



Fair Campaign Practices Commission
Open Government Commission

DRAFT MINUTES

May 18, 2023

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

North Berkeley Senior Center
1901 Hearst Ave.
Aspen Room

Secretary: Samuel Harvey

Members Present: Patrick O'Donnell, Janis Ching, Kitt Saginor, Pedro Hernandez,
James Hynes

Also Present: Samuel Harvey, Staff Secretary

1. **Call to Order**

Chair called the meeting to order at 6:30 p.m.

2. **Roll Call**

Roll call taken.

3. **Public Comment**

Two speakers.

4. **Approval of Minutes:**

a. April 20, 2023 FCPC-OGC Concurrent Regular Meeting

a. Public comment: none.

b. Commission discussion and action.

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

FCPC Agenda

5. **Reports**
 - a. **Report from Chair**
 - b. **Report from Staff**

6. **City Clerk Department referral to Commission regarding failure of Mike Chang for Berkeley School Board 2022 to file campaign report covering Oct. 23, 2022 to Dec. 31, 2022**
 - a. Public comment: No speakers.
 - b. Commission discussion and action.

Motion to direct Secretary to return at a future meeting with a report making a recommendation regarding whether the Commission should make a finding of probable cause that Mike Chang for Berkeley School Board 2022 has violated the Berkeley Election Reform Act (“BERA”) (M/S/C: Ching/Saginor; Ayes: O’Donnell, Ching, Saginor, Hernandez, Hynes; Noes: none; Abstain: none; Absent: Blome.)

7. **Amendments to Berkeley Election Reform Act (“BERA”) related to public financing, campaign reporting and other topics**
 - a. Public comment: No speakers.
 - b. Commission discussion and action

Motion to approve the proposed amendments to BERA and submit to Council for adoption (M/S/C: Saginor/Ching; Ayes: O’Donnell, Ching, Saginor, Hernandez, Hynes; Noes: none; Abstain: none; Absent: Blome.)

8. **Report from subcommittee on contribution limits under Berkeley Municipal Code § 2.12.415**
 - a. Public comment: No speakers
 - b. Commission discussion

OGC Agenda

9. **Reports**
 - a. **Report from Chair.**
 - b. **Report from Staff.**

10. **Report from subcommittee reviewing policies and practices related to City Council meeting public commenting, access and public participation**
 - a. Public comment: No speakers.

b. Commission discussion.

11. **Annual staff report pursuant to Berkeley Municipal Code section 2.06.190.C**

a. Public comment: No speakers.

12. **Adjournment**

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

The meeting adjourned at 8:23 p.m.