



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3050 • Sacramento, CA 95811

February 24, 2025

Kevin Johnson, kjohnson@cityofdixon.us

Warning Letter Re: FPPC No. 2022-00620, Kevin Johnson

Dear Kevin Johnson:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the "Act").¹ This letter is sent in response to a complaint alleging you violated Cal. Gov. Code Section 1090's conflict of interest law. A Warning Letter was originally issued in this matter on November 25, 2024. The Enforcement Division has rescinded that letter, and this letter is the final resolution of this matter.

The Act requires a public official who holds an office who has a financial interest in a decision shall identify the conflict of interest or potential conflict of interest immediately prior to the consideration of the matter and do all of the following:

- (1) Publicly identify the financial interest that gives rise to the conflict of interest or potential conflict of interest in detail sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required.
- (2) Recuse the public official's own self from discussing and voting on the matter, or otherwise acting in violation of Section 87100.
- (3) Leave the room until after the discussion, vote, and any other disposition of the matter is concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters.²

Upon review, the Enforcement Division determined that you violated the Act by failing to properly identify your potential conflict of interest in RE/Max as a source of income to you prior to recusing yourself on a vote to extend a five-year lease to RE/Max for a public building as Dixon City Councilmember. Furthermore, the Enforcement Division will not be pursuing the alleged Section 1090 violation further due to insufficient evidence. However, mitigating circumstances exist here: you recused yourself from the vote in question and left the room during

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 87105.

the discussion of the matter, you disclosed RE/Max as a source of income on the relevant Statements of Economic Interests, and you have no prior Enforcement history.

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.

Please feel free to contact me at 279-237-3752 or arose@fppc.ca.gov with any questions you may have regarding this letter.

Sincerely,

A handwritten signature in black ink that reads "Alex J. Rose". The signature is written in a cursive, slightly slanted style.

Alex J. Rose
Senior Commission Counsel,
Enforcement Division