



FAIR POLITICAL PRACTICES COMMISSION

1102 Q Street • Suite 3050 • Sacramento, CA 95811

Sharon Cummings



July 8, 2024

Re: No Action Closure Letter: Sharon Cummings, FPPC No. 2021-00249

Dear Sharon Cummings,

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the “Act”).¹ This letter is in response to a sworn complaint alleging that you, in your capacity as a member of the Keeler Community Services District in 2020 and 2021, were in violation of the Act’s conflict of interest provision and that you had failed to report activity on your Statement of Economic Interest (also referred to as a Form 700.) The Enforcement Division has completed its investigation and has determined that there is insufficient evidence of a violation.

Under the Act, no public official may make, participate in making, or influence a governmental decision in which they have a financial interest.² A public official has a financial interest in a decision if it is reasonably foreseeable that the decision will have a material financial effect, distinguishable from its effect on the public generally, on the official, on a member of their immediate family, or on certain specified financial interests such as a real property interest in which the official has a direct or indirect interest worth \$2,000 or more.³

To assist officials and the public in identifying potential conflicts of interest, public officials are required to periodically file Statements of Economic Interest.⁴ Keeler Community Services District (“District”) requires board members to file Form 700s and to disclose interests in real property located in or partly within the District, within two miles or the boundary, or on any land owned or used by the District. Further, Board members were required to report sources in income from sources that provide, plan to provide, or have provided in the last two years facilities, goods, software, hardware or services, including consulting services, to the District.

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014, and all statutory references are to this code. The regulations of the Fair Political Practices Commission are contained in sections 18104 through 18998 of Title 2 of the California Code of Regulations.

² Section 87100.

³ Regulations 18700.

⁴ Section 87300.

The complaint alleged that in 2020, the District entered in an agreement to sell the construction company, Hat Creek Road Construction, truckloads of water for a set price. The complainant asserted that your husband was promised income related to this contract. The investigation confirmed that Hat Creek Road Construction received approval from the Board to purchase water, but the investigation did not find evidence to support a finding that either you or your husband benefited directly or indirectly from the sale of water. Further, the complaint alleged that you failed to report sources of income received through the ownership of real property, such as, rental income and income from a firewood business. However, you were only required to report such sources if it was determined that those sources provided or planned to provide or had provided in the last two years, facilities, goods, software, hardware or services, including consulting services, to the District. The investigation found insufficient evidence to conclude that you had failed to disclose reportable sources of income.

Based on the foregoing, we have closed our investigation into this matter.

Should you have any questions regarding this letter, please feel free to contact me at (279) 237-5960 or Tgilbertson@fppc.ca.gov.

Sincerely,

Theresa Gilbertson
Senior Commission Counsel
Enforcement Division