



Fair Campaign Practices Commission
Open Government Commission

MINUTES

September 21, 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, Kitt Saginor, Jessica Blome, Henry Isselbacher,
Pedro Hernandez

Also Present: Samuel Harvey, Staff Secretary

1. **Call to Order**

Chair called the meeting to order at 6:31 p.m.

2. **Roll Call**

Roll call taken

3. **Public Comment**

No speakers.

4. **Approval of Minutes:**

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

a. Public comment: No speakers

b. Commission discussion and action

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

FCPC Agenda

5. **Reports**

a. **Report from Chair**

b. **Report from Staff**

6. **Berkeley Election Reform Act (BERA) Clean-Up Amendments to Ensure Consistency with Contribution Limit Cost of Living Adjustment**

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

Based on Commission discussion, staff to revise proposed language in BMC § 2.12.271 to ensure cost of living adjustments to \$250 threshold for quarterly campaign filings for ballot measure committees will occur consistent with other adjustments in BERA.

7. **Report from subcommittee on contribution limits under Berkeley Municipal Code § 2.12.415**

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

OGC Agenda

8. **Reports**

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

9. **Letter from Jim McGrath raising concerns regarding compliance with the Open Government Ordinance, Public Records Act and Brown Act**

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

Motion to request staff return with information about a potentially responsive letter allegedly not provided by City staff in response to complainant's Public Records Act requests, and to recommend that staff review requirements for agenda posting (M/S/C: Blome/Saginer; Ayes: O'Donnell, Saginer, Blome, Isselbacher, Hernandez; Noes: none; Abstain: none; Absent: Ching, Hynes.)

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 and action

Motion to approve report to City Council with non-substantive edits (M/S/C: O'Donnell/Isselbacher; Ayes: O'Donnell, Saginer, Blome, Isselbacher, Hernandez; Noes: none; Abstain: none; Absent: Ching, Hynes.)

Motion to authorize members of subcommittee for this item to speak on behalf of OGC at City Council Agenda and Rules Committee if needed (M/S/C: Blome/O'Donnell; Ayes: O'Donnell, Saginor, Blome, Isselbacher, Hernandez; Noes: none; Abstain: none; Absent: Ching, Hynes.)

11. **Adjournment**

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

The meeting adjourned at 8:25 p.m.