



**EX PARTE CONTACT DISCLOSURE FORM  
FOR MEMBERS OF THE CITY COUNCIL  
AND CITY BOARDS & COMMISSIONS**

---

*See reverse side for instructions*

**Project/Application/Appeal:** \_\_\_\_\_

**Address of Project/Application/Appeal:** \_\_\_\_\_

**Date of Contact:** \_\_\_\_\_

**Councilmember/Commissioner Name:** \_\_\_\_\_

**Council District:** \_\_\_\_\_

**Person or persons involved in contact:**

_____	_____
_____	_____
_____	_____

**Substance of discussion/evidence received:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Pursuant to Berkeley Open Government Ordinance, Councilmembers and Commissioners must verbally disclose any ex parte contacts at the beginning of the public hearing in addition to filing this form.*

*If a Councilmember or Commissioner resides, or has a financial interest within 500 feet of the subject property, they may have a disqualifying interest.*

## Instructions for Members of the City Council, Boards and Commissions Deciding Quasi-Judicial Matters

The City Council's Fair Hearing Procedures Resolution requires that any *ex parte* contacts in a quasi-judicial proceeding be disclosed prior to the public hearing or the time that the matter appears on the agenda of the City Council or board or commission. The purpose of this form is to help you comply with that constitutional requirement.

The disclosure requirement only applies to quasi-judicial proceedings—that is, proceedings where the Council, Board or Commission takes evidence and applies the law to that evidence to make a discretionary decision. Adjudicatory proceedings include: administrative use permits, use permits and variances under the Zoning Ordinance, alteration permits and designation decisions under the Landmarks Preservation Ordinance, appeals of code enforcement matters before the Housing Advisory Commission and tentative subdivision maps under the Subdivision Ordinance.

The legislative bodies that use this form are: **City Council, Zoning Adjustments Board, Landmarks Preservation Commission, Housing Advisory Commission, Planning Commission, and Fair Campaign Practices Commission.**

*Ex parte* contacts are any contacts outside the public hearing process, including letters, emails, telephone messages, in-person conversations, and meetings.

1. This form is intended to help you make a full disclosure of *ex parte* contacts that occur prior to or during a public hearing.
2. *Ex parte* contacts after a public hearing is closed but before a vote are still prohibited and may require reopening the hearing.
3. Please fill out a separate form for each meeting or telephone message or conversation as soon as possible afterwards.
4. Please provide a copy of this disclosure form to the City Clerk or the secretary of your board or commission, as soon as possible, for inclusion into the record.
5. This form may also be used to transmit emails and written correspondence that do not indicate that they were also sent to the City Clerk or board or commission secretary.
6. Please do not inquire as to what your fellow Council, board or commission members may have said in their meetings, as this can result in a prohibited serial meeting.
7. You must disclose any *ex parte* contacts at the beginning of the next public hearing (or continued public hearing) on the project after the contact occurs or if the project has not yet been set for a public hearing to the City Clerk or secretary of the board or commission as soon as possible after the contact occurs prior to the matter appearing on the Council or board and commission agenda.