



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3000 • Sacramento, CA 95811

March 3, 2023

Paul Joiner

Sent Via Email only: paul.joiner@lincolнца.gov

Warning Letter Re: FPPC Case No. 2019/01210; In the Matter of Paul Joiner

Dear Paul Joiner,

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 referral against you, alleging conflicts of interests in connection with a proposed community services district and failure to disclose a loan on campaign statements, in your capacity as a Lincoln City Councilmember. Additionally, the investigation discovered late filed Assuming Office Statements of Economic Interests (“SEI”) in connection with your positions with the Placer County Air Pollution District (“District”), Local Agency Formation Commission (“LAFCO”) and Pioneer Community Energy/Sierra Valley Energy Authority (“Authority”).

The Enforcement Division has completed its review of the facts in this case. The investigation determined that you, in your capacity as a Lincoln City Councilmember, did not have a financial interest in the proposed community services district in August 2018. Further, the outstanding loan from a close family member through a trust was not required to be disclosed on your SEI. As such, the allegations regarding a conflicts of interest and loan disclosure in the complaint have been disproven and we are closing these allegations without further action.

However, the Act requires every state and local agency to develop a Conflict of Interest Code. These codes must designate those officials who participate in making decisions which may foreseeably have a material financial effect on any financial interest belonging to that official and require those designated officials to disclose all reportable interests on SEIs.² The requirements of an agency’s Conflict of Interest Code have the force of law, and any violation of those requirements is deemed a violation of the Act.³ Based on the Conflict of Interest Codes, you

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 18110 through 18997 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

² Section 87302, subd. (a).

³ Section 87300.

were required to file an Assuming Office SEI within 30 days of assuming office for the District, LAFCO and Authority appointments.

The Enforcement Division investigation determined that your actions violated the Act because you failed to timely file an Assuming Office SEI within 30 days of assuming office for the positions of: District due February 1, 2019, filed April 29, 2019; LAFCO due April 13, 2019, filed July 8, 2020; and Authority due January 10, 2020, filed July 7, 2020. However, mitigating evidence exists such that the Enforcement Division has elected to close this case with this warning letter rather than issuing a penalty for these violations based on the following: during the time each SEI was due, you had an SEI filed and available to the public in connection with your position as a Lincoln City Councilmember; you have filed the required SEIs; and you have not received a Warning Letter previously for failing to timely file an SEI.

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 Enforcement Division case resolution without administrative prosecution or fine. The Commission has adopted Regulation 18360.1 to authorize the Enforcement Division to issue warning letters to conclude cases in specified circumstances. 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 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 Enforcement Division 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 Commission's website ten (10) days from the date of this letter.

If you need forms, a manual, or guidance regarding your obligations, please call the Commission's Toll-Free Advice Line at 1-866-275-3772 or visit our website at www.fppc.ca.gov.

Please feel free to contact Bridgette Castillo at bcastillo@fppc.ca.gov with any questions you may have regarding this letter.

Sincerely,

Bridgette Castillo

Bridgette Castillo
Senior Commission Counsel
Enforcement Division