



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
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To: Chair Silver and Commissioners Brandt, Ortiz, and Wilson

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

Subject: Advice Letter Report

Date: April 25, 2025

The following advice letters have been issued since the March 28, 2025, Advice Letter Report. An advice letter included in this report may be noticed for further discussion or consideration at the May 15, 2025, Commission Meeting. Full copies of the FPPC Advice Letters, including those listed below, are available at [the advice search](#).

Conflict of Interest

Ian Sobieski

[I-25-022](#)

As a general matter, the Act prohibits a councilmember from taking part in a decision to consider property located 860 feet from his residence as an opportunity site for the city's housing element if it is reasonably foreseeable that the decision will have a material effect on his real property interest and/or his interest in his rental property business.

Marian Slocum

[A-25-038](#)

The Act prohibits councilmember from taking part in governmental decisions relating to a development project involving the demolition of a vacant commercial building and the construction of 179 new residences at a project site located between 500 and 1,000 feet from the councilmember's residential real property. Given the scope of the project, including the number of new residential units, the replacement of vacant commercial property, and the proximity to the councilmember's property, it is reasonably foreseeable that the decisions may have a material financial effect on the councilmember's property.

Rebecca Moon

[A-25-047](#)

Official is not disqualified from taking part in decisions regarding a bike lane project and the potential loss of on-street parking. Based on the facts provided, it is not reasonably foreseeable the decisions will have a material financial effect on the official's property where the property is located 965 feet from the project, the official's street does not connect to the project street, and the property is separated from the project by seven rows of homes and intervening streets.

Campaign

Giovanni Villegas-Cortez

[A-25-039](#)

In connection with an August 26, 2025, special election for the County of Merced, 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.

Gifts

Abel Salinas

[A-25-032](#)

A payment made by an agency's independent contractor to an employee involved in the contractor's mentoring program does not meet the requirements of the Acts of Human Compassion exception where the contractor has an on-going contract that renews each year, and it is reasonably foreseeable that the employee may participate in the making of the contract.

Section 1090

Marco A. Verdugo

[A-24-066](#)

Under the Act, councilmember is prohibited from taking part in decisions regarding contracts between the City and her prior employer, a nonprofit company, if the councilmember received income of more than \$500 from the employer in the 12 months before the decision. Under Section 1090 and the Act, the councilmember is also prohibited from participating in decisions surrounding any contract with the employer if she seeks or becomes employed with the company again. However, because the company is a nonprofit, any interest under Section 1090 is remote, and the City may enter the contract so long as the councilmember abstains from the decisions.

Lauren D. Layne

[A-25-002](#)

Where an attorney does not have duties to engage in or advise on public contracting on behalf of a yet-to-be-formed groundwater authority or, in fact, engage in such conduct, Section 1090 does not prohibit the groundwater authority from subsequently contracting with the attorney to serve as outside counsel due to the attorney's representation of property owners interested in establishing the authority. Further, unless hired as counsel, the attorney is not a public official under the Act solely by virtue of this private party representation. However, if hired, whether the attorney may be disqualified in the future based on any decisions in which she may take part as a public official is fact-specific and would depend on the nature of the future decision.

Jennifer V. Gore

[A-25-010](#)

Under the Act, four city employees are not prohibited from taking part in grant decisions concerning nonprofits from which they receive no income or other city departments because there is no indication of a reasonably foreseeable financial effect on any interest identified in Section 87103. In addition, nothing would constitute a financial interest in a contract under Section 1090 where the employees are merely working on potential grants to nonprofits the employees have no relationship with, or grants to other departments within the City.

Section 84308

Daniel G. Sodergren

I-25-026

Section 84308 does not prohibit the city mayor from appointing an individual to a city board, commission, or committee, even where that individual has made a campaign contribution of more than \$500 to the mayor in the last 12 months. Appointments to boards, commissions, and committees are a form of employment contract, which is exempt from the definition of “entitlement for use” under the Act. Therefore, Section 84308 does not apply.