



NOTICE AND AGENDA Commission Meeting¹

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

Thursday, November 17, 2022
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 (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.

Closed Session

2. **Closed Session. Personnel Matter (Gov. Code § 11126(a).)**

Approval of Commission Minutes

3. **Approval of October 2022 Commission Hearing Minutes.**

Consent Calendar 4-7

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.

4. **Adoption of the 2022/2023 Statement of Economic Interests, Form 700.** Staff: Chloe Hackert, Manager, Education and External Affairs Unit, Legal Division. Forms and related documents have been revised to reflect relevant dates, filing deadlines, gender neutral language, and updated electronic signature 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

5. **Biennial Cost of Living Adjustments (COLA) to monetary limits in the Political Reform Act. Proposed Amendments to Regulations 18545, 18700, 19730, 18940.2** Staff Brian Lau, Assistant General Counsel and Amanda Apostol, Regulations Coordinator. Government Code sections 83124, 85316, and 89503 obligate the Commission to make cost of living adjustments to reflect changes in the Consumer Price Index (CPI), in January of every odd-numbered year to various monetary limits contained in the Act. Staff proposes amendments to the above listed regulations to update the monetary limits as required by the Act.

Staff Memo

Proposed Amendments to Regulation 18545

Proposed Amendments to Regulation 18700

Proposed Amendments to Regulation 18730

Proposed Amendments to Regulation 18940.2

Campaign Bank Account

6. **In the Matter of H. S. Fangary for City Council 2017, Hany S. Fangary, and Dina Fangary; FPPC No. 18/005, 22/033.** Staff: Theresa Gilbertson, Senior Commission Counsel. Hany S. Fangary was a successful candidate for the 2013 and 2017 elections for City Council. H. S. Fangary for City Council 2017 was Fangary's candidate-controlled committee. Dina Fangary served as the Committee's treasurer. The 2017 Committee, Fangary, and Dina Fangary failed to deposit all contributions into and make all expenditures from a designated campaign bank account, in violation of Government Code Section 85201 (1 count). The 2017 Committee, Fangary, and Dina Fangary failed to timely file campaign statements for the reporting periods ending September 23, 2017; December 31, 2017; and June 30, 2018, in violation of Government Code Sections 84200.5 and 84200 (1 count). **Total Proposed Penalty: \$6,000.**
7. **In the Matter of Craig Kay for Assessor-Recorder 2018, and Craig Kay; FPPC No. 18/540.** Staff: Theresa Gilbertson, Senior Commission Counsel and Lance Hachigian, Special Investigator. Craig Kay was a successful candidate for Siskiyou County Assessor-Recorder in the June 5, 2018 Primary Election. Craig Kay for Assessor-Recorder 2018 was their candidate-controlled committee. Kay and the Committee failed to utilize a designated campaign bank account for all expenditures, in violation of Government Code Section 85201 (1 count). **Total Proposed Penalty: \$2,500.**

General Items 8-16

8. **Assignment of Hearing to Administrative Law Judge (ALJ): In the Matter of Hanford Now and Dan Chin; FPPC Case No. 16-711.** Staff: Angela J. Brereton, Chief of Enforcement, and Theresa Gilbertson, Senior Commission Counsel. The Chief of Enforcement is recommending that a hearing be conducted before an ALJ pursuant to Government Code Section 11512, subdivision (a). The ALJ will make a recommendation to the Commission on the findings of fact, law and penalty, if applicable, in the matter. The Commission will then have the opportunity to review the proposed decision and make the final determination on the case. If the Commission agrees with this recommendation, no action is required.

Staff Memo and Accusation

9. **Adoption of Proposed Amendments to Regulation 18624, Lobbyist Arranging Gifts; 18625, Loans to Lobbyist or Lobbying Firm; and Proposed Regulation 18626, Contingency Fees Prohibition.** Staff: Jack Woodside, Senior Commission Counsel. Staff presents proposed amendments to Regulation 18624 regarding the prohibition against a lobbyist arranging for the making of a gift, and Regulation 18625 regarding the prohibition against placing an official under personal obligation. In addition, staff presents proposed Regulation 18626 regarding the prohibition against contingency fees. The proposed amendments were presented for prenotice discussion at the September Commission meeting and are now presented for adoption by the Commission.

Staff Memo

Proposed Amendments to Regulation 18624

Proposed Amendments to Regulation 18625

Proposed Adoption of Regulation 18626

10. **In re Kendrick Opinion.** Staff: Kevin Cornwall, Commission Counsel. The Commission will consider a Legal Division memorandum regarding a requested opinion on whether application of Section 84308, as amended by Senate Bill 1439 (2022) and in effect on January 1, 2023, may be based in part on contributions received and proceedings conducted in 2022, before the statutory amendments took effect.

Staff Memo

11. **Legislative Development.** Staff: Lindsey Nakano, Senior FPPC 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

12. **Regulation Projects for 2023.** Staff: Dave Bainbridge, General Counsel. Presentation of list of proposed 2023 regulation projects for Commission comment and direction. Staff will present the 2023 Regulation Calendar for approval at a subsequent Commission meeting.

Proposed Regulation Projects for 2023

13. **Fiscal Year 2021/2022 Year End Expenditure Report.** Staff: Loressa Hon, Chief of Administration.

Year End Expenditure Report

14. **Fiscal Year 2022/2023 First Quarter Expenditure Report.** Staff: Loressa Hon, Chief of Administration.

First Quarter Expenditure Report

15. Executive Staff Reports.

Enforcement Division. Angela Brereton, Chief.

Audits and Assistance Division. Shrdha Shah, Chief.

Legal Division. David Bainbridge, General Counsel.

Administration and Technology Division. Loressa Hon, Chief.

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).)