



(Unapproved and subject to change)
CALIFORNIA FAIR POLITICAL PRACTICES COMMISSION
MINUTES OF HEARING, Public Session
Thursday, September 15, 2022
10:00 a.m.

Present: Chair Miadich, Commissioner Baker, Commissioner Wilson, and Commissioner Wood

Staff Present: Galena West, Executive Director
Angela Brereton, Chief of Enforcement
Dave Bainbridge, General Counsel
Shrdha Shah, Chief of Audits and Assistance
Loressa Hon, Chief of Administration
Jack Woodside, Senior Commission Counsel
Lindsey Nakano, Senior Legislative Counsel
Jay Wierenga, Communications Director
Sasha Linker, Commission Assistant

Call to Order.

Chair Miadich called the meeting to order at 10:02 AM.

1. Public Comment for Items not on Agenda.

J.J. Jelincic gave public comment regarding a complaint submitted in June 2020.

Geoff Ellsworth, Mayor of St. Helena, not speaking on behalf of the city, gave public comment regarding a systemic conflict of interest within his jurisdiction.

Dave Low announced himself to speak. Chair Miadich addressed Mr. Low and the fact he has a matter under reconsideration with the Executive Director. Chair Miadich further cautioned Mr. Low from speaking on the matter in order for the Commission to remain impartial.

2. Approval of Commission Minutes.

MOTION: To approve August 2022 Commission Meeting Minutes. Moved by Commissioner Wilson, seconded by Commissioner Baker. The motion passed 4-0.

3-5. Consent Calendar.

Commissioner Baker stated she had questions regarding item four. Chair Miadich stated he would pull item four for separate consideration.

MOTION: To approve consent calendar items 3 and 5. Moved by Commissioner Wilson; seconded by Commissioner Wood. The motion passed 4-0.

Angela Brereton, Chief of Enforcement, gave an overview of the stipulation for item 4, In the Matter of Andrew Stein.

Commissioner Baker asked about page four of the stipulation, where it says, Mr. Stein admitted the true source of the loan was Baldoni and that he believes the checks were written directly to Stein because Baldoni did not know otherwise but on page five it states Baldoni did not know the loan was for political purposes. Ms. Brereton stated this language is meant to express there was a miscommunication between Stein and Baldoni.

Commissioner Wood asked how the audit came to the attention of FTB. Ms. Brereton stated the Audit Division does a draw on which jurisdictions are required to be audited and then FTB then completes the audits.

MOTION: To approve consent calendar item 4. Moved by Chair Miadich; seconded by Commissioner Wilson. The motion passed 4-0.

6. Prenotice Discussion of Proposed Amendments to Regulation 18624, Lobbyist Arranging Gifts; 18625, Loans to Lobbyist or Lobbying Firm; and Proposed Regulation 18626, Contingency Fees Prohibition.

Jack Woodside, Senior Commission Counsel, gave an overview of the regulation package.

Chair Miadich asked about the list under 18625 (c) to clarify if all three items must apply or only one item needs to apply. Mr. Woodside stated that only one criteria needs to apply.

Chair Miadich further asked about the best effort criteria and whether Staff saw that as a totality of the circumstances factor. Mr. Woodside stated yes, it would be a case by case situation.

Chair Miadich then discussed subdivision (d), the safe harbor provision, and asked if there was a specific timeframe. Mr. Woodside stated the intention was to be within six months of one of the two time periods after best efforts are made and that Staff would look at the language to clarify.

Commissioner Baker asked Staff to explore an alternative to a legal action having been filed within six months, for example where sending a demand letter is not enough but it would need to be followed through. Commissioner Wood agreed with wanting to see alternatives.

Commissioner Wood asked when the six-month time period from subdivision (d)(1) and (2) starts. Mr. Woodside described two scenarios where the six-month time period would start.

Commissioner Wilson asked if Staff planned to get input from lobbying organizations. Mr. Woodside stated an interested persons meeting could be scheduled.

7. Legislative Update.

Lindsey Nakano, Senior Commission Counsel, updated the Commission on the status of FPPC related bills.

8. Executive Staff Reports.

The Executive Staff Reports were accepted as submitted.

9. Commissioner Comments and Proposed Future Agenda Items.

Chair Miadich asked for an informational update on the mechanics of the advice function at the October meeting. Commissioner Wood asked for information on the advice line, including: hours, possible improvements, and amplification efforts.

MOTION: To Adjourn the meeting. Moved by Commissioner Wilson; seconded by Commissioner Baker The motion passed 4-0.

The meeting adjourned at 11:13 a.m.

Respectfully Submitted,
Sasha Linker
Commission Assistant
Approved October 10, 2022

Richard C. Miadich, Chair
Fair Political Practices Commission