



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2129

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March 29, 2012

✓ Mr. William K. Wong
c/o Kaufman Legal Group

REDACTED

Attn: Mr. Stephen J. Kaufman

Warning Letter Re: FPPC No. 12/160; William K. Wong, Respondent

Dear Mr. Kaufman:

The Fair Political Practices Commission (the "FPPC") enforces the provisions of the Political Reform Act (the "Act"),¹ found in Government Code section 81000, et seq. This letter is in response to your client's self-reported violation that he violated the Act's conflict of interest provisions.

You advised us on behalf of your client, William K. Wong, that on October 27, 2011, he participated in a decision to approve a permit to construct a new antenna requested by AT&T Mobility, a subsidiary of AT&T. Mr. Wong is the sole owner of a political and public affairs consulting firm and AT&T has been a source of income to his company. When this matter came before the City of Sacramento Planning Commission, there was very little discussion on the item, no public comments were received, and the permit was approved with a unanimous vote of the planning commission. Mr. Wong then realized he may have had a conflict and sought your advice on the matter. It was then decided to self-report this apparent violation.

Under the Act, a public official may not participate in a governmental decision if the decision will have a material financial effect on one or more of the official's economic interests. Any source of income of \$500 or more is one such economic interest.² Since Mr. Wong's source

¹ 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 18110 through 18997 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.

² A public official has an economic interest in a business entity which is a parent or subsidiary of, or is otherwise related to, a business entity in which the official has an economic interest. (Regulation 18703.3(a)(2).)

of income was the applicant on this project, he should have abstained from participating in this decision.

However, since Mr. Wong immediately contacted private counsel when he recognized a possible violation and since he has since resigned from the planning commission, we are closing our file on this matter.

This letter serves as a written warning. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future will result in monetary penalties of up to \$5,000 for each violation.

A warning letter is an FPPC case resolution without administrative prosecution or fine. However, the warning letter resolution does not provide you with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Fair Political Practices Commission. If you wish to avail yourself of these proceedings by requesting that your case proceed with prosecution rather than a warning, please notify us within ten (10) days from the date of this letter. Upon this notification, the FPPC will rescind this warning letter and proceed with administrative prosecution of this case. If we do not receive such notification, this warning letter will be posted on the FPPC's website ten (10) days from the date of this letter.

Please feel free to contact me with any questions you may have regarding this letter.

Sincerely,

REDACTED

Gary S. Winuk, Chief
Enforcement Division

GSW/jt