



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

December 17, 2025

Olivia R. Clark
for BEST BEST & KRIEGER LLP
500 Capitol Mall, Suite 2500
Sacramento, California 95814

Re: Your Request for Informal Advice
Our File No. I-25-132

Dear Ms. Clark:

This letter responds to your request for advice on behalf of Cameron Begbie, Interim City Manager for the City of Plymouth (the “City”), regarding the Political Reform Act (the “Act”) and Government Code Section 1090, et seq.¹ Please note that we are only providing advice under the Act and Section 1090, not under other general conflict of interest prohibitions such as common law conflict of interest. Because the questions presented are general in nature and no specific contract or decision has been identified at this time, we are treating your request as one for informal assistance.²

Also, note that we are not a finder of fact when rendering advice (*In re Oglesby* (1975) 1 FPPC Ops. 71), and any advice we provide assumes your facts are complete and accurate. If this is not the case or if the facts underlying these decisions should change, you should contact us for additional advice.

We are required to forward your request regarding Section 1090 and all pertinent facts relating to the request to the Attorney General’s Office and the Amador County District Attorney’s Office, which we have done. (Section 1097.1(c)(3).) We received a written response from the Amador County District Attorney’s Office, a copy of which is enclosed in accordance with Section 1097.1(c)(4). We are also required to advise you that, for purposes of Section 1090, the following advice “is not admissible in a criminal proceeding against any individual other than the requestor.” (See Section 1097.1(c)(5).)

¹ The Political Reform Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18104 through 18998 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

² Informal assistance does not provide the requestor with immunity provided by an opinion or formal written advice. (Section 83114; Regulation 18329(c)(3).)

QUESTIONS

1. Under the Act, does Interim City Manager Begbie have a disqualifying financial interest in his past employment with the Amador County Sheriff's Office ("Sheriff's Office") or friendship with the current Amador County Sheriff, Gary Redman, which would prohibit his participation in governmental decisions by the City related to the Sheriff's Office?

2. Under the Act, does Interim City Manager Begbie have a disqualifying financial interest in the Amador County Sheriff's Foundation ("Sheriff's Foundation") that would prohibit his participation in governmental decisions by the City related to the Sheriff's Foundation?

3. Under the Act, does Interim City Manager Begbie have a disqualifying financial interest in his business entity, Lava Dog Gun Vault, LLC ("Lava Dog"), which would prohibit Lava Dog from contracting with the Sheriff's Office?

4. Under Section 1090, does Interim City Manager Begbie have a financial interest in his business entity, Lava Dog, which would prohibit Lava Dog from contracting with the Sheriff's Office?

CONCLUSIONS

1. No, under the Act and barring any other interest such as an interest resulting from a gift received from the Sheriff's Office or Sherrif Redman, Interim City Manager Begbie does not have a financial interest in the Sheriff's Office or Sherrif Redman because he receives no compensation, pension, or other benefits from the Sheriff's Office or the Sheriff, and he is not disqualified from participating in City decisions regarding the Sheriff's Office or Sheriff, so long as the decisions will not otherwise affect his interests resulting from his business or his personal finances.³

2. No, under the Act and barring any other interests such as an interest resulting from a gift from the Sheriff's Foundation, Interim City Manager Begbie does not have a financial interest in the Sheriff's Foundation because he receives no compensation or benefits for his position, and the Sheriff's Foundation is a public benefit non-profit. He is not disqualified from participating in City decisions regarding the Sheriff's Foundation, so long as the decision will not otherwise affect his interests resulting from his business or his personal finances.

3. No, under the Act, Interim City Manager Begbie's financial interest in his business entity Lava Dog does not generally prohibit it from providing goods or services to the Sheriff's Office because the Sheriff's Office is under the jurisdiction of Amador County, not the City. However, we note that under the Act, Interim City Manager Begbie is generally prohibited

³ No facts indicate that Interim City Manager Begbie has a financial interest in Sheriff Redman, however, if there is a financial interest involved, such as an exchange of gifts, Interim City Manager Begbie should request additional advice and provide those facts.

from acting or purporting to act on behalf of the City in contacting or appearing before the Sheriff's Office in his private capacity on behalf of his business, Lava Dog.⁴

4. No, under Section 1090, an official is not generally prohibited from contracting in a private capacity with an agency outside of the jurisdiction of the official's agency.

FACTS AS PRESENTED BY REQUESTER

Interim City Manager Begbie was unanimously voted into his position with the City earlier this year. Before that, he was employed by the Sheriff's Office from 2009 to 2015. He receives no compensation, pension, or other benefits from the Sheriff's Office. However, he remains close friends with Mr. Redman, the current Amador County Sheriff.

