



STATE OF CALIFORNIA  
**FAIR POLITICAL PRACTICES COMMISSION**  
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**To:** Chair Silver and Commissioners Brandt, Ortiz, and Wilson

**From:** Dave Bainbridge, General Counsel  
Brian Lau, Assistant General Counsel

**Subject:** **Advice Letter Report**

**Date:** February 27, 2026

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The following advice letters have been issued since January 30, 2026, Advice Letter Report. An advice letter included in this report may be noticed for further discussion or consideration at the March 19, 2026, Commission Meeting. Full copies of the FPPC Advice Letters, including those listed below, are available at [the advice search](#).

### **Campaign**

**Ashlee N. Titus – [A-25-159](#)**

Two primarily formed state ballot measure committees supporting the same measure and having a shared principal officer must report expenditures for communications as nonmonetary contributions to each other, as the efforts are coordinated by virtue of the shared proponent/principal officer. However, the committees meet an express exception to the 10-day contribution report and are not required to report under Section 84204.5.

### **Conflict of Interest**

**Diana Nuricumbo – [A-25-151](#)**

A city councilmember does not have a conflict of interest in a decision to initiate a forensic audit of a bond used to fund infrastructure for the subdivision in which the official owns a residence because the potential financial effect of the decision to undertake the audit is nominal, inconsequential, or insignificant. Additionally, the councilmember does not have a conflict of interest in a decision to construct an entrance to the subdivision because the Limited Neighborhood Effects Exception applies. The councilmember does, however, have a conflict of interest in a decision to proceed with foreclosure on undeveloped land originally part of the same subdivision and subject to the same bond, because the decision would allow for the sale and development of the property, and it is reasonably foreseeable that the decision would have a material financial effect on the councilmember's residence.

**Paul Solis – [A-26-002](#)**

The Act prohibits a board member from taking part in governmental decisions relating to a proposed location for a rail station entrance because it is reasonably foreseeable that the decision may have a material financial effect on the board member's interest in real property located within 1,000 feet of the proposed entrance. To the extent that the decisions can be segmented, the

board member may be permitted to take part in decisions not involving those parcels within 1,000 feet of the board member's property.

**Henry Castillo – [A-26-004](#)**

The Act prohibits a mayor from taking part in governmental decisions relating to changes/improvements to a park because it is reasonably foreseeable that the decisions may have a material financial effect on the mayor's interest in his primary residence located within 500 feet of the park.

**Jeffrey A. Ballinger – [A-26-007](#)**

The Act does not prohibit a councilmember from taking part in decisions related to implementing recommendations from a parking study, notwithstanding the councilmember's residential property located within 500 feet of the study area. Based on the facts provided, the public generally exception, for a decision with a "Limited Neighborhood Effect," applies as the study area encompasses more than 50 residential properties, there will be no unique financial effect on the official's interests, and the decisions will be based upon the recommendations of the study.

### **Section 1090**

**Abel Salinas – [A-25-094](#)**

For purposes of the Act and a contract between a water board and a city, a regional water board member does not have a disqualifying source of income interest as a result of income received through his consulting businesses as an independent contractor for the city. Based on the facts provided, the contract will not have a unique effect on the official's business. Therefore, the board member may take part in decisions regarding the contract. Similarly, Section 1090 does not prohibit the board member from participating in the agreement, because the noninterest exception of Section 1091.5(a)(9) would apply, so long as the director's interest in the income from the city is disclosed to the board and noted in the board's official records.

**Daniel D. Sodergren – [A-25-141](#)**

Section 1090 does not prohibit a city from entering an energy services contract with a company under which the company will provide preliminary program development, at no cost to the city, but also contemplates that the contract will be amended at a later date to include implementation of the project's work. Based on the facts provided, the city would retain discretion to implement the project, amend the contract, and determine the desired scope and phasing for its implementation. Moreover, the company would have no ability to use its position under the initial contract to improperly influence the city to enter an amended contract. Accordingly, the company would not be an "officer" under Section 1097.6, and Section 1090 would not prohibit the city from contracting with the company for its initial services or from amending the contract to implement the project.

**Victoria Grotewohl – [A-25-145](#)**

Under Section 1090, a state department's director of nursing, who is also employed by a college as a part-time adjunct professor in its nursing program, has a potential financial interest in a contract between the department and the college for its nursing students to perform educational clinical rotations at one of the department's veteran homes. However, the noninterest exception under Section 1091(b)(3) applies because both the department and the college would be receiving public services generally provided by the department on the same terms and conditions as any other recipient of the services. Similarly, the official can take part in the decisions under the Act. Based on the facts provided, the director's income from the college falls within an exception for government salary and is not disqualifying income. Additionally, the facts provided do not indicate any effect on the director's personal finances.

**Donna Mooney – [A-25-154](#)**

A municipal utility board member, who is also an employee of an electric company, may not take part in decisions regarding an interconnection agreement with the company providing electricity to the municipal utility. Under the Act, because the company is a named party in any decision regarding the agreement, it is reasonably foreseeable that the agreement would have a material financial effect on the board member's interests in the employer. Additionally, under Section 1090, the board member has a remote interest in the agreement with the employer. However, the municipal utility may enter into the agreement provided the board member does not participate in any manner and recuses herself in accordance with Section 1091 and the Act.

**Heidi Van Tongeln – [A-25-156](#)**

A councilmember may not take part in decisions regarding the relocation of a housing shelter. Under the Act, it is reasonably foreseeable that the decisions will have a material financial effect on the councilmember's leased residence, because the decision will affect the councilmember's use and enjoyment of the residence located approximately 840 feet from the shelter. However, under Section 1090, the proximity of the councilmember's residence to the shelter does not alone establish a prohibited financial interest in a contract involving the shelter. Thus, the city is not prohibited from entering into a contract involving the shelter, notwithstanding the determination that the councilmember is prohibited from taking part in the contract under the Act.

**Adrienne Barnes – [A-25-161](#)**

Under Section 1090, a nonprofit public charter school board member, who is also employed by a different nonprofit public charter school operator, has a remote interest in board decisions regarding a contract for human resources services with the employer. Accordingly, the board member may not participate in the making of the contract. However, the board may enter into such an agreement, provided the official does not participate in any manner and recuses herself in accordance with Section 1091 and the Act.

**Louis Cretaro Jr. – [A-25-168](#)**

A business that hires a former public agency consultant, who is subject to Section 1090 and participated in the formation of a proposed contract, is prohibited from entering the contract because the former consultant may not take a financial interest in the contract. Under the Act's one-year ban, the consultant is a former governmental official and is generally prohibited from

appearing before or communicating with their former agency on behalf of another individual or private entity for one year following their governmental employment. Additionally, the permanent ban potentially applies to governmental proceedings in which the consultant previously participated.