

Fair Campaign Practices Commission
Open Government Commission

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

MEETING AGENDA

August 25, 2022

7:00 p.m.

Pursuant to Government Code Section 54953(e) and the state declared emergency, this meeting of the Fair Campaign Practices Commission and Open Government Commission will be conducted exclusively through teleconference and Zoom videoconference. The COVID-19 state of emergency continues to directly impact the ability of the members to meet safely in person and presents imminent risks to the health of attendees. Therefore, no physical meeting location will be available.

Members of the public interested in attending will be able to observe and address the meeting using the following information:

Please use the following link to join the meeting: <https://us02web.zoom.us/j/81088597320>

Or Telephone: +1 669 900 6833

Meeting ID: 810 8859 7320

Secretary: Samuel Harvey

The Commission may act on any item on this agenda

1. Call to Order 7:00 p.m.
2. Roll Call.

Fair Campaign Practices Commission (FCPC) Agenda

3. Review of denial of eligibility to participate in Fair Elections public campaign financing program for the November 8, 2022 General Election for candidate Negeene Mosaed; discussion and possible action.

Joint FCPC-OGC Agenda

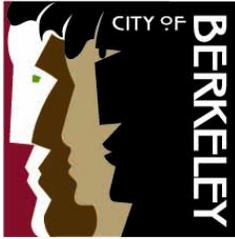
4. Scheduling for upcoming regular and special FCPC-OGC meetings; discussion and possible action.
5. Adjournment.

Communications

- Public email communications regarding Agenda Item #3

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). Please refrain from wearing scented products to this meeting.

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

August 25, 2022

To: Fair Campaign Practices Commission

From: Sam Harvey, Commission Secretary

Subject: Review of denial of eligibility to participate in Fair Elections public campaign financing program for the November 8, 2022 General Election for candidate Negeene Mosaed

Background

Negeene Mosaed, a candidate for Rent Stabilization Board in the November 8, 2022 General Election, has submitted a request that the Commission to review the City Clerk's determination that she failed to timely file her Initial Qualifying Request and is therefore ineligible to participate in the City's public financing program.

In order to qualify for public financing under the City's Fair Elections program, a candidate must, among other requirements, submit an "Initial Qualifying Request." (BMC § 2.12.500.A.3.) Specifically, the candidate must "collect and submit" at least 30 qualified contributions, from at least 30 unique contributors, of at least \$10 each for a total of at least \$500. (BMC § 2.12.500.A.3.) Candidates complete and submit their Initial Qualifying Request through the City's electronic Netfile online filing portal.

The Initial Qualifying Request must be submitted before the close of the "qualifying period." (BMC § 2.12.500.A.3.) The "qualifying period" is the period from the date after the 2020 general election to the close of the "nomination period." (BMC § 2.12.168.) The "nomination period" is "the period specified by state law during which candidates must submit nomination papers for City offices. (BMC § 2.12.156.) Under the California Election Code, nomination papers for Rent Stabilization Board must be filed during regular business hours no later than 83 days before the election. (Cal. Elec. Code § 10225.) Candidate Mosaed's Application and Initial Qualifying Request were therefore due on August 17, 2022 by 5:00 p.m.

As outlined in the Clerk's memorandum (Attachment 1), Candidate Mosaed did not file her Initial Qualifying Request until August 18, 2022, with supporting documentation not submitted until August 19, 2022. As a result, the City Clerk informed Candidate Mosaed that the City Clerk Department did not receive her Initial Qualifying Request by the August 17, 2022 deadline and therefore the candidate did not qualify for the public financing program. (Attachment 2 – City Clerk Letter to Candidate Mosaed, August 18, 2022.) The City Clerk does not have discretion to extend a deadline provided in the City's Municipal Code.

Re: N. Mosaed Public Campaign Financing Eligibility
August 25, 2022
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Candidate Mosaed's campaign treasurer Elana Auerbach asserts that she successfully entered the required information into Netfile for Candidate Mosaed's Initial Qualifying Request on August 15, 2022, but failed to take the final step of submitting the request until after she was informed by the City Clerk that the Initial Qualifying Request had not been timely received. (Attachment 4.) Treasurer Auerbach asserts that this error was due to inadequate instructions and miscommunication with the City Clerk.

FCPC Review of Denial of Eligibility

Under the Berkeley Fair Elections Act (BMC § 2.12.490 et seq.), a candidate may request that the Fair Campaign Practices Commission ("Commission") review the City's denial of eligibility to participate in the public financing program. (BMC § 2.12.500.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.") Candidate Mosaed submitted a request for Commission review on August 22, 2024. (Attachment 3.)

