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

December 14, 2009

Mr. Kenneth Meissner

REDACTED

Warning Letter Re: FPPC No. 090679 Kenneth Meissner

Dear Mr. Meissner:

The Fair Political Practices Commission ("FPPC") enforces the provisions of the Political Reform Act ("Act"),[1] found in Government Code section 81000, et seq. This letter is in response to a referral from your filing officer that alleged you failed to file your Leaving Office Statement of Economic Interests. The Act requires that employees designated in their employer's conflict of interest code file Statements of Economic Interests (Form 700) when they assume office, annually thereafter, and within 30 days of leaving their position. We have decided to close this case with a warning letter.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that you failed to file a Leaving Office Statement of Economic Interests by the July 15, 2009, deadline regarding your position as a former Commissioner with the City of Berkeley Housing Advisory Commission.

Your failure to file the required statements is a violation of the Act. (Section 87300.) 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

[1] The Political Reform Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

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.

You must immediately file these statements with the City of Berkeley.

Although the Enforcement Division is not seeking a penalty in the current matter, you are still responsible for any late filing fees assessed by your filing officer. (Section 91013.)

A warning letter is an FPPC 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 FPPC 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 FPPC's website ten (10) days from the date of this letter.

Please feel free to contact Adrianne Korchmaros at (916) 322-8241 with any questions you may have regarding this letter.

Sincerely

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Gary S. Winuk
Chief, Enforcement Division

GSW:AK:fp
cc: Ms. Rose Johnson, City of Berkeley, City Clerk Department