STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3050 • Sacramento, CA 95811

To: Chair Silver and Commissioners Brandt, Ortiz, and Wilson

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

Subject: **Advice Letter Report**

Date: July 31, 2026

The following advice letters have been issued since June 26, 2026, Advice Letter Report. An advice letter included in this report may be noticed for further discussion or consideration at the August 18, 2026, Commission Meeting. Full copies of the FPPC Advice Letters, including those listed below, are available at the advice search.

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.

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

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.