The Commission is not obligated to reverse the City Clerk's determination that Candidate Mosaed is ineligible for public financing due to untimely filing of her Initial Qualifying Request. However, the Commission may review the facts of this matter and determine that the actions of Candidate Mosaed and her treasurer were sufficient to constitute timely submission of the Initial Qualifying Request.

The Commission is charged with "the primary responsibility for the impartial, effective administration" of the Berkeley Election Reform Act ("BERA") (BMC Chapter 2.12). (BMC § 2.12.205.) Additionally, the Commission "may adopt, amend and rescind rules and regulations to carry out the purposes of [BERA], and to govern the procedures of the commission." (BMC § 2.12.210.) Finally, more precisely applicable here, the Commission has the authority to "alter any of the time periods or deadlines listed [in BERA] if it finds that they are impracticable, so long as the readjusted period or deadline meets the objectives of [BERA]."

Additionally, the Fair Elections Act provides that "[t]he 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." (BMC § 2.12.500.A.10.)

The Commission has promulgated regulations interpreting a "minor" violation in this context. FCPC Regulation R2.12.555.b provides:

A violation is deemed to be minor if it is not substantial . . . and if the offense is minimal and has resulted in no significant public harm. A violation is minimal if it meets each of the following criteria as applicable:

1. the violation is merely technical or clerical in nature and is corrected when

Re: N. Mosaed Public Campaign Financing Eligibility
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- discovered. Such an error includes an incorrect contributor name, address, employer or occupation, provided that erroneously including a contribution from a non-Berkeley resident is not a technical or clerical error.
2. the dollar amount of the violation is small.
 3. the violation is capable of being promptly corrected.
 4. any improperly received funds have been promptly returned.
 5. the individual seeking or receiving public financing has demonstrated good faith in consulting with Commission staff regarding the violation and has made good faith efforts to correct any deficiencies, violations, or errors.

If City staff are unable to determine whether a violation is minor, FCPC Regulation R2.12.555.c directs the Commission to review the violation using the following factors:

1. the violation has not had any significant impact on the election process, on the fairness of the election, or on other candidates' ability to conduct their campaigns; and
2. the violation does not significantly affect, or undermine, the purposes of the Fair Elections Act or its effective administration.

It is not clear that failure to timely submit an Initial Qualifying Request is the type of "violation" anticipated by BMC § 2.12.500.A.10 or FCPC Regulation R2.12.555. Nonetheless, the Commission may look to these provisions to inform its deliberation over this matter.

Based on the above authorities, the Commission may determine that the candidate's filings were sufficient to qualify for the City's public financing program.

Attachments:

1. City Clerk Memorandum to FCPC, Public Financing Qualification Request from Negeene Mosaed, August 23, 2022
2. City Clerk Letter to Negeene Mosaed, August 18, 2022
3. Negeene Mosaed request for Commission review of denial of eligibility, August 22, 2022
4. Treasurer Elana Auerbach email to FCPC, August 24, 2022
5. Negeene Mosaed email to FCPC, August 24, 2022



City Clerk Department

August 23, 2022

To: Fair Campaign Practices Commission
From: Mark Numainville, City Clerk
Subject: Public Financing Qualification Request from Negeene Mosaed

This memo details the regulations and facts regarding the disqualification of Rent Board Commissioner Candidate Negeene Mosaed from the Public Financing Program for the November 8, 2022 General Election. Candidate Mosaed was disqualified pursuant to the requirement of the Fair Elections Act to file the Initial Qualifying Request before the close of the Qualifying Period.

Section 2.12.168 of the Berkeley Election Reform Act (BERA) defines the “Qualifying Period” as “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 the nomination period.” For the November 2022 election, the Qualifying Period for non-incumbent Rent Board candidates started on November 7, 2018 at 8:00 a.m. and ended on August 17, 2022 at 5:00 p.m.

Regarding the definition of the “nomination period,” Sections 10220, 10224, and 10225 of the California Elections Code define the nomination period as starting on the 113th day before the election and ending on the 88th day before the election, or the 83rd day before the election if no incumbent files for re-election by the 88th day. The sections define the deadline to file papers as during “regular business hours.” Since an incumbent for Rent Board did not file by the 88th day, the end of the nomination period was August 17, 2022, and regular business hours are 8:00 a.m. – 5:00 p.m.

Section 2.12.500.A.3. of BERA requires that “Before the close of the qualifying period, [the candidate must] 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).”

