



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329
(916) 322-5660 • Fax (916) 322-0886

February 21, 2012

✓ Mr. Timothy Fennell
22nd District Agricultural Assn.

REDACTED

Warning Letter Re: FPPC Nos. 11/1019; 11/1021 and 11/2022; 22nd District Agricultural Association; Timothy Fennell, Respondent

Dear Mr. Fennell:

The Fair Political Practices Commission (FPPC) enforces the provisions of the Political Reform Act (the Act) found in Government Code Section 81000, et seq. As you know, we received a sworn complaint against you and the 22nd District Agricultural Association ("District") alleging you failed to properly complete and post the District's report of distribution of tickets with regard to tickets to the San Diego County Fair and associated concerts given to members of the board.

In a January 27, 2012 letter to you, we requested the District amend Forms 802 posted on its web site to reflect the accurate face value of the tickets distributed and the names of persons who received tickets behested by members of the District. Our letter requested the amendments be posted by February 27, 2012. We have visited the District's web site and noted that the amendments as directed in our letter have now been posted.

Your failure to distribute and post tickets in accordance with Regulation 18944.1 is a violation of the Act. (Gov. Code § 89503.) However, since the District has now complied and corrected the postings, we are closing our file on this matter. This letter serves as a written warning. In the future, the District must accurately post the distribution of tickets in accordance with Regulation 18944.1. 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 FPCC case resolution without administrative prosecution or fine. 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 Fair Political Practices 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 FPCC 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 FPCC's website ten (10) days from the date of this letter.

If you have questions regarding this matter, please contact us at (916) 322-5660.

Sincerely,

REDACTED

Gary S. Winuk, Chief
Enforcement Division

GSW/jt

cc: Mr. Adam Day
Mr. Ruben Barrales
Mr. Russ Penniman
Mr. Ian Trowbridge