



NOTICE AND AGENDA Commission Meeting¹

California Fair Political Practices Commission
1102 Q Street, Suite 3800
Sacramento, CA 95811

Thursday, April 25, 2024
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; meeting ID 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; meeting ID 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

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.

¹You 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.

Approval of Commission Minutes

2. Approval of March 2024 Commission Meeting Minutes.

Consent Calendar 3-5

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.

Conflict of Interests

- 3. In the Matter of Anthony Anderson; FPPC No. 21/504.** Staff: Alex Rose, Senior Commission Counsel and Ann Flaherty, Special Investigator. The respondent is represented by Patricia Kramer of Neasham & Kramer LLP. Anthony Anderson, as a Battalion Chief for California Department of Forestry and Fire Protection (“CAL FIRE”), participated in governmental decisions regarding CAL FIRE’s contracting with Ron Paris Construction causing a conflict of interest, in violation of Government Code Sections 87100 and 1090 (2 counts). **Total Proposed Penalty: \$10,000.**

Campaign Late Filer

- 4. In the Matter of Kieu Hoang; FPPC No. 20/203.** Staff: Alex Rose, Senior Commission Counsel and Ann Flaherty, Special Investigator. The respondent is represented by Robert Blackmon. Kieu Hoang is a major donor and independent expenditure committee. Hoang failed to timely file four semi-annual campaign statements, three 24-Hour Reports, and a 24-Hour Independent Expenditure Report, in violation of Government Code Sections 84200, 84203, and 84204 (8 counts). **Total Proposed Penalty: \$30,000.**
- 5. Reasonable Accommodation Policy.** Staff: Jue Wang, PhD, Acting Chief of Administration. Staff presents proposed amendments to the agency’s Reasonable Accommodation policy and requests adoption of the policy in order to comply with the requirements of recently enacted Assembly Bill 313.

Staff Memo

Reasonable Accommodation Policy

General Items 6-11

- 6. Prenotice Discussion of Proposed Repeal and Adoption of Regulation 18932.3, Honorarium Ban Exception, Definition of "Predominant Activity."** Staff: Karen Harrison, Senior Commission Counsel. Staff presents proposed amendments to the definition of “predominant activity” to expand the exception to the honorarium prohibition permitting an official to receive payment for a speech when the activity of the official’s bona fide business, trade, or profession is not predominantly making speeches. Additional nonsubstantive changes are proposed to reorganize the regulation’s existing language for clarity. The proposed regulatory changes are presented for discussion and direction by the Commission and will be presented for adoption at a subsequent meeting.
Staff Memo
Proposed Repeal of Regulation 18932.3
Proposed Adoption of Regulation 18932.3
- 7. Prenotice Discussion of New Regulation 18450.10 and Amendment of Regulation 18450.9, Website Advertisements Disclosure Requirements.** Staff: Katelyn L. Baeta-Orick, Commission Counsel, Legal Division. In response to Senate Bill 678, staff proposes adopting Regulation 18450.10 to clarify the application of the new disclosure requirements for advertisements posted on a website or social media application by a paid third-party “influencer.” Staff also proposes amending Regulation 18450.9 to

remove language that is no longer necessary due to SB 678. The proposed regulatory changes are presented for discussion and direction by the Commission and will be presented for adoption at a subsequent meeting.

Staff Memo

Proposed Adoption of Regulation 18450.10

Proposed Amendment of Regulation 18450.9

8. Adoption of Proposed Amendment of Regulation 18537.1; Refunding of General Election

Contributions. Staff: Zachary W. Norton, Senior Commission Counsel. Staff presents this proposed amended regulation to address what may be done with funds raised for a general election by a candidate elected to the office in the primary election. The proposed amendment was presented for prenotice discussion at the August Commission meeting and is now presented for adoption by the Commission.

Staff Memo

Proposed Option 1: Carry Over without Attribution

Proposed Option 2: Transfer with Attribution

Proposed Option 3: Return of Contributions

- 9. 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

10. 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. Jue Wang, PhD, Acting Chief.

Executive Director Update. Galena West, Executive Director.

Executive Staff Report

11. 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).)