



NOTICE AND AGENDA Commission Meeting¹

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

Thursday, October 21, 2021
10:00 A.M.

Under Government Code section 11133(a), a state body may hold public meetings through teleconferencing and make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and address the state body. 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.

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Approval of Commission Minutes

2. Approval of September 2021 Commission Hearing Minutes.

Enforcement Consent Calendar 3-5

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.

Conflict of Interest

- 3. In the Matter of Charles Grace; FPPC No. 20/416.** Staff: Theresa Gilbertson, Senior Commission Counsel and Paul Rasey, Special Investigator. The respondent was represented by Amber Maltbie of Nossaman LLP. Charles Grace is a public official for purposes of Government Code Section 1090. Grace participated in making a contract between the San Simeon Community Services District and Grace Environmental Services, a limited liability corporation in which Grace is the sole manager, in violation of Government Code Section 1090 (1 count). **Total Proposed Penalty: \$4,500.**

Campaign Late Filer

- 4. In the Matter of Westberg + White, Inc; FPPC No. 19/951.** Staff: Jenna C. Rinehart, Commission Counsel. The respondent was represented by David E. Barker of Collins, Collins, Muir, and Stewart, LLP. Westberg + White, Inc. engaged in campaign activities as a major donor committee in 2016. Westberg + White, Inc. failed to timely file two semi-annual campaign statements, in violation of Government Code Section 84200 (1 count), and three 24-hour reports, in violation of Government Code Section 84203 (1 count). **Total Proposed Penalty: \$5,500.**

Gift Over-the-Limit

- 5. In the Matter of Devon Mathis; FPPC No. 18/365.** Staff: Bridgette Castillo, Senior Commission Counsel and Ann Flaherty, Special Investigator. The respondent was represented by Narek Avetisyan, Esq. Devon Mathis is a member of the California State Assembly representing District 26. Mathis failed to timely report a gift of lodging on the 2016 Annual Statement of Economic Interests, in violation of Government Code Sections 87203 and 87207, subdivision (a)(4) (1 count) and accepted a gift that exceeded the 2016 annual gift limit, in violation of Government Code Section 89503 (1 count). **Total Proposed Penalty: \$5,500.**

General Items 6-10

- 6. Adoption of Proposed Regulations Related to Behested Payment Reporting.** Staff: Karen Harrison, Senior Commission Counsel. Staff presents proposed Regulation 18424 to require an official to include a brief description in a behested payment report of certain relationships concerning the official and a behested payment payee or payor, to the extent this information is known by the official; proposed Regulation 18424.1, to allow an official to file a behested payment report with a good faith estimate of a payment amount or a payment date under certain conditions; proposed Regulation 18424.2 (repealing and recasting Regulation 18215.3) to address when payments in response to a charitable fundraising solicitation in which an official appears will result in behested payment reporting duties; and proposed Regulation 18424.3 to clarify reporting duties when a behested payment is made by a sponsoring organization from a donor advised fund. The proposed regulations 18424, 18424.1 and 18424.2 were presented for

prenotice discussion and direction by the Commission at the July 2021 meeting. Proposed Regulation 18424.3 was presented for prenotice discussion at the August 2021 meeting. These regulations are now presented for adoption by the Commission.

Staff Memo

Proposed Regulation 18424

Proposed Regulation 18424.1

Proposed Regulation 18424.2

Proposed Regulation 18424.3

Repeal of Regulation 18215.3

7. Committee Updates.

Law and Policy Committee Update.

- 8. Legislative Development.** Staff: Lindsey Nakano, 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

9. Executive Staff Reports.

Enforcement Division. Angela Brereton, Chief of Enforcement

Legal Division. David Bainbridge, General Counsel

Administration and Technology Division, Loressa Hon, Chief of Administration

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).)