



Fair Campaign Practices Commission
Open Government Commission

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

MEETING AGENDA

August 15, 2024

6:30 p.m.

2180 Milvia St., Berkeley, CA 94704

1st Floor, Cypress Room

This meeting is being held in a wheelchair accessible location. To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6418 (V) or 981-6347 (TDD) at least three business days before the meeting date. Please refrain from wearing scented products to this meeting.

A live broadcast of this meeting will be available at: <https://cityofberkeley-info.zoomgov.com/j/1614037595>. At this time, only in-person public comment will be taken.

Acting Secretary: Stephen Hylas

The Commission may act on any item on this agenda

1. Call to Order 6:30 p.m.
2. Roll Call.
3. Land Acknowledgement: The City of Berkeley recognizes that the community we live in was built on the territory of xučyun (Huchiun (Hooch-yoon)), the ancestral and unceded land of the Chochenyo (Cho-chen-yo)-speaking Ohlone (Oh-low-nee) people, the ancestors and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley's residents have and continue to benefit from the use and occupation of this unceded stolen land since the City of Berkeley's incorporation in 1878. As stewards of the laws regulating the City of Berkeley, it is not only vital that we recognize the history of this land, but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today. The City of Berkeley will continue to build relationships with the

Lisjan Tribe and to create meaningful actions that uphold the intention of this land acknowledgement.

4. Approval of agenda
5. Public Comment. *Comments on subjects not on the agenda that are within the Commissions' purview are heard at the beginning of meeting. Speakers may comment on agenda items when the Commission hears those items.*
6. Approval of minutes for July 18, 2024 FCPC-OGC Regular Meeting

Fair Campaign Practices Commission (FCPC) Agenda

7. Reports.
 - a. Report from Chair.
 - b. Report from Staff.
8. Public Financing certifications process discussion with City Clerk; discussion and possible action.
9. Report from negotiating subcommittee: Mike Chang for School Board; discussion and possible action.
10. Complaint: Californians for Safety and Security; discussion and possible action.
11. Complaint: Ruben Story for Council 2024; discussion and possible action.
12. Requests for Commission Opinion under BERA 2.12.220; discussion and possible action.

Open Government Commission (OGC) Agenda

13. Reports.
 - a. Report from Chair.
 - b. Report from Staff.
14. Public Records Act complaint; discussion and possible action.
15. Teleconferencing and remote public access for Commission meetings; discussion and possible action.

Joint FCPC-OGC Calendar

16. Commission vacancies; discussion and possible action.

Information Items

17. Public Financing Candidate Certifications:
 - a. Andy Katz for Berkeley City Council 2024
 - b. Todd Andrew for Berkeley City Council 2024

18. BERA Opinions.
 - a. Todd Andrew Opinion
 - b. Sullivan (Arreguin) Opinion
 - c. Sanders Opinion
 - d. Fix the Streets Opinion

19. Reader-Friendly Version of BERA (BMC 2.12).

20. Adjournment.

Communications

None

Communications to Berkeley boards, commissions or committees are public record and will become part of the City's electronic records, which are accessible through the City's website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to a City board, commission or committee, will become part of the public record.** If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the secretary of the relevant board, commission or committee. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the secretary to the relevant board, commission or committee for further information. **SB 343 Disclaimer:** Any writings or documents provided to a majority of the Commission regarding any item on this agenda will be made available for public inspection at the City Attorney's Office at 2180 Milvia St., 4th Fl., Berkeley, CA.



Fair Campaign Practices Commission
Open Government Commission

DRAFT MINUTES

July 18, 2024

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

Civic Center
2180 Milvia St.
Berkeley, CA 94704
Cypress Room

Secretary: Samuel Harvey

Members Present: Janis Ching, Jessica Blome, Kitt Saginor

Also Present: Brendan Darrow, Acting Staff Secretary

1. **Call to Order**

Chair called the meeting to order at 6:34 p.m.

2. **Roll Call**

Roll call taken

3. **Approval of agenda**

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

4. **Public Comment**

Two speakers

5. **Approval of minutes for June 18, 2024 FCPC-OGC Regular Meeting**

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

Fair Campaign Practices Commission (FCPC) Agenda

6. **Reports**

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

7. **Public Financing certifications process**

- a. Public comment: No speakers.
- b. Commission discussion. No action taken. Staff will consult with City Clerk concerning providing the Commission with data about determinations for non-payment of Fair Elections Funds.

8. **Discussion of FCPC scheduling best practices for 2024 election, including possibility of special meetings**

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

Motion that any request received by the Commission for advice under BERA 2.12.220 that triggers the requirement for a 14 day response be referred to the City Attorney for review and recommendation, and the draft recommendation sent to Commissioner Blome within 10 days for her to review on behalf of the Commission. (M/S/C: Ching/Blome; Ayes: Ching, Blome, Saginor; Noes: none; Abstain: none; Absent: O'Donnell, Isselbacher.)

Open Government Commission (OGC) Agenda

9. **Reports**

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

10. **Land acknowledgement practices**

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

Motion that the Commissions institute use of a land acknowledgement statement as recommended by City Council on October 11, 2022. (M/S/C: Ching/Blome; Ayes: Ching, Blome, Saginor; Noes: none; Abstain: none; Absent: O'Donnell, Isselbacher.)

11. **Teleconferencing and remote public access for commission meetings**

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

Motion that the Commission provide public access to Commission meetings via zoom but not accept public comment remotely at this time. (M/S/C:Blome/Ching; Ayes: Ching, Blome, Saginor; Noes: none; Abstain:none; Absent: O'Donnell, Isselbacher.)

Joint FCPC-OGC Calendar

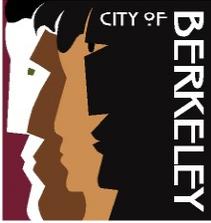
12. **Training presentation: Brown Act and procedural due process**

- a. Public comment: No speakers.
- b. Item deferred to future meeting.

13. **Adjournment**

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

The meeting adjourned at 8:22 p.m.



Fair Campaign Practices Commission

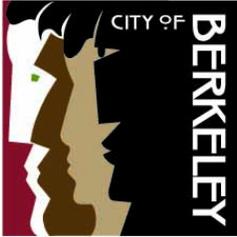
Date: June 17, 2024
To: Fair Campaign Practices Commission
From: Samuel Harvey, Secretary
Subject: Complaint re Californians for Safety and Security

The Commission received the attached complaint alleging violations of the Berkeley Election Reform Act (“BERA”) (BMC Ch. 2.12.) by an independent expenditure committee named Californians for Safety and Security (“Committee”). The complaint alleges that the Committee failed to include a “Major Funding Provided By” disclaimer on one or more campaign communications as required by Berkeley Municipal Code section 2.12.335.

The Secretary recommends that the Commission direct the Secretary to investigate the complaint and return to the Commission with a report at a future meeting.

Attachments:

1. Complaint



Fair Campaign Practices Commission

Complaint of Noncompliance
Berkeley Election Reform Act ("BERA")*

Full Name: _____

Date: _____

Address: _____

E-mail (optional but suggested): _____

Phone (optional but suggested): _____

Party or parties alleged to have committed or are about to commit a violation of BERA:

Clear, concise and accurate statement of the facts that constitute the violation of BERA.
If additional space is needed, you may attach additional pages:

Documents: Attach any documentation supporting the facts alleged.

Statements that are not based upon personal knowledge should identify the source of information that gives rise to the complainant's belief in the truth of such statements.

I declare under penalty of perjury under the laws of the State of California that all information submitted hereon and in the attachments is true and correct.

Signature

Date

*Use this "Complaint of Noncompliance" form to allege a violation of BERA pursuant to Berkeley Municipal Code Section 2.12.225 and the *Procedures of the Fair Campaign Practices Commission*.

BERKELEY ITEM NO. 10-ATTACHMENT 1

PEOPLE'S ALLIANCE

To: Secretary of the Berkeley Fair Campaign Practices Commission:

On behalf of the Berkeley People's Alliance, I, George Lippman (2615 Milvia Street Berkeley, California 94704), hereby lodge the following complaint against "Californians for Safety and Security" (FPPC ID 1448469) and its agents regarding violations of the Berkeley Elections Reform Act.

Additionally, I declare under penalty of perjury under the laws of the state of California that the foregoing complaint is true and correct.

Executed on May 23, 2024

A handwritten signature in black ink that reads "J. George Lippman". The signature is written in a cursive, flowing style.

J. George Lippman
Treasurer, and on Behalf of
Berkeley People's Alliance
info@berkeleypeoplesalliance.org

Background

The Berkeley Election Reform Act (BERA), BMC 2.12, requires that Campaign Communications¹ include

...the phrase “Major Funding Provided By” immediately followed by the name of the contributor, the city of domicile, and the total cumulative sum of contributions by each of the top four contributors over \$250² to the committee funding the expenditure made within six months of the expenditure” ([BMC 2.12.335](#)).

“Californians for Safety and Security”³ is a committee formed for the purpose of sending anonymous hateful mailers to oppose a Berkeley City Council candidate. 100% of its funding comes from three organizations: The Berkeley Property Owners Association (BPOA)⁴ (\$13,500)⁵, the Los Angeles police union⁶ (\$49,000)⁷, and the Personal Insurance Federation Committee⁸ (\$5,000)⁹. The Personal Insurance Federation Committee made its \$5,000 contribution to Respondent on April 14, 2024¹⁰; since that money was donated far less than six months before the May 28 special election for City Council District 4, Respondent is mandated to list the Personal Insurance Federation’s \$5,000 donation on Campaign Communications.¹¹

Respondent has blatantly (and repeatedly) refused to follow this law, thereby corruptly and maliciously misleading the electorate through illegal “dark money” practices.

¹ Defined in BMC 2.12.335(c)

² This amount is indexed to inflation (\$270), but every single donation is magnitudes greater than the inflation-adjusted threshold.

³ For simplicity and readability purposes, “Californians for Safety and Security” and its agents are henceforth collectively referred to as “Respondent.”

⁴ More specifically, the “Berkeley Rental Housing Coalition,” which is the sponsored political committee of the Berkeley Property Owners Association. However, for simplicity, we refer to them as the Berkeley Property Owners Association (BPOA) throughout this complaint.

⁵ cal-access.sos.ca.gov/Campaign/Committees/Detail.aspx?id=1448469&view=received&session=2021

⁶ More specifically, “Los Angeles Police Protective League PAC - Small Contributor Committee”

⁷ *Ibid.*

⁸ A sponsored political committee of the Personal Insurance Federation of California, which represents large insurance companies.

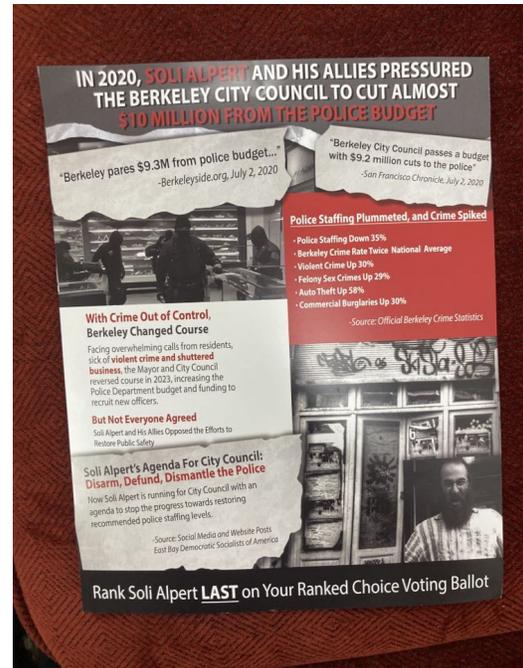
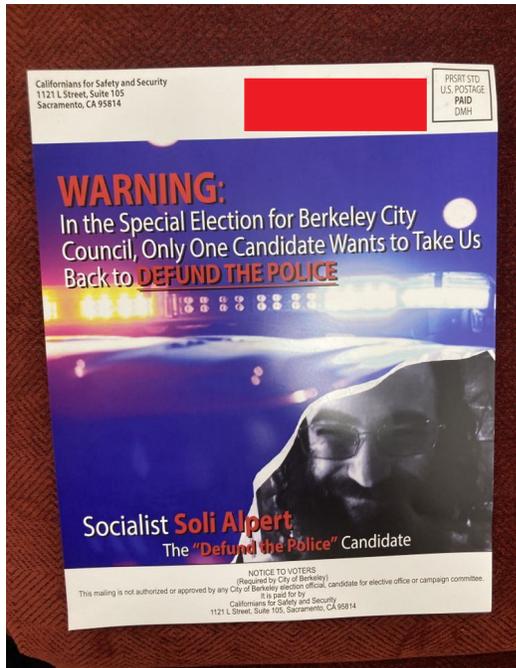
⁹ FPPC Form 496, Report No. 2024.31E. Filed by “Californians for Safety and Security” with the City of Berkeley on May 1, 2024. public.netfile.com/pub2/?aid=BRK

¹⁰ *Ibid.*

¹¹ Unless at least four other sources were to make subsequent cumulative contributions of at least \$5,000 each, thereby taking the four “major funding” spots. However, campaign finance records show that that has not been the case.

Complaint #1: Failure to include required disclosure on Hit Piece Mailer

On or about April 30, 2024, Respondent mass mailed a hit piece against Soli Alpert. Below is a copy of said hit piece



This hit piece undoubtedly qualifies as a Campaign Communication under BMC 2.12.335; yet, Respondent refused to include the critical major funders disclosure which is legally mandated by that section of BERA.

Complaint #2: Failure to include required disclosure on Youtube Ad(s)

Respondent's Form 496 (Report No. 2024.4IE) shows expenditures for "Digital Ads Opposing Soli Alpert." A Berkeley resident informed us of a hit piece against Soli Alpert by Respondent as a video advertisement on Youtube, and that said Youtube hit piece failed to include the BMC 2.12.335 disclosure.

Based on the description of the ad, it is clear that it qualifies as a Campaign Communication under BMC 2.12.335; yet, Respondent reportedly refused to include the critical major funders disclosure which is legally mandated by that section of BERA.

In summary, it is apparent that Respondent failed to put the mandatory disclosure on the Youtube ad as well. The Commission must subpoena records to confirm that Respondent has been illegally disseminating a hit piece on Youtube without including the legally mandated disclosure statement.

Complaint #3: Failure to include required disclosure on Other Political Ad(s)

Respondent's Form 496 (Report No. 2024.41E) lists two separate independent expenditures for "Digital Ads Opposing Soli Alpert," both of which are dated May 2. One may reasonably infer that they took out multiple digital hit pieces against Mr. Alpert (in addition to the aforementioned hit piece running on Youtube). Furthermore, it is likely that these one or more additional digital ads qualify as Campaign Communications under BMC 2.12.335.

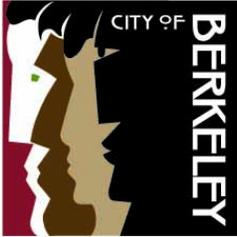
Given the confirmed refusal to include the mandatory disclosure on the mass mailed hit piece, the reported refusal to include the legally mandated disclosure in the hit piece running on Youtube, and the likelihood that one or more of these additional digital ads qualify as Campaign Communications under BMC 12.12.335, they likely also illegally refused to include such disclosures on one or more other digital ads as well. The Commission must subpoena records to determine just how many digital ads that Respondents have been illegally disseminating without including legally mandated disclosure statements.

Aggravating Circumstances

When sanctioning the Respondent, the Commission should consider the following aggravating circumstances:

- It is virtually impossible to cure these violations.
- Complying with the law's requirements to disclose major funding on these hit pieces would have provided voters with the crucial and legally mandated information that Respondent is a corporate-funded group that is trying to sway their votes. Instead, their refusal to comply with the law misled voters to assume that Respondent is a grassroots-funded organization that received no cumulative donations from a single source of \$250 or more within the previous six months.
- A significant amount of Respondent's budget is provided by the Berkeley Property Owners Association (BPOA)¹², which represents Berkeley's largest landlords who oppose the candidate who is vice-chair of the Berkeley Rent Stabilization Board.
- Respondent must be aware of its legal requirements under Berkeley law. Just above BMC 2.12.335 (requiring Campaign Communications list major funders) is BMC 2.12.330 (Mass mailings by independent expenditure (required notice)). Respondent's mailer appears to have complied with that requirement, yet does not comply with the very next section of the law because doing so would require them to let voters know who actually funds them.
- Respondent has violated both state and Berkeley campaign finance laws in order to illegally obscure their activity. For instance, despite indicating on their Form 410 that they are a State Committee, they filed their Form 410 with the City of Berkeley instead of with the State. They also appear to have failed to include the disclosures mandated by BMC 12.335 in Campaign Communications they sent about Berkeley's 2022 election. Based on this demonstrated pattern of violations, we request that the Commission thoroughly investigate these and any other potential violations by Respondent that the Commission may uncover.

¹² See footnote 4



Fair Campaign Practices Commission

Complaint of Noncompliance
Berkeley Election Reform Act ("BERA")*

Full Name: _____

Date: _____

Address: _____

E-mail (optional but suggested): _____

Phone (optional but suggested): _____

Party or parties alleged to have committed or are about to commit a violation of BERA:

Clear, concise and accurate statement of the facts that constitute the violation of BERA.
If additional space is needed, you may attach additional pages:

Documents: Attach any documentation supporting the facts alleged.

Statements that are not based upon personal knowledge should identify the source of information that gives rise to the complainant's belief in the truth of such statements.

I declare under penalty of perjury under the laws of the State of California that all information submitted hereon and in the attachments is true and correct.

Signature

Date

*Use this "Complaint of Noncompliance" form to allege a violation of BERA pursuant to Berkeley Municipal Code Section 2.12.225 and the *Procedures of the Fair Campaign Practices Commission*.

BERKELEY ITEM NO. 10-ATTACHMENT 1 PEOPLE'S ALLIANCE

To: Secretary of the Berkeley Fair Campaign Practices Commission:

On behalf of the Berkeley People's Alliance, I, George Lippman (2615 Milvia Street Berkeley, California 94704), hereby lodge the following amended complaint against "Californians for Safety and Security" (FPPC ID 1448469) and its agents regarding violations of the Berkeley Elections Reform Act.

Additionally, I declare under penalty of perjury under the laws of the state of California that the foregoing complaint is true and correct.

Executed on June 17, 2024

A handwritten signature in cursive script that reads "J. George Lippman".

J. George Lippman
Treasurer, and on Behalf of
Berkeley People's Alliance
info@berkeleypeoplesalliance.org

Background

The Berkeley Election Reform Act (BERA), BMC 2.12, requires that Campaign Communications¹ include

...the phrase “Major Funding Provided By” immediately followed by the name of the contributor, the city of domicile, and the total cumulative sum of contributions by each of the top four contributors over \$250² to the committee funding the expenditure made within six months of the expenditure” ([BMC 2.12.335](#)).

“Californians for Safety and Security”³ is a committee formed for the purpose of sending anonymous hateful mailers to oppose a Berkeley City Council candidate. 100% of its funding comes from three organizations: The Berkeley Property Owners Association (BPOA)⁴ (\$13,500)⁵, the Los Angeles police union⁶ (\$49,000)⁷, and the Personal Insurance Federation Committee⁸ (\$5,000)⁹. The Personal Insurance Federation Committee made its \$5,000 contribution to Respondent on April 14, 2024¹⁰; since that money was donated far less than six months before the May 28 special election for City Council District 4, Respondent is mandated to list the Personal Insurance Federation’s \$5,000 donation on Campaign Communications.¹¹

Respondent has blatantly (and repeatedly) refused to follow this law, thereby corruptly and maliciously misleading the electorate through illegal “dark money” practices.

¹ Defined in BMC 2.12.335(c)

² This amount is indexed to inflation (\$270), but every single donation is magnitudes greater than the inflation-adjusted threshold.

³ For simplicity and readability purposes, “Californians for Safety and Security” and its agents are henceforth collectively referred to as “Respondent.”

⁴ More specifically, the “Berkeley Rental Housing Coalition,” which is the sponsored political committee of the Berkeley Property Owners Association. However, for simplicity, we refer to them as the Berkeley Property Owners Association (BPOA) throughout this complaint.

⁵ cal-access.sos.ca.gov/Campaign/Committees/Detail.aspx?id=1448469&view=received&session=2021

⁶ More specifically, “Los Angeles Police Protective League PAC - Small Contributor Committee”

⁷ *Ibid.*

⁸ A sponsored political committee of the Personal Insurance Federation of California, which represents large insurance companies.

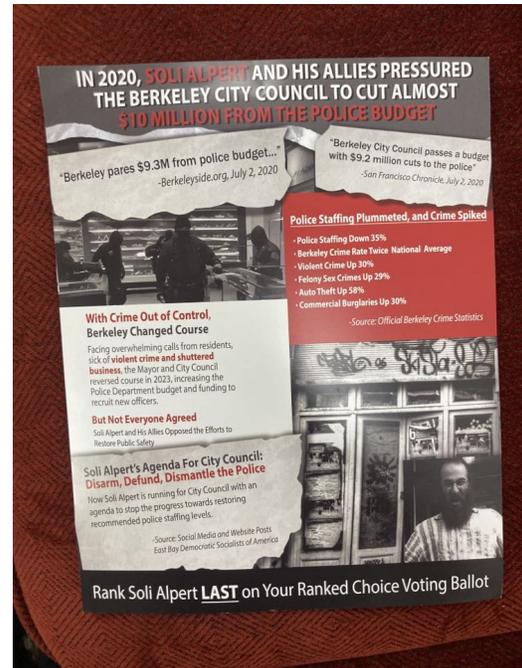
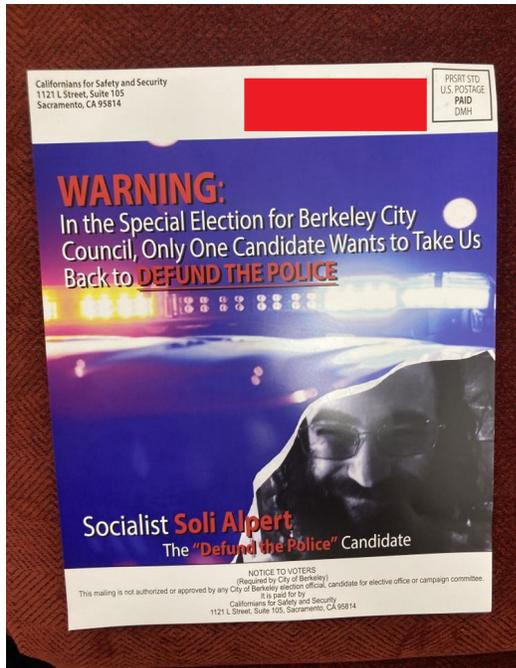
⁹ FPPC Form 496, Report No. 2024.31E. Filed by “Californians for Safety and Security” with the City of Berkeley on May 1, 2024. public.netfile.com/pub2/?aid=BRK

¹⁰ *Ibid.*

¹¹ Unless at least four other sources were to make subsequent cumulative contributions of at least \$5,000 each, thereby taking the four “major funding” spots. However, campaign finance records show that that has not been the case.

Complaint #1: Failure to include required disclosure on Hit Piece Mailer

On or about April 30, 2024, Respondent mass mailed a hit piece against candidate Soli Alpert. Below is a copy of said hit piece.



This hit piece undoubtedly qualifies as a Campaign Communication under BMC 2.12.335; yet, Respondent refused to include the critical major funders disclosure which is legally mandated by that section of BERA.

Complaint #2: Failure to include required disclosure on Hit Piece Mailer #2

On or about May 15, 2024, Respondent mass mailed a second hit piece against Soli Alpert. Below is a copy of said hit piece.



This hit piece undoubtedly qualifies as a Campaign Communication under BMC 2.12.335; yet, Respondent refused to include the critical major funders disclosure which is legally mandated by that section of BERA.

Complaint #3: Failure to include required disclosure on Youtube Ad(s)

Respondent's Form 496 (Report No. 2024.41E) shows expenditures for "Digital Ads Opposing Soli Alpert." A Berkeley resident informed us of a hit piece against Soli Alpert by Respondent as a video advertisement on Youtube, and that said Youtube hit piece failed to include the BMC 2.12.335 disclosure.

ITEM NO. 10-ATTACHMENT 1

Based on the description of the ad, it is clear that it qualifies as a Campaign Communication under BMC 2.12.335; yet, Respondent reportedly refused to include the critical major funders disclosure which is legally mandated by that section of BERA.

In summary, it is apparent that Respondent failed to put the mandatory disclosure on the Youtube ad as well. The Commission must subpoena records to confirm that Respondent has been illegally disseminating a hit piece on Youtube without including the legally mandated disclosure statement.

Complaint #4: Failure to include required disclosure on Other Political Ad(s)

Respondent's Form 496 (Report No. 2024.4IE) lists two separate independent expenditures for "Digital Ads Opposing Soli Alpert," both of which are dated May 2. One may reasonably infer that they took out multiple digital hit pieces against Mr. Alpert (in addition to the aforementioned hit piece running on Youtube). Furthermore, it is likely that these one or more additional digital ads qualify as Campaign Communications under BMC 2.12.335.

Given the confirmed refusal to include the mandatory disclosure on the mass mailed hit piece, the reported refusal to include the legally mandated disclosure in the hit piece running on Youtube, and the likelihood that one or more of these additional digital ads qualify as Campaign Communications under BMC 12.12.335, they likely also illegally refused to include such disclosures on one or more other digital ads as well. The Commission must subpoena records to determine just how many digital ads that Respondents have been illegally disseminating without including legally mandated disclosure statements.

Complaint #5: Failure to File Required Disclosure(s)

A committee is required to file Form 462 within 10 days from the date of an independent expenditure that totals, in the aggregate, \$1,000 or more in a calendar year to support or oppose a candidate or measure. Respondent's expenditures in this election hit that dollar threshold when they began their first hit piece against Soli Alpert, yet they refused to file Form 462 within 10 days as required by law. In fact, Respondent then repeatedly continued to make additional independent expenditures (i.e. additional hit pieces against Soli Alpert) and refused to ever file a Form 462, as required by law.

Complaint #6: Failure to File ANY AND ALL Required Campaign Finance Disclosures

[Berkeley Municipal Code 2.12.032](#) requires that any committee "who receives contributions totaling one thousand dollars (\$1,000) or more, or makes expenditures totaling one thousand dollars (\$1,000) or more, in a calendar year" must file all reports and statements electronically. From the moment that Respondents intervened in this election, they hit the dollar threshold, requiring them to file their reports and disclosures electronically. This has also been true for previous Berkeley elections for which they have intervened. Yet according to Netfile, every single filing Respondents have ever made has been done as hard copy, not as an electronic filing. The failure of the Respondents to file electronically is a clear and repeated violation of the Berkeley law.

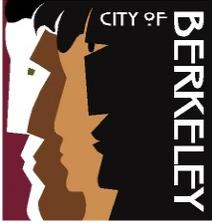
Aggravating Circumstances

ITEM NO. 10-ATTACHMENT 1

When sanctioning the Respondent, the Commission should consider the following aggravating circumstances:

- It is virtually impossible to cure these violations.
- Complying with the law's requirements to disclose major funding on these hit pieces would have provided voters with the crucial and legally mandated information that Respondent is a corporate-funded group that is trying to sway their votes. Instead, their refusal to comply with the law misled voters to assume that Respondent is a grassroots-funded organization that received no cumulative donations from a single source of \$250 or more within the previous six months.
- A significant amount of Respondent's budget is provided by the Berkeley Property Owners Association (BPOA)¹², which represents Berkeley's largest landlords who oppose the candidate who is vice-chair of the Berkeley Rent Stabilization Board.
- Respondent must be aware of its legal requirements under Berkeley law. Just above BMC 2.12.335 (requiring Campaign Communications list major funders) is BMC 2.12.330 (Mass mailings by independent expenditure (required notice)). Respondent's mailer appears to have complied with that requirement, yet does not comply with the very next section of the law because doing so would require them to let voters know who actually funds them.
- Respondent has violated both state and Berkeley campaign finance laws in order to illegally obscure their activity. For instance, despite indicating on their Form 410 that they are a State Committee, they filed their Form 410 with the City of Berkeley instead of with the State. They also appear to have failed to include the disclosures mandated by BMC 12.335 in Campaign Communications they sent about Berkeley's 2022 election. Based on this demonstrated pattern of violations, we request that the Commission thoroughly investigate these and any other potential violations by Respondent that the Commission may uncover.

¹² See footnote 4



Fair Campaign Practices Commission

Date: June 17, 2024
To: Fair Campaign Practices Commission
From: Samuel Harvey, Secretary
Subject: Complaint re Ruben Hernandez Story for Council 2024

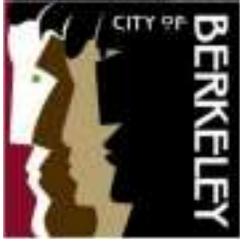
The Commission received the attached complaint alleging violations of the Berkeley Election Reform Act (“BERA”) (BMC Ch. 2.12.) by campaign committee Ruben Hernandez Story for Council 2024 (“Committee”).

The complaint alleges that the Committee failed to properly report certain expenditures on its election reports, as well as potential noncompliance with rules related to disclaimers on campaign communications.

The Secretary recommends that the Commission direct the Secretary to investigate the complaint and return to the Commission with a report at a future meeting.

Attachments:

1. Complaint



Fair Campaign Practices Commission

Complaint of Noncompliance Berkeley Election Reform Act (“BERA”)*

Full Name: Otto Julian Pippenger

Date: 4/18/24

Address:

E-mail (optional but suggested):

_____Otto.pippenger@gmail.com_____

Phone (optional but suggested)

: _____(415) 971-9559_____

Party or parties alleged to have committed or are about to commit a violation of BERA:

Ruben Hernandez Story for Council 2024

Clear, concise and accurate statement of the facts that constitute the violation of BERA. If additional space is needed, you may attach additional pages:

As an area resident, I was curious to review Ruben’s election committee filed its April 17th 2024 Form 460 which is seemingly without reporting of what appear to be significant expenses, listing only campaign signs, ActBlue & Credit Card fees, and the state & local filing fees.

Evidently left out items include a mass text (seemingly directly from the campaign which have reached a number of my personal acquaintances in the district) which did not include FPPC information/a ”Paid for by” disclaimer and which does not appear in the 460 as an expense either through a service or third party vendor, and hosting fees for the campaign website <https://www.ruben4berkeley.com/> (which includes a standard “paid for by” disclaimer- Paid for by Ruben Hernandez Story for Council 2024, FPPC ID # 1467466

Copyright © 2024, All rights reserved.) Also seemingly missing are fees for the 4 staff members, (if paid as the answer seems to suggest) mentioned in questionnaires such as this one at <https://t.ly/k4Bf7> including/as well as the Campaign Manager, Treasurer, and Consultant listed.

