



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

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

Subject: Advice Letter Report

Date: October 30, 2025

The following advice letters have been issued since the September 26, 2025, Advice Letter Report. An advice letter included in this report may be noticed for further discussion or consideration at the November 20, 2025, Commission Meeting. Full copies of the FPPC Advice Letters, including those listed below, are available at [the advice search](#).

Campaign

Max Kanin - [A-25-129](#)

A candidate under investigation by state licensing board for an ethics violation that occurred during an earlier failed campaign for state office may use campaign funds from his current committee for elected office to pay the attorney fees and costs related to the investigation as the investigation is directly related to the activities of his committee and consistent with its primary objectives, electing the candidate to state office.

Conflict of Interest

Maricela E. Marroquin - [A-25-117](#)

The Act does not prohibit public officials from taking part in decisions relating to the installation of a wireless tower facility located more than 1,000 feet from the officials' respective residences when there is no clear and convincing evidence of a substantial effect on the properties.

Likewise, the Act does not prohibit a public official from taking part in decisions relating to the installation of a wireless tower facility located 910 feet from the official's real property as there is no indication of an impact on the development potential, income producing potential, highest and best use, character, or market value of the official's property considering the distance, buffering properties, and existing roadways and landscaping.

Christopher Schmidt - [A-25-121](#)

County supervisor, who owns a mobile home park, is not disqualified from participating in a governmental decision relating to another mobile home park's application for a fair rate hearing. Based on the facts provided, the decision is specific to the applicant mobile home park and there is no indication that the decision will have any impact on the official's mobile home park.

Erin Weesner- McKinley - [A-25-125](#)

Under the Act, a city auditor is prohibited from taking part in decisions regarding an audit of funds that support development and improvement projects within 500 feet of her residence. However, her office is not prohibited from conducting the audit, provided she recuses herself from the decisions. Additionally, the auditor is permitted to speak publicly to the general public and media about the governmental decision even if she is disqualified from participating in the audit so long as members, officers, employees, or consultants of her agency are not present.

Rene A. Ortega - [A-25-128](#)

A city manager may not make, participate in making, or attempt to use official position to influence decisions regarding adjustments to the market rent for a city-owned apartment complex. Because the manager rents an apartment in the complex on a month-to-month basis and is subject to the rental cap adjustment, it is reasonably foreseeable that the decision would have a material financial effect on the manager's personal finances in an amount of \$500 or more in a 12-month period.

Gifts

Amar Mehta - [I-25-124](#)

Gifts of transportation, lodging, and subsistence paid for by a 501(c)(3) non-profit provided to a designated state employee in connection with an international meeting are reportable on the employee's statement of economic interest and not subject to the Act's gift limit, if the travel is reasonably related to issues of state, national, or international public policy. However, other gifts provided in the course of the meeting may be reportable and subject to the gift limits, and the acceptance of gifts by the official valued at or more than \$630 may result in disqualification from participation in governmental decisions involving the source of the gifts.

Section 1090

Gary B. Bell - [A-25-046](#)

Under the Act, three members of a public service district may participate in decisions regarding the district's purchase of a nonprofit water company because at least 15% of the residential real property within the district would be affected by the decisions, and the officials' properties would not be uniquely affected. Under Section 1091.5(a)(7), two of the officials would have a "noninterest" in a district contract to purchase the company because they are nonsalaried members of a nonprofit corporation. The third official, who is also the director and treasurer for company, has a "noninterest" in the company, under Section 1091.5(a)(8), as an uncompensated officer because the company's primary purpose supports the functions of the district, and the facts indicate that the acquisition would not result in any compensation for the official.