



Fair Campaign Practices Commission
Open Government Commission

DRAFT MINUTES

June 17, 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: Brad Smith (Chair), Jedidiah Tsang (Vice Chair), Janis Ching, Daniel Newman, Patrick O'Donnell, Patrick Sheahan, Jessica Blome, James Hynes, Mark Humbert

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)**

No speakers.

4. **Approval of minutes for May 20, 2021 FCPC-OGC Concurrent Regular Meeting**

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

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

Fair Campaign Practices Commission (FCPC) Agenda

5. **FCPC Reports**

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

6. **Staff update regarding City Clerk Department enforcement referrals to the California Fair Political Practices Commission (FPPC):**

- a. **Carole Marosovic for Berkeley Rent Board 2020**
- b. **Stephen Murphy for Berkeley City Council 2020**

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

Motion to adopt staff's recommendation that FCPC proceed with its own investigation independent of California Fair Political Practices Commission (FPPC) enforcement, and to adopt a policy of initiating independent FCPC enforcement when matters are simultaneously before the FPPC. (M/S/C: O'Donnell/Sheahan; Ayes: Newman, O'Donnell, Ching, Sheahan, Blome, Hynes, Humbert, Smith; Noes: Tsang; Abstain: none; Absent: none.)

7. **FCPC FY2021-2022 Work Plan:**

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

Motion to adopt work plan removing completed items from FY2020-2021 Work Plan re public campaign financing program (M/S/C: Blome/Hynes; Ayes: Newman, O'Donnell, Ching, Sheahan, Blome, Hynes, Humbert, Tsang, Smith; Noes: none; Abstain: none; Absent: none.)

Open Government Commission (OGC) Agenda

8. **OGC Reports**

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

9. **Recommendation to City Council re public participation in meetings held via videoconference**

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

Motion to adopt recommendation as written and submit to City Council (M/S/C: Ching/Tsang; Ayes: Newman, O'Donnell, Ching, Sheahan, Blome, Hynes, Humbert, Tsang, Smith; Noes: none; Abstain: none; Absent: none.)

10. **OGC FY2021-2022 Work Plan**

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

Motion to adopt work plan with amendments re making Lobbyist Registration Ordinance more effective and clarification re annual report from City Manager (M/S/C: Hynes/Ching; Ayes: Newman, O'Donnell, Ching, Sheahan, Blome, Hynes, Humbert, Tsang, Smith; Noes: none; Abstain: none; Absent: none.)

13. **Adjournment**

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

The meeting adjourned at 8:18 p.m.