If these are oversights, they should be correctable, but if paid for by personal funds or third parties, I believe this would constitute a violation of both 460 filing requirements and rules of the financing program, giving a significant advantage to Ruben Hernandez

Story's campaign over those which are adhering to BERA.

Attached by email are the Form 460 filing in question, an image of the text message to residents, and the questionnaire mentioning paid staff. The website and questionnaire URLs are also included in the text of this document above.

Documents: Attach any documentation supporting the facts alleged.

See above, documents attached by email- image of text message, copy of Form 460, and Questionnaire (East Bay Young Democrats) and <https://www.ruben4berkeley.com/> (Campaign Website URL)

Statements that are not based upon personal knowledge should identify the source of information that gives rise to the complainant's belief in the truth of such statements.

I declare under penalty of perjury under the laws of the State of California that all information submitted hereon and in the attachments is true and correct.

Signature *Otto J. Pippenger* Date 4/18/24

*Use this "Complaint of Noncompliance" form to allege a violation of BERA pursuant to Berkeley Municipal Code Section 2.12.225 and the *Procedures of the Fair Campaign Practices Commission*.

Text Message
Tue, Apr 2 at 6:12 PM



Hi, William! This is Henry w/ **Ruben Hernandez Story for Berkeley City Council**. I am excited to introduce you to Ruben Hernandez who is running for Berkeley City Council in District 4. From advocating for housing near BART stations to improving safety for pedestrians and cyclists, Ruben is committed to uplifting all residents. With support from Mayor Jesse Arreguín and a supermajority of the Berkeley City Council, he is ready to lead Berkeley. William, can we count on your support? Learn more at ruben4berkeley.com. Reply STOP to Stop.

2024 EBYD Candidate Questionnaire

PLEASE NOTE: Anything submitted here will be published online. You will have the opportunity to submit a candidate video at the end of the questionnaire. Questions? Please email info@ebyd.org.

East Bay Young Democrats (EBYD) work to encourage young people in Alameda County and West Contra Costa County to take an active role in their community through activism, policy, and politics and contribute to the growth and influence of the ideals and philosophy of the Democratic Party.

We strive to promote candidates, ballot measures, and policies that: advance economic, environmental, and social justice in all East Bay communities; help and empower young people and members of marginalized communities to be able to afford to live and thrive in the Bay Area; ensure that the East Bay remains a vibrant, diverse, and welcoming community; continue the Bay Area's leadership in environmental protection and accessible and affordable transit; and defend the civil/human rights and liberties of everyone in our community.

Email *

ruben4berkeley@gmail.com

Full Name *

Rubén Hernández Story

Gender Pronouns *

he/him/él

Elected Office Sought (ex. Galactic Senate District 77) *

Berkeley City Council District 4

Political Party Affiliation (NOTE: EBYD can only endorse candidates who are registered Democrats)

*

- American Independent Party
- Democratic Party
- Green Party
- Libertarian Party
- Peace and Freedom Party
- Republican Party
- No Party Preference

Campaign Information

Mailing Address (Street, City, State, ZIP Code) *

2427 McKinley Avenue, Apt 3, Berkeley, CA 94703

Candidate Email Address *

ruben4berkeley@gmail.com

Candidate Phone Number *

5106035884

Website *

www.ruben4berkeley.com

Campaign Manager Full Name *

Dyana Delfín Polk

Campaign Manager Email Address *

campaignmanagerdyana@gmail.com

Campaign Manager Phone Number *

2096585837

Treasurer Full Name *

Jill Martinucci

Consultant Full Name

Ben Gould

Consulting Firm Full Name

Full Campaign Committee Name *

Ruben Hernandez Story for Council 2024

FPPC ID Number *

1467466

Experience and Priorities

Why are you running? *

As a Mexican immigrant and first-generation college graduate who grew up in Section 8 housing, I know firsthand the kinds of sacrifices working people have to make to support themselves and their families. I am committed to redressing the historic harm done to marginalized communities and ensuring that the City of Berkeley and our partner institutions are accountable for uplifting and supporting the workers whose labor keeps them afloat. As a public servant, organizer, and leader with over eight years of experience at the state and local level, I am best positioned to build the coalitions and consensus necessary to advance the Berkeley City Council's legacy of pragmatic, progressive policies and reforms. My desire to continue serving the community that has welcomed me and my fiancée with open arms is what is driving this campaign. I care about my neighbors and I care about the community I have called home for the last six years. I have the experience necessary to make the right decisions and the ability to bring people together amidst divides on our council, decisions rooted in ensuring that our District 4 neighbors are heard and represented well. I will fight to address the housing supply and affordability crisis and protect renters like me, reduce our greenhouse gas emissions through a climate and mobility justice lens, strengthen community policing, accountability, and non-police intervention so that our officers can focus on addressing violent crimes and thefts, provide compassionate care for our unsheltered neighbors - not criminalize them, revitalize our Downtown and invest in our restaurants, nightlife, arts, and cultural programming while ensuring worker protections and economic mobility, and work transparently with city staff to balance our workload and diversify and increase our revenue sources.

Why are you seeking our endorsement? *

When I moved to Berkeley in 2018, one of the first things I did was look up “young Democrats”, and the East Bay Young Democrats showed up on my feed. I went to the next meeting - and the rest was history. I am proud to be a long-time member and board member, especially now that I have the honor of serving as president. My entire California history (and future) is tied to EBYD and the amazing community it has provided. I am seeking EBYD’s endorsement not only because I am an active member, but because I strongly believe in the power and voice of young people to shape not only our future, but our present. We have to deal with the consequences of today, tomorrow, and we are owed more than lip service. As the largest young Democrat organization in the East Bay, and one of the largest Young Democrat organizations in the region and statewide, EBYD helps to shape policies and hold our elected leaders accountable. I would be honored to earn EBYD’s endorsement and bring them to the table and beyond at Berkeley City Hall.

What have you done to empower young people (age 14-35)? *

As a long-time active member of EBYD, the Latine Young Democrats of the East Bay, and the California Young Democrats, I have been involved in various meetings, events, and initiatives that have helped not only connect our members with elected officials and other decision makers, but give them a voice at the table. We have endorsed and volunteered for candidates that fight for us and supported state and local legislation that addresses our pressing issues through letters of support, phonebanking, canvassing, and more. In my time with EBYD, we have been a strong and diverse group that has created spaces for members of varying levels of political involvement to gain the knowledge and toolset they need to stay engaged with what is going on in our region and state. In my day jobs working at the state and local government levels as a legislative assistant, I have helped provide the perspective of young people by ensuring that political and nonpartisan youth organizations are providing their input on legislation or ordinances our offices work on as well as our interns. I look forward to continuing to do so on council with legislative aides that also reflect the youth perspective that has shaped me into the individual I am today.

Please provide examples of projects, votes, or propositions through which you have supported/led young people. *

In EBYD and LYDEB, I have served in various capacities, including president, policy director, communications director, and more. Whether presiding over meetings, ensuring that fellow board members views and perspectives are heard and that we are sharing the workload, researching and gathering data on legislation and candidates for our endorsement consideration, or compiling our messages and stories for our newsletter and social media accounts, I have spent the last six years in leadership positions supporting and leading young people, while also being supported and led by young people myself. In my day jobs, I have also led interns and supported them by giving them the space to grow into their roles while ensuring that their internship goals were being met. A lot of the work that I have worked on over the last eight years as a legislative aide has had direct impacts on young people - a Berkeley Green New Deal, bus, cycling, and pedestrian improvements, increasing the housing supply and affordability, economic recovery, and more. Anything I work on is largely done through the eyes of how it particularly impacts young people, especially those younger than me. We need to invest in a pipeline of young leadership and look out for future generations, always.

What do you think are the top three issues impacting young people (age 14-35) that are relevant to the office you are seeking? (please rank in order of priority) *

Housing affordability and stability
Climate and mobility justice
Equitable economic recovery

For each of the three issues listed above, what is a policy you would propose to address that issue? *

I will invest in the city's affordable housing trust fund, rental assistance, eviction protection, and ownership opportunities, work to streamline the permitting process for new homes being built, including ADUs, tiny homes, and middle housing, and advance innovative solutions like the city's social housing pilot and housing preference policy to redress the displacement of low-income households of color. I believe a housing-first approach is critical to serving our unhoused neighbors. I will invest in rapid rehousing services, transitional housing, and permanent supportive housing for individuals with severe mental health needs, as demonstrated by the Hope Center on Berkeley Way.

I will support transit-first policies and infrastructure, such as bicycle and pedestrian safety improvements, bus rapid transit, pedestrian plazas, bringing the Berkeley ferry online, and expanding access to electric micro-mobility options for low-income residents such as e-bike rebate programs and subsidized bike share and transit passes for residents in transit-oriented multifamily buildings. I will support transit oriented development. Building more housing near jobs, transit, and amenities feeds three birds with one stone: it improves housing availability and affordability, it reduces traffic into Berkeley, and it lowers emissions. I will work to update our natural gas prohibition and energy efficiency standards to advance building decarbonization and increase our investment in ongoing zero waste strategies, such as compost bins for retailers and multifamily apartment buildings.

I will support our arts, culture, hospitality, restaurants, and nightlife by improving safety and transit access to enable more late-night dining and entertainment in our downtown business district. I will work with business groups, community nonprofits, and the UC to attract new and retain legacy businesses. I will support adaptive reuse of underutilized commercial buildings and improve staffing and streamlining to speed up permitting for new small, local businesses. I will support the right to organize for all workers and workplace and hazard protections. I will support apprenticeships, health care, labor standards, and project labor agreements.

How would you address the obstacles (political, budgetary, etc.) that you would need to overcome to implement the policies you proposed? Please be reasonably specific; a plan with no real prospect of enactment does little to help young people (age 14-35). *

I will support replenishing the City's Reserve Fund and expanding and diversifying citywide revenue sources to pay for existing and future programs and provide resilience in the face of economic changes. I will work with the City Manager and City Auditor to identify cost savings opportunities without reducing services, such as updating technology to streamline operations and service delivery. I will ensure an orderly and transparent annual budget process to enable community input on City priorities and focus resources on critical operations. My goal will be to bring a voice to the council that is both progressive and pragmatic and that is going to uplift all voices in the District, including if we are initially on opposing sides of an issue, in order to ensure that everyone is heard in the decision making process. I will work diligently to have a constant stream of communication with residents via my newsletter, social media accounts, meetings, and community conversations, including with community leaders, organizations, and unions, in order to ensure that all perspectives are heard, validated, and used to make final decisions. Another goal will be to be mindful of city staff capacity when it comes to passing too many referrals that end up in a giant backlog while we are understaffed as well as being mindful of how elected officials and management treat staff and holding each other accountable when mistreatment occurs. I will also promote opportunities to work at the City of Berkeley through my newsletter, social media accounts, and communications with constituents.

Biography

Please enter your biography here. *

I was born in Mexico and raised in South Texas by a single mother in Section 8 housing along with my two siblings. Watching my mother struggle to make ends meet as a teacher's assistant making minimum wage taught me the importance of hard work and education from a young age. After graduating in the top 10 of my high school, I was the first in my family to graduate from college, earning a degree in International Relations and Diplomacy from the Ohio State University. Since graduating, I have been committed to public service, working to ensure that disadvantaged communities receive the support they need. I have worked in the offices of U.S. Senator Sherrod Brown, Ohio State Senator Cecil Thomas, Richmond Mayor Tom Butt, and Berkeley Councilmember Terry Taplin, where I currently serve as his chief of staff. I have worked to advance initiatives on gun violence prevention and criminal justice reform, creating housing near BART stations, developing a West Berkeley Green New Deal, expanding bus and ferry service alongside electric vehicle charging, and improving safety for pedestrians and cyclists. After moving to Berkeley in 2018, I became deeply involved in the community. In addition to my work in Berkeley City Hall, I serve as president of the East Bay Young Democrats and as immediate past president of the Latine Young Democrats of the East Bay, where I have helped uplift voices of young people and people of color and give them a seat at the table. My fiancée, Sierra, and I have set down roots in District 4 with our cats Mango and Horchata. In my free time, I love to dine at local restaurants, visit museums and art exhibits, attend musical performances, hike at state and national parks, walk around town, and enjoy various films and tv series.

Additional Information

What percentage of your paid staff on your campaign are between the ages of 14 and 35? *

75% (3 out of 4)

Please enter any additional information you want to provide here.

I am proud to be endorsed by the Building and Construction Trades Council of Alameda County, the Nor Cal Carpenters Union, the Berkeley Fire Fighters Association (Local 1227), the East Bay Stonewall Democratic Club, Alameda County Sheriff Yesenia Sanchez, East Bay Regional Parks Director Elizabeth Echols, Berkeley Mayor Jesse Arreguín, El Cerrito Mayor Tessa Rudnick, Albany Mayor John Miki, former Richmond Mayor Tom Butt, Berkeley Vice Mayor Susan Wengraf, Berkeley City Councilmembers Rashi Kesawani, Terry Taplin, Ben Bartlett, and Mark Humbert, former Berkeley City Councilmembers Rigel Robinson, Linda Maio, Darryl Moore, and Gordon Wozniak, Berkeley School Board Vice President Ka'Dijah Brown and Director Laura Babbitt, Berkeley Rent Board Commissioners Stefan Elgstrand, Andy Kelley, and Vanessa Danielle Marrero, Peralta Colleges Trustee Dyana Delfín Polk, Former Berkeley Federation of Teachers President Barry Fike, the chairs of the following city boards and commissions: Planning; Transportation and Infrastructure; Parks, Recreation, and Waterfront; Disaster and Fire Safety; and Personnel, and various other commissioners, East Bay elected officials, and District 4 community members. Learn more at ruben4berkeley.com.

This content is neither created nor endorsed by Google.

Google Forms

**Recipient Committee
Campaign Statement
Cover Page — Part 2**

CALIFORNIA FORM 460
Page 2 of 35

5. Officeholder or Candidate Controlled Committee

NAME OF OFFICEHOLDER OR CANDIDATE
 Ruben Hernandez Story
 OFFICE SOUGHT OR HELD (INCLUDE LOCATION AND DISTRICT NUMBER IF APPLICABLE)
 City Council Member: City of Berkeley District 4
 RESIDENTIAL/BUSINESS ADDRESS (NO. AND STREET) CITY STATE ZIP
 Berkeley CA 94703

Related Committees Not Included in this Statement: List any committees not included in this statement that are controlled by you or are primarily formed to receive contributions or make expenditures on behalf of your candidacy.

| | |
|-------------------|---|
| COMMITTEE NAME | I.D. NUMBER |
| NAME OF TREASURER | CONTROLLED COMMITTEE? <input type="checkbox"/> YES <input type="checkbox"/> NO |
| COMMITTEE ADDRESS | STREET ADDRESS (NO P.O. BOX) |
| CITY | STATE ZIP CODE AREA CODE/PHONE |
| COMMITTEE NAME | I.D. NUMBER |
| NAME OF TREASURER | CONTROLLED COMMITTEE? <input type="checkbox"/> YES <input type="checkbox"/> NO |
| COMMITTEE ADDRESS | STREET ADDRESS (NO P.O. BOX) |
| CITY | STATE ZIP CODE AREA CODE/PHONE |

6. Primarily Formed Ballot Measure Committee

NAME OF BALLOT MEASURE

| | | |
|----------------------|--------------|---|
| BALLOT NO. OR LETTER | JURISDICTION | <input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE |
|----------------------|--------------|---|

Identify the controlling officeholder, candidate, or state measure proponent, if any.

NAME OF OFFICEHOLDER, CANDIDATE, OR PROONENT

OFFICE SOUGHT OR HELD

DISTRICT NO. IF ANY

7. Primarily Formed Candidate/Officeholder Committee List names of officeholder(s) or candidate(s) for which this committee is primarily formed.

| | | |
|-----------------------------------|-----------------------|---|
| NAME OF OFFICEHOLDER OR CANDIDATE | OFFICE SOUGHT OR HELD | <input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE |
| NAME OF OFFICEHOLDER OR CANDIDATE | OFFICE SOUGHT OR HELD | <input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE |
| NAME OF OFFICEHOLDER OR CANDIDATE | OFFICE SOUGHT OR HELD | <input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE |
| NAME OF OFFICEHOLDER OR CANDIDATE | OFFICE SOUGHT OR HELD | <input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE |

Attach continuation sheets if necessary

Campaign Disclosure Statement Summary Page

Amounts may be rounded
to whole dollars.

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

Ruben Hernandez Story for Council 2024

Statement covers period

from 01/01/2024

through 04/13/2024

Page 3 of 35

I.D. NUMBER

1467466

Contributions Received

| | Column A TOTAL THIS PERIOD (FROM ATTACHED SCHEDULES) | Column B CALENDAR YEAR TOTAL TO DATE |
|---------------------------------|--|--|
| 1. Monetary Contributions | Schedule A, Line 3 \$ 8,814.00 | \$ 8,814.00 |
| 2. Loans Received | Schedule B, Line 3 0.00 | 0.00 |
| 3. SUBTOTAL CASH CONTRIBUTIONS | Add Lines 1 + 2 \$ 8,814.00 | \$ 8,814.00 |
| 4. Nonmonetary Contributions | Schedule C, Line 3 0.00 | 0.00 |
| 5. TOTAL CONTRIBUTIONS RECEIVED | Add Lines 3 + 4 \$ 8,814.00 | \$ 8,814.00 |

Calendar Year Summary for Candidates Running in Both the State Primary and General Elections

1/1 through 6/30 7/1 to Date

20. Contributions Received \$ _____

21. Expenditures Made \$ _____

Expenditures Made

| | | |
|------------------------------------|----------------------------------|-------------|
| 6. Payments Made | Schedule E, Line 4 \$ 5,344.43 | \$ 5,344.43 |
| 7. Loans Made | Schedule H, Line 3 0.00 | 0.00 |
| 8. SUBTOTAL CASH PAYMENTS | Add Lines 6 + 7 \$ 5,344.43 | \$ 5,344.43 |
| 9. Accrued Expenses (Unpaid Bills) | Schedule F, Line 3 0.00 | 0.00 |
| 10. Nonmonetary Adjustment | Schedule C, Line 3 0.00 | 0.00 |
| 11. TOTAL EXPENDITURES MADE | Add Lines 8 + 9 + 10 \$ 5,344.43 | \$ 5,344.43 |

Expenditure Limit Summary for State Candidates

22. Cumulative Expenditures Made* (If Subject to Voluntary Expenditure Limit)

Date of Election (mm/dd/yy) _____ Total to Date \$ _____

_____ / _____ / _____ \$ _____

Current Cash Statement

| | |
|-------------------------------------|--|
| 12. Beginning Cash Balance | Previous Summary Page, Line 16 \$ 0.00 |
| 13. Cash Receipts | Column A, Line 3 above 8,814.00 |
| 14. Miscellaneous Increases to Cash | Schedule I, Line 4 12,930.00 |
| 15. Cash Payments | Column A, Line 8 above 5,344.43 |
| 16. ENDING CASH BALANCE | Add Lines 12 + 13 + 14, then subtract Line 15 \$ 16,399.57 |

If this is a termination statement, Line 16 must be zero.

17. LOAN GUARANTEES RECEIVED Schedule B, Part 2 \$ 0.00

Cash Equivalents and Outstanding Debts

18. Cash Equivalents See instructions on reverse \$ 0.00

19. Outstanding Debts Add Line 2 + Line 9 in Column B above \$ 0.00

To calculate Column B, add amounts in Column A to the corresponding amounts from Column B of your last report. Some amounts in Column A may be negative figures that should be subtracted from previous period amounts. If this is the first report being filed for this calendar year, only carry over the amounts from Lines 2, 7, and 9 (if any).

*Amounts in this section may be different from amounts reported in Column B.

Schedule A Monetary Contributions Received

Amounts may be rounded
to whole dollars.

SCHEDULE A

CALIFORNIA FORM 460

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

Ruben Hernandez Story for Council 2024

Statement covers period
from 01/01/2024
through 04/13/2024

Page 4 of 35

I.D. NUMBER

1467466

| DATE RECEIVED | FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER) | CONTRIBUTOR CODE * | IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS) | AMOUNT RECEIVED THIS PERIOD | CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31) | PER ELECTION TO DATE (IF REQUIRED) |
|--------------------|--|---|--|-----------------------------|---|------------------------------------|
| 03/01/2024 | Andrew Canan Columbus, OH 43214 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Director Ohio Credit Union League | 60.00 | 60.00 | S2024 \$60.00 |
| 03/01/2024 | Barry Fike Berkeley, CA 94703 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Retired Not Employed | 60.00 | 60.00 | S2024 \$60.00 |
| 03/01/2024 | Ben Gerhardstein Berkeley, CA 94702 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Public health CDC | 60.00 | 60.00 | S2024 \$60.00 |
| 03/01/2024 | Andrew Godar Berkeley, CA 94710 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | RN Sutter | 60.00 | 60.00 | S2024 \$60.00 |
| 03/01/2024 | Ben Gould Oakland, CA 94612 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | President EcoDataLab | 60.00 | 60.00 | S2024 \$60.00 |
| SUBTOTAL \$ | | | | 300.00 | | |

SUBTOTAL \$

300.00

Schedule A Summary

- Amount received this period – itemized monetary contributions.
(Include all Schedule A subtotals.) \$ 8,420.00
- Amount received this period – unitemized monetary contributions of less than \$100 \$ 394.00
- Total monetary contributions received this period.
(Add Lines 1 and 2. Enter here and on the Summary Page, Column A, Line 1.) **TOTAL \$** 8,814.00

*Contributor Codes
IND – Individual
COM – Recipient Committee
(other than PTY or SCC)
OTH – Other (e.g., business entity)
PTY – Political Party
SCC – Small Contributor Committee

ITEM NO. 11

Schedule A (Continuation Sheet) Monetary Contributions Received

SCHEDULE A (CONT.)

Amounts may be rounded
to whole dollars.

Statement covers period

from 01/01/2024

through 04/13/2024

**CALIFORNIA
FORM 460**

Page 5 of 35

I.D. NUMBER

1467466

NAME OF FILER

Ruben Hernandez Story for Council 2024

| DATE RECEIVED | FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER) | CONTRIBUTOR CODE * | IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS) | AMOUNT RECEIVED THIS PERIOD | CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31) | PER ELECTION TO DATE (IF REQUIRED) |
|--------------------|---|---|---|-----------------------------|--|---------------------------------------|
| 03/01/2024 | Alison Grady Oakland, CA 94612 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Public Health Consultant Karna llc | 60.00 | 60.00 | S2024 \$60.00 |
| 03/01/2024 | Andy Kelley Berkeley, CA 94702 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Rent Stabilization Board Member City of Berkeley | 60.00 | 60.00 | S2024 \$60.00 |
| 03/01/2024 | Alice Neels Berkeley, CA 94704 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Software Engineer Google | 60.00 | 60.00 | S2024 \$60.00 |
| 03/01/2024 | Anthony Rodriguez Oakland, CA 94607 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Policy Analyst City of Berkeley | 60.00 | 60.00 | S2024 \$60.00 |
| 03/01/2024 | Andrew Talbot Berkeley, CA 94710 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Software engineering Elation Health | 60.00 | 60.00 | S2024 \$60.00 |
| SUBTOTAL \$ | | | | 300.00 | | |

ITEM NO. 11

*Contributor Codes
IND – Individual
COM – Recipient Committee
(other than PTY or SCC)
OTH – Other (e.g., business entity)
PTY – Political Party
SCC – Small Contributor Committee

Schedule A (Continuation Sheet) Monetary Contributions Received

SCHEDULE A (CONT.)

Amounts may be rounded
to whole dollars.

Statement covers period

from 01/01/2024

through 04/13/2024

**CALIFORNIA
FORM 460**

Page 6 of 35

I.D. NUMBER

1467466

NAME OF FILER

Ruben Hernandez Story for Council 2024

| DATE RECEIVED | FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER) | CONTRIBUTOR CODE * | IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS) | AMOUNT RECEIVED THIS PERIOD | CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31) | PER ELECTION TO DATE (IF REQUIRED) |
|--------------------|---|---|---|-----------------------------|--|---------------------------------------|
| 03/02/2024 | Beth Gerstein Berkeley, CA 94703 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Legislative Aide City of Berkeley | 60.00 | 60.00 | S2024 \$60.00 |
| 03/02/2024 | Carrie Gray Berkeley, CA 94705 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Psychotherapist Self, Berkeley, CA | 60.00 | 60.00 | S2024 \$60.00 |
| 03/02/2024 | Brenda Hernandez San Antonio, TX 78240 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Customer Care Representative HHS | 60.00 | 60.00 | S2024 \$60.00 |
| 03/02/2024 | Charles Mark Humbert Berkeley, CA 94705 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Lawyer Humbert Law Offices | 60.00 | 60.00 | S2024 \$60.00 |
| 03/02/2024 | Benjamin Pearce Berkeley, CA 94704 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Student Berkeley Law | 60.00 | 60.00 | S2024 \$60.00 |
| SUBTOTAL \$ | | | | 300.00 | | |

ITEM NO. 11

*Contributor Codes
IND – Individual
COM – Recipient Committee
(other than PTY or SCC)
OTH – Other (e.g., business entity)
PTY – Political Party
SCC – Small Contributor Committee

Schedule A (Continuation Sheet) Monetary Contributions Received

SCHEDULE A (CONT.)

Amounts may be rounded
to whole dollars.

Statement covers period

from 01/01/2024

through 04/13/2024

**CALIFORNIA
FORM 460**

Page 7 of 35

I.D. NUMBER

1467466

NAME OF FILER

Ruben Hernandez Story for Council 2024

| DATE RECEIVED | FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER) | CONTRIBUTOR CODE * | IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS) | AMOUNT RECEIVED THIS PERIOD | CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31) | PER ELECTION TO DATE (IF REQUIRED) |
|---------------|---|---|---|-----------------------------|--|---------------------------------------|
| 03/02/2024 | Bradley Slaughter Berkeley, CA 94709 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Software Engineer Adobe | 60.00 | 60.00 | S2024 \$60.00 |
| 03/02/2024 | Cameron Woo Berkeley, CA 94710 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Retired N/A | 60.00 | 60.00 | S2024 \$60.00 |
| 03/03/2024 | Christina Becker Oakland, CA 94618 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Analyst University of California | 60.00 | 60.00 | S2024 \$60.00 |
| 03/03/2024 | Christopher Hyun Berkeley, CA 94709 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Senior Environmental Scientist Specialist State Water Resources Control Board | 60.00 | 60.00 | S2024 \$60.00 |
| 03/03/2024 | Chris Lee-Egan Berkeley, CA 94702 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Software Engineer Google | 60.00 | 60.00 | S2024 \$60.00 |

SUBTOTAL \$

300.00

*Contributor Codes

- IND – Individual
- COM – Recipient Committee
(other than PTY or SCC)
- OTH – Other (e.g., business entity)
- PTY – Political Party
- SCC – Small Contributor Committee

ITEM NO. 11

Schedule A (Continuation Sheet) Monetary Contributions Received

Amounts may be rounded to whole dollars.

Statement covers period

from 01/01/2024

through 04/13/2024

Page 8 of 35

NAME OF FILER: Ruben Hernandez Story for Council 2024
I.D. NUMBER: 1467466

| DATE RECEIVED | FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER) | CONTRIBUTOR CODE * | IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS) | AMOUNT RECEIVED THIS PERIOD | CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31) | PER ELECTION TO DATE (IF REQUIRED) |
|--------------------|--|---|--|-----------------------------|---|------------------------------------|
| 03/05/2024 | Diego Aguilar Canabal Berkeley, CA 94709 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Legislative Assistant City of Berkeley | 60.00 | 60.00 | S2024 \$60.00 |
| 03/05/2024 | Craig Goetz Mansfield, OH 44904 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Pump Test Inspector Gorman Rupp | 60.00 | 60.00 | S2024 \$60.00 |
| 03/05/2024 | Claudia Kawczynska Berkeley, CA 94710 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Retired N/A | 60.00 | 60.00 | S2024 \$60.00 |
| 03/05/2024 | Daniel Knapp Richmond, CA 94805 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | CEO Urban Ore Inc. | 60.00 | 60.00 | S2024 \$60.00 |
| 03/05/2024 | Elizabeth Lee-Egan Berkeley, CA 94702 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Creative Manager Sierra Club | 60.00 | 60.00 | S2024 \$60.00 |
| SUBTOTAL \$ | | | | 300.00 | | |

*Contributor Codes
IND – Individual
COM – Recipient Committee
(other than PTY or SCC)
OTH – Other (e.g., business entity)
PTY – Political Party
SCC – Small Contributor Committee

Schedule A (Continuation Sheet) Monetary Contributions Received

SCHEDULE A (CONT.)

Amounts may be rounded
to whole dollars.

Statement covers period

from 01/01/2024

through 04/13/2024

**CALIFORNIA
FORM 460**

Page 9 of 35

I.D. NUMBER

1467466

NAME OF FILER

Ruben Hernandez Story for Council 2024

| DATE RECEIVED | FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER) | CONTRIBUTOR CODE * | IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS) | AMOUNT RECEIVED THIS PERIOD | CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31) | PER ELECTION TO DATE (IF REQUIRED) |
|--------------------|---|---|---|-----------------------------|--|---------------------------------------|
| 03/05/2024 | David Margulius Berkeley, CA 94703 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Self employed Self-employed, Berkeley, CA | 60.00 | 60.00 | S2024 \$60.00 |
| 03/05/2024 | David Mayeri Orinda, CA 94563 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Founder/CEO Berkeley Music Group dba The UC Theatre | 60.00 | 60.00 | S2024 \$60.00 |
| 03/05/2024 | Debra Sanderson Berkeley, CA 94705 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | City Planner self, Berkeley, CA | 60.00 | 60.00 | S2024 \$60.00 |
| 03/05/2024 | David Shere Berkeley, CA 94706 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Software Engineer Nuna | 60.00 | 60.00 | S2024 \$60.00 |
| 03/06/2024 | Eric Panzer Berkeley, CA 94709 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Legislative Aide City of Berkeley | 60.00 | 60.00 | S2024 \$60.00 |
| SUBTOTAL \$ | | | | 300.00 | | |

ITEM NO. 11

*Contributor Codes
 IND – Individual
 COM – Recipient Committee
 (other than PTY or SCC)
 OTH – Other (e.g., business entity)
 PTY – Political Party
 SCC – Small Contributor Committee

Schedule A (Continuation Sheet) Monetary Contributions Received

SCHEDULE A (CONT.)