Interim City Manager Begbie is the founder and current president of the Sheriff's Foundation, which is currently registered as a California public benefit non-profit corporation. The purposes of the Sheriff's Foundation are to support the Sheriff's Office staff in times of emergency and to support the community causes of the Sheriff's Office, like the annual Toy Drive. The Sheriff's Foundation also supports the Sheriff's Office with sponsorship of events, volunteerism, and outreach. No Sheriff's Foundation money goes to salaries or any other in-house expenses for the Sheriff's Office, which are paid exclusively from the budget of the Sheriff's Office. Interim City Manager Begbie does not receive any compensation, reimbursement, or other consideration for his role with the Sheriff's Foundation.

Interim City Manager Begbie owns a business in the City's downtown called Lava Dog, which sells, among other things, various firearms, ammunition, and gear related to the same, and conducts safety training on how to use such items.

ANALYSIS

The Act

The Act's conflict of interest provisions prohibit any public official from making, participating in making, or otherwise using their official position to influence a governmental decision in which the official has a financial interest. (Section 87100.) A public official has a financial interest in a decision within the meaning of Section 87100 if it is reasonably foreseeable that the decision will have a material financial effect, distinguishable from its effect on the public generally, on the official, a member of the official's immediate family, or on certain specified economic interests. (Section 87103.) The specified economic interests relevant as provided by the facts here include:

⁴ You also asked about whether Lava Dog and the Sheriff's Foundation are prohibited from doing business with one another, however, we provide no opinion on this question as the Act's jurisdiction is limited to governmental decisions. Lava Dog is a private business entity and the Sheriff's Foundation is a public benefit non-profit and there would be no governmental decision involved if the two entities did business with one another.

- Any business entity in which the public official has a direct or indirect investment worth \$2,000 or more (Section 87103(a)); or in which the public official is a director, officer, partner, trustee, employee, or holds any position of management. (Section 87103(d).) A business entity is defined as any organization or enterprise operated for profit. (Section 82005.)
- Any real property in which the public official has a direct or indirect interest worth \$2,000 or more. (Section 87103(b).)
- Any source of income, aggregating \$500 or more in value provided or promised to, received by, the public official within 12 months prior to the time when the decision is made. (Section 87103(c).)
- Any donor of, or an intermediary or agent for a donor of, a gift or gifts aggregating \$630 or more in value provided to, received by, or promised to the public official within 12 months prior to the time when the decision is made. (Section 87103(e).)
- An interest in the official's personal finances or those of the official's immediate family.⁵ (Regulation 18702.5.)

The Sheriff's Foundation is not a business entity because it is a non-profit, and Interim City Manager Begbie has no other financial interest in the Sheriff's Foundation because he receives no compensation, reimbursement, or other considerations for serving as president. He does not have any financial interest in the Sheriff's Office because Interim City Manager Begbie does not receive any compensation, benefits, or pension from the Sheriff's Office. Moreover, there is no indication from the facts provided of income or gifts from Amador County Sheriff Redman. Thus, Interim City Manager Begbie's friendship with Sheriff Redman, on the facts presented, does not implicate any financial interest. Interim City Manager Begbie has identified a business entity interest, a source of income interest, and potentially a real property interest, depending on the type of governmental decision that may arise, in his business, Lava Dog.

Accordingly, Interim City Manager Begbie is potentially disqualified only from decisions with a financial effect on his interests, and the only interests identified are his interest in his business, Lava Dog, and his personal finances. To the extent a decision before him may affect these interests, Interim City Manager Begbie may want to seek additional assistance prior to taking part in the decisions. With respect to the question of whether he may take part in decisions affecting the Sheriff's Foundation, Sheriff's Office, or Sheriff Redman, Interim City Manager Begbie is not disqualified from decisions that only affect these entities or individuals, barring any other interest in these entities or individuals as a source of income or gifts.

Turning to decisions or contracts before the Sheriff's Office relating to his business, Lava Dog, we must examine whether Interim City Manager Begbie is making, participating in making, or using his position to influence a decision when representing his business before the Sheriff's

⁵ Section 82029 defines "immediate family" as spouse and dependent children.

Office. Generally, a public official is prohibited from making, participating in making, or influencing a governmental decision in which the official has a financial interest. Regulation 18704 defines making, participating in making, and influencing a decision as:

(a) Making a Decision. A public official makes a governmental decision if the official authorizes or directs any action, votes, appoints a person, obligates or commits the official's agency to any course of action, or enters into any contractual agreement on behalf of the official's agency.

