



(Unapproved and subject to change)
CALIFORNIA FAIR POLITICAL PRACTICES COMMISSION
MINUTES OF HEARING, Public Session
Thursday, April 16, 2020
10:00 a.m.

Present: Chair Miadich, Commissioner Cardenas, Commissioner Hatch,
Commissioner Hayward, and Commissioner Wilson

Staff Present: Thomas Jones, Executive Director
Dave Bainbridge, General Counsel
Brian Lau, Assistant General Counsel
Galena West, Enforcement Chief
Loressa Hon, Chief of Administration
Kevin Cornwall, Commission Counsel
Katelyn Greene, Commission Counsel
Karen Harrison, Senior Commission Counsel
Jay Wierenga, Communications Director
Sasha Linker, Commission Assistant

A. Call to Order

Chair Miadich called the meeting to order at 10:00 a.m.

B. Public Comment for Items not on Agenda.

C. Approval of February 2020 Commission Hearing Minutes

MOTION: Motion to approve the February 2020 meeting minutes. Moved by
Commissioner Hayward, seconded by Commissioner Cardenas. Motion approved 5-0.

D. Approval of April 2, 2020 Commission Hearing Minutes.

MOTION: Motion to approve the April 2, 2020 meeting minutes. Moved by
Commissioner Hayward, seconded by Commissioner Cardenas. Motion approved 5-0.

E. Approval of Enforcement Consent Calendar

MOTION: Motion to approve the Enforcement Consent Calendar. Moved by
Commissioner Wilson, seconded by Commissioner Hayward. Motion approved 5.0.

F. Assignment of Hearing to Administrative Law Judge (ALJ): In the Matter of Rossana Mitchell-Arrieta for Chino Hills City Council 2016, Rossana Mitchell-Arrieta for Chino Hills City Council 2018, Rossana Mitchell-Arrieta, and Frank Arrieta; FPPC No. 17/462.

Chair Miadich stated that the matter will be referred to an administrative law judge based on Staff's recommendation.

G. Prenotice Discussion of Proposed Repeal and Adoption of Regulation 18707 Disclosure Requirements.

After clarifying questions by the Commissioner, the regulation will move forward for adoption in June.

H. Amendment of Regulation 18531; Return of Excessive Contributions.

Commissioner Hatch proposed a change to subdivision B, to insert the phrase "and any other contribution" after the word contribution and modify exceeds to "exceed" on line 15. Katelyn Greene, Commission Counsel, stated that Staff is not opposed to these changes.

MOTION: Motion to adopt the proposed regulation with changes as presented by Commissioner Hatch. Moved by Commissioner Hayward, seconded by Commissioner Hatch. Motion approved 5-0.

I. Adoption of Regulation 18310.1 – Public Participation at Meetings

Commissioner Hatch proposed to increase the time limit for speakers during meetings stating the time limits are too short considering you still need to introduce yourself. Commissioner Wilson asked to clarify that the Commission is adopting existing policies.

MOTION: Motion to amend the proposed regulation to increase the default time for individual speakers from three minutes to five minutes and the default for aggregated speakers from five minutes to 10 minutes. Moved by Commissioner Hatch, seconded by Commissioner Wilson. Motion failed 2-2 with Commissioner Cardenas and Commissioner Hayward voting no and Commissioner Wilson abstaining.

MOTION: Motion to adopt the regulation as presented by staff. Moved by Commissioner Hatch, seconded by Commissioner Hayward. Motion approved 5-0.

Chair Miadich stated that this regulation will be revisited if time limits are to become insufficient

and extended during future meetings.

J. Approval of Commissioner Compensation Request.

MOTION: Motion to approve the compensation request. Moved by Commissioner Hayward, seconded by Commissioner Wilson. Motion approved 5-0.

K. Update on Digital Transparency Task Force.

Chair Miadich stated that Staff will move forward with a virtual Digital Transparency Taskforce meeting on April 23, 2020. The goal is to complete the taskforce work by September 2020 and have a concrete proposal to recommend to the Commission and Legislature.

L. Update on Enforcement Transparency Portal.

Chair Miadich gave an update on the Enforcement Transparency Portal including two changes Staff made after the portal was made public to clarify the data. Commissioner Hayward asked if the portal has lightened the questions received by Jay Wierenga, Communications Director as intended. Commissioner Wilson stated he had some technical questions for Staff and would hold all comments on the portal until he hears back on those questions.

M. Legislative Development.

Jay Wierenga, Communications Director, and Dave Bainbridge, General Counsel, updated the Commission that once the Legislature reconvenes, they will only be focusing on budget, COVID-19, and wildfire related bills.

MOTION: Motion to approve the Law and Policy Committee recommendations on AB 2407, AB 2505, AB 2151, and AB 2889. Moved by Commissioner Hatch, seconded by Hayward. Motion approved 5-0.

Dave Bainbridge, General Counsel, will come back with more additional information next meeting about AB 2079 and assess the constitutionality of the restriction under the California and Federal Law. Commissioner Wilson stated it would be interested and helpful to know where the CPUC lands and whether they have researched the issue.

N. Committee Updates.

Chair Miadich stated the next Law and Policy Committee is next week and will include an Interested Persons meeting on LLCs and the May meeting will be concurrent with a behested payment IP meeting. Chair Miadich then stated the Budget and Staffing Committee will be looking at the Legislative position and how to fill the vacancy.

O. Advice Letter Report and Commission Review.

Brian Lau, Assistant General Counsel, discussed the contents of advice letter I-19-190A after questions from Commissioner Hatch.

P. Executive Staff Reports.

Galena West, Chief of Enforcement, asked the Commission to endorse amplified use of payment plans with the understanding that this will delay some cases as payment is gathered.

The Executive Staff Reports were accepted as submitted.

Q. Closed Session.

The Commission adjourned for closed session at 11:35 a.m. and returned in open session at 1:36 p.m.

R. Commissioner Comments and Proposed Future Agenda Items.

S. Adjourn.

MOTION: Motion to adjourn the meeting. Moved by Commissioner Hatch, seconded by Commissioner Hayward. Motion approved 5-0.

The meeting adjourned at 1:37 p.m.

Respectfully Submitted,
Sasha Linker
Commission Assistant
Approved May 11, 2020

Richard C. Miadich, Chair
Fair Political Practices Commission