Amounts may be rounded
to whole dollars.

Statement covers period

from 01/01/2024

through 04/13/2024

CALIFORNIA
FORM **460**

Page 10 of 35

NAME OF FILER: Ruben Hernandez Story for Council 2024
I.D. NUMBER: 1467466

| DATE RECEIVED | FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER) | CONTRIBUTOR CODE * | IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS) | AMOUNT RECEIVED THIS PERIOD | CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31) | PER ELECTION TO DATE (IF REQUIRED) |
|---------------|--|---|--|-----------------------------|---|------------------------------------|
| 03/07/2024 | Harvey Gould Berkeley, CA 94704 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Retired N/A | 60.00 | 60.00 | S2024 \$60.00 |
| 03/07/2024 | Javier Hernandez San Antonio, TX 78420 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Assistant Teacher Great Hearts TX | 60.00 | 60.00 | S2024 \$60.00 |
| 03/07/2024 | Jacquelyn McCormick Berkeley, CA 94705-2820 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Chief of Staff City of Berkeley | 60.00 | 60.00 | S2024 \$60.00 |
| 03/09/2024 | Jeffrey Baker Berkeley, CA 94703 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Software Developer Dropbox | 60.00 | 60.00 | S2024 \$60.00 |
| 03/09/2024 | Jeff Clare Oakland, CA 94608 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Attorney Beveridge & Diamond | 60.00 | 60.00 | S2024 \$60.00 |

SUBTOTAL \$ 300.00

ITEM NO. 11

*Contributor Codes
IND – Individual
COM – Recipient Committee
(other than PTY or SCC)
OTH – Other (e.g., business entity)
PTY – Political Party
SCC – Small Contributor Committee

Schedule A (Continuation Sheet) Monetary Contributions Received

SCHEDULE A (CONT.)

Amounts may be rounded
to whole dollars.

Statement covers period

from 01/01/2024

through 04/13/2024

**CALIFORNIA
FORM 460**

Page 11 of 35

I.D. NUMBER

1467466

NAME OF FILER

Ruben Hernandez Story for Council 2024

| DATE RECEIVED | FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER) | CONTRIBUTOR CODE * | IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS) | AMOUNT RECEIVED THIS PERIOD | CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31) | PER ELECTION TO DATE (IF REQUIRED) |
|---------------|---|---|---|-----------------------------|--|---------------------------------------|
| 03/11/2024 | Kathryn Burrows San Diego, CA 92101 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Physician Assistant Campus Physicians of California | 60.00 | 60.00 | S2024 \$60.00 |
| 03/11/2024 | Lori Droste Berkeley, CA 94705 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Legislative Aide City of Berkeley | 60.00 | 60.00 | S2024 \$60.00 |
| 03/11/2024 | Manuel Dull Key West, FL 33040 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Not Employed N/A | 60.00 | 60.00 | S2024 \$60.00 |
| 03/11/2024 | Karin Evans Berkeley, CA 94705 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Not Employed N/A | 60.00 | 60.00 | S2024 \$60.00 |
| 03/11/2024 | Marc Hedlund Berkeley, CA 94705 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Technology Executive Tenuki Moves LLC | 60.00 | 60.00 | S2024 \$60.00 |

SUBTOTAL \$

300.00

*Contributor Codes

- IND – Individual
- COM – Recipient Committee
(other than PTY or SCC)
- OTH – Other (e.g., business entity)
- PTY – Political Party
- SCC – Small Contributor Committee

ITEM NO. 11

Schedule A (Continuation Sheet) Monetary Contributions Received

SCHEDULE A (CONT.)

Amounts may be rounded
to whole dollars.

Statement covers period

from 01/01/2024

through 04/13/2024

CALIFORNIA
FORM
460

Page 12 of 35

I.D. NUMBER

1467466

NAME OF FILER

Ruben Hernandez Story for Council 2024

| DATE RECEIVED | FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER) | CONTRIBUTOR CODE * | IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS) | AMOUNT RECEIVED THIS PERIOD | CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31) | PER ELECTION TO DATE (IF REQUIRED) |
|--------------------|---|---|---|-----------------------------|--|---------------------------------------|
| 03/11/2024 | Nathan Hood Berkeley, CA 94710-2305 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Capital Budget Administrator EBMUD | 60.00 | 60.00 | S2024 \$60.00 |
| 03/11/2024 | Madeleine Nemchek Berkeley, CA 94709 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Research Nurix Therapeutics | 60.00 | 60.00 | S2024 \$60.00 |
| 03/11/2024 | Kathi Pugh Berkeley, CA 94703 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Not Employed Not Employed | 60.00 | 60.00 | S2024 \$60.00 |
| 03/11/2024 | Michael Rodriguez Berkeley, CA 94710 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Public health Public health Institute | 50.00 | 50.00 | S2024 \$50.00 |
| 03/11/2024 | Joseph Victor Berkeley, CA 94709 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Engineer SingleStore | 60.00 | 60.00 | S2024 \$60.00 |
| SUBTOTAL \$ | | | | 290.00 | | |

ITEM NO. 11

*Contributor Codes
IND – Individual
COM – Recipient Committee
(other than PTY or SCC)
OTH – Other (e.g., business entity)
PTY – Political Party
SCC – Small Contributor Committee

Schedule A (Continuation Sheet) Monetary Contributions Received

SCHEDULE A (CONT.)

Amounts may be rounded
to whole dollars.

Statement covers period

from 01/01/2024

through 04/13/2024

**CALIFORNIA
FORM 460**

Page 13 of 35

NAME OF FILER: Ruben Hernandez Story for Council 2024
I.D. NUMBER: 1467466

| DATE RECEIVED | FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER) | CONTRIBUTOR CODE * | IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS) | AMOUNT RECEIVED THIS PERIOD | CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31) | PER ELECTION TO DATE (IF REQUIRED) |
|--------------------|--|---|--|-----------------------------|---|------------------------------------|
| 03/12/2024 | Olivia Asemota Oakland, CA 94612 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Software Engineer Google | 60.00 | 60.00 | S2024 \$60.00 |
| 03/12/2024 | Paul Booth Berkeley, CA 94703 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | construction PSB Home Improvement, Berkeley | 60.00 | 60.00 | S2024 \$60.00 |
| 03/12/2024 | Robert Dixon Berkeley, CA 94704-1447 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Retired N/A | 60.00 | 60.00 | S2024 \$60.00 |
| 03/12/2024 | Robert Fruchtman San Francisco, CA 94117 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Software Engineer Stripe | 60.00 | 60.00 | S2024 \$60.00 |
| 03/12/2024 | Rashi Kesarwani Berkeley, CA 94703 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Council member City of Berkeley | 60.00 | 60.00 | S2024 \$60.00 |
| SUBTOTAL \$ | | | | 300.00 | | |

ITEM NO. 11

*Contributor Codes
IND – Individual
COM – Recipient Committee
(other than PTY or SCC)
OTH – Other (e.g., business entity)
PTY – Political Party
SCC – Small Contributor Committee

Schedule A (Continuation Sheet) Monetary Contributions Received

SCHEDULE A (CONT.)

Amounts may be rounded
to whole dollars.

Statement covers period

from 01/01/2024

through 04/13/2024

**CALIFORNIA
FORM 460**

Page 14 of 35

NAME OF FILER: Ruben Hernandez Story for Council 2024
I.D. NUMBER: 1467466

| DATE RECEIVED | FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER) | CONTRIBUTOR CODE * | IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS) | AMOUNT RECEIVED THIS PERIOD | CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31) | PER ELECTION TO DATE (IF REQUIRED) |
|--------------------|---|---|---|-----------------------------|--|---------------------------------------|
| 03/12/2024 | Rigel Robinson Berkeley, CA 94704 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Barista & Chaiwala Eiaichi Co | 60.00 | 60.00 | S2024 \$60.00 |
| 03/13/2024 | Stefan Elgstrand Berkeley, CA 94704 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Legislative Aide City of Berkeley | 60.00 | 60.00 | S2024 \$60.00 |
| 03/13/2024 | Sierra Goetz Berkeley, CA 94703 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Architect TEF Design | 60.00 | 60.00 | S2024 \$60.00 |
| 03/13/2024 | Spencer Tierney Oakland, CA 94618 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Writer NerdWallet | 60.00 | 60.00 | S2024 \$60.00 |
| 03/15/2024 | Stephanie Allan Berkeley, CA 94703 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Retired N/A | 60.00 | 60.00 | S2024 \$60.00 |
| SUBTOTAL \$ | | | | 300.00 | | |

ITEM NO. 11

*Contributor Codes
IND – Individual
COM – Recipient Committee
(other than PTY or SCC)
OTH – Other (e.g., business entity)
PTY – Political Party
SCC – Small Contributor Committee

Schedule A (Continuation Sheet) Monetary Contributions Received

SCHEDULE A (CONT.)

Amounts may be rounded
to whole dollars.

Statement covers period

from 01/01/2024

through 04/13/2024

**CALIFORNIA
FORM 460**

Page 15 of 35

I.D. NUMBER

1467466

NAME OF FILER

Ruben Hernandez Story for Council 2024

| DATE RECEIVED | FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER) | CONTRIBUTOR CODE * | IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS) | AMOUNT RECEIVED THIS PERIOD | CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31) | PER ELECTION TO DATE (IF REQUIRED) |
|--------------------|---|---|---|-----------------------------|--|---------------------------------------|
| 03/15/2024 | Susan Medak Berkeley, CA 94708 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Manager Berkeley Theater | 60.00 | 60.00 | S2024 \$60.00 |
| 03/15/2024 | Susan Story San Antonio, TX 78240 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Assistant Teacher Great Hearts | 60.00 | 60.00 | S2024 \$60.00 |
| 03/16/2024 | Todd Andrew Berkeley, CA 94707 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Realtor Red Oak Realty | 60.00 | 60.00 | S2024 \$60.00 |
| 03/16/2024 | Thomas Dalton Denver, CO 80205 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Software Engineer Inovex | 60.00 | 60.00 | S2024 \$60.00 |
| 03/16/2024 | Victor Flores Oakland, CA 94607 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Climate Resilience Manager Greenbelt Alliance | 60.00 | 60.00 | S2024 \$60.00 |
| SUBTOTAL \$ | | | | 300.00 | | |

ITEM NO. 11

*Contributor Codes
 IND – Individual
 COM – Recipient Committee
 (other than PTY or SCC)
 OTH – Other (e.g., business entity)
 PTY – Political Party
 SCC – Small Contributor Committee

Schedule A (Continuation Sheet) Monetary Contributions Received

SCHEDULE A (CONT.)

Amounts may be rounded
to whole dollars.

Statement covers period

from 01/01/2024

through 04/13/2024

**CALIFORNIA
FORM 460**

Page 16 of 35

NAME OF FILER: Ruben Hernandez Story for Council 2024
I.D. NUMBER: 1467466

| DATE RECEIVED | FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER) | CONTRIBUTOR CODE * | IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS) | AMOUNT RECEIVED THIS PERIOD | CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31) | PER ELECTION TO DATE (IF REQUIRED) |
|--------------------|---|---|---|-----------------------------|--|---------------------------------------|
| 03/16/2024 | Zachary Franklin Berkeley, CA 94703 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Nonprofit Executive GRID Alternatives | 60.00 | 60.00 | S2024 \$60.00 |
| 03/16/2024 | Tawab Malekzad Oakland, CA 94605 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Consultant Crossroads consulting co | 60.00 | 60.00 | S2024 \$60.00 |
| 03/16/2024 | Theo Posselt Berkeley, CA 94709 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Consultant Deloitte | 60.00 | 60.00 | S2024 \$60.00 |
| 03/16/2024 | Terry Taplin Berkeley, CA 94710 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | City Councilmember City of Berkeley | 60.00 | 60.00 | S2024 \$60.00 |
| 03/17/2024 | Steven Leist Berkeley, CA 94703 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Financier Piedmont Partners Group Ventures | 60.00 | 60.00 | S2024 \$60.00 |
| SUBTOTAL \$ | | | | 300.00 | | |

ITEM NO. 11

*Contributor Codes
 IND – Individual
 COM – Recipient Committee
 (other than PTY or SCC)
 OTH – Other (e.g., business entity)
 PTY – Political Party
 SCC – Small Contributor Committee

Schedule A (Continuation Sheet) Monetary Contributions Received

SCHEDULE A (CONT.)

Amounts may be rounded
to whole dollars.

Statement covers period

from 01/01/2024

through 04/13/2024

**CALIFORNIA
FORM 460**

Page 17 of 35

NAME OF FILER

ID. NUMBER

Ruben Hernandez Story for Council 2024

1467466

| DATE RECEIVED | FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER) | CONTRIBUTOR CODE * | IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS) | AMOUNT RECEIVED THIS PERIOD | CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31) | PER ELECTION TO DATE (IF REQUIRED) |
|--------------------|---|---|---|-----------------------------|--|---------------------------------------|
| 03/17/2024 | Sharla Sullivan Berkeley, CA 904710 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Public Affairs EBMUD | 60.00 | 60.00 | S2024 \$60.00 |
| 03/17/2024 | Glenn Taplin Berkeley, CA 94703 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Not Employed N/A | 60.00 | 60.00 | S2024 \$60.00 |
| 03/17/2024 | Sophie Taplin Berkeley, CA 94703 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Retired N/A | 60.00 | 60.00 | S2024 \$60.00 |
| 03/17/2024 | Eric Wiesner Berkeley, CA 94710 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Attorney California Nurses Association/NNU | 60.00 | 60.00 | S2024 \$60.00 |
| 03/18/2024 | Brent Blackaby Berkeley, CA 94708 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Marketing Trilogy Interactive | 60.00 | 60.00 | S2024 \$60.00 |
| SUBTOTAL \$ | | | | 300.00 | | |

ITEM NO. 11

*Contributor Codes
IND – Individual
COM – Recipient Committee
(other than PTY or SCC)
OTH – Other (e.g., business entity)
PTY – Political Party
SCC – Small Contributor Committee

Schedule A (Continuation Sheet) Monetary Contributions Received

Amounts may be rounded
to whole dollars.

Statement covers period

from 01/01/2024

through 04/13/2024

Page 18 of 35

NAME OF FILER: Ruben Hernandez Story for Council 2024
I.D. NUMBER: 1467466

| DATE RECEIVED | FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER) | CONTRIBUTOR CODE * | IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS) | AMOUNT RECEIVED THIS PERIOD | CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31) | PER ELECTION TO DATE (IF REQUIRED) |
|---------------|---|---|---|-----------------------------|--|---------------------------------------|
| 03/18/2024 | Daniel Filan Berkeley, CA 94704 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Graduate student UC Berkeley | 60.00 | 60.00 | S2024 \$60.00 |
| 03/18/2024 | Tom Lent Berkeley, CA 94702 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Not Employed N/A | 60.00 | 60.00 | S2024 \$60.00 |
| 03/18/2024 | Daniel Parolek Berkeley, CA 94702 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Architect Opticos Design Inc. | 60.00 | 60.00 | S2024 \$60.00 |
| 03/18/2024 | Karen Parolek Berkeley, CA 94702 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | President Opticos Design Inc. | 60.00 | 60.00 | S2024 \$60.00 |
| 03/18/2024 | Tina Posner Granada Hills, CA 91344 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Legislative Aide City of Berkeley | 60.00 | 60.00 | S2024 \$60.00 |

SUBTOTAL \$ 300.00

*Contributor Codes
IND – Individual
COM – Recipient Committee
(other than PTY or SCC)
OTH – Other (e.g., business entity)
PTY – Political Party
SCC – Small Contributor Committee

Schedule A (Continuation Sheet) Monetary Contributions Received

SCHEDULE A (CONT.)

Amounts may be rounded
to whole dollars.

Statement covers period

from 01/01/2024

through 04/13/2024

**CALIFORNIA
FORM 460**

Page 19 of 35

I.D. NUMBER

1467466

NAME OF FILER

Ruben Hernandez Story for Council 2024

| DATE RECEIVED | FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER) | CONTRIBUTOR CODE * | IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS) | AMOUNT RECEIVED THIS PERIOD | CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31) | PER ELECTION TO DATE (IF REQUIRED) |
|--------------------|---|---|---|-----------------------------|--|---------------------------------------|
| 03/19/2024 | Annie Alcott Berkeley, CA 94703-1705 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Not Employed N/A | 60.00 | 60.00 | S2024 \$60.00 |
| 03/19/2024 | Naoir Deleanu Berkeley, CA 94709 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Energy Olivine Energy | 60.00 | 60.00 | S2024 \$60.00 |
| 03/19/2024 | Ellen Frankel Berkeley, Ca 904705-230 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Program Director Kidpower | 60.00 | 60.00 | S2024 \$60.00 |
| 03/19/2024 | Jill Martinucci Berkeley, CA 94703-1037 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Not Employed N/A | 60.00 | 60.00 | S2024 \$60.00 |
| 03/19/2024 | Erin Rhoades Berkeley, CA 94702 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Non-profit manager Berkeley Public Schools Fund | 60.00 | 60.00 | S2024 \$60.00 |
| SUBTOTAL \$ | | | | 300.00 | | |

ITEM NO. 11

*Contributor Codes
IND – Individual
COM – Recipient Committee
(other than PTY or SCC)
OTH – Other (e.g., business entity)
PTY – Political Party
SCC – Small Contributor Committee

Schedule A (Continuation Sheet) Monetary Contributions Received

SCHEDULE A (CONT.)

Amounts may be rounded
to whole dollars.

Statement covers period

from 01/01/2024

through 04/13/2024

**CALIFORNIA
FORM 460**

Page 20 of 35

NAME OF FILER: Ruben Hernandez Story for Council 2024
I.D. NUMBER: 1467466

| DATE RECEIVED | FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER) | CONTRIBUTOR CODE * | IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS) | AMOUNT RECEIVED THIS PERIOD | CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31) | PER ELECTION TO DATE (IF REQUIRED) |
|--------------------|--|---|--|-----------------------------|---|------------------------------------|
| 03/19/2024 | Mark Rhoades Berkeley, CA 94702 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Urban Planner Rhoades Planning Group | 60.00 | 60.00 | S2024 \$60.00 |
| 03/20/2024 | John Won Berkeley, CA 94710-2520 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Program Director IDEO.org | 50.00 | 50.00 | S2024 \$50.00 |
| 03/21/2024 | Noah Alper Berkeley, CA 94709-1405 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Not Employed N/A | 60.00 | 60.00 | S2024 \$60.00 |
| 03/21/2024 | Michelle Brenner Berkeley, CA 94703 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Artist Self Employed Berkeley | 60.00 | 60.00 | S2024 \$60.00 |
| 03/21/2024 | Tarmigan Casebolt Berkeley, CA 94705 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Not Employed N/A | 60.00 | 60.00 | S2024 \$60.00 |
| SUBTOTAL \$ | | | | 290.00 | | |

ITEM NO. 11

*Contributor Codes
IND - Individual
COM - Recipient Committee
(other than PTY or SCC)
OTH - Other (e.g., business entity)
PTY - Political Party
SCC - Small Contributor Committee

Schedule A (Continuation Sheet) Monetary Contributions Received

SCHEDULE A (CONT.)

Amounts may be rounded
to whole dollars.

Statement covers period

from 01/01/2024

through 04/13/2024

**CALIFORNIA
FORM 460**

Page 21 of 35

I.D. NUMBER

1467466

NAME OF FILER

Ruben Hernandez Story for Council 2024

| DATE RECEIVED | FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER) | CONTRIBUTOR CODE * | IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS) | AMOUNT RECEIVED THIS PERIOD | CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31) | PER ELECTION TO DATE (IF REQUIRED) |
|--------------------|---|---|---|-----------------------------|--|---------------------------------------|
| 03/21/2024 | Youval Dar Berkeley, CA 94704 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Data Scientist RingCentral | 60.00 | 60.00 | S2024 \$60.00 |
| 03/21/2024 | Joe Fendel Berkeley, CA 94702 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Data Analyst Kaiser Permanente | 60.00 | 60.00 | S2024 \$60.00 |
| 03/21/2024 | Allen Mayer Kensington, CA 94707-1038 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Not Employed N/A | 60.00 | 60.00 | S2024 \$60.00 |
| 03/21/2024 | Ruben Story Berkeley, CA 94703 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Legislative Assistant City of Berkeley | 100.00 | 100.00 | S2024 \$100.00 |
| 03/22/2024 | Ray Yep Berkeley, CA 94707 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Not Employed N/A | 60.00 | 60.00 | S2024 \$60.00 |
| SUBTOTAL \$ | | | | 340.00 | | |

ITEM NO. 11

*Contributor Codes
IND – Individual
COM – Recipient Committee
(other than PTY or SCC)
OTH – Other (e.g., business entity)
PTY – Political Party
SCC – Small Contributor Committee

Schedule A (Continuation Sheet) Monetary Contributions Received

Amounts may be rounded to whole dollars.

Statement covers period

from 01/01/2024

through 04/13/2024

Page 22 of 35

NAME OF FILER: Ruben Hernandez Story for Council 2024
I.D. NUMBER: 1467466

| DATE RECEIVED | FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER) | CONTRIBUTOR CODE * | IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS) | AMOUNT RECEIVED THIS PERIOD | CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31) | PER ELECTION TO DATE (IF REQUIRED) |
|---------------|--|---|--|-----------------------------|---|------------------------------------|
| 03/23/2024 | Sophie Hahn Berkeley, CA 94703 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | City Council member City of Berkeley | 60.00 | 60.00 | S2024 \$60.00 |
| 03/24/2024 | Ian Fraser Berkeley, CA 94703 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | CEO The Go Game | 60.00 | 60.00 | S2024 \$60.00 |
| 03/25/2024 | Jenna Lewis Berkeley, CA 94703 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Nurse Kaiser | 60.00 | 60.00 | S2024 \$60.00 |
| 03/25/2024 | Helen Marcus Berkeley, CA 94705 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Not Employed N/A | 60.00 | 60.00 | S2024 \$60.00 |
| 03/25/2024 | John Scanlin Berkeley, CA 94703 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Not Employed N/A | 60.00 | 60.00 | S2024 \$60.00 |

SUBTOTAL \$

300.00

ITEM NO. 11

*Contributor Codes
IND – Individual
COM – Recipient Committee
(other than PTY or SCC)
OTH – Other (e.g., business entity)
PTY – Political Party
SCC – Small Contributor Committee

Schedule A (Continuation Sheet) Monetary Contributions Received

SCHEDULE A (CONT.)

Amounts may be rounded
to whole dollars.

Statement covers period

from 01/01/2024

through 04/13/2024

**CALIFORNIA
FORM 460**

Page 23 of 35

NAME OF FILER

I.D. NUMBER

Ruben Hernandez Story for Council 2024

1467466

| DATE RECEIVED | FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER) | CONTRIBUTOR CODE * | IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS) | AMOUNT RECEIVED THIS PERIOD | CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31) | PER ELECTION TO DATE (IF REQUIRED) |
|--------------------|---|---|---|-----------------------------|--|---------------------------------------|
| 03/25/2024 | Lorraine Scanlin Berkeley, CA 94703 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Not Employed N/A | 60.00 | 60.00 | S2024 \$60.00 |
| 03/25/2024 | Mark Stauber Berkeley, CA 94703 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Manager Roblox | 60.00 | 60.00 | S2024 \$60.00 |
| 03/25/2024 | David Tjen Berkeley, CA 94708 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Director Analytics Art.com | 60.00 | 60.00 | S2024 \$60.00 |
| 03/26/2024 | Anay Sharma Berkeley, CA 94720 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Not Employed N/A | 60.00 | 60.00 | S2024 \$60.00 |
| 03/26/2024 | Matityahu Teiblum Berkeley, CA 94707 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Architect Self Employed Berkeley | 60.00 | 60.00 | S2024 \$60.00 |
| SUBTOTAL \$ | | | | 300.00 | | |

ITEM NO. 11

*Contributor Codes
IND – Individual
COM – Recipient Committee
(other than PTY or SCC)
OTH – Other (e.g., business entity)
PTY – Political Party
SCC – Small Contributor Committee

Schedule A (Continuation Sheet) Monetary Contributions Received

SCHEDULE A (CONT.)

Amounts may be rounded
to whole dollars.

Statement covers period

from 01/01/2024

through 04/13/2024

**CALIFORNIA
FORM 460**

Page 24 of 35

I.D. NUMBER

1467466

NAME OF FILER

Ruben Hernandez Story for Council 2024

| DATE RECEIVED | FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER) | CONTRIBUTOR CODE * | IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS) | AMOUNT RECEIVED THIS PERIOD | CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31) | PER ELECTION TO DATE (IF REQUIRED) |
|--------------------|---|---|---|-----------------------------|--|---------------------------------------|
| 03/27/2024 | Chirag Masekar San Diego, CA 92103 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Senior Software Automation Engineer Insulet | 60.00 | 60.00 | S2024 \$60.00 |
| 03/27/2024 | John Miki Albany, CA 94706 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Architect Opticos Design Inc. | 60.00 | 60.00 | S2024 \$60.00 |
| 03/27/2024 | Jim Novosel Berkeley, CA 94703 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Architect SelfThe Bay Architects Berkeley | 60.00 | 60.00 | S2024 \$60.00 |
| 03/27/2024 | Christian Reeser Palatine, IL 60067 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Architectural Designer Wright Heerema Architects | 60.00 | 60.00 | S2024 \$60.00 |
| 03/27/2024 | Stanley Wulf Berkeley, CA 94708 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Not Employed N/A | 60.00 | 60.00 | S2024 \$60.00 |
| SUBTOTAL \$ | | | | 300.00 | | |

ITEM NO. 11

*Contributor Codes
IND – Individual
COM – Recipient Committee
(other than PTY or SCC)
OTH – Other (e.g., business entity)
PTY – Political Party
SCC – Small Contributor Committee

Schedule A (Continuation Sheet) Monetary Contributions Received

SCHEDULE A (CONT.)

Amounts may be rounded
to whole dollars.

Statement covers period

from 01/01/2024

through 04/13/2024

CALIFORNIA
FORM
460

Page 25 of 35

NAME OF FILER: Ruben Hernandez Story for Council 2024
I.D. NUMBER: 1467466

| DATE RECEIVED | FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER) | CONTRIBUTOR CODE * | IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS) | AMOUNT RECEIVED THIS PERIOD | CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31) | PER ELECTION TO DATE (IF REQUIRED) |
|--------------------|--|---|--|-----------------------------|---|------------------------------------|
| 03/28/2024 | Noga Alon Albaany, CA 94706 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | CPA Autodesk | 60.00 | 60.00 | S2024 \$60.00 |
| 03/28/2024 | Eduardo Gonzalez Brookline, MA 02446 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Lawyer WilmerHale | 60.00 | 60.00 | S2024 \$60.00 |
| 03/28/2024 | Tessa Rudnick El Cerrito, CA 94530 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Mayor City of El Cerrito | 60.00 | 60.00 | S2024 \$60.00 |
| 03/29/2024 | David Mendelsohn Berkeley, CA 904703 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Not Employed N/A | 60.00 | 60.00 | S2024 \$60.00 |
| 04/01/2024 | Jennifer Coffey Berkeley, CA 94703 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Not Employed N/A | 60.00 | 60.00 | S2024 \$60.00 |
| SUBTOTAL \$ | | | | 300.00 | | |

ITEM NO. 11

*Contributor Codes
IND – Individual
COM – Recipient Committee
(other than PTY or SCC)
OTH – Other (e.g., business entity)
PTY – Political Party
SCC – Small Contributor Committee

Schedule A (Continuation Sheet) Monetary Contributions Received

SCHEDULE A (CONT.)

Amounts may be rounded
to whole dollars.

Statement covers period

from 01/01/2024

through 04/13/2024

**CALIFORNIA
FORM 460**

Page 26 of 35

NAME OF FILER: Ruben Hernandez Story for Council 2024
I.D. NUMBER: 1467466

| DATE RECEIVED | FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER) | CONTRIBUTOR CODE * | IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS) | AMOUNT RECEIVED THIS PERIOD | CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31) | PER ELECTION TO DATE (IF REQUIRED) |
|--------------------|--|---|--|-----------------------------|---|------------------------------------|
| 04/01/2024 | Ben Gardella Berkeley, CA 94702 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Tech Consultant Stonking Brill LLC | 60.00 | 60.00 | S2024 \$60.00 |
| 04/01/2024 | Joe Genolio Oakland, CA 94609 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Special Assistant City of Oakland | 60.00 | 60.00 | S2024 \$60.00 |
| 04/01/2024 | Jacob Heitler Berkeley, CA 94703 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Principal D4 Equity | 60.00 | 60.00 | S2024 \$60.00 |
| 04/01/2024 | Noga Ravid Berkeley, CA 94708 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Physician Stanford University | 60.00 | 60.00 | S2024 \$60.00 |
| 04/01/2024 | Stephen Reich Berkeley, CA 94703 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Not Employed N/A | 60.00 | 60.00 | S2024 \$60.00 |
| SUBTOTAL \$ | | | | 300.00 | | |

ITEM NO. 11

*Contributor Codes
IND – Individual
COM – Recipient Committee
(other than PTY or SCC)
OTH – Other (e.g., business entity)
PTY – Political Party
SCC – Small Contributor Committee

Schedule A (Continuation Sheet) Monetary Contributions Received

SCHEDULE A (CONT.)

Amounts may be rounded
to whole dollars.

Statement covers period

from 01/01/2024

through 04/13/2024

**CALIFORNIA
FORM 460**

Page 27 of 35

NAME OF FILER

I.D. NUMBER

Ruben Hernandez Story for Council 2024

1467466

| DATE RECEIVED | FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER) | CONTRIBUTOR CODE * | IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS) | AMOUNT RECEIVED THIS PERIOD | CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31) | PER ELECTION TO DATE (IF REQUIRED) |
|--------------------|---|---|---|-----------------------------|--|---------------------------------------|
| 04/01/2024 | Liberty Schubert Berkeley, CA 94703 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Teacher Contra Costa Jewish Day School | 60.00 | 60.00 | |
| 04/02/2024 | Deborah Fink Berkeley, CA 94703 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Direct Services Manager Shalom Bayit | 60.00 | 60.00 | S2024 \$60.00 |
| 04/02/2024 | David Karp Berkeley, CA 94707 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Psychologist Superior Court of California | 60.00 | 60.00 | S2024 \$60.00 |
| 04/02/2024 | Dohee Kim Berkeley, CA 94704 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Legal Assistant UC Berkeley School of Law | 60.00 | 60.00 | S2024 \$60.00 |
| 04/02/2024 | Brett Mendel Berkeley, CA 94709 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Not Employed N/A | 60.00 | 60.00 | S2024 \$60.00 |
| SUBTOTAL \$ | | | | 300.00 | | |

ITEM NO. 11

*Contributor Codes
IND – Individual
COM – Recipient Committee
(other than PTY or SCC)
OTH – Other (e.g., business entity)
PTY – Political Party
SCC – Small Contributor Committee

Schedule A (Continuation Sheet) Monetary Contributions Received

Amounts may be rounded to whole dollars.

