



NOTICE AND AGENDA Commission Meeting¹

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

Thursday, November 18, 2021
10:00 A.M.

Under Government Code section 11133(a), a state body may hold public meetings through teleconferencing and make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and address the state body. 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 (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

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 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 3000, 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.

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Approval of Commission Minutes

2. Approval of October 2021 Commission Hearing Minutes.

Administrative Adjudication

3. **Administrative Adjudication. Oral Argument**, *In the Matter of Lloyd A. Johnson for West Covina City Council 2015, Lloyd Johnson, and John Shewmaker*, FPPC No. 2015/2076, OAH No. 2020090823. The Commission will hear oral argument from Enforcement Division staff and respondents. (Regulation 18361.9(b)(6).) The Commission will not hear public comment on this item. (Gov. Code § 11125.7(e) and Regulation 18361.9(b)(7).)

ALJ's Proposed Decision, September 30, 2021
Enforcement's Brief in Support of the Proposed Decision
Respondent Shewmaker's Brief in Opposition to the Proposed Decision

Closed Session.

4. **Closed Session. Administrative Adjudication (Gov. Code § 11126(c)(3).)** Consideration of Proposed Decision of Administrative Law Judge, *In the Matter of Lloyd A. Johnson for West Covina City Council 2015, Lloyd Johnson, and John Shewmaker*, FPPC No. 2015/2076, OAH No. 2020090823.

Enforcement Consent Calendar 5-8

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.

Campaign Contribution Limits

5. **In the Matter of Barry Chang for Assembly 2016 and Barry Chang; FPPC No. 16/446.** Staff: Ruth Yang, Senior Commission Counsel. The respondents entered into a tolling agreement with the Enforcement Division, which was effective as of July 19, 2020, regarding the applicable statutes of limitations. The respondents were represented by Gary Winuk of Kaufman Legal Group LLP. Barry Chang was an unsuccessful candidate for District 24 of the California State Assembly in the June 7, 2016 Primary Election. Barry Chang for Assembly 2016 was Chang's candidate-controlled committee. The Committee and Chang failed to timely file 35 10-day reports, in violation of Government Code Section 85309, subdivision (c) (3 counts); failed to timely disclose complete contributor information, in violation of Government Code Section 84211, subdivision (f) (1 count); failed to timely file four 24-hour reports, in violation of Government Code Section 84203 (1 count); and accepted aggregated contributions that exceeded the campaign contribution limit, in violation of Government Code Section 85301, subdivision (a), and Regulation 18545, subdivision (a)(1)(1 count). **Total Proposed Penalty: \$21,500.**

Government Code Section 1090

6. **In the Matter of Charles Grace; FPPC No. 20/416.** Staff: Theresa Gilbertson, Senior Commission Counsel and Paul Rasey, Special Investigator. Charles Grace is a public official for purposes of Government Code Section 1090. Grace participated in making a contract between the San Simeon Community Services District and Grace Environmental Services, a limited liability corporation in which Grace is the sole manager, in violation of Government Code Section 1090 (1 count). **Total Proposed Penalty: \$4,500.**

Mass Mailing Sent at Public Expense

- 7. In the Matter of County of Stanislaus; FPPC No. 17/325.** Staff: Jenna C. Rinehart, Commission Counsel and Alethea Perez, Special Investigator. The respondent was represented by Thomas E. Boze, County Counsel. The County of Stanislaus sent a mass mailing that featured a governmental official at public expense, in violation of Government Code Section 89001 and Regulation 18901 (3 counts). **Total Proposed Penalty: \$9,000.**

Campaign Late Filer

- 8. In the Matter of Lundgren Management Corporation; FPPC No. 21/98.** Staff: Jenna C. Rinehart, Commission Counsel. The respondent was represented by Gary S. Winuk of Kaufman Legal Group, APC. Lundgren Management Corporation engaged in campaign activities as a major donor committee in 2016. As a major donor committee, Lundgren Management Corporation failed to timely file a semi-annual campaign statement, in violation of Government Code Section 84200 (1 count), and six 24-hour reports, in violation of Government Code Section 84203 (2 counts). **Total Proposed Penalty: \$7,500.**

General Items 9-16

- 9. Adoption of Proposed Regulatory Changes Permitting the Use of Secure Electronic Signatures.** Staff: Kevin Cornwall, Commission Counsel. Staff presents proposed new Regulations 18104 and 18757, as well as amendments to Regulations 18115, 18115.2, and 18723.1, relating to the use of electronic signatures on various FPPC forms as an alternative to paper filings and filings via electronic filing systems. The proposed regulations and amendments are presented for adoption, pre-notice discussion having occurred at the September 2021 Commission meeting.

Staff Memo

Proposed Regulation 18104

Proposed Regulation 18757

Proposed Amendments to Regulation 18115

Proposed Amendments to Regulation 18115.2

Proposed Amendments to Regulation 18723.1

- 10. Adoption of the 2021/2022 Statement of Economic Interests, Form 700.** Staff: Sukhi Brar, Assistant General Counsel, Legal Division. Forms and related documents have been revised to reflect relevant dates, filing deadlines, gender neutral language, new electronic signature rules, and new expanded statement rules. The Commission will consider the revised forms for adoption.

Staff Memo

Form 700 – Statement of Economic Interests

Form 700 Amendments

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

Form 700-U – University Principal Investigators

- 11. Adoption of Proposed Regulation Related to Amplification of Online Communications.** Staff: Dave Bainbridge, General Counsel and Toren Lewis, Commission Counsel. Staff presents proposed Regulation 18421.10 to require a committee that makes a payment for the amplification of an electronic advertisement or online communication to include more specific information about such payments on the committee's campaign statements and reports. Proposed Regulation 18421.10 was presented for prenotice discussion at the September 2021 meeting and is now presented for adoption by the Commission.

Staff Memo

Proposed Regulation 18421.10

- 12. Adoption of Amendments to Recordkeeping Requirements for Lobbyists, Lobbying Firms, and Lobbyist Employers.** Staff: Zachary W. Norton, Senior Commission Counsel. Staff presents amendments to Regulations 18610, 18612, and 18615 to provide greater clarity regarding records lobbying entities must maintain, amongst other changes. The proposed changes were presented for prenotice discussion and direction by the Commission at the August 2021 hearing and are now presented for Commission adoption.

Staff Memo

Proposed Repeal of Regulation 18612

Proposed Adoption of Regulation 18612

Proposed Amendments to Regulation 18610

Proposed Amendments to Regulation 18615

- 13. Legislative Development.** Staff: Lindsey Nakano, Senior Legislative Counsel. The Commission will review and discuss potential sponsored and other legislation. The Commission will provide direction on future legislation to be sought by the agency.

Legislative Development

- 14. FY 2021-2022 First Quarter Expenditure Report.** Staff: Loressa Hon, Chief of Administration.

Expenditure Report

- 15. Executive Staff Reports.**

Enforcement Division. Angela Brereton, Chief of Enforcement

Legal Division. David Bainbridge, General Counsel

Administration and Technology Division, Loressa Hon, Chief of Administration

Executive Director Update. Galena West, Executive Director

Executive Staff Report

- 16. 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).)