



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

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: September 26, 2025

The following advice letters have been issued since the August 29, 2025, Advice Letter Report. An advice letter included in this report may be noticed for further discussion or consideration at the October 16, 2025, Commission Meeting. Full copies of the FPPC Advice Letters, including those listed below, are available at [the advice search](#).

Campaign

Carl DeMaio - [I-25-119](#)

Reportable activity undertaken by a candidate controlled general purpose ballot measure committee in coordination with another primarily formed ballot measure committee should be reported as in-kind contributions from the candidate controlled ballot measure committee to the committee primarily formed for the measure. Conversely, activity done solely by a candidate controlled ballot measure committee, independent of the measure's primarily formed committee, should be reported as independent expenditures in support of the measure. Separately, where no contributor has reached the \$50,000 top contributor threshold, it is not required under the Act for an advertisement to indicate that the committee has "no top contributors."

Conflict of Interest

Merritt Perry - [I-25-093](#)

A public official's adult child does not qualify as "immediate family" or a "dependent child" for purposes of the Act's conflict provisions. Consequently, unless the official has an economic interest in the child in some other way, such as where the child is a source of income to the official, the official's interests are not implicated in governmental decisions involving the child's employer.

Conor Hyland - [A-25-111](#)

It is not reasonably foreseeable that a decision amending a specific plan allowing for the development of a 92-acre former oil well site to residential and other uses would have a material financial effect on an official's property located 575 feet from the specific plan boundary, but over 1,000 feet from the project site. Under Commission regulations, because the property is more than 1,000 feet from the project site and the decisions will not generally affect the entire specific plan area, the financial effect of the decision is not material unless rebutted by facts showing a substantial effect on the official's property.



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Joseph M. Montes - [A-25-116](#)

Mayor has a disqualifying interest in a historical preservation ordinance decision, which will affect the mayor's ability to make alterations to the mayor's two properties designated as potentially eligible historical resources, and may not take part in the decision. City council members with a single residential real property interest designated as a "contributor property" to a potentially eligible historic district and located within 500 feet of potentially eligible historic resources also have a disqualifying interest. However, because the facts provide that 15 percent of the parcels in each official's jurisdiction are similarly identified as "contributor properties" and that 15 percent of the parcels are within 500 feet of a designated eligible property, the council members can take part in the decisions under the public generally exception as there is no indication of a unique effect on their respective properties.

Section 1090

Joshua Nelson - [A-25-106](#)

Under Section 1090, an independent contractor who provides technical professional expertise in one phase of a project is not precluded from contracting with the entity for future phases of the project when the independent contractor does not engage in or advise on public contracting on behalf of the entity when providing technical expertise in the preliminary stages.

Kristen M. Rogers and Gary S. Winuk - [A-25-115](#)

Section 1090 prohibits a former district board member from gaining a financial interest in a contract by acting as the developer's attorney for a proposal, where the board member participated in the making of the district's First Right to Negotiate agreement with the developer, and the developer wishes to submit a proposal under that agreement.