Statement covers period

from 01/01/2024

through 04/13/2024

Page 28 of 35

NAME OF FILER

I.D. NUMBER

Ruben Hernandez Story for Council 2024

1467466

| DATE RECEIVED | FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER) | CONTRIBUTOR CODE * | IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS) | AMOUNT RECEIVED THIS PERIOD | CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31) | PER ELECTION TO DATE (IF REQUIRED) |
|--------------------|--|---|--|-----------------------------|---|------------------------------------|
| 04/02/2024 | Leigh Stewart Berkeley, CA 94702 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Engineer Anchorage Digital | 60.00 | 60.00 | S2024 \$60.00 |
| 04/02/2024 | Gordon Wozniak Berkeley, CA 94705 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Retired N/A | 60.00 | 60.00 | S2024 \$60.00 |
| 04/03/2024 | Kathleen Crandall Berkeley, CA 94705 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Realtor Sexton Group | 60.00 | 60.00 | S2024 \$60.00 |
| 04/03/2024 | Steven Lipson Berkeley, CA 94708 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Not Employed N/A | 60.00 | 60.00 | S2024 \$60.00 |
| 04/03/2024 | Randy Shaw Berkeley, CA 94708 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Executive Director Tenderloin Housing Clinic | 60.00 | 60.00 | S2024 \$60.00 |
| SUBTOTAL \$ | | | | 300.00 | | |

*Contributor Codes
IND – Individual
COM – Recipient Committee
(other than PTY or SCC)
OTH – Other (e.g., business entity)
PTY – Political Party
SCC – Small Contributor Committee

Schedule A (Continuation Sheet) Monetary Contributions Received

SCHEDULE A (CONT.)

Amounts may be rounded
to whole dollars.

Statement covers period

from 01/01/2024

through 04/13/2024

**CALIFORNIA
FORM 460**

Page 29 of 35

I.D. NUMBER

1467466

NAME OF FILER

Ruben Hernandez Story for Council 2024

| DATE RECEIVED | FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER) | CONTRIBUTOR CODE * | IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS) | AMOUNT RECEIVED THIS PERIOD | CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31) | PER ELECTION TO DATE (IF REQUIRED) |
|--------------------|---|---|---|-----------------------------|--|---------------------------------------|
| 04/04/2024 | Rachel Baker Berkeley, CA 94705 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Not Employed N/A | 60.00 | 60.00 | S2024 \$60.00 |
| 04/04/2024 | Sarah Bell Berkeley, CA 94710 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Software Engineer Google | 60.00 | 60.00 | S2024 \$60.00 |
| 04/04/2024 | James Chang Berkeley, CA 94704 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Not Employed N/A | 60.00 | 60.00 | S2024 \$60.00 |
| 04/04/2024 | Eve Delfin Oakland, CA 94603 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Educator OUSD | 60.00 | 60.00 | S2024 \$60.00 |
| 04/04/2024 | Megan Imperial Oakland, CA 94606 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Campaign Manager Jesse Arreguin for State Senate | 60.00 | 60.00 | S2024 \$60.00 |
| SUBTOTAL \$ | | | | 300.00 | | |

ITEM NO. 11

*Contributor Codes
 IND – Individual
 COM – Recipient Committee
 (other than PTY or SCC)
 OTH – Other (e.g., business entity)
 PTY – Political Party
 SCC – Small Contributor Committee

Schedule A (Continuation Sheet) Monetary Contributions Received

Amounts may be rounded to whole dollars.

Statement covers period

from 01/01/2024

through 04/13/2024

Page 30 of 35

NAME OF FILER

I.D. NUMBER

Ruben Hernandez Story for Council 2024

1467466

| DATE RECEIVED | FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER) | CONTRIBUTOR CODE * | IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS) | AMOUNT RECEIVED THIS PERIOD | CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31) | PER ELECTION TO DATE (IF REQUIRED) |
|--------------------|--|---|--|-----------------------------|---|------------------------------------|
| 04/04/2024 | Warren Logan Oakland, CA 94608 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | City Planner SelfOakland | 60.00 | 60.00 | S2024 \$60.00 |
| 04/04/2024 | Erika Neal Oakland, CA 94612 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Health Navigator Roots Community Health Center | 60.00 | 60.00 | S2024 \$60.00 |
| 04/04/2024 | Ofra Pieban Oakland, CA 94610 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Attorney Self EmployedOakland, CA | 60.00 | 60.00 | S2024 \$60.00 |
| 04/04/2024 | Jeff Vincent Berkeley, CA 94702 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Researcher University of California | 60.00 | 60.00 | S2024 \$60.00 |
| 04/06/2024 | Lee Bishop Berkeley, CA 94702 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Educator Lawrence Hall of Science | 60.00 | 60.00 | S2024 \$60.00 |
| SUBTOTAL \$ | | | | 300.00 | | |

*Contributor Codes
IND – Individual
COM – Recipient Committee
(other than PTY or SCC)
OTH – Other (e.g., business entity)
PTY – Political Party
SCC – Small Contributor Committee

Schedule A (Continuation Sheet) Monetary Contributions Received

SCHEDULE A (CONT.)

Amounts may be rounded
to whole dollars.

Statement covers period

from 01/01/2024

through 04/13/2024

**CALIFORNIA
FORM 460**

Page 31 of 35

I.D. NUMBER

1467466

NAME OF FILER

Ruben Hernandez Story for Council 2024

| DATE RECEIVED | FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER) | CONTRIBUTOR CODE * | IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS) | AMOUNT RECEIVED THIS PERIOD | CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31) | PER ELECTION TO DATE (IF REQUIRED) |
|--------------------|---|---|---|-----------------------------|--|---------------------------------------|
| 04/06/2024 | Jeffery Johns Berkeley, CA 94704 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Psychiatrist City of Berkeley | 60.00 | 60.00 | S2024 \$60.00 |
| 04/06/2024 | Darryl Moore Manassas Park, VA 20111 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Not Employed N/A | 60.00 | 60.00 | S2024 \$60.00 |
| 04/07/2024 | Ory Sandel Berkeley, CA 94703 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Lawyer DP&F | 60.00 | 60.00 | S2024 \$60.00 |
| 04/08/2024 | Caleb Smith Oakland, CA 94612 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Senior Policy Analyst City of Oakland | 60.00 | 60.00 | S2024 \$60.00 |
| 04/09/2024 | Desmid Lyon Berkeley, CA 94702 | <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC | Not Employed N/A | 60.00 | 60.00 | S2024 \$60.00 |
| SUBTOTAL \$ | | | | 300.00 | | |

ITEM NO. 11

*Contributor Codes
 IND – Individual
 COM – Recipient Committee
 (other than PTY or SCC)
 OTH – Other (e.g., business entity)
 PTY – Political Party
 SCC – Small Contributor Committee

Schedule E Payments Made

Amounts may be rounded to whole dollars.

SCHEDULE E

CALIFORNIA
FORM
460

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

Ruben Hernandez Story for Council 2024

Statement covers period

from 01/01/2024

through 04/13/2024

Page 32 of 35

I.D. NUMBER

1467466

CODES: If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

- | | | | | | |
|-----|---|-----|---|-----|---|
| CMP | campaign paraphernalia/misc. | MBR | member communications | RAD | radio airtime and production costs |
| CNS | campaign consultants | MTG | meetings and appearances | RFD | returned contributions |
| CTB | contribution (explain nonmonetary)* | OFC | office expenses | SAL | campaign workers' salaries |
| CVC | civic donations | PET | petition circulating | TEL | t.v. or cable airtime and production costs |
| FIL | candidate filing/ballot fees | PHO | phone banks | TRC | candidate travel, lodging, and meals |
| FND | fundraising events | POL | polling and survey research | TRS | staff/spouse travel, lodging, and meals |
| IND | independent expenditure supporting/opposing others (explain)* | POS | postage, delivery and messenger services | TSF | transfer between committees of the same candidate/sponsor |
| LEG | legal defense | PRO | professional services (legal, accounting) | VOT | voter registration |
| LIT | campaign literature and mailings | PRT | print ads | WEB | information technology costs (internet, e-mail) |

| NAME AND ADDRESS OF PAYEE (IF COMMITTEE, ALSO ENTER I.D. NUMBER) | CODE | OR | DESCRIPTION OF PAYMENT | AMOUNT PAID |
|---|------|----|------------------------|-------------|
| California Secretary of State Sacramento, CA 95814 | FIL | | | 50.00 |
| Scan Art Emeryville, CA 94608 | LIT | | Lawn Signs | 3,519.43 |
| Scan Art Emeryville, CA 94608 | LIT | | Window Signs | 237.58 |

* Payments that are contributions or independent expenditures must also be summarized on Schedule D. **SUBTOTAL \$** 3,807.01

Schedule E Summary

- Itemized payments made this period. (Include all Schedule E subtotals.) \$ 5,334.06
- Unitemized payments made this period of under \$100 \$ 10.37
- Total interest paid this period on loans. (Enter amount from Schedule B, Part 1, Column (e).) \$ 0.00
- Total payments made this period. (Add Lines 1, 2, and 3. Enter here and on the Summary Page, Column A, Line 6.) **TOTAL \$** 5,344.43

ITEM NO. 11

**Schedule E
(Continuation Sheet)
Payments Made**

SCHEDULE E (CONT.)

Amounts may be rounded
to whole dollars.

**CALIFORNIA
FORM 460**

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

Ruben Hernandez Story for Council 2024

Page 33 of 35

I.D. NUMBER

1467466

Statement covers period

from 01/01/2024

through 04/13/2024

CODES: If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

- | | | |
|---|---|---|
| OMP campaign paraphernalia/misc. | MBR member communications | RAD radio airtime and production costs |
| CNS campaign consultants | MITG meetings and appearances | RFD returned contributions |
| CTB contribution (explain nonmonetary)* | OFC office expenses | SAL campaign workers' salaries |
| CVC civic donations | PET petition circulating | TEL t.v. or cable airtime and production costs |
| FIL candidate filing/ballot fees | PHO phone banks | TRC candidate travel, lodging, and meals |
| FND fundraising events | POL polling and survey research | TRS staff/spouse travel, lodging, and meals |
| IND independent expenditure supporting/opposing others (explain)* | POS postage, delivery and messenger services | TSF transfer between committees of the same candidate/sponsor |
| LEG legal defense | PRO professional services (legal, accounting) | VOT voter registration |
| LIT campaign literature and mailings | PRT print ads | WEB information technology costs (internet, e-mail) |

| NAME AND ADDRESS OF PAYEE (IF COMMITTEE, ALSO ENTER I.D. NUMBER) | CODE | OR | DESCRIPTION OF PAYMENT | AMOUNT PAID |
|---|------|----|---|-------------|
| ActBlue Somerville, MA 02144 | PRO | | Processing Fee | 98.56 |
| Scan Art Emeryville, CA 94608 | LIT | | | 513.83 |
| Scan Art Emeryville, CA 94608 | LIT | | | 513.83 |
| Vantiv Worldpay Cincinnati, OH 45249 | PRO | | Credit Card processing fees 3/1 through 4/9 | 222.25 |
| City of Berkeley Berkeley, CA 94704 | FIL | | | 150.00 |

* Payments that are contributions or independent expenditures must also be summarized on Schedule D.

SUBTOTAL \$

1,498.47

Schedule I Miscellaneous Increases to Cash

SCHEDULE I

Amounts may be rounded
to whole dollars.

**CALIFORNIA
FORM**

460

SEE INSTRUCTIONS ON REVERSE
NAME OF FILER

Page 35 of 35

Statement covers period

from 01/01/2024

through 04/13/2024

Ruben Hernandez Story for Council 2024
I.D. NUMBER
1467466

| DATE RECEIVED | FULL NAME AND ADDRESS OF SOURCE (IF COMMITTEE, ALSO ENTER I.D. NUMBER) | DESCRIPTION OF RECEIPT | AMOUNT OF INCREASE TO CASH |
|---------------|---|------------------------|----------------------------|
| 04/11/2024 | City of Berkeley Berkeley, CA 94704 | CoB AP Transfer | 12,930.00 |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

Attach additional information on appropriately labeled continuation sheets. **SUBTOTAL \$** 12,930.00

Schedule I Summary

- Itemized increases to cash this period. \$ 12,930.00
- Unitemized increases to cash of under \$100 this period. \$ 0.00
- Total of all interest received this period on loans made to others. (Schedule H, Column (e).) \$ 0.00
- Total miscellaneous increases to cash this period. (Add Lines 1, 2, and 3. Enter here and on the Summary Page, Line 14.) **TOTAL \$** 12,930.00



Open Government Commission

Date: August 14, 2024
To: Open Government Commission
From: Samuel Harvey, Secretary
Subject: Public Records Act Complaint

At its May 16, 2024 meeting, the Commission reviewed the attached complaint alleging violations of the California Public Records Act (“PRA”) (Cal. Gov. Code § 7920.000 et seq.) in the City’s handling of two PRA requests. The Commission directed the Secretary to review the complaint and return at a future meeting with a report, and advise relevant City departments to remedy any irregularity, if needed.

The Commission Secretary has reviewed the two requests which are the subject of this complaint and conferred with relevant City staff. A summary of each request, information obtained by the Secretary, and any additional action taken is provided below.

Request No. 24-263

This request was filed on February 26, 2024 and sought the following:

[A]ll possible information regarding parking tickets and moving violations over the past 5 years to the present day, including any information such as license plate, car make, ticketing officer, ticket reason(s), financial information (paid, etc), court information (contested, etc), date, and location. If this information is available in spreadsheet form, please disclose that spreadsheet. If information for parking tickets and moving violations are stored separately, please let me know, and I will accept whatever information is available.

The request was handled by the Berkeley Police Department (“BPD”), which provided six documents in response to the request. The documents were titled as follows:

1. Citation detail report 2019 redacted.xlsx
2. Citation detail report 2020 redacted.xlsx
3. Citation detail report 2021 redacted.xlsx
4. Citation detail report 2022 redacted.xlsx
5. Citation detail report 2023 redacted.xlsx
6. Custom Berkeley Citation Details Report (5 years).csv

Each of these documents is a spreadsheet listing parking citations issued by the City. Although five of the six documents contain the word “redacted” in their title, there were no visible redactions in the documents.

Under the PRA, if a record is withheld or redacted, the City must inform the requestor of the exemption or other basis which justifies withholding the record or portion of the record. (Gov. Code. § 7922.000.) The City is not required to create a privilege log or otherwise describe the withheld material. (*Haynie v. Superior Court* (2001) 26 Cal.4th 1061, 1075.) As the complaint notes, the City’s NextRequest PRA portal does not show any record of City staff providing the requestor with the justification used for withholding any material from the provided records. The Secretary discussed this request with City staff and determined that license plate numbers and VIN numbers for cited vehicles were redacted from the records.

Material may be redacted where the public interested in redaction clearly outweighs the public interest served by disclosure of the redacted material (Gov. Code § 7922.000.) Here, disclosure of license plates and VIN numbers, particularly when coupled with information readily available by searching the City’s online parking citation portal and other online resources, could infringe upon individual privacy by revealing information about vehicle owners’ identities and movements. (See *American Civil Liberties Union Foundation v. Superior Court* (2017) 3 Cal.5th 1032, 1043-47.) Nonetheless, the City must provide the requestor with the rationale for withholding this information.

Additionally, staff indicated that certain columns in the spreadsheets were removed because the spreadsheet did not contain any information in those columns. As a result, City staff deleted those columns and headings.

The Secretary recommended that City staff reopen the request in the City’s NextRequest portal and provide a justification for the removal of information the disclosure of which could infringe upon the privacy of members of the public, and provide a list of the headings which were deleted from empty columns.

City staff have provided this response and closed this request in the NextRequest portal. A screenshot of the NextRequest portal showing this response is included as Attachment 2.

Request No. 24-375

This request was submitted on March 14, 2024 and sought: “All records associated with a traffic stop at approximately 8:50 pm on 3/14/24 at approximately 2100 Channing Way, including any recordings (bodycam/dashcam).”

On March 28, 2024, City staff provided the following response:

The Berkeley Police Department has completed its search for responsive records and has found no responsive records exist.

With this response, staff has completed their work to process and respond to your Public Records Act request.

The requestor's complaint asserts that "the search for redacted records was incomplete, since I observed [the] traffic stop."

The requestor also states "staff incorrectly said (1) police reports could not be delivered electronically in violation of Gov't Code § 7922.570(a), and (2) body camera footage wasn't disclosable because I wasn't involved in incident."

The PRA requires that the City make "reasonable effort" to locate requested records. (*Community Youth Athletic Center v. City of National City* (2013) 220 Cal.App.4th 1385, 1425.) The Commission Secretary requested that City staff describe the search procedures conducted.

City staff provided a screenshot of BPD's incident search portal through which BPD conducted a search for all incidents occurring at 2100 Channing Way. That search yielded no results for that address on March 14, 2024. (See BPD search screenshot, Attachment 3.) The Commission Secretary requested clarification on whether any responsive records may exist for any incident occurring near 2100 Channing Way at the same time, in the event that the precise address entered into the system for the incident was different than 2100 Channing Way. City staff confirmed that they have no records of traffic stops occurring on the 2100 block of Channing Way on the evening of March 14, 2024.

Regarding the alleged assertion by staff that reports cannot be delivered electronically, Government Code section 7922.570(a) requires that "any agency that has information that constitutes an identifiable public record not exempt from disclosure pursuant to this division that is in an electronic format shall make that information available in an electronic format when requested by any person." The Commission Secretary has determined that BPD frequently provides records electronically via the NextRequest portal. This practice complies with the requirements of Government Code section 7922.570(a). It would not be accurate to state that disclosable records cannot be disclosed in electronic format, nor would it be consistent with BPD's demonstrated practice.

Whether or not body camera footage is disclosable would depend on whether one or more exemptions to the PRA applied. (See e.g., Gov. Code § 7023.600(a).) Because no such records were identified in the City's search for responsive records, there were no records to withhold in this instance.

The Open Government Commission has the following powers and authority when handling complaints:

1. hear complaints by any person concerning alleged non-compliance with this Ordinance, the Brown Act, the Public Records Act, or the Lobbyist Registration

Act, by the City or any of its legislative bodies, elected or appointed officials, officers or employees;

2. consider ways to informally resolve those complaints and make recommendations to the Council regarding such complaints;

3. seek advice from the City Attorney concerning those complaints;

4. advise the City Council of its opinion, conclusion or recommendation as to any complaint. (BMC § 2.06.190.A.1.)

The Secretary recommends the Commission review this report and take any permissible action it deems appropriate based on the information presented.

Attachments:

1. Complaint
2. NextRequest Screenshot for PRA Request No. 24-263
3. Request no. 24-375, BPD search screenshot



Open Government Commission

Complaint of Noncompliance

Open Government Ordinance (“OGO”), the Brown Act or the Public Records Act

Name: Chris Nardi

Date: 4/14/2024

Mailing Address/
Contact Info: csna2018@mymail.pomona.edu

Identify the area of noncompliance (check all that apply):

- OGO
- Brown Act
- Public Records Act

Describe the act(s) of noncompliance. (Attach additional page if more space is needed.)

PRR 24-263: "redacted" records were released, but no statutory basis for the exemptions was cited. This violates Gov't Code § 7922.000.

Even if a statutory basis for the redactions was cited, it would be irrelevant; no exemption justifies the redactions.

PRR 24375: search for redacted records was incomplete. since I observed traffic stop, so there should at least be camera footage. (May be associated with DWI checkpoint so not independently logged as traffic stop.)

Also, staff incorrectly said (1) police reports could not be delivered electronically in violation of Gov't Code § 7922.570(a), and (2) body camera footage wasn't disclosable because I wasn't involved in incident

List the date(s) on which the noncompliance occurred.

March 15-28, 2024

Describe any steps taken to address the noncompliance directly with City of Berkeley staff and/or elected official, including the name of any staff person involved, if known.

Messages on NextRequest and phone call with Latargie Norman on March 27, 2024.

Documents:

Attach any written requests or complaints submitted to the City and any responses received. You should also attach any additional information that you believe will assist the Commission and staff in reviewing your complaint.

Skip to main content

Public Record Requests

City of Berkeley

Request Visibility: Unpublished

Request 24-263 Closed



2 of 5 with filters active

Dates

Received

February 26, 2024 via web

Requester

csna2018@mymail.pomona.edu

csna2018@mymail.pomona.edu

Staff assigned

Departments

Police Department

Point of contact

Norman, Latargie

Request

Please disclose all possible information regarding parking tickets and moving violations over the past 5 years to the present day, including any information such as license plate, car make, ticketing officer, ticket reason(s), financial information (paid, etc), court information (contested, etc), date, and location. If this information is available in spreadsheet form, please disclose that spreadsheet. If information for parking tickets and moving violations are stored separately, please let me know, and I will accept whatever information is available.

Timeline

Documents

Message from requester Requester + Staff

Thank you for releasing the records. Which fields were redacted from the spreadsheets and under what PRA exemptions?

March 27, 2024, 4:47pm by the requester

Document(s) released to requester Requester + Staff

- Citation detail report 2019 redacted.xlsx
- citation detail report 2020 redacted.xlsx
- citation detail report 2022 redacted.xlsx
- citation detail report 2023 redacted.xlsx
- citation detail report 2021 redacted.xlsx

March 27, 2024, 4:42pm by Staff

Message to requester Requester + Staff

Your request is granted. The Berkeley Police Department has completed its search for responsive documents and as a courtesy has attached them to this letter. With this response, staff has completed their work to

ITEM NO. 14-ATTACHMENT 1

process and respond to your Public Records Act request.

Thank you,

Police Records Bureau

March 27, 2024, 4:42pm by Staff

 **Message from requester**  Requester + Staff

I still can't seem to view any records on this request.

March 14, 2024, 1:38pm by the requester

 **Department assignment** Public

Added: Police Department. Removed: Multi-Department.

March 8, 2024, 1:00pm by Staff

 **Message from requester**  Requester + Staff

I can't seem to view any records on this request.

March 8, 2024, 12:38pm by the requester

 **Request closed**  Public

All records have been released, and your request has been fulfilled

March 8, 2024, 12:22pm by Staff

 **Department assignment** Public

Removed: Police Department.

March 8, 2024, 12:22pm by Staff

 **Message to requester**  Requester + Staff

This is in response to your February 26, 2024 Public Records Act request for:

[Please disclose all possible information regarding parking tickets and moving violations over the past 5 years to the present day, including any information such as license plate, car make, ticketing officer, ticket reason(s), financial information (paid, etc), court information (contested, etc), date, and location. If this information is available in spreadsheet form, please disclose that spreadsheet. If information for parking tickets and moving violations are stored separately, please let me know, and I will accept whatever information is available.]

ITEM NO. 14-ATTACHMENT 1

The City is extending the response period by fourteen additional calendar days to March 21, 2024, based on the need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records, and the need for consultation with two or more City departments or offices with substantial subject matter interest in the request. (Cal. Gov. Code § 7922.535(b)-(c) (formerly Gov. Code § 6253(c)).

If you have any questions concerning your request, please feel free to contact me at kperez@berkeleyca.gov.

March 7, 2024, 1:30pm by Staff



Department assignment

Public

Removed: Finance.

February 29, 2024, 12:41pm by Staff



Department assignment

Public

Added: Finance, Multi-Department.

February 29, 2024, 12:39pm by Staff



Department assignment

Public

Police Department

February 26, 2024, 5:13pm by the requester



Request opened

Public

Request received via web

February 26, 2024, 5:13pm by the requester

Skip to main content

Public Record Requests

City of Berkeley

Request Visibility:  Unpublished

Request 24-375 Closed



Dates

Received
March 14, 2024 via web

Request

All records associated with a traffic stop at approximately 8:50 pm on 3/14/24 at approximately 2100 Channing Way, including any recordings (bodycam/dashcam)

Requester

 csna2018@mymail.pomona.edu

 csna2018@mymail.pomona.edu

Staff assigned

Departments

Police Department

Point of contact

Norman, Latargie

Timeline Documents

Message to requester Requester + Staff

This is in response to your March 14, 2024 Public Records Act request for:

All records associated with a traffic stop at approximately 8:50 pm on 3/14/24 at approximately 2100 Channing Way, including any recordings (bodycam/dashcam)

The Berkeley Police Department has completed its search for responsive records and has found no responsive records exist.

With this response, staff has completed their work to process and respond to your Public Records Act request.

Thank you,

Police Records Bureau

March 28, 2024, 8:13am by Staff

We have sent the information needed to request a record.

March 15, 2024, 2:04pm by Staff

 **Message to requester** 

Requester + Staff

Greetings,

You may request a report either by US mail or in person. Please visit the Berkeley Police Department at 2100 Martin Luther King Jr. Way , Berkeley, CA 94704 between the hours of 8am-4pm to submit a request for records. We will call you to pick up the report when it is available for release.

To request an incident report by mail, please send a \$1.00 check or money order, per report, made payable to the City of Berkeley Police, a copy of your government issued identification and a self-addressed stamped envelope to the Berkeley Police Records, 2100 Martin Luther King Jr. Way, Berkeley, CA 94704. Your request should include a contact phone number, the report number, or the date, time, location, and specifics about your incident. We will do a search based on the information your provide.

To request a collision report by mail, please send a \$10.00 check or money order, and follow the instructions above. To receive a copy of a collision report, you must be an involved party listed on the collision, as they are considered confidential.

We have 10 days, by law, to respond to your request. However, we will do our best to provide your record as soon as possible.

ITEM 14-ATTACHMENT 1

All the best,

Berkeley Police Records

March 15, 2024, 2:04pm by Staff

Department assignment

Public

Police Department

March 14, 2024, 9:23pm by the requester

Request opened

Public

Request received via web

March 14, 2024, 9:23pm by the requester

Skip to main content

Public Record Requests

City of Berkeley

Request visibility: Published 

Request 24-263 Closed



Dates

Due 
March 21, 2024

Received 
February 26, 2024 via web

Requester

 csna2018@mymail.pomona.edu 

 csna2018@mymail.pomona.edu

[View email status](#)

Staff assigned

Departments 
Police Department

Point of contact 
Norman, Latargie

Support staff 
Garret, Lyesha 
Noah Budnick 
Suzy Esparza 

Tags

Assigned tags 

Request

Please disclose all possible information regarding parking tickets and moving violations over the past 5 years to the present day, including any information such as license plate, car make, ticketing officer, ticket reason(s), financial information (paid, etc), court information (contested, etc), date, and location. If this information is available in spreadsheet form, please disclose that spreadsheet. If information for parking tickets and moving violations are stored separately, please let me know, and I will accept whatever information is available.

Pin board

 **Note** Staff Only

3/8

BPD uploaded citation details from 2019-2023

BPD has no additional records.

March 8, 2024, 12:22pm by Suzy Esparza, Support Services (Staff) 

Timeline Documents Tasks

Filter by timeline event

Select an event to filter

-  **Request published** Public
August 10, 2024, 2:40pm by Harvey, Sam (Staff)
-  **Request visibility** Staff Only
Published (was All Staff)
August 10, 2024, 2:40pm by Harvey, Sam (Staff)
-  **Request visibility** Staff Only

ITEM NO. 14-ATTACHMENT 2

All Staff (was Published)

August 10, 2024, 2:37pm by Harvey, Sam (Staff)

Request published

Public

August 10, 2024, 2:37pm by Harvey, Sam (Staff)

Request visibility

Staff Only

Published (was All Staff)

August 10, 2024, 2:37pm by Harvey, Sam (Staff)

Request visibility

Staff Only

All Staff (was Published)

August 10, 2024, 2:37pm by Harvey, Sam (Staff)

Request published

Public

August 10, 2024, 2:36pm by Harvey, Sam (Staff)

Request visibility

Staff Only

Published (was All Staff)

August 10, 2024, 2:36pm by Harvey, Sam (Staff)

Message to requester

Requester + Staff

This is in response to your Public Records Act request for:

All possible information regarding parking tickets and moving violations over the past 5 years to the present day, including any information such as license plate, car make, ticketing officer, ticket reason(s), financial information (paid, etc), court information (contested, etc), date, and location

Please be informed that portions of the records, previously released, have been redacted where the public interest in redaction clearly outweighs the public interest served by disclosure of the redacted material. (Cal. Gov. Code § 7922.000.) Here, the City redacted information the disclosure of which could risk disclosure of vehicle owners' identities and movements. (See *American Civil Liberties Union Foundation v. Superior Court* (2017) 3 Cal.5th 1032, 1043-47.)

Additionally, staff removed columns containing the following headers from one or more documents where those columns did not contain any information: Skeleton Reconciled Date, Citation Source, Officer Number, Sent to Collections (Yes / No), Is Warning (Yes / No), Boot Citation (Yes / No), Tow Citation (Yes / No), Handicap On Scofflaw (Yes / No) Citation (Yes / No), Has Harvester Letter (Yes / No), In Void Queue (Yes / No), Latest Hold Placed Date, First Payment Date, Latest Hold Placed Date, Latest Hold Lifted Date, Tag List, Is From Chalking (Yes / No).

Please let us know if you have any questions or would like to request any further information from the City.