(b) Participating in a Decision. A public official participates in a governmental decision if the official provides information, an opinion, or a recommendation for the purpose of affecting the decision without significant intervening substantive review.

(c) Using Official Position to Attempt to Influence a Decision. A public official uses an official position to influence a governmental decision if the official:

(1) Contacts or appears before any official in the official's agency or in an agency subject to the authority or budgetary control of the official's agency for the purpose of affecting a decision; or

(2) Contacts or appears before any official in any other government agency for the purpose of affecting a decision, and the public official acts or purports to act within the official's authority or on behalf of the official's agency in making the contact

(Regulation 18704(a)-(c)(2).)

Interim City Manager Begbie is prohibited from making, participating in making, or using his official position to attempt to influence any decision in which he has a financial interest. While you have not asked about potential decisions by the City, we caution that Interim City Manager Begbie is generally prohibited from taking part in any City decision that has a financial effect on his financial interest. However, regarding decisions or contracts before the Sheriff's Office, the Act does not prohibit contact or an appearance before the Sheriff's Office, as it is a separate agency from the City, unless Interim City Manager Begbie acts or purports to act on behalf of the City when making the contact or appearance. While you have not identified a specific decision before the Sheriff's Office, we can generally advise that the Act does not prohibit Interim City Manager Begbie from contacting or appearing before the Sheriff's Office, or any contract between Lava Dog and the Sheriff's Office, so long as it is clear he is acting in his private capacity and not on behalf of the City.

Section 1090

Section 1090 generally prohibits public officers, while acting in their official capacities, from making contracts in which they have a financial interest. Section 1090 is concerned with financial interests, other than remote or minimal interests, that prevent public officials from exercising absolute loyalty and undivided allegiance in furthering the best interests of their agencies. (*Stigall v. Taft* (1962) 58 Cal.2d 565, 569.) Section 1090 is intended “not only to strike at actual impropriety, but also to strike at the appearance of impropriety.” (*City of Imperial Beach v. Bailey* (1980) 103 Cal.App.3d 191, 197.) A contract that violates Section 1090 is void. (*Thomson v. Call* (1985) 38 Cal.3d 633, 646.) The California Supreme Court has stated that the purpose of Section 1090 is to make certain that “every public officer be guided solely by the public interest, rather than by personal interest, when dealing with contracts in an official capacity.” (*Id.* at p. 650.)

Although Section 1090 does not specifically define the term “financial interest,” case law and Attorney General opinions state that prohibited financial interests may be indirect as well as direct, and may involve financial losses, or the possibility of losses, as well as the prospect of pecuniary gain. (*People v. Vallerga* (1977) 67 Cal.App.3d 847, 867, fn. 5; *Terry v. Bender* (1956) 143 Cal.App.2d 198, 207-208; 85 Ops.Cal.Atty.Gen. 34, 36-38 (2002); 84 Ops.Cal.Atty.Gen. 158, 161-162 (2001).) Officials are deemed to have a financial interest in a contract if they might profit from it in any way. (*People v. Honig* (1996) 48 Cal.App.4th 289, 333.)

You have not identified any specific contract. Thus, we are unable to provide any conclusions regarding the application of Section 1090 to the contract. (See Regulation 18329(c).) However, we can generally advise that Section 1090 applies to an official’s participation in the making of any contract in which the official has a financial interest and only applies when the official participates in the contract in their official capacity (unless the official is a member of a governing board). Additionally, Section 1090 does not apply to an official when participating in a contract in a solely private capacity with an agency outside of the jurisdiction of the official’s agency. (See 3 Ops.Cal.Atty.Gen. 188 (1944) [a head court house gardener who owned a private nursery was not disqualified from selling nursery supplies to the county of which he was an employee because of the discretion vested in the county purchasing agent]; 17 Ops.Cal.Atty.Gen. 44 (1951) [county supervisor not precluded from contracting for construction work with a school district since the contracts for school buildings or school construction are entered into by Boards of School Trustees without control or supervision of the County Board of Supervisors].) Accordingly, Section 1090 does not generally prohibit a contract between an official’s private business and an agency not under the jurisdiction of the official’s agency.

If you have other questions on this matter, please contact me at mroeckl-navazio@fppc.ca.gov.

Sincerely,

Dave Bainbridge
General Counsel

Margaret L. Roeckl-Navazio

By: Margaret L. Roeckl-Navazio
Counsel, Legal Division

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