



NOTICE AND AGENDA Commission Meeting¹

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

Thursday, May 18, 2023
09:00 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

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.

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.

Approval of Commission Minutes

2. Approval of April 2023 Commission Hearing Minutes.

Consent Calendar 3

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 Late Reporter

3. In the Matter of Jose Pech; FPPC Case No. 19/1407. Staff: Jenna Rinehart, Commission Counsel and George Aradi, Special Investigator. Jose Pech, a former Housing Inspector for the City of Oxnard Housing Authority, participated in governmental decisions by inspecting and evaluating rental properties that had a reasonably foreseeable material financial effect on Pech’s source of income financial interest, in violation of Government Code Section 87100 (2 counts). Additionally, Pech failed to timely file a Leaving Office Statement of Economic Interests, in violation of Government Code Section 87300 (1 count). **Total Proposed Penalty: \$14,000.**

General Items 4-10

4. Winuk Advice Letter I-23-009. Staff: Brian Lau, Assistant General Counsel. The Commission will consider a recent advice letter provided to Palo Alto City Member Julie Lythcott-Haims.

Advice Letter – Winuk I-23-009

5. Adoption of Proposed Amendments to Regulation 18531; Return or Attribution of Excessive Contributions. Staff: Toren Lewis, Commission Counsel, Legal Division. Staff proposes amendments to Regulation 18531, Return of Excessive Contributions, interpreting and implementing Section 85319.5 as a result of the passage of SB 794 in 2022. The proposed amendments were presented for prenotice discussion at the March Commission meeting and are now presented for adoption by the Commission.

Staff Memo

Proposed Amendments to Regulations 18531

6. Proposed Repeal, Adoption, and Amendment of Levine Act Regulations (18438-18438.8, 18705). Staff: Kevin Cornwall, Senior Commission Counsel, Legal Division. Proposed new and amended regulations interpreting and implementing Section 84308 as the result of the passage of SB 1439 in 2022. Staff presents the regulations for adoption, following pre-notice discussion at the February Commission meeting and an Interested Persons meeting in April.

Staff Memo

- Proposed Amendments to Regulation 18438**
- Proposed Amendments to Regulation 18438.1**
- Proposed Amendments to Regulation 18438.2**
- Proposed Amendments to Regulation 18438.3**

Proposed Amendments to Regulation 18438.4
Proposed Amendments to Regulation 18438.5
Proposed Amendments to Regulation 18438.6
Proposed Amendments to Regulation 18438.7
Proposed Amendments to Regulation 18438.8
Proposed Amendments to Regulation 18705

7. **Fiscal Year 2022-2023 Third Quarter Expenditures Report.** Staff: Loressa Hon, Chief of Administration

FY22-23 Third Quarter Expenditure Report

8. **Legislative Update.** 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 Update

9. **Executive Staff Reports.**

Enforcement Division. Christopher Burton, Acting 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

10. **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).)