No tags assigned

ITEM NO. 14-ATTACHMENT 2

L. Norman

Record Supervisor

August 9, 2024, 10:44am by Norman, Latargie (Staff)



ITEM NO. 14-ATTACHMENT 3

Restricted

Location: Area

Location: GEO Verify Search Partial Address

Location: Verified Location

2100 CHANNING WAY

MANVILLE APARTMENTS

Specific Date: Thru Date: Thru Time:

No Date

Qualifier:

Location Type: Address

Venue: Override

Person:

Last Name: First Name:

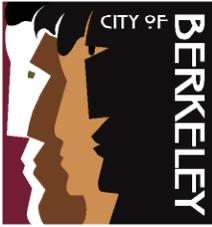
Reporting District:

Officer ID: Squad: Primary

Report Required

Current Review Level: Current Review Type:

| Incident Number | Call Date/Time | Officers | Dispositions | Location | Review Type | Review Date/Time | Incid |
|-----------------|---------------------|-----------------------------|----------------------|-----------------------------|-------------|------------------|-------|
| 2024-00022006 | 05/15/2024 01:38:32 | 15009 - Jacobs, 16087 ... | H - 1, MH - 1, M - 1 | 2100 CHANNING WAY, Berkeley | | | 5150 |
| 2024-00021801 | 05/13/2024 19:41:28 | 15953 - Popke | M - 1 | 2100 CHANNING WAY, Berkeley | | | 415 |
| 2024-00019687 | 05/01/2024 02:51:46 | 15009 - Jacobs, 15866 ... | H - 1, MH - 1, M - 1 | 2100 CHANNING WAY, Berkeley | | | 415 |
| 2024-00019332 | 04/29/2024 05:28:25 | 15405 - Schikore | M - 1 | 2100 CHANNING WAY, Berkeley | | | 602L |
| 2024-00016572 | 04/13/2024 09:49:18 | 16929 - Guanania | H - 1 | 2100 CHANNING WAY, Berkeley | | | 415 |
| 2024-00015168 | 04/05/2024 02:41:24 | 15868 - Booze, 15573 ... | M - 1 | 2100 CHANNING WAY, Berkeley | | | 5150 |
| 2023-00042598 | 09/01/2023 10:32:48 | 11512 - Valle, 6827 - La... | H - 2 | 2100 CHANNING WAY, Berkeley | | | SEC |
| 2023-00014075 | 03/23/2023 19:15:25 | 7374 - Hartley | MH - 1, M - 1 | 2100 CHANNING WAY, Berkeley | | | 602L |
| 2023-00011101 | 03/09/2023 07:51:10 | 5020 - McLean, 10007 | MH - 1 | 2100 CHANNING WAY, Berkeley | | | 1042 |



**Fair Campaign Practices Commission
Open Government Commission**

Date: April 18, 2024

To: Honorable Mayor and Members of the City Council

From: Kitt Saginor, Chair

Subject: Vacancies on the Fair Campaign Practices and Open Government Commissions

Currently the Fair Campaign Practices Commission (“FCPC”) and Open Government Commission (“OGC”)¹ only have five of nine seats filled. The number of vacancies is particularly troubling for the FCPC as the City is currently in an election year with two special elections and a regular election. The FCPC will require the knowledge and hard work of all of its members in order to adequately enforce the Berkeley Election Reform Act (BMC Ch. 2.12) and address the variety of election-related matters which come before the FCPC in an election year.

These vacancies have also raised concerns for the Commissions regarding Brown Act compliance, as each Commission’s subcommittees typically consist of three members, which would now constitute a quorum of the Commission. This concern is heightened for the FCPC, which utilizes subcommittees to review complex campaign finance enforcement matters.

We respectfully request that members of the City Council fill these vacancies at their earliest convenience.²

Sincerely,

Kitt Saginor
Chair
Fair Campaign Practices Commission
Open Government Commission

cc. Mark Numainville, City Clerk

¹ Pursuant to Berkeley Municipal Code section 2.06.190, the OGC consists of the members of the FCPC. The two commissions typically meet concurrently.

² The following seats are vacant: District 2, District 6, District 8, Mayor.

DATE: August 5, 2024

TO: FAIR CAMPAIGN PRACTICES COMMISSION

FROM: Mark Numainville, City Clerk

SUBJECT: Certification of Public Financing Program Participant

Pursuant to the Fair Elections Act of 2016, the City is required to certify candidates as participants in the City's public financing program.

In order to participate, a candidate must submit an application for participation and complete all required administrative paperwork to process payments.

The candidate must also qualify by submitting 30 contributions of at least \$10 from 30 unique contributors totaling at least \$610.

As of August 5, 2024, the following candidate has submitted the required filings as well as a compliant Initial Qualifying Request and their participation in the program has been approved by City staff:

| Application for Participation and Initial Qualifying Request for Funds | |
|---|---|
| Submitted By: | Andy Katz for Berkeley City Council 2024 |
| Qualified Contributions: | \$1,799.99 |
| Eligible Matching Funds: | \$10,799.94 |
| Action | Certified candidate to participate in the program. Approved 6:1 matching public funds in an amount not to exceed \$10,799.94. |

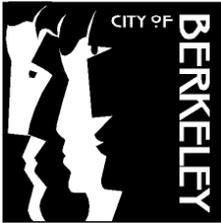
Basic glossary of terms:

| | |
|-------------------------------|---|
| Application for Participation | Required form for participating candidates that certifies they will follow the regulations and requirements of the program. |
| Qualifying Request | In order to qualify to receive public matching funds, a candidate must collect at least 30 contributions (from 30 unique contributors) of at least \$10 totaling \$610. |
| Matching Request | Campaign committees participating in the Public Financing Program submit a Matching Request with all required documentation in order to receive Public Matching Funds. |

| | |
|------------------------|---|
| Qualified Contribution | A contribution that is eligible for the 6-to-1 match from the Fair Elections Fund. A Qualified Contribution is a contribution of \$60 or less from a natural person resident of Berkeley. |
|------------------------|---|

Attachments

1. Andy Katz: Application for Participation and Initial Qualifying Request for Funds.



City Clerk Department
 2180 Milvia Street
 Berkeley, CA 94704
 (510) 981-6900
www.cityofberkeley.info | elections@cityofberkeley.info

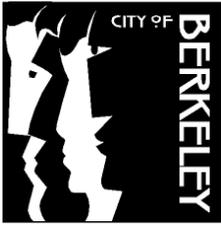
E-Filed
 07/29/2024
 12:36:01
 Filing ID:
 211801054

FAIR ELECTIONS ACT FORM

**APPLICATION FOR PARTICIPATION
 IN PUBLIC FINANCING PROGRAM**

(Berkeley Municipal Code Chapter 2.12 – Election Reform Act)

| | | |
|---|---------------------------------------|------------------------------------|
| OFFICE SOUGHT | | |
| OFFICE City Council Member | COUNCIL DISTRICT (IF APPLICABLE) 6 | |
| ELECTION CYCLE 11/05/2024 | | |
| CANDIDATE INFORMATION | | |
| LAST Katz | FIRST Andy | M.I. |
| COMMITTEE INFORMATION | | |
| NAME OF CAMPAIGN COMMITTEE Andy Katz for Berkeley City Council 2024 | | FPPC I.D. No. 1469588 |
| CANDIDATE CERTIFICATION | | |
| <p>Under penalty of perjury, I hereby certify:</p> <p>I have complied with the restrictions of Berkeley Municipal Code Chapter 2.12 (Election Reform Act) during the election cycle to date; and</p> <p>My campaign committee has filed all campaign finance reports required by law during the election cycle to date and that they are complete and accurate; and</p> <p>I will comply with the requirements of Chapter 2.12 during the remainder of the election cycle and, specifically, if certified as an eligible participating candidate, will comply with the requirements applicable to participating candidates.</p> | | |
| Andy Katz _____ CANDIDATE SIGNATURE | | 07/29/2024 _____ DATE SIGNED |



City Clerk Department
 2180 Milvia Street
 Berkeley, CA 94704
 (510) 981-6900
www.cityofberkeley.info | elections@cityofberkeley.info

E-Filed
 07/29/2024
 20:10:41
 Filing ID:
 211806134

**FAIR ELECTIONS ACT FORM
 INITIAL QUALIFYING DECLARATION FOR PUBLIC FUNDS
 BY CANDIDATES FOR MAYOR, CITY COUNCIL, CITY AUDITOR,
 SCHOOL BOARD DIRECTOR, OR RENT STABILIZATION BOARD COMMISSIONER**

| | | | |
|--|-----------------------------|--|--|
| OFFICE SOUGHT | | | |
| OFFICE City Council Member | | COUNCIL DISTRICT (IF APPLICABLE) District 6 | |
| ELECTION CYCLE 11/05/2024 | | | |
| COMMITTEE INFORMATION | | | |
| NAME OF CAMPAIGN COMMITTEE Andy Katz for Berkeley City Council 2024 | | FPPC I.D. No. 1469588 | |
| STREET ADDRESS [REDACTED] | | APARTMENT/SUITE/FLOOR | |
| CITY Berkeley | STATE CA | ZIP CODE 94704 | |
| TELEPHONE [REDACTED] | EMAIL ADDRESS [REDACTED] | | |
| CANDIDATE DECLARATION | | | |
| <p>I hereby declare that the following information is true and correct:</p> <ul style="list-style-type: none"> All information on the attached Qualified Contribution Receipts is complete and accurate to the best of my knowledge. I understand that the City shall verify that the qualified contributions meet all of the requirements and restrictions prior to the disbursement of funds. I understand that if I submit any contributions that are not from the person(s) identified on the receipt I shall be liable to pay the Fair Elections Fund the entire amount in addition to any penalties. All Qualified Contributions, of any dollar amount, eligible for matching Fair Elections funds must be publically disclosed with the contributor information required under Sections 2.12.280 and 2.12.283. I understand that all campaign filings must be current in order for a disbursement of Fair Election funds to be released. | | | |
| Andy Katz CANDIDATE SIGNATURE | | 07/29/2024 DATE SIGNED | |

INITIAL QUALIFYING REQUEST FOR FAIR ELECTIONS FUNDS PAYMENT

In order to participate in the Public Financing Program, a candidate must collect at least 30 Qualified Contributions from at least 30 unique contributors of at least \$10.00 and no more than \$60.00 each, for a total dollar amount of at least \$580.00.

All approved Qualified Contributions are matched at a 6:1 ratio. For all public matching funds requests, a candidate must submit the following documentation:

- Qualified Contributions List (below).
- Receipt for Qualified Contribution for Fair Elections Funds.
- Evidence of each contribution received, such as electronic copies of contributor checks, credit card authorizations, or online payment receipts.
- Electronic copies of itemized deposit slips.
- Complete contributor information (full name, address, occupation, and employer) as required by BERA and the Political Reform Act.

| | Last Name | First Name | Address | Zip Code, City | Occupation | Employer | Payment Method | Date Received | Date Deposited | Deposit Batch # | Amount of Contribution |
|-----|-----------------|-------------|------------|----------------|--------------------------------|---|----------------|---------------|----------------|-----------------|------------------------|
| 1. | Currie | Linda | [REDACTED] | 94702 Berkeley | Outreach Organizer | Self | Electronic | 07/19/2024 | 07/22/2024 | 1 | 60.00 |
| 2. | Wilson | Leah | [REDACTED] | 94708 Berkeley | Executive Director | State Bar of California | Electronic | 07/11/2024 | 07/15/2024 | 1 | 60.00 |
| 3. | Schickman | Mark | [REDACTED] | 94708 Berkeley | Attorney | Schickman Law | Electronic | 07/02/2024 | 07/08/2024 | 1 | 60.00 |
| 4. | Taylor | Andrew | [REDACTED] | 94704 Berkeley | Self Employed | RCS | Electronic | 06/30/2024 | 07/01/2024 | 1 | 60.00 |
| 5. | Hobson | Jeff | [REDACTED] | 94702 Berkeley | Chief Operating Officer | All Home, a project of the Tides Center | Electronic | 06/30/2024 | 07/01/2024 | 1 | 60.00 |
| 6. | Babitt | Laura | [REDACTED] | 94710 Berkeley | Accountant | REL Acoustics | Electronic | 06/30/2024 | 07/01/2024 | 1 | 60.00 |
| 7. | Perezvelez | George | [REDACTED] | 94708 Berkeley | Director of Operations | Montgomery Partners LLC | Electronic | 06/30/2024 | 07/01/2024 | 1 | 50.00 |
| 8. | Frantz | Michael | [REDACTED] | 94708 Berkeley | Self | Blackoak Management | Electronic | 06/30/2024 | 07/01/2024 | 1 | 30.00 |
| 9. | Guliasi | Les | [REDACTED] | 94708 Berkeley | University Research & Lecturer | UC Santa Cruz | Electronic | 06/29/2024 | 07/01/2024 | 1 | 60.00 |
| 10. | Biale | Rachel | [REDACTED] | 94708 Berkeley | Nonprofit Executive Director | New Lehrhaus | Electronic | 06/29/2024 | 07/01/2024 | 1 | 50.00 |
| 11. | Hamilton | Christopher | [REDACTED] | 94706 Berkeley | N/A | N/A | Electronic | 06/28/2024 | 07/01/2024 | 1 | 60.00 |
| 12. | Diehm | Erin | [REDACTED] | 94703 Berkeley | Not employed | Not employed | Electronic | 06/28/2024 | 07/01/2024 | 1 | 60.00 |
| 13. | Ellwood | Linda | [REDACTED] | 94708 Berkeley | Retired | None | Electronic | 06/28/2024 | 07/01/2024 | 1 | 60.00 |
| 14. | Howard-Herrarte | Melinda | [REDACTED] | 94704 Berkeley | Product Manager | Blue Shield of California | Electronic | 06/28/2024 | 07/01/2024 | 1 | 60.00 |
| 15. | Norgaard | Richard | [REDACTED] | 94708 Berkeley | Retired Professor | UC Berkeley | Electronic | 06/28/2024 | 07/01/2024 | 1 | 60.00 |
| | | | | | | | | | | Subtotals | 850.00 |

| Last Name | First Name | Address | Zip Code, City | Occupation | Employer | Payment Method | Date Received | Date Deposited | Deposit Batch # | Amount of Contribution | |
|-----------|--------------|-----------|----------------|----------------|-----------------------------------|---|---------------|----------------|-----------------|------------------------|-------|
| 16. | Nunes-Fadley | Susan | [REDACTED] | 94708 Berkeley | Retired | Retired | Electronic | 06/28/2024 | 07/01/2024 | 1 | 60.00 |
| 17. | Hertz | Howard | [REDACTED] | 94708 Berkeley | Retired | Retired | Electronic | 06/27/2024 | 07/01/2024 | 1 | 60.00 |
| 18. | Krois | Jean | [REDACTED] | 94708 Berkeley | Retired | None | Electronic | 06/26/2024 | 07/01/2024 | 1 | 60.00 |
| 19. | DeDiemar | Donna | [REDACTED] | 94706 Berkeley | Retired | N/A | Electronic | 06/24/2024 | 07/01/2024 | 1 | 60.00 |
| 20. | Marasovic | Carole | [REDACTED] | 94702 Berkeley | Policy Commissioner | City of Berkeley | Check | 06/24/2024 | 07/29/2024 | 2 | 49.99 |
| 21. | Bradley | Rachel | [REDACTED] | 94708 Berkeley | Retired | None | Electronic | 06/23/2024 | 07/01/2024 | 1 | 60.00 |
| 22. | Knight | Jeremy | [REDACTED] | 94708 Berkeley | Retired | None | Electronic | 06/22/2024 | 07/01/2024 | 1 | 60.00 |
| 23. | Arens | Eric | [REDACTED] | 94708 Berkeley | Retired | None | Electronic | 06/17/2024 | 06/24/2024 | 1 | 60.00 |
| 24. | Rader | Nancy | [REDACTED] | 94708 Berkeley | Executive Director | California Wind Energy Association | Electronic | 06/16/2024 | 06/24/2024 | 1 | 60.00 |
| 25. | Scantlebury | Jane | [REDACTED] | 94703 Berkeley | Retired Librarian | None | Electronic | 06/16/2024 | 06/24/2024 | 1 | 60.00 |
| 26. | Wozniak | Gordon | [REDACTED] | 94705 Berkeley | Retired | N/A | Electronic | 06/15/2024 | 06/24/2024 | 1 | 60.00 |
| 27. | Yep | Nancy | [REDACTED] | 94707 Berkeley | Retired | None | Electronic | 06/15/2024 | 06/24/2024 | 1 | 60.00 |
| 28. | Yep | Ray | [REDACTED] | 94707 Berkeley | Civil Engineer | Retired | Electronic | 06/14/2024 | 06/24/2024 | 1 | 60.00 |
| 29. | Wollmer | Stephen | [REDACTED] | 94703 Berkeley | Retired | None | Electronic | 06/13/2024 | 06/24/2024 | 1 | 60.00 |
| 30. | Schwartz | Christine | [REDACTED] | 94702 Berkeley | Caregiver | Alameda County | Electronic | 06/13/2024 | 06/24/2024 | 1 | 60.00 |
| 31. | Levin | Jamie | [REDACTED] | 94707 Berkeley | Director of West Coast Operations | Center for Transportation and the Environment | Electronic | 06/13/2024 | 06/24/2024 | 1 | 60.00 |
| 32. | Carleton | Nancy | [REDACTED] | 94705 Berkeley | Editor | Self-Employed | Electronic | 06/13/2024 | 06/17/2024 | 1 | 60.00 |

| | |
|--------------|----------|
| Subtotals | 1,009.99 |
| Grand Totals | 1,859.99 |

1,799.99
x6
10,799.94



DATE: August 8, 2024

TO: FAIR CAMPAIGN PRACTICES COMMISSION

FROM: Mark Numainville, City Clerk

SUBJECT: **Certification of Public Financing Program Participant**

Pursuant to the Fair Elections Act of 2016, the City is required to certify candidates as participants in the City's public financing program.

In order to participate, a candidate must submit an application for participation and complete all required administrative paperwork to process payments.

The candidate must also qualify by submitting 30 contributions of at least \$10 from 30 unique contributors totaling at least \$610.

As of August 8, 2024, the following candidate has submitted the required filings as well as a compliant Initial Qualifying Request and their participation in the program has been approved by City staff:

| Application for Participation and Initial Qualifying Request for Funds | |
|---|--|
| Submitted By: | Andrew for City Council 2024 |
| Qualified Contributions: | \$2,045 |
| Eligible Matching Funds: | \$12,270 |
| Action | Certified candidate to participate in the program. Approved 6:1 matching public funds in an amount not to exceed \$12,270. |

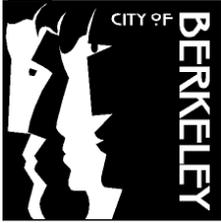
Basic glossary of terms:

| | |
|-------------------------------|---|
| Application for Participation | Required form for participating candidates that certifies they will follow the regulations and requirements of the program. |
| Qualifying Request | In order to qualify to receive public matching funds, a candidate must collect at least 30 contributions (from 30 unique contributors) of at least \$10 totaling \$610. |
| Matching Request | Campaign committees participating in the Public Financing Program submit a Matching Request with all required documentation in order to receive Public Matching Funds. |

| | |
|------------------------|---|
| Qualified Contribution | A contribution that is eligible for the 6-to-1 match from the Fair Elections Fund. A Qualified Contribution is a contribution of \$60 or less from a natural person resident of Berkeley. |
|------------------------|---|

Attachments

1. Todd Andrew: Application for Participation and Initial Qualifying Request for Funds.



City Clerk Department
 2180 Milvia Street
 Berkeley, CA 94704
 (510) 981-6900
www.cityofberkeley.info | elections@cityofberkeley.info

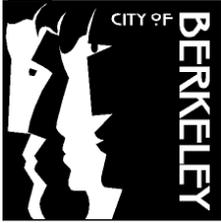
E-Filed
 04/08/2024
 11:02:45
 Filing ID:
 211403370

FAIR ELECTIONS ACT FORM

**APPLICATION FOR PARTICIPATION
 IN PUBLIC FINANCING PROGRAM**

(Berkeley Municipal Code Chapter 2.12 – Election Reform Act)

| | | |
|---|---------------------------------------|------------------------------------|
| OFFICE SOUGHT | | |
| OFFICE City Council Member | COUNCIL DISTRICT (IF APPLICABLE) 5 | |
| ELECTION CYCLE 11/05/2024 | | |
| CANDIDATE INFORMATION | | |
| LAST Andrew | FIRST Todd | M.I. |
| COMMITTEE INFORMATION | | |
| NAME OF CAMPAIGN COMMITTEE Andrew for Berkeley Council 2024 | | FPPC I.D. No. 1468064 |
| CANDIDATE CERTIFICATION | | |
| <p>Under penalty of perjury, I hereby certify:</p> <p>I have complied with the restrictions of Berkeley Municipal Code Chapter 2.12 (Election Reform Act) during the election cycle to date; and</p> <p>My campaign committee has filed all campaign finance reports required by law during the election cycle to date and that they are complete and accurate; and</p> <p>I will comply with the requirements of Chapter 2.12 during the remainder of the election cycle and, specifically, if certified as an eligible participating candidate, will comply with the requirements applicable to participating candidates.</p> | | |
| Todd Andrew _____ CANDIDATE SIGNATURE | | 04/08/2024 _____ DATE SIGNED |



City Clerk Department
 2180 Milvia Street
 Berkeley, CA 94704
 (510) 981-6900
www.cityofberkeley.info | elections@cityofberkeley.info

E-Filed
 08/06/2024
 14:14:34
 Filing ID:
 211873680

**FAIR ELECTIONS ACT FORM
 INITIAL QUALIFYING DECLARATION FOR PUBLIC FUNDS
 BY CANDIDATES FOR MAYOR, CITY COUNCIL, CITY AUDITOR,
 SCHOOL BOARD DIRECTOR, OR RENT STABILIZATION BOARD COMMISSIONER**

| | | | |
|--|-----------------------------|--|--|
| OFFICE SOUGHT | | | |
| OFFICE City Council Member | | COUNCIL DISTRICT (IF APPLICABLE) District 5 | |
| ELECTION CYCLE 11/05/2024 | | | |
| COMMITTEE INFORMATION | | | |
| NAME OF CAMPAIGN COMMITTEE Andrew for Berkeley Council 2024 | | FPPC I.D. No. 1468064 | |
| STREET ADDRESS [REDACTED] | | APARTMENT/SUITE/FLOOR | |
| CITY Berkeley | STATE CA | ZIP CODE 94707 | |
| TELEPHONE [REDACTED] | EMAIL ADDRESS [REDACTED] | | |
| CANDIDATE DECLARATION | | | |
| <p>I hereby declare that the following information is true and correct:</p> <ul style="list-style-type: none"> All information on the attached Qualified Contribution Receipts is complete and accurate to the best of my knowledge. I understand that the City shall verify that the qualified contributions meet all of the requirements and restrictions prior to the disbursement of funds. I understand that if I submit any contributions that are not from the person(s) identified on the receipt I shall be liable to pay the Fair Elections Fund the entire amount in addition to any penalties. All Qualified Contributions, of any dollar amount, eligible for matching Fair Elections funds must be publically disclosed with the contributor information required under Sections 2.12.280 and 2.12.283. I understand that all campaign filings must be current in order for a disbursement of Fair Election funds to be released. | | | |
| Todd Andrew | | 08/05/2024 | |
| CANDIDATE SIGNATURE | | DATE SIGNED | |

INITIAL QUALIFYING REQUEST FOR FAIR ELECTIONS FUNDS PAYMENT

In order to participate in the Public Financing Program, a candidate must collect at least 30 Qualified Contributions from at least 30 unique contributors of at least \$10.00 and no more than \$60.00 each, for a total dollar amount of at least \$580.00.

All approved Qualified Contributions are matched at a 6:1 ratio. For all public matching funds requests, a candidate must submit the following documentation:

- Qualified Contributions List (below).
- Receipt for Qualified Contribution for Fair Elections Funds.
- Evidence of each contribution received, such as electronic copies of contributor checks, credit card authorizations, or online payment receipts.
- Electronic copies of itemized deposit slips.
- Complete contributor information (full name, address, occupation, and employer) as required by BERA and the Political Reform Act.

| | Last Name | First Name | Address | Zip Code, City | Occupation | Employer | Payment Method | Date Received | Date Deposited | Deposit Batch # | Amount of Contribution |
|-----|-----------------|------------|------------|----------------|---|-----------------------|----------------|---------------|----------------|-----------------|-------------------------|
| 1. | Hall | Elaine | [REDACTED] | 94707 Berkeley | Retired | Unemployed | Check | 08/04/2024 | 08/06/2024 | 38 | 60.00 |
| 2. | Hall | Tom | [REDACTED] | 94709 Berkeley | Retired | Unemployed | Check | 08/04/2024 | 08/06/2024 | 38 | 60.00 |
| 3. | Capitelli | Marilyn | [REDACTED] | 94703 Berkeley | Retired | Bookseller | Check | 08/04/2024 | 08/06/2024 | 40 | 60.00 |
| 4. | Buswell-Charkow | Joshua | [REDACTED] | 94702 Berkeley | Deputy Director | Calssa | Electronic | 08/04/2024 | 08/06/2024 | 41 | 60.00 |
| 5. | Holcomb | Julie | [REDACTED] | 94707 Berkeley | Retired | Unemployed | Electronic | 08/03/2024 | 08/06/2024 | 42 | 60.00 |
| 6. | Vasudeo | Ana | [REDACTED] | 94707 Berkeley | Govt and Communications Affairs Manager | San Trans | Electronic | 08/02/2024 | 08/06/2024 | 37 | 60.00 |
| 7. | Lopes | Kathleen | [REDACTED] | 94707 Berkeley | Trial Paralegal | Retired | Electronic | 08/01/2024 | 08/02/2024 | 35 | 60.00 |
| 8. | Fike | Barry | [REDACTED] | 94703 Berkeley | Unemployed | Unemployed | Electronic | 07/31/2024 | 08/01/2024 | 34 | 60.00 |
| 9. | Smith | Rosamond | [REDACTED] | 94707 Berkeley | Researcher | County of Santa Clara | Electronic | 07/30/2024 | 07/31/2024 | 33 | 60.00 |
| 10. | Capitelli | Laurie | [REDACTED] | 94703 Berkeley | Unemployed | Unemployed | Electronic | 07/30/2024 | 07/31/2024 | 36 | 60.00 |
| 11. | Avellar | Anna | [REDACTED] | 94702 Berkeley | Retired | Unemployed | Cash | 07/29/2024 | 07/30/2024 | 31 | 20.00 |
| 12. | Nusser | Sarah | [REDACTED] | 94707 Berkeley | Underwriter | Bank of America | Electronic | 07/28/2024 | 07/30/2024 | 22 | 25.00 |
| 13. | Robertson | Molly | [REDACTED] | 94707 Berkeley | RN | Hospice Agency | Electronic | 07/28/2024 | 07/30/2024 | 26 | 10.00 |
| 14. | Baker | Jeffrey | [REDACTED] | 94703 Berkeley | Software Developer | Datadog | Electronic | 07/28/2024 | 07/30/2024 | 1 | 60.00 |
| 15. | Kress | Edward | [REDACTED] | 94709 Berkeley | Tech Sales | Cisco | Electronic | 07/28/2024 | 07/30/2024 | 12 | 60.00 |
| | | | | | | | | | | Subtotals | 775.00 655.00 |

ITEM NO. 17b

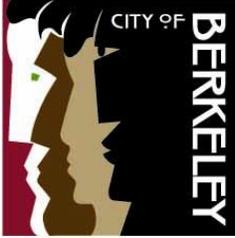
| Last Name | First Name | Address | Zip Code, City | Occupation | Employer | Payment Method | Date Received | Date Deposited | Deposit Batch # | Amount of Contribution |
|-----------|---------------|---------|-------------------|------------------------------|--------------------------|----------------|---------------|----------------|-----------------|-----------------------------|
| 16. | Kitiratragarn | | 94703 Berkeley | Financial Consultant | Sherwood Partners, Inc. | Electronic | 07/27/2024 | 07/30/2024 | 11 | 60.00 |
| 17. | Roberts | | 94705 Berkeley | Realtor | Red Oak Realty | Electronic | 07/27/2024 | 07/30/2024 | 25 | 60.00 |
| 18. | Solomon | | 94805 Richmond | Owner | Fern's Garden | Electronic | 07/27/2024 | 07/30/2024 | 30 | 60.00 |
| 19. | McKenzie | | 94708 Berkeley | Unemployed | Unemployed | Cash | 07/26/2024 | 07/29/2024 | 20 | 60.00 |
| 20. | Ishii | | 94703 Berkeley | Independent Consultant | self employed/Berkeley | Electronic | 07/26/2024 | 07/30/2024 | 10 | 60.00 |
| 21. | Haselsteiner | | 94702 Berkeley | Unemployed | Unemployed | Electronic | 07/26/2024 | 07/30/2024 | 8 | 60.00 |
| 22. | Ellis | | 94707 Berkeley | Marketing | Cionic | Electronic | 07/25/2024 | 07/26/2024 | 2 | 60.00 |
| 23. | Marasovic | | 94702 Berkeley | Policy Commissioner/Berkeley | City of Berkeley | Cash | 07/25/2024 | 07/26/2024 | 17 | 10.00 |
| 24. | Parman | | 94708 Berkeley | Unemployed | Unemployed | Electronic | 07/25/2024 | 07/26/2024 | 23 | 60.00 |
| 25. | Snowden | | 94708 Berkeley | Property Manager | Kathy Snowden/Berkeley | Electronic | 07/25/2024 | 07/26/2024 | 28 | 60.00 |
| 26. | Fruge | | 94707 Berkeley | Unemployed | Unemployed | Electronic | 07/24/2024 | 07/25/2024 | 5 | 60.00 |
| 27. | Fruge | | 94707 Berkeley | Property Manager | Self Employed/Berkeley | Electronic | 07/24/2024 | 07/25/2024 | 6 | 60.00 |
| 28. | Gordon | | 94707 Berkeley | Executive | WANPATH LLC | Electronic | 07/22/2024 | 07/23/2024 | 7 | 60.00 |
| 29. | Matthews | | 94704 Berkeley | Real Estate Agent | The Broka Realty Group | Electronic | 07/22/2024 | 07/23/2024 | 18 | 60.00 |
| 30. | Lee-Egan | | 94702 Berkeley | Graphic Designer | Libby Lee-Egan, Berkeley | Electronic | 07/22/2024 | 07/23/2024 | 14 | 60.00 |
| 31. | Lee-Egan | | 94702 Berkeley | Software Engineer | Google | Electronic | 07/22/2024 | 07/23/2024 | 15 | 60.00 |
| 32. | McKenzie | | 94708 Berkeley | Retired | Retired | Electronic | 07/21/2024 | 07/23/2024 | 19 | 60.00 |
| 33. | Kromer | | 94710 Berkeley | Energy Consultant | SKEE | Electronic | 07/21/2024 | 07/23/2024 | 13 | 60.00 |
| 34. | Fox | | 94708 Berkeley | Professor | College of Marin | Electronic | 07/21/2024 | 07/23/2024 | 3 | 60.00 |
| 35. | Posner | | 94703 Berkeley | Attorney | State of CA | Electronic | 07/21/2024 | 07/23/2024 | 24 | 60.00 |
| 36. | Mendelsohn | | 94703 Berkeley | Retired | Retired/Berkeley | Electronic | 07/21/2024 | 07/23/2024 | 21 | 60.00 |
| | | | | | | | | | Subtotals | 1,210.00 1,030.00 |

ITEM NO. 17b

| Last Name | First Name | Address | Zip Code, City | Occupation | Employer | Payment Method | Date Received | Date Deposited | Deposit Batch # | Amount of Contribution |
|--------------|------------|------------|-------------------|------------------------|----------------------|----------------|---------------|----------------|-----------------|------------------------|
| 37. Bell | Sarah | [REDACTED] | 94710 Berkeley | Software Engineer | Notion | Electronic | 07/21/2024 | 07/23/2024 | 32 | 60.00 |
| 38. Yep | Ray | | 94707 Berkeley | Retired | Unemployed | Electronic | 07/13/2024 | 07/16/2024 | 29 | 60.00 |
| 39. Sharenko | Alexander | | 94710 Berkeley | Engineer | Apple, Inc. | Electronic | 07/13/2024 | 07/16/2024 | 27 | 60.00 |
| 40. Friedman | Eric | | 94703 Berkeley | Unemployed | Unemployed | Electronic | 07/13/2024 | 07/16/2024 | 4 | 60.00 |
| 41. Hedlund | Marc | | 94705 Berkeley | Technology Executive | Fiasco Partners, LLC | Electronic | 07/13/2024 | 07/16/2024 | 9 | 60.00 |
| 42. Lomax | Geoff | | 94709 Berkeley | Research Administrator | State of CA | Electronic | 07/13/2024 | 07/16/2024 | 16 | 60.00 |
| | | | | | | | | | Subtotals | 360.00 |
| | | | | | | | | | Grand Totals | 2,345.00 |

2,045
x 6
12,270

2,045.00



Fair Campaign Practices Commission

May 16, 2024

To: Todd Andrew

From: Fair Campaign Practices Commission

Subject: Request for opinion pursuant to Berkeley Municipal Code Section 2.12.220

You have asked whether you may use approximately 120 plastic signs left over from your 2020 campaign for councilmember for District 5 for your 2024 campaign for the same office. As discussed below, we conclude that the public financing provisions of the Berkeley Election Reform Act (BMC Ch. 2.12) prohibit you from reusing campaign signs leftover from your 2020 campaign in support of your 2024 campaign.

