



NOTICE AND AGENDA Commission Meeting¹

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

Thursday, February 16, 2023
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.

Approval of Commission Minutes

2. Approval of January 2023 Commission Hearing Minutes.

Consent Calendar 3-4

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 Bank Account

3. **In the Matter of Renteria for Governor 2018, Amanda Renteria, and Gary Crummitt; FPPC No. 22/201.** Staff: Theresa Gilbertson, Senior Commission Counsel. Amanda Renteria is represented by Richard Rios of Olson Remcho LLP. Gary Crummitt is represented by Michael Farr and Cary Davidson of Reed & Davidson, LLP. This case arose from an audit performed by the Franchise Tax Board's Political Reform Program. Amanda Renteria was an unsuccessful candidate for Governor during the June 5, 2018 Primary Election. Renteria for Governor 2018 was their candidate-controlled committee. Gary Crummitt served as the Committee's treasurer. The Committee, Renteria, and Crummitt failed to make all expenditures from the designated campaign bank account, in violation of Government Code Section 85201 and Regulation 18524 (1 count), erroneously made an expenditure that was not reasonably related to a political purpose, in violation of Government Code Section 89512 (1 count), and failed to timely disclose activity on campaign statements, in violation of Government Code Section 84211 (1 count). **Total Proposed Penalty: \$9,500.**

Conflict of Interest

4. **In the Matter of James N. Neil aka Jim Neil; FPPC No. 22/716.** Staff: Angela Brereton, Assistant Chief of Enforcement and Jeffrey Kamigaki, Supervising Special Investigator. The respondent is represented by Gary S. Winuk of Kaufman Legal Group. James N. Neil aka Jim Neil, as an independent contractor of Kidder Mathews, Inc., was a consultant with the City of San Diego Housing Commission. Neil, as a consultant, participated in a governmental decision regarding the purchase of real property that had a reasonably foreseeable material financial effect on their financial interest, in violation of Government Code Section 87100 (1 count). **Total Proposed Penalty: \$5,000.**

General Items 5-8

5. **Prenotice Discussion of Levine Act regulations.** Staff: Brian Lau, Assistant General Counsel. 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 pre-notice discussion and direction and will be presented for adoption at a subsequent Commission meeting.

Staff Memo

Proposed Adoption of 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

- 6. 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

- 7. 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 Annual Report

- 8. 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).)