b), (i), (k), (l)—and California Code of Regulations, title 2, Section 18421.7—regarding the required contents of campaign statements (10 counts). **Total Proposed Penalty: \$90,000.**

**Bill Brough Default Stip.  
Bill Brough Default Exhibits.**

**Pre-Notice Defaults**

5. **In the Matter of Anna Song and Friends of Anna Song for County Board of Education 2020; FPPC No. 20/950.** Staff: Jenna C. Rinehart, Commission Counsel and Rooney Petersen, Special Investigator. Anna Song was an unsuccessful incumbent candidate for Santa Clara County Board of Education, Trustee of Area 5, in the November 3, 2020 General Election. Friends of Anna Song for County Board of Education for 2020 is Song’s candidate-controlled committee. Song serves as the Committee’s treasurer. The Committee and Song failed to timely file eight semi-annual campaign statements, in violation of Government Code Section 84200 (4 counts). Additionally, the Committee and Song failed to timely file four pre-election campaign statements, in violation of Government Code Sections 84200.5 and 84200.8, and Regulation 18405 (3 counts). Further, the Committee and Song failed to timely file 11 24-hour contribution reports, in violation of Government Code Sections 84203 and 84203.3 (8 counts). **Total Proposed Penalty: \$63,500.**
6. **Adoption of the 2023/2024 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, and clarified electronic signature rules. The Commission will consider the revised forms for adoption.

**Staff Memo**

**Form 700**

**Form 700 Amendments**

**Form 700-A – Auditors, Claims Managers/Adjusters, and Other Eligible Filers**

**Form 700-U – University Principal Investigators**

**General Items 7-13**

7. **Motion to Vacate Default Decision and Order, In the Matter of Jose Pech; FPPC No. 19/1407.** Staff: Brian Lau, Assistant Chief Counsel, and James M. Lindsay, Chief of Enforcement. The Commission will consider a motion filed by Respondent Jose Pech to vacate the Commission’s Default Decision and Order approved at the September 21, 2023 hearing.

**Default Decision and Order, September 21, 2023**

**Pech’s Motion to Vacate Default Decision**

**Enforcement’s Response to Motion**

8. **Proposed Amendment to Regulation 18202, Definitions. Quasi-Legislative Administrative Action.** Staff: Valerie Nuding, Commission Counsel. Staff presents proposed amendments to Regulation 18202 to clarify that actions taken by the California Citizens Redistricting Commission are quasi-legislative administrative actions and therefore subject to lobbying rules under the Political Reform Act. The proposed amendments to Regulation 18202 are presented to the Commission for adoption.

**Staff Memo**

**Adoption Proposed Amendment to Regulation 18202**

9. **Potential Regulation Projects in 2024.** Staff: Asst. General Counsel Brian Lau. The Commission will discuss potential regulation projects for 2024. Based on Commission direction, staff will present a regulation calendar for 2024 at the Commission’s January meeting.

**Staff Memo**

10. **Prenotice Discussion of Proposed Amendments to the Commission’s Warning Letter, PREP and Streamline Programs (Regulations 18360.1, 18360.2 and 18360.3)** Staff: Galena West, Executive Director and Christopher B. Burton, Assistant Enforcement Chief. Staff proposes expanding and adjusting the Commission’s existing case resolution programs. These changes are in response to the Commission’s request to review the program and to add the criteria for qualification into the Political Reform Education Program. These regulations are presented for discussion and direction by the Commission and will be presented for adoption at a subsequent meeting.

**Staff Memo**

- Proposed Amendment to Regulation 18360.1**
- Proposed Amendment to Regulation 18360.2**
- Proposed Amendment to Regulation 18360.3**

11. **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**

12. **Executive Staff Reports.**

Enforcement Division. James M. Lindsay, Chief.  
Audits and Assistance Division. Shrdha Shah, Chief.  
Legal Division. Dave Bainbridge, General Counsel.  
Administration and Technology Division. Loressa Hon, Chief.  
Executive Director Update. Galena West, Executive Director.

**Executive Staff Report**

13. **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).)