Factual Background

You are currently a candidate for City Council in District 5 on the November 2024 ballot. You have qualified for and are participating in the City's public financing program. In 2020, you were also a candidate for City Council in District 5 and also qualified for and participated in the City's public financing program. You terminated your 2020 campaign committee in September 2022.

You currently have approximately 120 corrugated plastic signs which were purchased by your 2020 campaign. You have asked whether you may use these leftover campaign signs for you 2024 campaign.

Analysis

Candidates who participate in the City's public financing program are subject to limitations on the sources and amounts of contributions they may receive. Public financing candidates may only accept contributions from natural persons not greater than \$60, or non-monetary contributions with a fair market value not greater than \$60. (BMC § 2.12.500.A.7.) Public financing candidates may also not make expenditures from or use their personal funds in connection with their campaigns except as a monetary or non-monetary contribution to their committee of \$270 or less. (BMC § 2.12.500.A.6.)

Public financing candidates are also subject to restrictions on the use of their campaign contributions and public matching funds. Specifically, public financing candidate may

May 16, 2024
Todd Andrew
Page 2 of 2

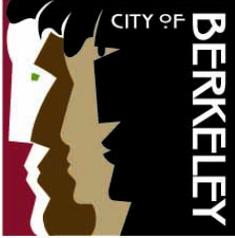
only use contributions and public matching funds “for direct campaign purposes to further the candidate’s own campaign for the relevant office and election cycle.” (BMC § 2.12.530.A.) Public financing candidates are also prohibited from using contributions or public matching funds for a “contribution or loan to the campaign committee of another candidate or to a party committee or other political committee” or for “[a]ny payment or transfer for which compensating value is not received.” (BMC § 2.12.530.B.3.c &e.)

The yard signs were purchased by your 2020 campaign committee using committee funds consisting of contributions and matching funds. Section 2.12.530.A requires that the contributions and public matching funds your 2020 campaign committee received only be used for direct campaign purposes to further your campaign for the 2020 election cycle. Using campaign materials purchased by your 2020 committee for your 2024 campaign would not constitute direct campaign purposes to further your 2020 campaign.

Instead, reuse of these signs would constitute a contribution from your 2020 committee to your 2024 committee. (See Fair Political Practices Commission, *Menis* Advice Letter I-20-007 (reused campaign signs are in-kind contribution to new committee from prior committee).) As noted above, Section 2.12.530.B.3.c prohibits a publicly financed campaign committee from making contributions to any other committee. Reuse of the campaign signs would therefore constitute an impermissible contribution from your 2020 committee to your 2024 committee. Such an in-kind contribution would also be a payment or transfer for which compensating value is not received, which is also prohibited by Section 2.12.530.B.3.e.

Finally, your 2024 campaign committee is prohibited from accepting non-monetary contributions with a value greater than \$60. The California Fair Political Practices Commission (“FPPC”) has determined that reused campaign signs contributed from one committee to another must be valued at the purchase price at the time they were initially purchased. (FPPC, Advice Letter I-20-007.) To the extent the purchase price of these signs exceeded \$60, their reuse would also be a non-monetary contribution to your 2024 campaign in excess of the \$60 limit imposed by Section 2.12.500.A.7.

For the foregoing reasons, we conclude that the public financing provisions of the Berkeley Election Reform Act (BMC Ch. 2.12) prohibit you from reusing campaign signs leftover from your 2020 campaign in support of your 2024 campaign.



Fair Campaign Practices Commission

July 19, 2024

To: Peter Sullivan, Treasurer

From: Sam Harvey, Secretary, Fair Campaign Practices Commission

Subject: Request for opinion pursuant to Berkeley Municipal Code Section 2.12.220

You have asked whether the committee Re-Elect Mayor Jesse Arreguin 2024 (“Re-Elect Committee”) may receive a transfer of funds over \$270 from the committee Jesse Arreguin for State Senate District 7 2024 (“Senate Committee”) (together the “Committees”). As discussed below, such a transfer of funds is not prohibited by the Berkeley Election Reform Act (“BERA”) (BMC Ch. 2.12.) provided it is properly reported on the Committees’ campaign statements and provided the Committees are able to comply with the provisions of BERA related to contributions from prohibited sources. Please note that this opinion pertains solely to the applicability of BERA to the facts provided and does not reach a conclusion on the permissibility of any action under state law.

Factual Background

The Re-Elect Committee is a candidate-controlled committee for the re-election of Jesse Arreguin (the “Candidate”) to the City office of Mayor. The Senate Committee is a candidate-controlled committee for the election of the Candidate to the office of State Senate for District 7. The Senate Committee is seeking to make a transfer of funds over \$270 to the Re-Elect Committee.

Analysis

Generally, state law allows a candidate to transfer funds from one campaign committee controlled by the candidate to another campaign committee controlled by the candidate. Specifically, Section 85306 of the California Political Reform Act (the “Act”) (Gov. Code § 81000 et seq.) creates a process by which the committee making the transfer must attribute the transfer to specific contributors to the transferring committee. (Id.) The committee receiving the transfer must then report the transfer as a contribution listing the transferring committee as well as the names and information of each contributor of the transferring committee to whom the transfer is attributed. (See id.) The contribution limits for the recipient committee apply to each contributor to the transferring committee for whom a portion of the transfer is attributed. (Id.; 2 CCR 18536(b).) If a contributor

July 19, 2024
Peter Sullivan
Page 2 of 4

has made contributions to both the recipient committee and the transferring committee, that contributor's contributions are aggregated up to the limit on contributions from a single source for the recipient committee.

However, Government Code section 85306 does not apply to a city or county which imposes its own contribution limits. (Gov. Code § 85205(d) ("This section does not apply in a jurisdiction in which the county or city imposes a limit on contributions . . .").) The City of Berkeley imposes its own limits on contributions to City candidates. (See BMC § 2.12.415.) Thus, the California Fair Political Practices Commission ("FPPC") has advised that, where the provisions of Section 85306 are inapplicable because a city has adopted local contribution limits, the permissibility of such a transfer depends upon whether it is permissible under local law, rather than under state law. (*Burley Advice Letter, A-20-156* (Advising candidate seeking to transfer funds from federal campaign committee to city committee that "[b]ecause the City has adopted local contribution limits . . . the Act's general intra-candidate transfer provisions under Section 85306 are inapplicable. Accordingly, the Act does not prohibit the transfer. However, the permissibility of such a transfer will depend on any federal restrictions as well as the City's local ordinances.").)

The Berkeley Municipal Code ("BMC") provides that "no person *other than a candidate* shall make and no campaign treasurer shall . . . accept any contribution which will cause the total amount contributed by such person with respect to a single election" to exceed \$270. (BMC § 2.12.415 [emphasis added].)

As required by BMC section 2.12.415, Berkeley candidate committees may only accept aggregate contributions of up to \$270 from a single person other than the candidate. The proposed transfer appears to meet BERA's definition of a "contribution". (See BMC § 2.12.100.¹) However, the Candidate's Senate Committee is controlled by the Candidate, and contributions from a candidate-controlled committee are counted as contributions from the candidate. (See 2 CCR 18525(c) (contributions from candidate's personal funds aggregated with contributions from candidate's controlled committees for purpose of contribution limits).) As a result, the contribution of funds from the Senate Committee is a contribution from the candidate and is therefore not subject to the contribution limit in Section 2.12.415.

However, BERA defines a "contribution" to include anything of value provided "directly or indirectly" in support of or opposition to a candidate. (BMC § 2.12.100.) Therefore, in order to avoid a situation in which funds contributed to the Senate Committee, when transferred to the Re-Elect Committee, cause the aggregate amount of funds received

¹ "The term 'contribution' further includes any transfer, gift, loan, advance, deposit, forgiveness of indebtedness, payment of a debt by a third party, pledge, contract, agreement, or promise of money or anything of value or other obligation, whether or not legally enforceable, received directly or indirectly by a committee from another committee."

July 19, 2024
Peter Sullivan
Page 3 of 4

by the Re-Elect Committee from any one contributor to be greater than \$270, the Committees must attribute the funds to individual Senate Committee contributors.

Contributions attributed to each individual contributor to the Senate Committee could therefore only be attributed up to \$270 for each contributor (including any contribution already made by the same contributor to the Re-Elect Committee). The \$270 limit would not apply to any contributions attributable to the Candidate as the \$270 limit does not apply to candidate's contributions to their own committees. (See BMC § 2.12.415.)

Additionally, BERA also provides:

No proprietorship, firm, partnership, joint venture, syndicate, business trust, company, corporation, including non-profit corporations, or labor union shall make a contribution to any candidate or committee (supporting or opposing any candidate) directly or indirectly, and no campaign treasurer (of any such committee) shall solicit or accept such contribution. (BMC § 2.12.440.)

The Fair Campaign Practices Commission ("FCPC") has promulgated regulations indicating that it is permissible for a candidate's committee to accept contributions from a contributor that has received contributions from one of the above enumerated entities provided certain conditions are met.

FCPC Regulation R2.12.440 provides that a contributor who has received contributions from one of the above enumerated entities may still make a contribution to a Berkeley candidate's committee if either of the following conditions is met:

- (1) the contributor establishes a separate bank account into which monies not contributed by this type of organization are deposited and from which contributions to Berkeley elective office campaigns are made, or
- (2) the contributor maintains reasonable accounting methods so as to demonstrate that any contributions made to Berkeley elective office campaigns originate from sufficient funds not contributed by this type of organization.²

Therefore, in the event that the Senate Committee has received contributions from any of the entities listed in BMC section 2.12.440, the Senate Committee would need to comply with the provisions of FCPC Regulation R2.12.440 in order to transfer funds to the Re-Elect Committee.

² Regulation R.2.12.440 also provides that the treasurer who receives contributions from a contributor receiving contributions from this type of organization must receive a written statement which indicates that the contributor complies with either of these requirements and that adequate records and other information shall be maintained and made available for inspection by the Fair Campaign Practices Commission, the City Clerk, and the City Attorney upon request.

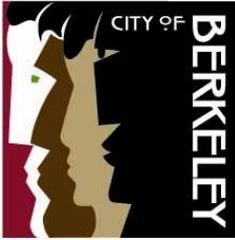
July 19, 2024
Peter Sullivan
Page 4 of 4

Provided the Committees are able to comply with the provisions of R2.12.440 and appropriately report the transfer as a contribution, we have not identified any provision in the Berkeley Municipal Code that would prevent the Senate Committee from transferring funds to the Re-Elect Committee.

* * *

Please note that this opinion is only providing guidance on the applicability of the Berkeley Election Reform Act ("BERA") (BMC Ch. 2.12.) and does not shield you from liability in the event an action is brought against you alleging a violation of any other provision of law. If you wish, you may seek formal advice from the California Fair Political Practices Commission ("FPPC").

If you have any questions regarding this opinion, please feel free to contact me at sharvey@berkeleyca.gov.



Fair Campaign Practices Commission

August 8, 2024

To: Nicholas Sanders

From: Fair Campaign Practices Commission

Subject: Request for opinion pursuant to Berkeley Municipal Code Section 2.12.220

You have asked whether communications sent via text message are “campaign communications” for the sake of Berkeley Municipal Code Section 2.12.335.

You have asserted that “[b]ecause text messages are not included in the list of communications which qualify as “campaign communications” under subdivision (B) - they are not campaign literature, paid advertisements in newspaper/magazines/internet, emails, or pre-recorded phone calls - it would seem that the law does not apply to text messages, and that text messages are therefore not required to include any disclosure of contributors on their face. “

As discussed below, we have determined that text messages are subject to the disclosure provisions of Section 2.12.335 and FCPC Regulation R2.12.335(b).

Analysis

Section 2.12.335 of the Berkeley Election Reform Act (“BERA”) provides that “campaign communications” in support or opposition to a candidate or measure must include the name of the committee and the phrase “Major Funding Provided By” followed by names, cities of domicile and total cumulative contributions from each of the committee’s top four contributors over \$270 in the previous six months. (BMC §§ 2.12.335.A & 2.12.545.)

For the purposes of this requirement, a “campaign communication” is defined as:

1. one thousand or more substantially similar pieces of campaign literature, including but not limited to mailers, flyers, pamphlets, and door hangers;
2. paid advertisements, including but not limited to advertisements in newspapers, magazines, and on the Internet; and

August 8, 2024
Nicholas Sanders
Page 2 of 3

3. one thousand or more substantially similar e-mails or pre-recorded telephone calls made within a calendar month.

(BMC § 2.12.335.B.)

The definition of “campaign communication” expressly excludes:

1. small promotional items such as pens, pencils, clothing, mugs, potholders, or other items on which the statement required by this section cannot be reasonably printed or displayed in an easily legible typeface;
2. posters, yard or street signs, billboards, supergraphic signs, skywriting, and similar items;
3. television, cable, satellite, and radio broadcasts or advertisements;
4. communications paid for by a newspaper, radio station, television station or other recognized news medium; and
5. communications from an organization to its members.

(BMC § 2.12.335.C.)

The Fair Campaign Practices Commission (“FCPC”) has promulgated the following regulation pertaining to the application of the disclaimer requirements in Section 2.12.335 to text or graphic “electronic media” advertisements:

The disclosure information in a text or graphic electronic media advertisement must appear in letters at least as large as the majority of the text in the advertisement, or alternatively, if the advertisement is limited in size (e.g., a micro bar, button ad, paid text advertisement that is limited to 500 characters or less in length, or small paid graphic or picture link), the disclosure is displayed via link to a webpage with disclosure information or other technological means that provide the user with disclosure information. In addition, the disclosure information must be visible until the user clicks through the disclosure information, and the disclosure information must appear with a reasonable degree of color contrast between the background and text of the statement as to be legible.

(FCPC Reg. R2.12.335(b).)

This language was adopted by the FCPC in March 2016 and, at the time, represented a nearly-verbatim reiteration of the language contained in Section 18450.4(b)(3)(G)(1) of

August 8, 2024
Nicholas Sanders
Page 3 of 3

the California Fair Political Practices Commission's ("FPPC") regulations.¹ It is clear that the FPPC intended text messages to fall under the regulation of electronic media advertisements under Section 18450.4(b)(3)(G)(1). First, the language in this section explicitly referenced "paid text advertisement that is limited to 500 characters or less in length." Second, subsection (b)(3)(G)(4) of the same regulation referenced "SMS text message" as a subset of "electronic media advertisement" subject to an exception to the ordinary disclosure requirements for "electronic media advertisements." (See *a/s/o* FPPC, *Bauer* Advice Letter No. I-16-099, note 3.) Though this exception language was not adopted by the FCPC, it confirms that the "electronic media advertisements" regulated by former FPPC regulation Section 18450.4(b)(3)(G)(1) and by current FCPC regulation R2.12.335(b) were intended to include "text messages."

As a result, as provided in FCPC Regulation R2.12.335(b), the "major funding provided by" disclaimer required by Berkeley Municipal Code Section 2.12.335 must be included in text messages "in letters at least as large as the majority of the text in the advertisement." Alternatively, for a "paid text advertisement that is limited to 500 characters or less in length," the disclaimer may be "displayed via link to a webpage with disclosure information or other technological means that provide the user with disclosure information."

* * *

Please note that this opinion is only providing guidance on the applicability of the Berkeley Election Reform Act ("BERA") (BMC Ch. 2.12.) and does not shield you from liability in the event an action is brought against you alleging a violation of any other provision of law. If you wish, you may seek formal advice from the California Fair Political Practices Commission.

If you have any questions regarding this opinion, please feel free to contact the Commission at fcpc@berkeleyca.gov.

¹ Language of 2 CCR § 18450.4 at the time, which has since been repealed and replaced by the FPPC, is available here: <https://www.fppc.ca.gov/content/dam/fppc/NS-Documents/AgendaDocuments/General%20Items/2018/January/25-6%2018450.4%2011-28-17%20Draft.pdf>



Fair Campaign Practices Commission

August 2, 2024

To: Donna DeDiemar, Berkeleyans for Better Planning, Fix the Streets and Sidewalks Steering Committee

From: Fair Campaign Practices Commission

Subject: Request for opinion pursuant to Berkeley Municipal Code Section 2.12.220

You have asked for clarification regarding how the requirements of the Berkeley Election Reform Act (“BERA”) (BMC Ch. 2.12.) apply to auctions and yard sales. We have provided guidance on the proper reporting of auctions, yard sales and similar fundraisers below.

Please note that this opinion pertains solely to the applicability of BERA to the facts provided and does not reach a conclusion on the permissibility of any action under state law.

Reporting Requirements for Auctions, Yard Sales and Similar Fundraisers

Goods donated to a campaign committee to conduct a fundraiser must be reported as in-kind contributions. (BMC § 2.12.100.) BERA requires that any such in-kind contribution with a fair market value in excess of \$50 must be itemized and reported along with the contributor’s name, address, occupation and employer. (BMC §§ 2.12.250.D & 2.12.280.G.) The “fair market value” is the amount it would cost to purchase the item on the open market. (FPPC *Sepulveda* Advice Letter, No. I-89-428, note 4 (citing FPPC *McMillan* Advice Letter, No. I-86-059.) The contributor must provide the campaign treasurer with a receipt or voucher that itemizes and identifies the goods contributed and states their fair market value. (BMC § 2.12.250.D.)

In the event that a person contributes multiple goods which, though each individually \$50 or less, in the aggregate value more than \$50, the total cumulative value of the items must be reported and the contributor must provide the Committee with an itemized receipt. (Id.) The recipient committee must report the items as an itemized in-kind contribution on Schedule C of Form 460, with a general description of the items in the column labeled “Description of Goods or Services,” and include the contributor’s name, address, occupation and employer. (BMC § 2.12.280.G.) If the fair market value of the goods is \$50 or less, the fair market value of the item(s) may be included in the

August 2, 2024
Fix the Streets and Sidewalks
Page 2 of 4

lump sum on line 2 of the Schedule C Summary and the contributor's name, address, occupation and employer do not need to be reported. (See BMC § 2.12.280.G.)

Note that if a contributor has made other contributions (either monetary or non-monetary), the cumulative total of which exceed \$50, then the in-kind contribution must be itemized on Schedule C regardless of its value. (See BMC § 2.12.280.G.)

Additionally, for any contribution valued at \$25 or more, the recipient committee must maintain records including the date and amount of the contribution, name of the contributor and type of contribution (e.g., monetary, non-monetary), as well as the cumulative amount of contributions received from the contributor. (2 Cal. Code Reg. § 18401.)

When an item is sold at the yard sale or similar fundraiser, the payment for the item is reported as a "Miscellaneous Increase to Cash" on Schedule I of Form 460 when the amount received is the fair market value of the item. For any payment of \$100 or more, the increase must be itemized, with the name and address of the source. Payments under \$100 may be included in the un-itemized lump sum on line 2 of the Schedule I Summary.

Any portion of a payment which exceeds the fair market value of the item purchased must be reported on Schedule A of Form 460 as a monetary contribution, with the remaining fair market value portion of the payment remaining on Schedule I as a miscellaneous increase to cash. For any resulting monetary contribution of \$50 or more, the committee must itemize the contribution and report the contributor's name, address, occupation and employer. (BMC § 2.12.280.G.)

The California FPPC has advised that if an item ends up selling for more or less than the fair market value the committee initially attached to the item (i.e., the amount of the in-kind contribution reported upon receipt of the item), and the committee believes in good faith that the purchase price is the "fair market value" of the item, then the committee should amend its reports to list the amount actually received for the item as the fair market value of the in-kind contribution. (FPPC *Sepulveda* Advice Letter, No. I-89-428, note 4 (citing FPPC *Moniz* Advice Letter, No. A-88-028.))

Finally, please note that committees cannot accept cash contributions of \$50 or more. (BMC § 2.12.300.) Therefore, if the purchase of an item will result in a payment of \$50 or more above the item's fair market value, the purchase must be done via written instrument such as check or credit card. (Id.)

* * *

Please note that this opinion is only providing guidance on the applicability of the Berkeley Election Reform Act ("BERA") (BMC Ch. 2.12.) and does not shield you from liability in the event an action is brought against you alleging a violation of any other

August 2, 2024
Fix the Streets and Sidewalks
Page 3 of 4

provision of law. If you wish, you may seek formal advice from the California Fair Political Practices Commission.

If you have any questions regarding this opinion, please feel free to contact the Commission at fcpc@berkeleyca.gov.

Chapter 2.12 ELECTION REFORM ACT**Article 1. General Provisions****2.12.005 Title for citation.**

This chapter shall be known and may be cited as the "Berkeley Election Reform Act of 1974." (Ord. 4700-NS § 100, 1974)

2.12.010 Findings.

The people find and declare as follows:

- A. Local government should serve the needs and respond to the wishes of all citizens equally, without regard to their wealth.
- B. Public officials, whether elected or appointed, should perform their duties in an impartial manner, free from bias caused by their own financial interests or the financial interests of persons who have supported them.
- C. Costs of conducting election campaigns have increased greatly in recent years, and candidates have been forced to finance their campaigns by seeking large contributions from persons and organizations who thereby gain disproportionate influence over governmental decisions.
- D. The influence of large campaign contributors is increased because existing laws for disclosure of campaign receipts and expenditures have proved to be inadequate.
- E. Previous laws regulating campaign practices have suffered from inadequate enforcement. (Ord. 4700-NS § 101, 1974)

2.12.015 Purpose.

The people have enacted the ordinance codified in this chapter to accomplish the following purposes:

- A. Receipts and expenditures in municipal election campaigns should be fully and truthfully disclosed in order that the voters may be fully informed and improper practices may be inhibited.
- B. The amounts that may be expended in municipal elections should be listed in order that the importance of money in such elections may be reduced.
- C. Adequate enforcement mechanisms should be provided to public officials and private citizens in order that this chapter will be vigorously enforced. (Ord. 4700-NS § 102, 1974)

2.12.020 Liberal construction.

This chapter should be liberally construed to accomplish its purposes. (Ord. 4700-NS § 103, 1974)

2.12.025 Reports and statements--Signature and verification requirements.

Reports and statements filed under this chapter shall be signed under penalty of perjury and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge it is true and complete. A report or statement filed by a committee shall be signed and verified by the treasurer, and a report or statement filed by any other organization shall be signed and verified by a responsible officer of the organization or by an attorney or a certified public accountant. Every person who signs or verifies any report or statement required to be filed under this chapter which contains material which he or she knows to be false is guilty of perjury. For a report or statement submitted as an electronic filing pursuant to Section [2.12.032](#), a secure electronic signature shall

meet the requirements of this section. (Ord. 7309-NS § 5, 2013; Ord. 4700-NS § 104, 1974)

2.12.030 Reports and statements--Filed where.

Reports or statements filed under this chapter shall be filed with the City Clerk. (Ord. 4700-NS § 105, 1974)

2.12.032 Requirement to file statements and reports electronically.

A. The following elected officers, candidates, committees, or other persons required to file campaign reports or statements under this Chapter and Title 9, Chapter 4 of the California Government Code (commencing with Section [84100](#)), are required to submit all reports or statements as an electronic filing:

1. A Participating Candidate, as defined in [2.12.158](#), and any Participating Candidate's campaign committee, regardless of the monetary amount of contributions received or expenditures made;
2. An elected officer, candidate, committee, or other person who receives contributions totaling one thousand dollars (\$1,000) or more, or makes expenditures totaling one thousand dollars (\$1,000) or more, in a calendar year.

B. Once an elected officer, candidate, committee, or other person is required to submit reports or statements as an electronic filing, that elected officer, candidate, committee, or other person shall continue to use electronic filing until the committee has officially terminated or the elected officer, candidate or other person has no further filing obligations.

C. An elected officer, candidate, committee, or other person that must file pursuant to this Chapter, but is not a Participating Candidate or such a candidate's campaign committee as set forth in subsection A.1 and has not met the \$1,000 threshold in subsection A.2, may submit required reports or statements as an electronic filing or in paper format.

D. In any instance in which the original report, statement, or other document is required to be filed with the Secretary of State and a copy of that report, statement, or other document is required to be filed with the City of Berkeley, the copy may be submitted as an electronic filing. (Ord. 7564-NS § 2, 2017; Ord. 7309-NS § 2, 2013)

2.12.033 Filing procedures.

A. Electronic filing procedures shall be administered in accordance with California Government Code Section [84615](#).

B. Notwithstanding any other provision of law, any statement, report or other document submitted as an electronic filing pursuant to Section [2.12.032.A](#) shall serve as the filing of record and shall not be required to be filed with the City Clerk in paper format. (Ord. 7309-NS § 3, 2013)

2.12.035 Reports and statements--Filing fees prohibited.

No fee or charge shall be collected by the City Clerk for the filing of any report or statement or for the forms upon which the reports or statements are to be prepared. (Ord. 4700-NS § 106, 1974)

2.12.040 Statements--Public inspection requirements.

Campaign statements are to be available for public inspection during regular City business hours, at the office of the City Clerk and at the Berkeley Public Library during the normal hours it is open to the public. Copies of the statements or parts of statements shall be provided by the City Clerk at a price of not more than ten cents per page copied. The data contained in any campaign report or statement submitted as an electronic filing shall be available free of charge on the Internet in an easily understood format that is searchable and downloadable. The data made available on the Internet shall not contain the street name

ITEM NO. 19

and building number of any person or entity representative listed on the report or statement or any bank account number required to be disclosed pursuant to this Chapter or state law. (Ord. 7309-NS § 6, 2013: Ord. 4700-NS § 107, 1974)

2.12.045 Preservation from date of filing.

All reports, statements and information filed with the City Clerk shall be preserved for at least four years from the date upon which it was required to be filed under the terms of this chapter. (Ord. 5895-NS § 1, 1988: Ord. 4977-NS § 1 (part), 1977: Ord. 4700-NS § 108, 1974)

2.12.050 Reports and statements--City Clerk responsibilities.

With respect to reports or statements filed with him or her pursuant to this chapter, the City Clerk shall:

- A. Supply the necessary forms and manuals prescribed by the commission;
- B. Notify in advance all candidates and known committees of the dates campaign statements are required;
- C. Report apparent violations of this chapter to the appropriate agencies; and
- D. Complete and maintain a current list of all reports and statements filed with his or her office. (Ord. 4700-NS § 109, 1974)

2.12.051 Amendment or repeal of chapter.

This chapter may be amended or repealed by the procedures set forth in this section. If any portion of subsection A is declared invalid, subsection B shall be the exclusive means of amending or repealing this chapter.

