



STATE OF CALIFORNIA  
FAIR POLITICAL PRACTICES COMMISSION  
1102 Q Street • Suite 3050 • Sacramento, CA 95811

January 9, 2026

Joshua Nelson  
BEST BEST & KRIEGER LLP  
500 Capitol Mall, Suite 2500  
Sacramento, CA 95814

**Re: Your Request for Formal Advice  
Our File No. A-25-133(a)**

Dear Mr. Nelson:

This letter responds to your request for additional advice on behalf of the California County Assessors' Information Technology Authority ("CCAITA") regarding Government Code Section 1090, et seq.<sup>1</sup> In our letter dated November 13, 2025, we advised that CCAITA is prohibited under Section 1090 from contracting with Just Appraised, Inc. ("JA") for the development of its new information technology program ("IT Program") due to Mr. Kissinger's financial interest in JA as an independent contractor and his previous work advising CCAITA on the formation of the contract as the Project Manager through his employment with TEKsystems, Inc. (See *Nelson* Advice Letter, No. A-25-133.)

You have provided additional facts for our consideration. According to JA, Mr. Kissinger left his duties as a Project Manager for CCAITA on or about May 2025 and ultimately left TEKsystems. On June 20, 2025, Mr. Kissinger contacted JA and offered to assist with JA's proposal in response to a San Diego County Clerk of the Board solicitation that was unrelated to the CCAITA's IT Program. Seven days after this contact, on June 27, 2025, JA submitted its proposal in response to the CCAITA IT Program RFP.

On or about August 11, 2025, JA entered into an hourly consulting agreement with Mr. Kissinger to assist with JA's San Diego Clerk of the Board proposal, and Mr. Kissinger started on August 13, 2025. Mr. Kissinger's tasks were limited in scope under this consulting agreement and consisted of contacting assessors about Clerk of the Board appeals. Mr. Kissinger did not participate in or advise on JA's CCAITA proposal, strategy, pricing, or communications with CCAITA during his tenure as an independent contractor for JA. On October 22, 2025, Mr. Kissinger concluded his last day with JA. He is no longer serving as a JA independent contractor, has no ongoing financial relationship with JA, and will not receive any additional compensation or benefits from JA.

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<sup>1</sup> The Political Reform Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18104 through 18998 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

CCAITA seeks guidance on whether it is still prohibited from contracting with JA for the IT Program, given that Mr. Kissinger has no financial tie to JA (is no longer employed and will not receive any additional compensation or benefits) and did not participate in the JA's response to the RFP.

As more fully explained in our previous response, Section 1090 generally prohibits public officers or employees, while acting in their official capacities, from making contracts in which they are financially interested. Section 1090 is "concerned with any financial interests, other than perhaps a remote or minimal interest, which would prevent the officials involved from exercising absolute loyalty and undivided allegiance to the best interests of" their respective agencies." (*Stigall v. City of Taft* (1962) 58 Cal.2d 565, 569.) Under Section 1090, the prohibited act is the making of a contract in which the official has a financial interest. (*People v. Honig* (1996) 48 Cal.App.4th 289, 333.)

Based on the additional information provided, CCAITA is not prohibited from contracting with JA under Section 1090. Mr. Kissinger is no longer employed by JA, and you have indicated that Mr. Kissinger will not receive any additional benefits or compensation from JA. Additionally, Mr. Kissinger's work for JA was wholly unrelated to JA's bid before CCAITA, and you indicate that he did not work on any part of JA's bid as part of his JA employment. As a result, no public official, former or present, including Mr. Kissinger, will have a financial interest in a contract between JA and CCAITA at this time. We note that this conclusion is consistent with our previous advice and merely reflects the additional facts.

If you have other questions on this matter, please contact me at KHarrison@fppc.ca.gov.

Sincerely,

Dave Bainbridge  
General Counsel

**L. Karen Harrison**

By: L. Karen Harrison  
Senior Counsel, Legal Division

KH:aja