



Proposed Findings of Fact and Conclusions of Law, and agrees to abide by the terms of this document.

**I.**

Based upon the foregoing, the Petitioner and the undersigned Respondent jointly stipulate to the following and request that the Missouri Ethics Commission adopt as its own the Joint Proposed Findings of Fact and the Joint Proposed Conclusions of Law, as follows:

**JOINT PROPOSED FINDINGS OF FACT**

1. The Missouri Ethics Commission (“the Commission”) is an agency of the State of Missouri established pursuant to Section 105.955, RSMo, in part for the purpose of enforcing the provisions of Chapter 105, RSMo.

2. Respondent Lambi was at all relevant times the duly elected and acting Mayor for the City of Wentzville, Missouri.

3. Respondent Lambi was at all relevant times the paid C.E.O. of “Winning Endeavors,” which is Ed Watkins’s registered business name.

4. Respondent Lambi is a founder of “Graduate America Priority 1,” or “GAP-1.” In or about September of 2011, Respondent Lambi, together with Ed Watkins, attempted to incorporate GAP-1 as a public benefit non-profit corporation, but on February 23, 2012, Mr. Watkins filed articles of dissolution. In July 2012, Respondent Lambi filed a registration of fictitious name for Graduate America Priority 1, identifying “WE News, LLC” as the owner of the business name. Mr. Watkins is the founder and shareholder of WE News, LLC.

5. Part of Respondent Lambi’s duties as C.E.O. of Winning Endeavors includes working on GAP-1 projects. GAP-1 was formed to increase the number of graduates with a technical or other two-year degree.

6. Pursuant to Section 105.961, RSMo, the Commission's staff has investigated a complaint filed with the Commission and reported the investigation's findings to the Commission.

7. Based on the report of the Commission's staff, the Commission determined that there are reasonable grounds to believe that violations of law occurred, and it therefore authorized a hearing in this matter pursuant to Section 105.961.3, RSMo.

8. The City of Wentzville, Missouri, is a political subdivision of the State of Missouri.

9. While employed by Winning Endeavors and/or performing work for GAP-1, Respondent Lambi attempted to influence a decision of the City of Wentzville by helping persuade the City of Wentzville to pursue a technical college to locate within the City of Wentzville.

10. While employed by Winning Endeavors and/or performing work for GAP-1, Respondent Lambi attempted to influence a decision of the City of Wentzville by helping persuade the City of Wentzville to pursue Ranken Technical College, and after Ranken rejected a fund-raising proposal from Mr. Watkins, Respondent Lambi attempted to influence a decision of the City of Wentzville by attempting to persuade the City of Wentzville to pursue other technical colleges. After Ranken rejected the proposal, Respondent Lambi did not receive any monetary benefit from Ranken or any other educational institution.

11. Respondent Lambi worked to arrange meetings between with the City of Wentzville and Ranken until Respondent Lambi recused himself from any further dealings with Ranken. The Board of Aldermen assigned Larry Tucker, the city's director of economic development, to take over talks with Ranken.

12. Around this same time, Ranken rejected an offer by Mr. Watkins to serve as a paid fund-raiser for the costs it would take Ranken to locate in Wentzville.

13. Respondent Lambi was invited to attend a meeting between Linn State Technical College and several Wentzville officials, after Mr. Watkins was unable to attend. Mr. Watkins asked Respondent Lambi to “represent [Watkins] (not the city), WesTec and GAP.”

### **JOINT PROPOSED CONCLUSIONS OF LAW**

14. Under Section 105.454(4), RSMo, no elected official of a political subdivision of Missouri, serving in an executive or administrative capacity shall:

Perform any services during the time of his or her office or employment for any consideration from any person, firm or corporation, other than the compensation provided for the performance of his or her official duties, by which service he or she attempts to influence a decision of any agency of the state, or of any political subdivision in which he or she is an officer or employee or over which he or she has supervisory power.

15. There is probable cause to believe that Respondent Lambi violated Section 105.454(4), RSMo, by serving as the duly elected and acting Mayor of Wentzville and at the same time performing services for Mr. Watkins, Winning Endeavors, and/or GAP-1 for consideration other than his compensation as Mayor of Wentzville, by which service he attempted to influence decisions of the City of Wentzville regarding recruitment of technical colleges to the City of Wentzville, and that Respondent Lambi did so knowingly.

## II.

Based on the foregoing, the parties hereto mutually agree and stipulate that the following shall constitute the order entered by the Missouri Ethics Commission in this matter. This order will be effective immediately upon the issuance of the Consent Order of the Missouri Ethics Commission without further action by any party:

1. The parties to this Joint Stipulation understand that the Petitioner will maintain this Joint Stipulation as an open and public record of the Missouri Ethics Commission.

2. The Commission shall issue its Consent Order in the form attached hereto as Exhibit A.

a. Respondent shall comply with all relevant sections of Chapter 105, RSMo.

b. It is the Order of the Missouri Ethics Commission that a fee is imposed against Respondent Lambi in the amount of \$1,000, pursuant to Section 105.961.4(6), RSMo. However, if Respondent pays \$200 of that fee within forty-five days after the date of the Order, the remainder of the fee will be stayed, subject to the provisions below. The fee will be paid by check or money order made payable to the Missouri Ethics Commission.

c. If Respondent Lambi commits any further violation or violations of the conflict of interest laws under Chapter 105, RSMo, with the two year period from the date of this order, then Respondent will be required to pay the remainder of the fee. The fee will be due immediately upon final adjudication finding that Respondent has committed such a violation.

3. The parties consent to the entry of record and approval of this Joint Stipulation and to the termination of any further proceedings before the Commission based upon the Complaint filed by the Petitioner in the above action.

4. Respondent, together with his heirs, successors, and assigns, does hereby waive, release, acquit and forever discharge the Missouri Ethics Commission and its attorneys of or from any liability, claim, actions, causes of action, fees, costs and expenses, and compensation, including but not limited to, a claim for attorney's fees whatsoever which Respondent or Respondent's attorney may now have or which they may hereafter have, which are based upon or arise out of the above cases.

5. This joint stipulation does not settle, release, waive, or otherwise relieve Respondent from any late filing fees due to the appropriate filing authority, including Petitioner Missouri Ethics Commission. Respondent understands that late filing fees accrue automatically under Section 105.963, RSMo.

RESPONDENT PAUL LAMBI

PETITIONER MISSOURI ETHICS  
COMMISSION

By: Paul Lambi June 26, 2013 By: Stacey Heislen 7/2/2013  
Paul Lambi Date Stacey Heislen Date  
Acting Executive Director

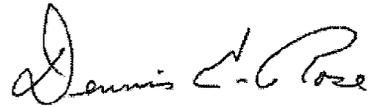
By: Curtis R. Stokes July 2, 2013  
Curtis R. Stokes Date  
Attorney for Petitioner



date of this order, then Respondent will be required to pay the remainder of the fee as originally imposed by the Commission. The fee will be due immediately upon final adjudication finding that Respondent committed such a violation.

SO ORDERED this 2<sup>nd</sup> day of July, 2013

By:



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Dennis Rose, Chair  
Missouri Ethics Commission