- A. This chapter, including the amendments adopted by Ordinance No. [7.524-N.S.](#) and its successors, may be amended to further its purpose by ordinance passed by a vote of the City Council of not less than two-thirds vote of its membership, following a public hearing, if at least thirty days prior to passage the amendment has been approved by the Berkeley Fair Campaign Practices Commission by not less than two-thirds vote of its membership, and has been distributed to the news media and to every person regularly receiving communications from the commission.
- B. This chapter may be amended or repealed by initiative approval of the voters of the City of Berkeley. (Ord. 7524-NS § 3.1, 2016: Ord. 5895-NS § 2, 1988)

2.12.055 Items of value--Report requirements.

Whenever in this chapter the amount of goods, services, facilities or anything of value other than money is required to be reported, the amount shall be the estimated fair market value at the time received or expended, and a description of the goods, services or facilities shall be appended to the report or statement. (Ord. 4700-NS § 110, 1974)

2.12.060 Applicability--Severability.

If any provision of this chapter, or the application of such provision to any person or circumstances, shall be held invalid, the remainder of this chapter, to the extent it can be given effect, or the application of such provision to persons or circumstances other than those to which it is held invalid, shall not be affected thereby, and to this end the provisions of this chapter are severable. (Ord. 4700-NS § 111, 1974)

2.12.065 Electronic posting of contributions prior to elections.

The City shall post in at least two public locations and electronically on the City website during the seven days before each municipal election a list of all persons contributing fifty dollars or more to any candidate or committee in that election and the amounts of the contributions reported through the filing deadline for the

second pre-election statements. The City shall additionally publish in one or more newspapers at least once in the seven days before each municipal election a notice listing the locations of the posted information. The City shall direct publication of the notice in such newspaper or newspapers as are best suited to reach the largest number of Berkeley residents in a cost-effective manner. (Ord. 7234-NS § 1, 2012: Ord. 6513-NS § 1, 1999: Ord. 5895-NS § 1, 1988: Ord. 4946-NS, 1976: Ord. 4700-NS § 112, 1974)

Article 2. Definitions

2.12.070 Interpretation.

Unless the contrary is stated or clearly appears from the context, the definitions set forth in this article shall govern the interpretation of this chapter. (Ord. 4700-NS § 200, 1974)

2.12.075 Adjusting an amount for cost of living changes.

"Adjusting an amount for cost of living changes" means adjusting upward or downward by the percent change in the Consumer Price Index as last computed in accordance with State of California Government Code, Section 82001. (Ord. 4977-NS § 1 (part), 1977: Ord. 4700-NS § 201, 1974)

2.12.080 Campaign statement.

"Campaign statement" means an itemized report which is prepared on a form prescribed by the commission and which provides the information required by Sections [2.12.245](#) through [2.12.325](#). (Ord. 4700-NS § 202, 1974)

2.12.085 Candidate.

"Candidate," for the purposes of this chapter, means a candidate for a Berkeley municipal elective office. "Candidate" means an individual who is listed on the ballot or who has qualified to have write-in votes on his or her behalf counted by election officials, for nomination for or election to any elective office, or who receives a contribution, or makes an expenditure, or gives his or her consent for any other person to receive a contribution or make an expenditure with a view to bringing about his or her nomination or election to any elective office, whether or not the specific elective office for which he or she will seek nomination or election is known at the time the contribution is received or the expenditure is made and whether or not he or she has announced his or her candidacy or filed a declaration of candidacy at such time. "Candidate" also includes any office-holder who is the subject of a recall election and any candidate for his or her office, but does not include the proponents or opponents of a recall. The proponents or opponents of a recall are for the purposes of this chapter the proponents or opponents of a measure. (Ord. 4700-NS § 203, 1974)

2.12.090 Commission.

"Commission" means the Berkeley Fair Campaign Practices Commission. (Ord. 4700-NS § 204, 1974)

2.12.095 Committee.

"Committee" means any person or combination of persons that directly or indirectly receives contributions which total more than one thousand dollars in a calendar year or makes expenditures exceeding more than one thousand dollars in a calendar year for the purpose of influencing or attempting to influence the action of voters for or against the nomination or election of one or more candidates, or the passage or defeat of any measure, including any committee or subcommittee of a political party. (Ord. 7875-NS § 1, 2023: Ord. 4945-NS § 1 (part), 1976: Ord. 4700-NS § 205, 1974)

2.12.100 Contribution.

"Contribution" means a gift, subscription, loan, advance, deposit, pledge, forgiveness of indebtedness, payment of a debt by a third party, contract, agreement, or promise of money or anything of value or other obligation, whether or not legally enforceable, made directly or indirectly in aid of or in opposition to the

ITEM NO. 19

nomination or election of one or more candidates or the qualification for the ballot or voter approval of one or more measures. The term "contribution" includes the purchase of tickets for events such as dinners, luncheons, rallies and similar fund-raising events; a candidate's own money or property used on behalf of his or her candidacy; the granting to a candidate or committee of discounts or rebates not available to the general public; and payments for the services of any person serving on behalf of a candidate or committee, when such payments are not made from contributions the candidate or committee must otherwise report under the terms of this chapter. The term "contribution" further includes any transfer, gift, loan, advance, deposit, forgiveness of indebtedness, payment of a debt by a third party, pledge, contract, agreement, or promise of money or anything of value or other obligation, whether or not legally enforceable, received directly or indirectly by a committee from another committee. The term "contribution" shall not include a gift of service or labor, but shall include service or labor for which a payment is made, nor shall the term "contribution" include a gift of the use of personal or real property where the value of such use is not in excess of fifty dollars, nor shall it include food and beverages the value of which for any one event is no more than fifty dollars. (Ord. 4945-NS § 1 (part), 1976: Ord. 4700-NS § 206, 1974)

2.12.105 Controlled committee.

"Controlled committee" means a committee either directly or indirectly controlled by a candidate or committee, or which acts jointly with a candidate or controlled committee in the making of expenditures or the receipt or solicitation of contributions. A committee is deemed controlled if another committee or candidate exercises significant influence over its actions or decisions. A committee may be controlled with respect to one or more candidates and independent with respect to other candidates. (Ord. 5895-NS § 2, 1988)

2.12.110 Cumulative amount.

"Cumulative amount" in a campaign statement means the amount contributed or expended since the closing date of the most recent post-election statement which has been filed by the filer. If the filer has not previously filed a campaign statement pursuant to any of these sections, the cumulative amount is the amount contributed or expended since June 4, 1974. (Ord. 4700-NS § 208, 1974)

2.12.115 Elected officer.

"Elected officer" means any person who holds an elective officer or has been elected to an elective office but has not yet taken office. A person who is appointed to fill a vacant elective office is an elected officer. (Ord. 4700-NS § 209, 1974)

2.12.120 Election.

"Election" means any primary, general, special or runoff election held in the City, including an initiative, referendum or recall election. (Ord. 5895-NS § 1, 1988: Ord. 4700-NS § 210, 1974)

2.12.123 Election cycle.

"Election cycle" means the period beginning on the day after the date of the most recent general election for the specific office or seat that a candidate is seeking and ending on the date of the next general election for that office or seat. (Ord. 7524-NS § 3.2 (part), 2016)

2.12.125 Elective office.

"Elective office" means any elective office as defined in the Berkeley City Charter. (Ord. 4700-NS § 211, 1974)

2.12.127 Electronic filing.

"Electronic filing" means the submission of required reports and statements in an electronic format approved by the Secretary of State and the City Clerk. (Ord. 7309-NS § 4, 2013)

2.12.130 Expenditure.

"Expenditure" means a payment, pledge or promise of payment of money or anything of value or other obligation, whether or not legally enforceable, for goods, materials, services or facilities in aid of or in opposition to the nomination or election of one or more candidates or the qualification for the ballot or adoption of one or more measures. The term "expenditure" includes any transfer, payment, gift, loan, advance, deposit, pledge, contract, agreement or promise of money or anything of value or other obligation, whether or not legally enforceable, made directly or indirectly by one committee to another committee. "Expenditure" also includes the forgiving of a loan or the repayment of a loan by a third party. (Ord. 4700-NS § 212, 1974)

2.12.135 Filer.

"Filer" means any person filing or required to file any statement or report under this chapter. (Ord. 4700-NS § 213, 1974)

2.12.137 Fund.

"Fund" means the Fair Elections Fund created by City Charter Article III Section 7. (Ord. 7524-NS § 3.2 (part), 2016)

2.12.138 General election.

"General election" means an election held on the first Tuesday following the first Monday of November pursuant to City Charter Article III Section 4. (Ord. 7524-NS § 3.2 (part), 2016)

2.12.140 Independent committee.

"Independent committee" means a committee which is not controlled either directly or indirectly by a candidate or controlled committee, and which does not act jointly with a candidate or controlled committee in connection with the receipt or solicitation of contributions or the making of expenditures. A committee may be controlled with respect to one or more candidates and independent with respect to other candidates. (Ord. 4700-NS § 214, 1974)

2.12.142 Independent expenditure.

"Independent expenditure" means an expenditure made by any person in connection with a communication which expressly advocates the election or defeat of a clearly identified candidate or the qualification, passage or defeat of a clearly identified measure, or taken as a whole and in context, unambiguously urges a particular result in an election but which is not made to or at the behest of the affected candidate or committee. (Ord. 6096-NS § 2 (part), 1991)

2.12.145 Late contribution.

"Late contribution" means any contribution of one hundred dollars or more, but less than one thousand dollars, received after the closing date of the last campaign statement required to be filed prior to an election and contributions of one thousand dollars or more received within the reporting period specified in California Government Code Section [82036](#). (Ord. 7296-NS § 1, 2013; Ord. 4700-NS § 215, 1974)

2.12.150 Mass mailing.

"Mass mailing" means two hundred or more identical or nearly identical pieces of mail, but does not include a form letter or other mail which is sent in response to a request, letter or other inquiry. (Ord. 4700-NS § 216, 1974)

2.12.155 Measure.

"Measure" means any City Charter amendment, ordinance or other proposition submitted to a popular vote at an election, whether by initiative, referendum or recall procedure or otherwise, or circulated for the

purposes of submission to a popular vote at any election, whether or not the proposition qualifies for the ballot. (Ord. 4700-NS § 217, 1974)

2.12.156 Nomination period.

"Nomination period" means the period specified by state law during which candidates must submit nomination papers for City offices. (Ord. 7524-NS § 3.2 (part), 2016)

2.12.158 Participating candidate.

"Participating candidate" means a candidate who qualifies for Fair Elections campaign funding. (Ord. 7524-NS § 3.2 (part), 2016)

2.12.160 Period covered.

"Period covered" by a statement or report required to be filed by this chapter means, unless a different period is specified, the period beginning with the day after the closing date of the most recent statement or report in question. If the person filing the statement or report has not previously filed a report or statement of the same type, the period covered begins on June 4, 1974. Nothing herein shall exempt any person from disclosing transactions which occurred prior to June 4, 1974 according to the law then in effect. (Ord. 4700-NS § 218, 1974)

2.12.165 Persons.

"Persons" means an individual, proprietorship, firm, partnership, joint venture, syndicate, business trust, company, corporation, association, committee, and any other organization or group of persons acting in concert. (Ord. 4700-NS § 219, 1974)

2.12.167 Qualified contribution.

"Qualified Contribution" means a monetary contribution, excluding loans, made directly in aid of the nomination or election of one or more candidates not greater than fifty dollars (\$50)* made by a natural person resident of the City of Berkeley. This dollar amount may be adjusted for cost-of-living changes by the Commission through regulation, pursuant to Section [2.12.545](#).

*The dollar amounts in this code section are adjusted for inflation every two years. The current dollar amounts are posted [online](#).

(Ord. 7691-NS § 1, 2020; Ord. 7564-NS § 3, 2017; Ord. 7524-NS § 3.2 (part), 2016)

2.12.168 Qualifying period.

"Qualifying period" means the period beginning on the day after the date of the most recent general election for the specific office or seat that a candidate is seeking and ending at the close of regular business hours, 14 days before the date of the election for which the candidate is seeking office. (Ord. 7875-NS § 2, 2023; Ord. 7524-NS § 3.2 (part), 2016)

Article 3. Fair Campaign Practices Commission

2.12.170 Established--Number of members.

There is established in Berkeley municipal government the Berkeley Fair Campaign Practices Commission. The commission shall have nine members, including the chairperson. (Ord. 4700-NS § 300, 1974)

2.12.175 Term--Appointments and reappointments.

Each member of the commission shall serve for the same term as the councilmember appointing them. Members of the commission may not be reappointed by the same councilmember. All initial appointments shall be made by September 1, 1974. A member whose term has expired shall serve until his or her

successor is appointed. (Ord. 4700-NS § 301, 1974)

2.12.180 Quorum.

A majority of the appointed members shall constitute a quorum. (Ord. 4700-NS § 302, 1974)

2.12.185 Election of chairperson.

The commission shall elect its own chairperson. (Ord. 4700-NS § 303, 1974)

2.12.186 Vice-chairperson.

The commission shall elect a vice-chairperson who shall serve the same term of office as the chairperson and who shall assume the powers of the chairperson in his or her absence. (Ord. 5574-NS § 2 (part), 1983)

2.12.190 Vacancy filling.

Vacancies on the commission shall be filled, within thirty days, by appointment of the same official, or his or her successor, who appointed the prior holder of the position. Appointments to fill vacancies shall be for the unexpired term of the member whom the appointee succeeds. A vacancy or vacancies shall not impair the right of the remaining members to execute all of the powers of the board. (Ord. 4700-NS § 304, 1974)

2.12.195 Members--Qualifications and restrictions.

Each member of the commission shall be a resident of Berkeley and registered to vote in Berkeley elections. No member of the commission, during his or her tenure, shall hold or seek election to any other public office, serve as an officer of any political party or partisan organization or participate in or contribute to a Berkeley municipal election campaign. No member of the commission shall endorse, support, oppose or work on behalf of or against any candidate or measure in a Berkeley election. Each member of the commission shall use his or her best efforts to remain independent of candidates and measures in Berkeley elections. (Ord. 4700-NS § 305, 1974)

2.12.196 Avoidance of political conflict of interest.

In addition to the limitations imposed on members of the commission by Section [2.12.195](#), each member of the commission shall use his or her best efforts to be independent of and impartial in relation to any person during the time such person is the subject of an investigation by or proceeding before the commission. Such persons include elected officers, current and previous candidates, and committees, as well as any officers or employees of such persons. (Ord. 5574-NS § 2 (part), 1983)

2.12.200 Staff powers and duties.

The commission shall have a staff which shall act in accordance with commission policies and regulations and with applicable law to investigate violations and bring proper court action and to assist the commission in the performance of its duties. (Ord. 4700-NS § 306, 1974)

2.12.205 Administrative responsibility.

The commission has the primary responsibility for the impartial, effective administration of this chapter. (Ord. 4700-NS § 307, 1974)

2.12.210 Rules and regulations--Authority.

The commission may adopt, amend and rescind rules and regulations to carry out the purposes of this chapter, and to govern the procedures of the commission. (Ord. 4700-NS § 308, 1974)

2.12.215 Additional duties.

The commission shall, in addition to its other duties:

A. Prescribe forms for reports, statements, notices and other documents required by this chapter;

- B. Prepare and publish manuals and instructions setting forth methods of bookkeeping and preservation of records to facilitate compliance with and enforcement of this chapter, and explaining the duties of persons and committees under this chapter;
- C. Provide assistance to agencies and public officials in administering the provisions of this chapter;
- D. Determine whether required documents have been filed and, if so, whether they conform on their face with the requirements of this chapter. (Ord. 4700-NS § 309, 1974)

2.12.220 Opinions.

Any person may request the commission to issue an opinion with respect to his or her duties under this chapter. The commission shall issue the opinion within fourteen days. No person who acts in good faith of an opinion issued to him or her by the commission shall be subject to criminal or civil penalties for so acting, provided that the material facts are as stated in the opinion request. The commission's opinions shall be public records and may from time to time be published. The commission may request the City Attorney to issue an opinion, in which case the City Attorney shall issue the opinion within fourteen days. (Ord. 4700-NS § 310, 1974)

2.12.225 Investigation authority and procedures.

Upon the sworn complaint of any person or on its own initiative, the commission shall investigate possible violations of this chapter. Within seven days after the receipt of a complaint under this section, the commission shall notify in writing the person who made the complaint of the action, if any, which the commission has taken or plans to take on the complaint, together with the reasons for such action or nonaction. (Ord. 4700-NS § 311, 1974)

2.12.227 Subpoena--Testimony under oath.

After the commission has made a finding of probable cause of a violation of the Berkeley Election Reform Act (BERA) or this chapter, in any investigation or hearing conducted by the commission, the commission may:

- A. Subpoena witnesses, take testimony under oath and require the production of records by subpoena; and
- B. Issue orders requiring any person believed to have information relevant to matters under examination to submit written answers under penalty of perjury to written questions, and specify a reasonable date by which such answers must be submitted. (Ord. 5574-NS § 2 (part), 1983)

2.12.230 Notice and hearing on violations.

After the commission determines there is probable cause for believing that a provision of this chapter has been violated and makes a good faith effort to give reasonable notice to the person or persons involved in the allegation, it may hold a hearing to determine if a violation has occurred, and may determine an appropriate remedy if a violation is found. The hearing pursuant to this section shall be conducted in an impartial manner, consistent with the requirements of due process. A record shall be maintained of the proceedings, and a report summarizing the facts, issues, and any remedial actions shall be issued by the commission following the conclusion of the hearing.

The commission shall conduct such hearings and proceedings with respect to determinations of probable cause pursuant to adopted procedures. All interested persons may participate in the hearing. (Ord. 5895-NS § 1, 1988; Ord. 4700-NS § 312, 1974)

2.12.231 Violation--Penalties.

When determining an appropriate remedy for a violation of this Chapter as specified in Section [2.12.230](#), the

Commission may order any of the following:

- A. Cease and desist violation of this Chapter.
- B. File any reports, statements, or other documents or information required by this Chapter.
- C. Pay a monetary penalty of up to \$1,000.00 per violation, or up to the amount or value of the unlawful or undisclosed contribution or expenditure, whichever is greater, to the Fair Elections Fund of the City. (Ord. 7564-NS § 4, 2017; Ord. 7234-NS § 2, 2012)

2.12.235 Judicial review of actions.

Any person may seek judicial review of any action of the commission. (Ord. 4700-NS § 313, 1974)

2.12.240 Meetings to be open to the public.

All meetings of the commission shall be open to the public. (Ord. 4700-NS § 314, 1974)

Article 4. Disclosure Requirements and Procedures

2.12.245 Campaign treasurer--Appointment required--Powers and duties.

A. Each candidate and each committee shall appoint a campaign treasurer. A candidate may appoint himself or herself as his or her campaign treasurer. No contribution and no expenditures shall be accepted or made by or on behalf of a candidate or committee at a time when there is a vacancy in the office of treasurer.

B. No expenditure shall be made by or on behalf of a candidate or committee without the authorization of the treasurer or that of his or her designated agent.

C. All contributions received by a person acting as an agent of a candidate shall be reported promptly by such person to the candidate or any of his or her designated agents. All contributions received by a person acting as an agent of a committee shall be reported promptly by the recipient to the committee's treasurer or any of his or her designated agents. "Promptly," as used in this section, means not later than five days before the closing date of any campaign statement required to be filed by the treasurer, and immediately if the contribution was received less than five days before the closing date. All contributions shall be separated from and may not be commingled with any personal funds of the recipient or any other person. (Ord. 4700-NS § 400, 1974)

2.12.250 Campaign expenditure and contribution account--Establishment required-- Procedure for use.

A. A campaign treasurer for each candidate and for each and every committee shall establish and manage a campaign expenditure and contribution checking account for the candidate or committee. All monetary contributions to the candidate, to a person on behalf of the candidate or to a person on behalf of a committee shall be placed in the candidate's or committee's checking account promptly.

B. Amounts shall be paid by the campaign treasurer from the campaign contribution checking account only upon receipt of a bill or voucher from a person furnishing goods or services to the candidate or committee, which bill or voucher itemizes and identifies the goods or services furnished or to be furnished and lists the unit and total price therefor. All payments of fifty dollars or more shall be made by check, credit card or debit card, and payable to the person furnishing the goods or services to a candidate or committee.

C. In the event that, after payment has been made for all goods and services furnished in connection with the campaign of a candidate or committee, there remains a balance in the checking account of the

ITEM NO. 19

candidate or committee, the campaign treasurer shall liquidate the contribution checking account consistent with California Government Code Section [89510](#) et seq., and applicable state regulations, before terminating the campaign committee.

D. No committee or candidate shall accept or receive a non-monetary contribution with a fair market value in excess of fifty dollars unless the contributor provides the campaign treasurer with a receipt or voucher that itemizes and identifies the goods or services contributed and states the fair market value of such goods or services. Participating candidates or their controlled committees shall not accept or receive a non-monetary contribution with a fair market value in excess of fifty dollars (\$50) and must retain an itemized receipt or voucher for all non-monetary contributions. The campaign treasurer shall maintain all receipts and vouchers for a period of four years from the date of the final report.

E. Participating Candidates or their controlled committees shall not accept or receive a non-monetary contribution with a fair market value in excess of fifty dollars (\$50) and must retain an itemized receipt or voucher for all non-monetary contributions. The campaign treasurer shall maintain all receipts and vouchers for a period of four years from the date of the final report.

F. The campaign treasurer shall make available to the commission, the City Attorney, the City Clerk, the District Attorney, the California Attorney General and the California Secretary of State, or their designees, on demand, the details of any account requested and the records supporting it. In addition, the campaign treasurer shall sign a waiver permitting the aforementioned authorities or their designees to inspect the campaign account records maintained by the bank in which the campaign account is opened, and shall maintain a record of every contribution received and every disbursement made from the account, which record shall include copies of cancelled checks, bank records, bills and vouchers. Such record shall be maintained for a period of four years from the date of the final report.

G. If, prior to the date of the filing of the final report, or during a reasonable period of time not to exceed six months thereafter, the commission reasonably believes a reporting or disclosure requirement has been violated by a candidate or committee, the commission shall be empowered to conduct or cause to be conducted an independent audit of the books and records of such candidate or committee. The cost of such audit shall be borne by the commission. After an audit is completed and a written report presented to the commission, the commission shall make a determination whether there is a probable cause for a violation. If cause for violation is found, the provisions of Section [2.12.230](#) of this chapter shall apply.

H. All requests from Participating Candidates for Fair Elections funds must be submitted within thirty (30) days after the date of the election in order to be eligible for distribution of Fair Elections funds in that election cycle. Any request for matching Fair Elections funds received more than thirty (30) days after the election will not be eligible for disbursement for Fair Elections funds. (Ord. 7564-NS § 5, 2017: Ord. 7296-NS § 2, 2013: Ord. 6859-NS § 1, 2005: Ord. 5895-NS § 1, 1988: Ord. 4947-NS §§ 1, 2, 1976: Ord. 4733-NS § 1, 1974: Ord. 4700-NS § 401, 1974)

2.12.255 Statement of organization--Committee required to file.

A. Subject to the exception in Section [2.12.255\(B\)](#), every committee under Section [2.12.095](#) of this chapter shall file with the City Clerk a statement of organization, as defined in Government Code Section [84101](#) et. seq. , or its successors, within ten days after qualifying as a committee pursuant to Section [2.12.095](#).

B. Every committee that qualifies during the period between the closing date of the last pre-election statement and the election shall file with the City Clerk, by hand delivery or by such means as the commission may prescribe, a statement of organization no later than the close of the next business day.

C. The date on which a committee qualified, and not the date on which the committee filed its statement of

organization, shall determine the committee's obligation to file the campaign statements and late contribution reports required by this chapter. All committees, whether qualified before or after the date of the final pre-election statement, but before the date of an election, are subject to late contribution reporting requirements. (Ord. 7875-NS § 3, 2023: Ord. 5895-NS § 1, 1988: Ord. 4700-NS § 402, 1974)

2.12.260 Statement of organization--Information required.

Repealed by [Ord. 7875-NS](#).

2.12.265 Statement of organization--Change of information--Amendment required.

Repealed by [Ord. 7875-NS](#).

2.12.270 Campaign statement--Filing requirements.

A. Each candidate and each committee shall file no fewer than two campaign statements prior to an election, excluding run-off elections, and one campaign statement following the election, excluding run-off elections. Campaign statements shall be filed in accordance with the filing dates prescribed by state law. The semi-annual campaign statement that is filed pursuant to state law following an election shall serve as the post-campaign statement required by this section. If state law does not establish the filing dates for campaign statements, the commission shall set the necessary filing dates.

B. Each candidate and committee involved in a run-off election, and each committee supporting or opposing a candidate participating in a run-off election, shall file one campaign statement prior to the run-off election in addition to any other campaign statements required by this section and one campaign statement following the run-off election. The semi-annual statement that is filed pursuant to state law following a run-off election shall serve as the post-campaign statement required by this section. The campaign statements shall be filed in accordance with the filing dates prescribed by state law. If state law does not establish the filing dates for campaign statements in run-off elections, the commission shall set the necessary filing dates.

C.

1. Notwithstanding subsections [A](#) and [B](#) of this section, a candidate or officeholder who plans to receive contributions or make expenditures of less than the committee threshold in Section [2.12.095](#) in a calendar year may file a short form campaign statement for that calendar year as prescribed by state laws and regulations. The period covered by the short form is the calendar year. If the candidate or officeholder who has filed a short form campaign statement for activity in the calendar year makes expenditures or receives contributions that exceed the committee threshold in Section [2.12.095](#), they must file campaign statements as required by subsections [A](#) or [B](#), or other applicable sections of Chapter [2.12](#).

2. During the six months prior to an election in which the candidate or officeholder is being voted upon, a candidate or officeholder who files a short form campaign statement and subsequently receives contributions or makes expenditures exceeding the committee threshold in Section [2.12.095](#) during the calendar year shall send written notification to the City Clerk, and each candidate or officeholder contending for the same office, as follows:

(a) The notification shall be sent within forty-eight hours of receiving contributions or making expenditures exceeding the committee threshold in Section [2.12.095](#);

(b) The notification shall include the name and address of the candidate or officeholder, the elective office for which the short form campaign statement was filed, the date of the election, and the date contributions exceeding the committee threshold in Section [2.12.095](#) or more were received or

expenditures exceeding the committee threshold in Section [2.12.095](#) were made;

(c) The notification shall be sent by guaranteed overnight delivery, personal delivery, or facsimile transmission. (Ord. 7889-NS § 2, 2023: Ord. 6329-NS § 2, 1996: Ord. 4700-NS § 410, 1974)

2.12.271 Campaign statements--Additional filing requirements.

A. Each committee that makes expenditures in excess of \$250* in support of or in opposition to a measure must, in addition to campaign statements required by Section [2.12.270](#) of this Chapter, file campaign statements on the following dates: (1) no later than April 30 for the period January 1 through March 31; and (2) no later than October 31 for the period July 1 through September 30. If the committee has earlier pre-election statement filing deadlines, the earlier deadlines apply.

*The dollar amounts in this code section are adjusted for inflation every two years. The current dollar amounts are posted [online](#).

B. Any additional filing requirement under this section shall cease upon the occurrence of any of the following dates, whichever occurs first: (1) the election day on which the measure is voted upon, (2) six months after the measure fails to qualify for the ballot, (3) six months after an ordinance subject to referendum is repealed by the City Council, or (4) six months after an elected official subject to recall resigns or otherwise leaves office. (Ord. 7234-NS § 3, 2012)

2.12.272 Slate mailer organizations' reporting requirements.

A. Slate mailer means a mass mailing which supports or opposes a total of four or more candidates or ballot measures.

B. For the purposes of this chapter, a slate mailer organization shall be defined as an organization which meets the definition of California Government Code Section [82048.4](#).

C. A slate mailer organization which produces one or more slate mailers supporting or opposing inter alia any candidate for Berkeley elective office or any Berkeley measure shall file one copy of its campaign reports with the City Clerk. Campaign reports are those reports slate mailer organizations are required to file pursuant to California Government Code Sections [84218](#), [84219](#), [84220](#) and [84221](#). (Ord. 6096-NS § 2 (part), 1991)

2.12.275 Campaign statement--Verification.

A candidate shall verify his or her campaign statement and the campaign statement of each committee subject to his or her control. The verification shall be in accordance with the provisions of Section [2.12.025](#) except that it shall state that he or she has made reasonable inquiry into the truthfulness and completeness of such campaign statements and that to the best of his or her knowledge the treasurer of each controlled committee used all reasonable diligence in the preparation of the committee's statement. This section does not relieve the treasurer of any committee from the obligation to verify each campaign statement filed pursuant to Section [2.12.025](#). (Ord. 4700-NS § 411, 1974)

2.12.280 Campaign statement--Information required.

Each campaign statement required by this article shall contain the following information:

A. Under the heading "receipts," the total amount of contributions received, and under the heading "expenditures," the total amount of expenditures made during the period covered by the campaign statement and cumulative amount of such totals;

B. The total amount of contributions received during the period covered by the campaign statement from

persons who have given fifty dollars or more;

C. The total amount of contributions received during the period covered by the campaign statement from persons who have given less than fifty dollars;

D. The total amount of expenditures disbursed during the period covered by the campaign statement to persons who have received fifty dollars or more;

E. The total amount of expenditures disbursed during the period covered by the campaign statement to persons who have received less than fifty dollars;

F. The balance of cash and cash equivalents on hand at the beginning and the end of the period covered by the campaign statement;

G. The full name of each person from whom a contribution or contributions totalling fifty dollars or more has been received together with his or her street address, occupation, and the name of his or her employer, if any, or the principal place of business if he or she is self-employed, the amount which he or she contributed, the date on which each contribution was received during the period covered by the campaign statement, and the cumulative amount he or she contributed. In the case of committees which are listed as contributors, the campaign statement shall also contain the full name and street address of the treasurer of the committee. Loans received shall be set forth in a separate schedule and the foregoing information shall be stated in regard to the lender, together with the date and amount of the loan, and if the loan has been repaid, the date of payment and by whom paid;

H. The full name and street address of each person to whom an expenditure or expenditures totalling fifty dollars or more has been made, together with the amount of each separate expenditure to each person during the period covered by the campaign statement; a brief description of the consideration for which the expenditure was made; the full name and street address of the person providing the consideration for which an expenditure was made if different from the payee; and in the case of committees which are listed, the full name and street address of the treasurer of the committee;

I. In a campaign statement filed by a committee supporting or opposing more than one candidate or measure, the amount of expenditures for or against each candidate or measure during the period covered by the campaign statement and the cumulative amount of expenditures for or against each such candidate or measure;

J. The full name, residential and business address and telephone number of the filer or, in the case of a campaign statement filed by a committee, the name and telephone number of the committee and the committee's street address;

K. In a campaign statement filed by a candidate, the full name and street address of any committee, of which he or she has knowledge, which has received contributions or made expenditures on behalf of his or her candidacy, along with the full name, street address and telephone number of the treasurer of such committee. (Ord. 4948-NS (part), 1976: Ord. 4700-NS § 412, 1974)

2.12.283 Campaign statement--Additional information required from participating candidates. Each participating candidate shall file reports of receipts and expenditures of Fair Elections funds at such times and in such manners as the Commission may by regulation prescribe, including, but not limited to, reports containing information necessary to verify that qualified contributions received by participating candidates and Fair Elections funds spent by participating candidates comply with the restrictions and requirements of this chapter. (Ord. 7524-NS § 3.3, 2016)

2.12.285 Campaign statement--Candidate statement in lieu permitted when.

Repealed by [Ord. 7296-NS](#).

2.12.290 Campaign statement--Consolidation permitted when.

Repealed by [Ord. 7296-NS](#).

2.12.295 Report of late contributions.

All candidates and committees, including committees qualified under Section [2.12.095](#) but prior to filing required statements under Section [2.12.255](#) of this chapter, shall report all late contributions received by identifying the full name, street address, occupation, and the name of the employer, if any, or principal place of business if self-employed, of the contributor. Late contributions of one hundred dollars or more, but less than one thousand dollars, shall be reported to the City Clerk within forty-eight hours of receipt; late contributions of one thousand dollars or more shall be reported to the City Clerk within twenty-four hours of receipt. Such reports do not require an original signature. Late contributions shall be reported on subsequent campaign statements in addition to reports filed pursuant to this section. (Ord. 7309-NS § 7, 2013; Ord. 5895-NS § 1, 1988; Ord. 4700-NS § 415, 1974)

2.12.297 Late independent expenditures preceding election.

A. Disclosure of Expenditures. Any person that makes a late independent expenditure as defined in California Government Code Section [82036.5](#) shall file the required report with the City Clerk within 24 hours of making the expenditure. The City Clerk shall post a copy of the report to the City's website within two business days after receiving the report. Late independent expenditures shall be reported on subsequent campaign statements in addition to the reports filed pursuant to this section. The person shall also provide to the City Clerk three copies of the communication funded by the expenditure.