Candidate Mosaed did not submit the required filing before the August 17 deadline. The Fair Elections Act does not provide the City Clerk with any discretion to extend any filing deadlines or grant exemptions to filing requirements.

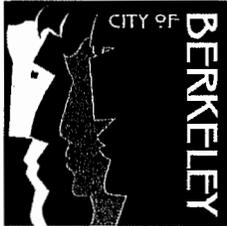
The Fair Elections Act does provide the City Clerk with discretion to qualify a candidate despite a “minor” violation of BERA. However, failure to file a qualifying request is not a violation of BERA. If it were classified as a violation, failure to file the qualifying request on time would be subject to monetary fines.

All candidates are informed of the public financing program during their initial candidate nomination appointment. Full written procedures and step-by-step instructions on how to submit a qualifying request are provided to candidates at this appointment as well. In addition, all candidates participating in the public financing program are provided one-on-one training on how to use the electronic filing system. The 18 other candidates participating in public financing successfully submitted an initial qualifying request in a timely manner.

Paragraph C of Section 2.12.500 states, “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.” If the Fair Campaign Practices Commission votes to allow Candidate Mosaed to participate in the public financing program based on the governing regulations, the City Clerk Department would be required to approve the candidate for participation.

Below is a chronology of key contacts between the City Clerk Department and Candidate Mosaed.

Date	Event
7/21/2022	Candidate filed Form 501 Candidate Intention Statement.
7/22/2022	Candidate informed about the Public Financing Program via email and letter.
7/28/2022	Candidate filed Form 410 and Berkeley Statement of Organization.
8/2/2022	Candidate received nomination packet and public financing information, including step-by-step guide for NetFile and submitting qualifying requests.
8/3/2022	Treasurer informed about the Public Financing Program via email and letter; candidate copied on correspondence.
8/9/2022	Staff conducted two in-person NetFile trainings with candidate (scheduled for 9:00 am and 4:00 pm). Treasurer did not stay for the complete training.
8/9/2022	Candidate submitted Signature Verification Card.
8/9/2022	Treasurer submitted Signature Verification Card.
8/9/2022	Candidate filed Application for Participation in Public Financing Program at 4:45 p.m. while training with staff.
8/17/2022	Candidate filed nomination papers with City Clerk.
8/18/2022	Candidate submitted the Initial Qualifying Request Form, but without the required supporting attachments at 1:32 p.m.
8/19/2022	Candidate submitted Initial Qualifying Request with attachments at 10:08 a.m.



City Clerk Department

August 18, 2022

Negeene Mosaed
1178 Colusa Avenue
Berkeley, CA 94707

Dear Ms. Mosaed,

This letter serves as notification that you did not qualify for the public financing program for the November 8, 2022 election.

The City Clerk Department did not receive your Initial Qualifying Request for matching funds by end of the Qualifying Period, August 17, 2022 at 5:00 p.m. as required by the Fair Elections Act.

To participate in the Public Financing Program, a candidate must meet all requirements, including collecting and submitting at least 30 qualified contributions of at least \$10 for a total dollar amount of at least \$580 before the end of the qualifying period, August 17, 2022, at 5:00 p.m. Each contribution eligible for public funds must be accompanied by a Qualified Contribution Receipt as specified in BMC § 2.12.500.A.3.

Pursuant to Berkeley Municipal Code Section 2.12.500.C the City's denial of your eligibility is subject to review by Berkeley Fair Campaign Practices Commission. To request a review by the Commission, please submit your written request to fcpc@cityofberkeley.info. Please include all relevant facts in your request for review.

While you were not approved for the public financing program, you can continue receiving contributions for your campaign committee, which can be collected up to \$250 per contributor, as you are not subject to the limitations of the Public Finance Program's maximum contribution limit of \$60. However, if you plan to request a review of your eligibility from the Commission, I advise that you continue to raise funds within the public financing regulations until the matter is resolved.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Numainville".

Mark Numainville
City Clerk
City of Berkeley

cc: Elana Auerback, Treasurer for Negeene Mosaed for Rent Board 2022

Harvey, Samuel

From: Negeene Mosaed <ngmosaed@gmail.com>
Sent: Monday, August 22, 2022 3:38 PM
To: FCPC (Fair Campaign Practices Commission)
Subject: request to be added to Thursday night review for access to public financing

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Dear Mr. Harvey,

Thank you for your call and clarification of the process to be reviewed for access to the public financing. I was not fully aware of how the review process works.

I am requesting an appeal regarding the clerk's decision to deny my application for access to the public finance matching program. I would officially request to be added to the agenda for the Thursday night meeting.

