



Fair Campaign Practices Commission
Open Government Commission

MINUTES

September 16, 2021

CONCURRENT REGULAR MEETING OF THE FAIR CAMPAIGN PRACTICES COMMISSION AND THE OPEN GOVERNMENT COMMISSION

Pursuant to Executive Order N-29-20 issued by the Governor on March 17, 2020, this meeting was held telephonically.

Secretary: Samuel Harvey, Deputy City Attorney

Members Present: Jedidiah Tsang (Vice Chair), Jessica Blome, Janis Ching, Pedro Hernandez, Mark Humbert, James Hynes, Daniel Newman, Patrick O'Donnell, Kitt Saginor

Also Present: Samuel Harvey, Staff Secretary
Mark Numainville, City Clerk

1. **Call to Order**

Chair called the meeting to order at 7:01 p.m.

2. **Roll Call**

Roll call taken.

3. **Public Comment (items not on agenda)**

No speakers.

4. **Approval of minutes for June 17, 2021 FCPC-OGC Concurrent Regular Meeting**

- a. Public comment: No speakers.
- b. Commission discussion and action.

Motion to approve minutes (M/S/C: Ching/O'Donnell; Ayes: Blome, Ching, Humbert, Hynes, Newman, O'Donnell, Tsang; Noes: none; Abstain: Hernandez, Saginor; Absent: none.)

Fair Campaign Practices Commission (FCPC) Agenda

5. **FCPC Reports**

- a. Report from Chair.
- b. Report from Staff.

6. **Proposed Amendments to the Berkeley Election Reform Act (BERA) and FCPC Regulations for the 2022 Election Cycle**

- a. Public comment: One speaker.
- b. Commission discussion and action.

Motion to adopt BERA amendments proposed by MapLight, with amendment changing proposed aggregate amount of Fair Elections funds a participating Rent Stabilization Board candidate may receive in an election cycle from \$5,000 to \$8,000. (M/S/C: Newman/Humbert; Ayes: Blome, Ching, Hernandez, Humbert, Hynes, Newman, O'Donnell, Saginor, Tsang; Noes: none; Abstain: none; Absent: none.)

Motion to adopt BERA amendments proposed by staff with clarifying changes to proposed language regarding refunds of Fair Elections funds. (M/S/C: Tsang/O'Donnell; Ayes: Blome, Ching, Hernandez, Humbert, Hynes, Newman, O'Donnell, Saginor, Tsang; Noes: none; Abstain: none; Absent: none.)

7. **City Council action on prohibition or regulation of officeholder accounts**

- a. Public comment: No speakers.
- b. Commission discussion and action.

Motion to direct Chair to communicate to City Council that the FCPC does not support permitting officeholder accounts for offices other than Councilmember and Mayor. (M/S/C: Ching/Hynes; Ayes: Ching, Humbert, Hynes, Newman, O'Donnell; Noes: Blome; Abstain: Hernandez, Saginor, Tsang; Absent: none.)

Open Government Commission (OGC) Agenda

8. **OGC Reports**

- a. Report from Chair.
- b. Report from Staff.

9. **City Council consideration of OGC recommendation re public participation in meetings held via videoconference**

- a. Public comment: One speaker.
- b. Commission discussion and no action taken.

Joint FCPC-OGC Agenda

10. **Election of FCPC-OGC Chair and Vice Chair**

- a. Public comment: One speaker.
- b. Commission discussion and action.

Motion to elect Commissioner Tsang FCPC-OGC Chair. (M/S/C: Ching/Hynes; Ayes: Blome, Ching, Hernandez, Humbert, Hynes, Newman, O'Donnell, Saginor, Tsang; Noes: none; Abstain: none; Absent: none.)

Motion to elect Commissioner Ching FCPC-OGC Vice Chair. (M/S/C: Hynes/Saginor; Ayes: Blome, Ching, Hernandez, Humbert, Hynes, Newman, O'Donnell, Saginor, Tsang; Noes: none; Abstain: none; Absent: none.)

13. **Adjournment**

Motion to adjourn. (M/S/C: O'Donnell/Blome; Ayes: Blome, Ching, Hernandez, Humbert, Hynes, Newman, O'Donnell, Saginor, Tsang; Noes: none; Abstain: none; Absent: none.)

The meeting adjourned at 10:10 p.m.