B. Contents of Report. The report shall specify:

- a. Each candidate or measure supported or opposed by the expenditure;
- b. The amount spent to support or oppose each candidate or measure;
- c. Whether the candidate or measure was supported or opposed;
- d. The date and amount of each expenditure;
- e. A description of the type of communication for which the expenditure was made;
- f. The name and address of the person making the expenditure; and
- g. The name and address of the payee.

C. Notification to Candidates of Expenditures. The City Clerk shall notify all candidates and committees in each affected race by first class mail within two business days of receiving a report filed pursuant to this section.

D. Exemption for Regularly Published Newsletters. For purposes of the notification required by subsection [\(A\)](#) of this section, payments by an organization for its regularly published newsletter or periodical, if the circulation is limited to the organization's members, employees, shareholders, other affiliated individuals and those who request or purchase the publication, shall not be required to be reported. (Ord. 7296-NS § 3, 2013; Ord. 7234-NS § 4, 2012)

2.12.300 Contributions--Written instrument required when.

All monetary contributions of fifty dollars or more shall be made by written instrument containing the name of the donor and the name of the payee. (Ord. 4948-NS (part), 1976: Ord. 4700-NS § 420, 1974)

2.12.305 Contributions--From persons using other than legal name prohibited.

No contribution shall be made, directly or indirectly, by any person in a name other than the name by which such person is identified for legal purposes. (Ord. 4700-NS § 421, 1974)

2.12.310 Contributions--By persons on behalf of other persons prohibited.

No contribution shall be made, directly or indirectly, of anything belonging to another person or received from another person on the condition that it or part of it be used as a contribution. No contribution shall be made, directly or indirectly, by any person on behalf of another person. (Ord. 4700-NS § 422, 1974)

2.12.315 Expenditures--Report requirements--Scope.

No expenditure shall be made, other than overhead or normal operating expenses, by an agent or independent contractor, including but not limited to an advertising agency, on behalf of or for the benefit of any candidate or committee unless it is reported by the candidate or committee as if the expenditure were made directly by the candidate or committee. The agent or independent contractor shall make known to the candidate or committee all information required to be reported by this section. This section is intended as a limitation and does not authorize any expenditures which are otherwise prohibited by this chapter. (Ord. 4700-NS § 423, 1974)

2.12.320 Anonymous contributions--Restrictions--Payment to City required when.

No person shall make an anonymous contribution or contributions to a candidate, committee or any other person totaling more than fifty dollars in a calendar year. An anonymous contribution of more than fifty dollars shall not be kept by the intended recipient but instead shall be promptly paid to the City Auditor for deposit in the Fair Elections - Fund of the City. (Ord. 7564-NS § 6, 2017: Ord. 4948-NS (part), 1976: Ord. 4700-NS § 424, 1974)

2.12.325 Mass mailings--Copies to commission.

A copy of every mass mailing in support of or in opposition to a candidate or measure shall be sent to the commission. Such copies sent to the commission shall be public record. (Ord. 4977-NS § 1 (part), 1977: Ord. 4700-NS § 425, 1974)

2.12.330 Mass mailings by independent expenditure.

When a mass mailing which supports or opposes any candidate for Berkeley elective office or the qualification, passage or defeat of a ballot measure is paid for by independent expenditures a completed statement in the following form must appear on the envelope and on each page or fold of the mass mailing in no less than 10-point type, not subject to the half-tone or screening process, and in a printed or drawn box set apart from any other printed matter in the mailing:

NOTICE TO VOTERS

(Required by City of Berkeley)

This mailing is not authorized or approved by any City of Berkeley election official, candidate for elective office or campaign committee.

It is paid for by

(Name)

(Address, City, State)

(Ord. 6096-NS § 2 (part), 1991)

2.12.335 Disclosure on campaign communications of certain contributions and loans.

A. Campaign communications supporting or opposing any candidate or measure shall include the name of the committee and the phrase “Major Funding Provided By” immediately followed by the name of the contributor, the city of domicile, and the total cumulative sum of contributions by each of the top four contributors over \$250* to the committee funding the expenditure made within six months of the expenditure. For purposes of this section, the term “contributor” shall include lender, and committees shall aggregate contributions and any loan balances from the same person when determining the total cumulative sum of contributions from a contributor.

*The dollar amounts in this code section are adjusted for inflation every two years. The current dollar amounts are posted [online](#).

B. The disclosures required by this section shall list contributors in descending order by the cumulative total amount of their contributions and shall be presented in a clear and conspicuous manner to give the reader, observer, or listener adequate notice. For all communications, the complete name of the contributor must be listed. No acronyms may be used. For purposes of this section, “campaign communication” means any of the following items:

1. One thousand or more substantially similar pieces of campaign literature, including but not limited to mailers, flyers, pamphlets, and door hangers;
2. Paid advertisements, including but not limited to advertisements in newspapers, magazines, and on the Internet;
3. One thousand or more substantially similar e-mails or pre-recorded telephone calls made within a calendar month.

C. For purposes of this section, “campaign communication” does not include: small promotional items such as pens, pencils, clothing, mugs, potholders, or other items on which the statement required by this section cannot be reasonably printed or displayed in an easily legible typeface; posters, yard or street signs, billboards, supergraphic signs, skywriting, and similar items; television, cable, satellite, and radio broadcasts or advertisements; communications paid for by a newspaper, radio station, television station or other recognized news medium; and communications from an organization to its members.

D. When a new contribution changes the list of contributors required to be disclosed on campaign communications under subsection A, campaign communications must be updated on the following schedule:

1. For printed campaign communications under subsection B.1 or subsection B.2, disclosures must be updated within seven calendar days to include current disclosure information every time an order to reproduce the campaign communication is placed, or any time the campaign communication is reprinted;
2. For e-mails or pre-recorded telephone calls under subsection B.3, disclosures must be updated to include current disclosure information within seven calendar days. (Ord. 7253-NS § 1, 2012)

Article 5. Expenditure Limitations

2.12.405 Measures--Compensation for petition circulation--Disclosure.

If compensation is received by any person for obtaining signatures or for the circulation of petitions to place a measure on the ballot, the terms of such compensation shall be clear and visible on the signature sheet of the petition. (Ord. 5895-NS § 1, 1988; Ord. 4700-NS § 517, 1974)

Article 6. Limitations on Contributions

2.12.415 Persons other than candidate--Maximum permitted amount.

No person other than a candidate shall make and no campaign treasurer shall solicit or accept any contribution which will cause the total amount contributed by such person with respect to a single election in support of or in opposition to such candidate to exceed two hundred fifty dollars (\$250). The Commission shall adjust the dollar amount in this Section for cost of living changes pursuant to Section [2.12.075](#) in March of every odd-numbered year, or as soon thereafter as practicable. Such adjustments shall be rounded to the nearest ten dollars (\$10). For purposes of this section single election is a primary, general, special, runoff or recall election. (Ord. 7857-NS § 1, 2023; Ord. 7793-NS § 1, 2021; Ord. 5895-NS § 1, 1988; Ord. 4700-NS § 600, 1974)

2.12.435 Excess amounts--Payment to City required.

If any person is found guilty of violating the terms of this chapter, each campaign treasurer who received part or all of the contribution or contributions which constitute the violation shall pay promptly, from available campaign funds, if any, the amount received from such persons in excess of the amount permitted by this chapter to the City for deposit in the Fair Elections Fund of the City. (Ord. 7524-NS § 3.4, 2016; Ord. 4700-NS § 604, 1974)

2.12.440 Contributions from certain organizations and business entities prohibited.

No proprietorship, firm, partnership, joint venture, syndicate, business trust, company, corporation, including non-profit corporations, or labor union shall make a contribution to any candidate or committee (supporting or opposing any candidate) directly or indirectly, and no campaign treasurer (of any such committee) shall solicit or accept such contribution. (Ord. 6096-NS § 1, 1991; Ord. 4701-NS § 1 (part), 1974; Ord. 4700-NS § 605, 1974)

Article 7. Enforcement--Penalties For Violation

2.12.445 Complaints--Filing, investigation and commission action.

Any person who believes that a violation of any portion of this chapter has occurred may file a complaint with the commission. If the commission determines that there is reason to believe a violation of this chapter has occurred, it shall make an investigation. If the commission has reason to believe that a violation of this chapter has occurred or is about to occur, it may institute action at law or equity to enforce and compel compliance with the provisions of this chapter. (Ord. 4700-NS § 710, 1974)

2.12.450 Actions for compliance--Who is authorized to institute.

Any resident of the City who believes that a violation of this chapter has occurred or is about to occur, may institute such action at law or equity for injunctive relief and to compel compliance with the provisions of this chapter. (Ord. 4700-NS § 711, 1974)

2.12.455 Actions for compliance--Procedure required and commission authority.

Before instituting an action pursuant to Section [2.12.450](#), a person must file a written request with the commission asking it to commence the action. The request shall include a clear statement of the facts indicating that a cause of action exists. The commission shall respond within seven days after receipt of the request stating whether or not it intends to file the action. If the commission states that it intends to file the action and files the action within ten days thereafter, no other action may be brought by any person unless the action brought by the commission is dismissed without prejudice. If the commission states that it does not intend to file the requested action or fails to do so, then the resident requesting that the action be brought may file and prosecute the action to enforce or compel compliance with this chapter. (Ord. 4700-NS § 712, 1974)

2.12.460 Violation--Deemed misdemeanor--Penalty.

Any person who knowingly or wilfully violates any provision of this chapter is guilty of a misdemeanor punishable by a fine for each violation of three times the amount the person failed to report properly, or unlawfully contributed, expended, gave or received. (Ord. 4700-NS § 700, 1974)

2.12.465 Actions for compliance--Disposition of amounts recovered.

If a judgment is entered against the defendant or defendants in an action brought under Section [2.12.450](#), the plaintiff shall receive fifty percent of the amount recovered. The remaining fifty percent shall be deposited in the Fair Elections Fund of the City. In an action brought by the Commission or the City Attorney, the entire amount recovered shall be paid to the Fair Elections Fund of the City. (Ord. 7524-NS § 3.5, 2016: Ord. 4700-NS § 701, 1974)

2.12.470 Violation--Candidate's office forfeited when.

If after his or her election a candidate receives a final judgment of conviction of a violation of any provision of this chapter, the office of such candidate shall be forfeited and such office shall become vacant immediately thereupon, or on the date upon which the candidate, if he or she is not an incumbent, would otherwise take office. (Ord. 4700-NS § 702, 1974)

2.12.475 Violation--Candidacy terminated when.

If a candidate receives a final judgment of conviction of this chapter at any time prior to his or her election, his or her candidacy shall be terminated immediately and he or she shall be no longer eligible for election. (Ord. 4700-NS § 703, 1974)

2.12.480 Violation--Persons ineligible for candidacy--Time limit.

No person convicted of a violation of this chapter shall be a candidate for City elective office for a period of four years from and after the date of his or her conviction. A plea of nolo contendere shall be deemed a conviction for purposes of this section. (Ord. 4948-NS (part), 1976: Ord. 4700-NS § 704, 1974)

2.12.485 Late filing penalties.

Any candidate or committee whose only requirement to file a campaign statement or report is pursuant to Sections [2.12.270](#), [2.12.295](#), or [2.12.297](#) of this chapter and who files such report or reports after the deadlines imposed in these sections, shall, in addition to any other penalties or remedies established by this chapter, be liable for the penalties enumerated in California Government Code Section [91013](#), which is incorporated herein. (Ord. 7234-NS § 5, 2012: Ord. 6096-NS § 2 (part), 1991)

Article 8. Berkeley Fair Elections Act of 2016

2.12.490 Title and purpose.

This Article shall be known as the Berkeley Fair Elections Act of 2016. Its purposes are to:

ITEM NO. 19

- A. Diminish the public perception of corruption and strengthen public confidence in the governmental and election processes.
- B. Eliminate the danger of actual corruption of Berkeley officials caused by the private financing of campaigns.
- C. Help reduce the influence of private campaign contributions on Berkeley government.
- D. Reduce the impact of wealth as a determinant of whether a person becomes a candidate.
- E. Foster more meaningful participation in the political process.
- F. Provide candidates who participate in the program with sufficient resources with which to communicate with voters.
- G. Increase the accountability of elected officials to the constituents who elect them, as opposed to the contributors who fund their campaigns.
- H. Free candidates from the time needed to raise campaign money, and allow officeholders more time to carry out their official duties. (Ord. 7524-NS § 3.6 (part), 2016)

2.12.495 Offices covered.

Candidates for the offices of Mayor, City Council, Auditor, Board of Education, and Rent Stabilization Board shall be eligible to participate in the public campaign financing program established by this chapter. (Ord. 7793-NS § 2, 2021; Ord. 7524-NS § 3.6 (part), 2016)

2.12.500 Eligibility for Fair Elections campaign funding.

A. To be eligible to be certified as a participating candidate, a candidate must:

1) During the qualifying period for the election involved, choose to participate in the Fair Elections program by filing with the City a written application for certification as a participating candidate in such form as may be prescribed by the Commission, containing the identity of the candidate, the office that the candidate seeks, and the candidate's signature, under penalty of perjury, certifying that:

a)The candidate has complied with the restrictions of this chapter during the election cycle to date;

b)The candidate's campaign committee has filed all campaign finance reports required by law during the election cycle to date and that they are complete and accurate; and

c)The candidate will comply with the requirements of this Act during the remainder of the election cycle and, specifically, if certified an eligible participating candidate, will comply with the requirements applicable to participating candidates.

2)Meet all requirements to be eligible to hold the office sought:

a)For the office of Mayor, Councilmember, Auditor, or School Director, the requirements as set forth in Sections 9 and 10 of Article V of the Charter of the City of Berkeley; or

b)For the office of Commissioner of the Rent Stabilization Board, the requirements as set forth in Section 121 of Article XVII of the Charter of the City of Berkeley.

3)Before the close of the qualifying period, collect and submit at least 30 qualified contributions, from at least 30 unique contributors, of at least ten dollars (\$10)*, for a total dollar amount of at least five-hundred dollars (\$500)*.

ITEM NO. 19

a) Each qualified contribution shall be acknowledged by a receipt to the contributor, with a copy retained by the candidate. The receipt shall include the contributor's signature, printed name, home address, and telephone number, if any, and the name of the candidate on whose behalf the contribution is made. In addition, the receipt shall indicate by the contributor's signature that the contributor understands that the purpose of the qualified contribution is to help the candidate qualify for Fair Elections campaign funding and that the contribution is made without coercion or reimbursement.

b) A contribution for which a candidate has not obtained a signed and fully completed receipt shall not be counted as a qualified contribution.

4) Maintain such records of receipts and expenditures as required by the Commission;

5) Obtain and furnish to the Commission or City staff any information they may request relating to his or her campaign expenditures or contributions and furnish such documentation and other proof of compliance with this chapter as may be requested by such Commission or City staff;

6) Not make expenditures from or use his or her personal funds or funds jointly held with his or her spouse, domestic partner, or unemancipated children in connection with his or her election except as a monetary or non-monetary contribution to his or her controlled committee of \$250* or less. Contributions from a participating candidate to his or her own controlled committee are not eligible for matching funds.

7) Not accept contributions in connection with the election for which Fair Elections funds are sought other than qualified contributions, contributions not greater than fifty dollars (\$50)* made by a natural person non-resident of Berkeley, or non-monetary contributions with a fair market value not greater than fifty dollars (\$50)*. The aggregate value of all contributions from any individual must not be greater than fifty dollars (\$50)*;

8) Not solicit or direct contributions in connection with any election during the election cycle in which Fair Elections funds are sought other than qualified contributions, contributions not greater than fifty dollars (\$50)* made by a natural person non-resident of Berkeley, or non-monetary contributions with fair market value not greater than fifty dollars (\$50)* to such candidate's-controlled committee.

9) Not accept loans from any source.

10) The City has the authority to approve a candidate's application for public financing, despite a violation by the candidate related to participation and qualification in the public financing program, if the violation is minor in scope and the candidate demonstrates a timely, good-faith effort to remedy the violation. The Commission shall adopt regulations setting forth guidelines for what constitutes a minor violation under this provision.

*The dollar amounts in this code section are adjusted for inflation every two years. The current dollar amounts are posted [online](#).

B. At the earliest practicable time after a candidate files with the City a written application for certification as a participating candidate, the City shall certify that the candidate is or is not eligible. Eligibility can be revoked if the Commission determines that a candidate has committed a substantial violation of the requirements of this Act, in which case all Fair Elections funds shall be repaid.

C. At the discretion of the Commission or at the applying candidate's request, the City's denial of eligibility is subject to review by the Commission. The Commission's determination is final except that it is subject to a prompt judicial review pursuant to Section [2.12.235](#).

ITEM NO. 19

D. If the City or Commission determines that a candidate is not eligible, the candidate is not required to comply with provisions of this Act applicable only to participating candidates. (Ord. 7793-NS § 3, 2021: Ord. 7723-NS § 1, 2020: Ord. 7691-NS § 2, 2020: Ord. 7674-NS § 1, 2019: Ord. 7564-NS § 7, 2017: Ord. 7524-NS § 3.6 (part), 2016)

2.12.505 Fair Elections fund payments.

A. A candidate who is certified as an eligible participating candidate shall receive payment of Fair Elections funds equal to six-hundred percent (600 percent) of the amount of qualified contributions received by the candidate during the election cycle with respect to a single election subject to the aggregate limit on the total amount of Fair Elections funds payments to a candidate specified in Section [2.12.505.B](#).

B. The aggregate amount of Fair Elections funds payments that may be made to a participating candidate during an election cycle may not exceed:

- 1)\$129,000* for a candidate running for the office of Mayor;
- 2)\$43,000* for a candidate running for the office of City Council;
- 3)\$20,000* for a candidate running for the office of Auditor;
- 4)\$20,000* for a candidate running for the office of Board of Education;
- 5)\$8,000* for a candidate running for the office of Rent Stabilization Board.

*The dollar amounts in this code section are adjusted for inflation every two years. The current dollar amounts are posted [online](#).

C. A participating candidate's application for Fair Elections funds, including an initial request submitted with an application for certification as a participating candidate, shall be made using a form prescribed by the Commission and shall be accompanied by qualified contribution receipts and any other information the Commission deems necessary. This application shall be accompanied by a signed statement from the candidate indicating that all information on the qualified contribution receipts is complete and accurate to the best of the candidate's knowledge.

- 1)All Qualified Contributions, of any dollar amount, eligible for matching Fair Elections funds must be publicly disclosed with the contributor information required under Sections [2.12.280](#) and [2.12.283](#).
- 2)All campaign filings must be current in order for a Participating Candidate to receive a disbursement of Fair Elections funds and the Participating Candidate and a Participating Candidate's controlled committee must not have any outstanding fines related to campaign filings or violations of municipal, state or federal election law. All applications for Fair Elections funds shall include a certification by the Participating Candidate that the Participating Candidate or his or her controlled committee does not have any outstanding fines or penalties related to campaign filings. Upon submission of outstanding campaign filings and payment of any outstanding fines, withheld Fair Elections funds will be disbursed at the next regularly scheduled distribution for that election cycle.

D. The City shall verify that a candidate's qualified contributions meet all of the requirements and restrictions of this Act prior to the disbursement of Fair Elections funds to the candidate. A participating candidate who receives a qualified contribution that is not from the person listed on the qualified contribution receipt shall be liable to pay the Fair Elections Fund the entire amount of the inaccurately identified contribution, in addition to any penalties.

ITEM NO. 19

E. The City shall make an initial payment of Fair Elections funds within seven business days of the City's certification of a participating candidate's eligibility, or as soon thereafter as is practicable. City staff shall report a certification or denial to the Commission no later than the Commission's next regular meeting, consistent with the Brown Act.

F. The Commission shall establish a schedule for the submission of Fair Elections funds payment requests, permitting a candidate to submit a Fair Elections funds payment request at least once per month. However, the Commission shall schedule a minimum of three payment request submission dates within the thirty days prior to an election.

G. The City shall provide each participating candidate with a written determination specifying the basis for any non-payment of Fair Elections funds. The Commission shall provide participating candidates with a process by which they may immediately upon receipt of such determination petition the Commission for reconsideration of any such non-payment and such reconsideration shall occur within seven business days of the filing of such petition. In the event that the Commission denies such petition then it shall immediately notify the candidate of his or her right to seek judicial review of the Commission's denial pursuant to Section [2.12.235](#).

H.

1. Unspent campaign funds of any Participating Candidate who does not qualify as a candidate for the ballot at the election for which the funds were distributed, up to the total amount of funds that the participating candidate received as Fair Election Funds distributions in that election cycle and after accounting for campaign debts and expenditures, must be returned to the City no later than the date of the election for which the funds were distributed. All funds returned under this paragraph must be accompanied by any required supporting documentation. In such cases, the participating candidate must return the unspent funds to the City, up to the total amount of funds that the participating candidate received as Fair Election Funds distributions, prior to refunding any contributions to individual contributors.

2. Any campaign funds that remain unspent by a Participating Candidate following the date of the election for which they were distributed, up to the total amount of funds that the Participating Candidate received as Fair Elections Funds distributions in that elections cycle and after accounting for campaign debts and expenditures, must be returned to the City, within sixty (60) days after the date of the election. All funds returned under this paragraph must be accompanied by any required supporting documentation.

3. All unspent campaign funds returned to the City shall be deposited in the Fair Elections Fund pursuant to the City Charter.

4. The City Clerk shall immediately refer to the Commission for enforcement any participating candidate who does not return unspent funds as required by this subsection.

5. After the deadline to return unspent funds in [2.12.505.H.2](#), a participating candidate may continue to raise funds in accordance with Article [8](#) of Chapter [2.12](#) to pay campaign-related debt from the most recent election. Any such contributions received shall not be eligible for matching funds.

I. Any request by a Participating Candidate for a refund of any amount of unspent campaign funds previously repaid to the City, for a qualified campaign expenditure or other permissible campaign purpose, shall be submitted to the Commission to approve, in whole or in part, or deny. The Commission shall make a final determination on the refund within 45 days of receipt.

J. Requests for matching funds may be submitted no later than 30 days after Election Day for the election at which the participating candidate qualified as a candidate.

K. Upon approval of a participating candidate's Initial Qualifying Request, the candidate is prohibited from withdrawing from the Public Financing Program and receiving contributions pursuant to Section [2.12.415](#) for the same office at the same election for which they are a participating candidate. (Ord. 7875-NS §§ 6--8, 2023; Ord. 7793-NS § 4, 2021; Ord. 7723-NS § 2, 2020; Ord. 7691-NS § 3, 2020; Ord. 7674-NS § 2, 2019; Ord. 7564-NS § 8, 2017; Ord. 7524-NS § 3.6 (part), 2016)

2.12.507 Return of Contributions by Participating Candidates.

A. Notwithstanding the requirements in Section [2.12.505.H.1](#), if a participating candidate returns a qualified contribution for which they have requested and received matching funds, they must immediately return all said matching funds to the City.

B. Notwithstanding the requirements in Section [2.12.505.H.1](#), a participating candidate may return a non-qualified contribution to the contributor at any time without triggering any requirement that they return matching funds. (Ord. 7875-NS § 9, 2023)

2.12.510 Candidate statement notice.

A candidate certified as a Fair Elections program participant shall be identified as such by a notice prominently posted on the City website. (Ord. 7875-NS § 10, 2023; Ord. 7524-NS § 3.6 (part), 2016)

2.12.515 Transition rule for current election cycle.

During the first election cycle that occurs after Council implementation of this Act, a candidate may be certified as a participating candidate, notwithstanding the acceptance of contributions other than qualified contributions before the date of enactment that would, absent this Section, disqualify the candidate as a participating candidate, provided that any funds other than qualified contributions accepted but not expended before the effective date of this Act shall be:

A. Returned to the contributor;

B. Held in a special campaign account and used only for retiring a debt from a previous campaign; or

C. Submitted to the City for deposit in the Fair Elections Fund. (Ord. 7524-NS § 3.6 (part), 2016)

2.12.520 Special municipal elections.

The provisions of this chapter apply to special municipal elections as defined in City Charter Article III Section 4. The Commission shall adjust the deadlines in this Act to account for the circumstances of the special municipal election. (Ord. 7524-NS § 3.6 (part), 2016)

2.12.525 Campaign accounts for participating candidates.

A. During an election cycle, each participating candidate shall conduct all campaign financial activities through a single campaign expenditure and contribution account as required by Section [2.12.250](#).

B. A participating candidate may maintain a campaign account other than the campaign account described in subsection A if the other campaign account is for the purpose of retiring a campaign debt that was incurred during a previous election campaign in which the candidate was not a participating candidate.

C. Contributions for the purposes of a retiring a previous campaign debt that are deposited in the kind of "other campaign account" described in subsection B shall not be considered "contributions" to the candidate's current campaign.

D. Participating candidates shall file reports of financial activity related to the current election cycle separately from reports of financial activity related to previous election cycles. (Ord. 7524-NS § 3.6 (part), 2016)

2.12.530 Use of Fair Elections funds.

A. A participating candidate shall use Fair Elections funds and contributions only for direct campaign purposes to further the candidate's own campaign for the relevant office and election cycle.

B. A participating candidate shall not use Fair Elections funds or contributions for:

1) Costs of legal defense in any campaign law enforcement proceeding under this Act, or penalties arising from violations of any local, state, or federal campaign laws;

2) The candidate's personal support or compensation to the candidate the candidate's family, or a business in which the candidate or candidate's immediate family member has a ten (10) percent or greater ownership interest;

3) Indirect campaign purposes, including but not limited to:

a) Any expense that provides a direct personal benefit to the candidate, including clothing and other items related to the candidate's personal appearance;

b) Capital assets having a value in excess of five hundred dollars (\$500)* and useful life extending beyond the end of the current election period determined in accordance with generally accepted accounting principles;

c) A contribution or loan to the campaign committee of another candidate or to a party committee or other political committee;

d) An independent expenditure as defined in Berkeley Municipal Code Section [2.12.142](#) as may be amended;

e) Any payment or transfer for which compensating value is not received

*The dollar amounts in this code section are adjusted for inflation every two years. The current dollar amounts are posted [online](#).

C. The term "Contribution" is defined in [2.12.100](#) and includes "Qualified Contributions" as defined in [2.12.167](#) and contributions from non-residents of Berkeley as described in [2.12.500.A.7](#).

D. The dollar amounts in Section [2.12.530.B.3.b](#) may be adjusted for cost-of-living changes by the Commission through regulation, pursuant to Section [2.12.545](#). (Ord. 7793-NS § 5, 2021: Ord. 7691-NS § 4, 2020: Ord. 7674-NS § 3, 2019: Ord. 7564-NS § 9, 2017: Ord. 7524-NS § 3.6 (part), 2016)

2.12.535 Administrative modification of timelines.

Notwithstanding any provision in this chapter to the contrary, the Commission may alter any of the time periods or deadlines listed herein if it finds that they are impracticable, so long as the readjusted period or deadline meets the objectives of this chapter. (Ord. 7524-NS § 3.6 (part), 2016)

2.12.540 Insufficient funds in the program.

If the Commission determines that there are insufficient funds in the Fair Elections Fund to fund adequately all participating candidates, the Commission shall notify participating candidates that the Commission will not likely be capable of distributing to all participating candidates the maximum aggregate amount of Fair

ITEM NO. 19

Elections funds payments permissible under Section [2.12.505.B](#). Under such circumstances, at such time as the Commission is unable to fulfill a valid application for Fair Elections funds submitted by a participating candidate pursuant to Section [2.12.505.C](#), the participating candidate may solicit for such candidate's controlled committee and accept any contributions permissible under City law and shall no longer be subject to the restriction on use of personal funds established by Section [2.12.500.A.6](#). (Ord. 7524-NS § 3.6 (part), 2016)

2.12.545 Cost of living adjustments.

A. The Commission shall adjust the dollar amounts specified in Sections [2.12.167](#), [2.12.271](#), [2.12.335](#), [2.12.500.A.3](#), [2.12.500.A.6](#), [2.12.500.A.7](#), [2.12.500.A.8](#), [2.12.505.B](#) and [2.12.530.B.3.b](#) for cost of living changes pursuant to Section [2.12.075](#) in January of every odd-numbered year following Council implementation. Such adjustments shall be rounded to the nearest ten dollars (\$10) with respect to Sections [2.12.167](#), [2.12.500.A.3](#) and [2.12.530.B.3.b](#) and one thousand dollars (\$1,000) with respect to Section [2.12.505.B](#).

B. As soon as practicable after adoption of the amendments providing for the adjustment of Sections [2.12.271](#) and [2.12.335](#), but no later than December 31, 2024, the Commission shall perform an initial adjustment of the dollar amounts in those sections. (Ord. 7889-NS § 1, 2023; Ord. 7875-NS § 11, 2023; Ord. 7857-NS § 2, 2023; Ord. 7691-NS § 5, 2020; Ord. 7564-NS § 10, 2017; Ord. 7524-NS § 3.6 (part), 2016)

2.12.550 Fair Elections Act penalties.

In addition to other enforcement and penalty provisions of this Article:

A. It is a violation of the law for candidates to accept more Fair Elections Act benefits than those to which they are entitled or misuse such benefits or Fair Elections funding.

B. If a participating candidate knowingly or willfully accepts or spends Fair Elections funding in violation of this Act, then the candidate shall repay to the Fair Elections Fund an amount equal to twice the value of Fair Elections funding unlawfully accepted or spent.

C. The Commission shall, after a hearing held pursuant to Section [2.12.230](#), have the authority to impose the fine created by this section upon a two-thirds vote. (Ord. 7524-NS § 3.6 (part), 2016)

2.12.555 Violation--Persons ineligible for public funds--Time limit.

No person who commits a substantial violation of this chapter shall be eligible to receive public funds for a period of four years from and after the date that the Commission determines, upon a two-thirds vote, that such a violation has occurred, following a hearing held pursuant to Section [2.12.230](#). The Commission shall by regulation state the criteria to be satisfied in order to make a finding of a substantial violation. (Ord. 7524-NS § 3.6 (part), 2016)

2.12.560 Review by Commission.

After each of the first two election cycles that occur after Council implementation of this Act, the Commission shall review the Fair Elections program and make recommendations to Council for policy changes to improve and refine the program. (Ord. 7524-NS § 3.6 (part), 2016)