



March 29, 2024

Frank Lima

Sent via: flima@limalaw.net

Warning Letter re: FPPC No. 2024-00409; Frank Lima

Dear Frank Lima:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act¹ (the “Act”). As you are aware, the Enforcement Division received a sworn complaint alleging that you failed to disclose reportable economic interests on your Leaving Office Statement of Economic Interests (“SEI”). The Enforcement Division has completed its review of the facts in this case. We found that you failed to timely disclose reportable economic interests on your Leaving Office SEI filed for your position as a Trustee of the Turlock Unified School District.

Section 87300 of the Act requires every state and local agency to develop a Conflict of Interest Code. This Code requires individuals who participate in making decisions which may foreseeably have a material financial effect on any financial interest belonging to that person to disclose all reportable interests on SEIs.² Individuals required to file SEIs must file within 30 days of assuming office, annually thereafter at the time specified by the Code, and within 30 days of leaving office.³

You violated the Act by failing to timely disclose reportable interests in real property and investments on your Leaving Office SEI by the specified deadline. But since you are no longer in this position, you amended your Leaving Office SEI after you were contacted by the Enforcement Division to disclose your reportable economic interests, and you have no prior Enforcement history, the Enforcement Division has decided to close your case with this warning letter rather than a fine.

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

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, and all regulatory references are to this source.

² Section 87302, subd. (b).

³ *Ibid.*

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 have any questions regarding this letter, please contact Vanessa Greer at vgreer@fppc.ca.gov or 279-237-5965.

Sincerely,

James M. Lindsay

James M. Lindsay, Chief
Enforcement Division

JML: vg