



Fair Campaign Practices Commission
Open Government Commission

DRAFT MINUTES

April 15, 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), Janis Ching, Dean Metzger, Patrick O'Donnell, Patrick Sheahan, Jessica Blome, James Hynes, Mark Humbert, Alex Sharenko

Also Present: Samuel Harvey, Staff Secretary

1. **Call to Order**

Chair called the meeting to order at 7:02 p.m.

2. **Roll Call**

Roll call taken.

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

Two speakers.

4. **Approval of minutes for March 18, 2021 FCPC-OGC Concurrent Regular Meeting**

- i. Public comment: One speakers.
- ii. Commission discussion and action.

Motion to delay consideration of approval of minutes until after staff report (M/S/C: Ching/Metzger; Ayes: Metzger, O'Donnell, Ching, Sheahan, Blome, Hynes, Humbert, Sharenko, Tsang; Noes: none; Abstain: none; Absent: none.)

Motion to approve minutes amending to include description of discussion regarding potential special OGC meeting to consider complaints received after deadline for March 18, 2021 regular meeting (M/S/C: Metzger/Blome; Ayes: Metzger, O'Donnell, Ching,

Sheahan, Blome, Hynes, Humbert, Sharenko, Tsang; Noes: none; Abstain: none; Absent: none.)

Fair Campaign Practices Commission (FCPC) Agenda

5. **FCPC Reports**

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

6. **Mandated Cost of Living Adjustments for Public Financing Program**

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

Motion to continue process of reviewing cost of living adjustments and ask staff to obtain additional information from the City Clerk regarding campaign expenditures in the City and costs of the public financing program (M/S/C: O'Donnell/Metzger; Ayes: Metzger, O'Donnell, Ching, Sheahan, Hynes, Humbert, Sharenko, Tsang; Noes: Blome; Abstain: none; Absent: none.)

7. **Developing policies allowing administrative closure of inactive campaign committees**

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

Motion to direct staff to draft regulation language incorporating the recommendations from the staff report, making a one-year non-responsive requirement applicable to all criteria for administrative closure (M/S/C: O'Donnell/Hynes; Ayes: Metzger, O'Donnell, Ching, Sheahan, Blome, Hynes, Humbert, Sharenko, Tsang; Noes: none; Abstain: none; Absent: none.)

Open Government Commission (OGC) Agenda

8. **OGC Reports**

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

Brief discussion on procedures for calling special meetings.

9. **Handling of public communications submitted to City legislative bodies as part of public record in land use proceedings**

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

10. **Brown Act and Open Government Ordinance complaints submitted by Shirley Dean related to City Council land use items**

- a. Public comment: Three speakers.
- b. Commission discussion and action.

Motion to consider complaints as two separate agenda items at next Commission meeting and for staff to provide additional information to enable the Commission to consider the complaints and make recommendations to Council (M/S/F: Metzger/Sheahan; Ayes: Metzger, Ching, Sheahan; Noes: O'Donnell, , Blome, Hynes, Humbert, Sharenko, Tsang; Abstain: none; Absent: none.)

Motion to adopt staff's recommendation to dismiss the complaints and give consideration to the concerns raised in the Open Government Ordinance complaint regarding the one-minute limit on public comment. (M/S/C: Hynes/Sharenko; Ayes: O'Donnell, Blome, Hynes, Humbert, Sharenko, Tsang; Noes: Metzger, Ching, Sheahan; Abstain: none; Absent: none.)

Motion to consider a recommendation to Council to review the one-minute rule and practices for ceding of time during public comment while meetings are conducted via videoconference. (M/S/C: Ching/Metzger; Ayes: Metzger, O'Donnell, Ching, Sheahan, Hynes, Humbert, Tsang; Noes: Blome, Sharenko; Abstain: none; Absent: none.)

Joint FCPC-OGC Agenda

11. **Report and discussion re Council Agenda & Rules Committee action on officeholder accounts and councilmember budget grants**

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

13. **Adjournment**

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

The meeting adjourned at 10:40 p.m.