



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3050 • Sacramento, CA 95811
(916) 322-5660

To: Chair Silver and Commissioners, Brandt, Ortiz, and Wilson

From: Dave Bainbridge, General Counsel
Brian Lau, Assistant General Counsel

Subject: Advice Letter Report

Date: June 27, 2025

The following advice letters have been issued since the May 30, 2025, Advice Letter Report. An advice letter included in this report may be noticed for further discussion or consideration at the August 21, 2025, Commission Meeting. Full copies of the FPPC Advice Letters, including those listed below, are available at [the advice search](#).

Campaign

Sarah Lang

[A-25-081](#)

When a sponsored general-purpose committee retains a consultant to organize a fundraising event in coordination with a candidate, without payment of full and adequate consideration from that candidate, the consultant's fees and expenses attributable to the event are a nonmonetary contribution from the committee to the candidate. Additionally, the full costs of the event, including the consultant's fees and expenses, will constitute in-kind contributions to the candidate. Rules for valuing attendance at an invitation-only event provided in Regulation 18946.2(b) do not apply to the valuation of the contribution, and costs for the in-person event do not come within the contribution exception for member communications.

Linda Reid

[A-25-090](#)

In connection with an August 26, 2025, special election for the City of Buellton, candidates and committees may use a filing schedule that combines the semi-annual campaign statement with the first pre-election statement. The combined statement will be due on July 17, 2025, covering the period from the day after the closing date of the last statement filed, through July 12, 2025.

Conflict of Interest

Jose M. Sanchez

[A-25-051\(a\)](#)

The Act prohibits a public official from taking part in governmental decision relating to the location of a proposed development of a minor league soccer team and "entertainment district" aimed at boosting the local economy and local businesses, given that the official owns a vacant lot approximately 1,400-1,600 feet away from two of the potential sites of the stadium and entertainment district.

Joseph H. McDougall

[I-25-063](#)

Under the Act, a city mayor and a councilmember, who lease their residences on a month-to-month basis, are potentially disqualified from taking part in city council decisions regarding

tenant protection measures because of the possible financial effect on their personal finances. However, the public generally exception pertaining to governmental decisions on rental properties will apply to permit their participation so long as the decisions apply to all other residential rental properties, other than those excepted by the Costa-Hawkins Rental Housing Act, and the officials have no other interests impacted by the decisions.

Kristopher J. Kokotaylo [A-25-065](#)

Under the Act, a city councilmember and city manager are not prohibited from taking part in governmental decisions that would result in a real property assessment of \$25 applying to their respective residences because the effect is nominal, inconsequential, or insignificant.

Michelle Marchetta Kenyon [A-25-076](#)

A vice mayor is prohibited from taking part in governmental decisions relating to the operating budget and asset replacement plan for a town-owned wedding/event venue located less than 500 feet from the official's residence where there is no clear and convincing evidence the decisions would have no measurable impact on the official's property and the decisions do not solely relate to infrastructural repair and maintenance.

Olivia R. Clark [A-25-083](#)

An official may not take part in a parking ordinance decision where the official's business is a consultant to a developer on a medical office project, the decision will aid the developer's goal of moving forward on the project by changing the parking requirements, and the official will receive a contract for \$2400 from the client if the proposed parking ordinance is adopted. Under the nexus test, the official is disqualified from the decision because it will achieve, defeat, aid, or hinder a purpose or goal of a source of income to the official, and the official has received or been promised the income for achieving the purpose or goal.

Kitty Moore [A-25-084](#)

A councilmember may not take part in a decision to acquire a vacant parcel for the purposes of developing a new city park, located approximately 600 feet from the official's home. Based on the facts provided, it is reasonably foreseeable the decision will have a material financial effect on the official's property because the decision would impact the market value and income-producing potential of the official's property.

Section 1090

Regina A. Garza [A-25-058](#)

Section 1090 does not prohibit a county from contracting with a consultant to complete a project where the consultant's actual duties under the initial contract did not include duties to engage in or advise on public contracting on behalf of the county. Based on the facts provided, the initial contract was limited to assisting in preparing schematic design services for a grant application for the project that explicitly excluded the design and construction work for the project that the county now seeks to complete.