FAIR POLITICAL PRACTICES COMMISSION
428 J Street • Suite 620 • Sacramento, CA 95814-2329
(916) 322-5660 • Fax (916) 322-0886

December 14, 2009

Ms. Sheri Woo

REDACTED

Re: Advisory Letter
FPPC No. 08/112, Douglas Jager, Bill Trush, Andre Lehre, and Randy Klein

Dear Ms. Woo:

The Fair Political Practices Commission ("FPPC") enforces the provisions of the Political Reform Act (the Act) [1] found in Government Code section 81000, and following. We received a complaint alleging that you may have violated the Statement of Economic Interests ("SEI") disclosure provisions of the Act as a member of the County of Humboldt Extraction Review Team ("CHERT") by failing to disclose all required income received. After review of this matter, we have decided to close this matter with an advisory letter.

With regards to your SEI (Form 700) disclosure obligations, the Act requires that every agency adopt a Conflict of Interest Code. (Government Code section 87300.) According to the County of Humboldt Conflict of Interest Code, members of CHERT are designated as positions that are required to disclose investments, interests in real property, and income on an annual SEI. The County of Humboldt Conflict of Interest Code requires that when personal income is required to be reported, the SEI must contain the name and address of each source of income aggregating $500 or more in value.

It is our understanding that the members of CHERT are paid directly from clients of CHERT, not by the County of Humboldt. As long as the members of CHERT are paid directly by the client, each client of CHERT that has paid you $500 or more is a source of income and must be disclosed on your SEI. However, if the client of CHERT were

[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.

making the payment to the County of Humboldt, then the client would not be considered a source of income to the member of CHERT. (Government Code section 87103.6.)

We have decided to close this matter with this advisory letter. However, as long as members of CHERT are paid directly by the clients of CHERT, you must disclose each source of income that has paid you $500 or more you must disclose sources of income from CHERT clients on all future SEIs. Failure to comply with the provisions of the Act in the future may result in an enforcement action against you, including monetary penalties of up to $5,000 for each violation.

The FPPC publishes forms and manuals to facilitate compliance with the provisions of the Act. If you need forms or manuals, or guidance regarding your obligations, please call the FPPC's Toll-Free Advice line at 1-866-275-3772. Please also visit our website at www.fppc.ca.gov.

If you have questions regarding this matter, please contact me at (916) 322-5660.

Sincerely,

REDACTED

Bridgette Castillo
Commission Counsel
Enforcement Division