Thank you,
Negeene Mosaed

Harvey, Samuel

From: Elana Auerbach <elanaarobyn@gmail.com>
Sent: Wednesday, August 24, 2022 12:35 PM
To: FCPC (Fair Campaign Practices Commission)
Cc: Negeene Mosaed
Subject: Allow Negeene Mosaed 's Campaign Public Financing

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Dear Commissioners~

My name is Elana Auerbach and I am Negeene Mosaed's Treasurer for her campaign to run for Rent Board. I have neither run for office nor supported anyone in running for office before this.

I met with the City Clerk's staff and also followed the instructions that Negeene Mosaed recorded when she met with the City Clerk's staff. I spent hours entering data into the NetFile system. I pressed "Submit" after each of the fifty-two entries and also checked the box indicating "Eligible for Public Financing."

There was nothing in the instructions that I received or in the NetFile system itself to indicate that I needed to go into the "Statements" section and submit a "Matching Request" to finalize the process. I completed entering all of the necessary entries/donations on Monday August 15th. Ms. Mosaed confirmed with Mr. Numainville on Wednesday August 17th that she had everything in. There was ample time for someone in the Clerk's office to check if everything was entered properly before confirming to Ms. Mosaed that her filing was complete. Having received confirmation from Mr Numainville that the filing was complete, we were surprised to then receive an email on August 18 that, in fact, the filing was not complete and so did not qualify for public financing.

Given the inadequate instructions and that clear mistakes were made by the Clerk's office -- confirming that the application was correct and complete when it was not and then sending us that notification only after the deadline had passed -- we ask that you please allow Ms. Mosaed's campaign to use the public financing option.

Thank you~
Elana Auerbach

Harvey, Samuel

From: Negeene Mosaed <ngmosaed@gmail.com>
Sent: Wednesday, August 24, 2022 1:13 PM
To: FCPC (Fair Campaign Practices Commission)
Subject: approve Negeene Mosaed access to public financing

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Hello Mr. Harvey,

The Commission should move quickly to address the inefficiencies and the failure of the training for public financing in Berkeley, especially as it relates to Negeene Mosaed who was told she had successfully completed the application.

The week of August 8th, Negeene Mosaed, who is running for a Rent Board seat, went in to attend the training in order to obtain public financing funds from the city of Berkeley. **She was instructed in the public room by a new hire named Neetu, who was being trained at the very same time she was providing instructions and training to Negeene Mosaed.**

Negeene has a recording of her discussion on how to upload the checks and how to get in the e-file system and received a pin which might be helpful to share with the Commission.

Separately and additionally, Negeene had her Treasurer get a pin as well and a login. Then they were instructed on how to upload the checks and how to verify the checks got into the system.

The last and most important step was to make sure that the entire application was actually completed and reviewed for public finance approval. **This was not made clear to Negeene in the training covered by Neetu, who was training as Neetu was learning in real time how to best instruct those like Negeene who were trying to file.**

When she returned this week to the City office to finish filing the other necessary papers for public financing, Neegene spoke with Mr. Numanville. She shared her frustration about the difficult process of physically uploading \$1800 worth of donations into their software system. There were so many people trying to ask questions at the same time and a great deal of chaos in the city office.

Mr. Numansville very graciously agreed with Neegene. When she asked him if everything was complete with her application and if there was anything else that she needed to do, he replied "**No, you are completely filed and ready to go.**"

Mr. Numainville's answer was incorrect. Negeene was made aware of the missing email verification by a City Clerk. She could see that **all of Negeene's documentation had been submitted on time** but the last email verification, which required a signed email reply from Negeene, was not received by Negeene. This simple email verification takes 2 seconds which she could have done in the moment she was standing with Mr. Numanville. **This last verification email was not covered in the training nor checked as having been initiated and sent to Negeene when Mr. Numainville reviewed her application.**

ITEM 3
Attachment 5

We believe that had the training covered this step or had it been covered in a review by a qualified city supervisor, it would have quickly been resolved at that time.

We would like the Commission to review Negeene's application in their meeting next week and to approve her application given the incorrect and insufficient information she received, so that she qualifies for public financing.

We believe that the Commission understands its responsibility in ensuring that each person filing for public financing is given correct and complete instructions. But Friends of Adeline expects the City to demonstrate that in the training of new applicants. We expect that city staff carefully reviews every single application especially for "newbies" who have never done this before. They should not have to hire a consultant to help them (as was suggested to Negeene!).

In some key ways the experiences that both Negeene Mosaed and Michai Freeman had in applying for public financing are similar. They both reveal that there are flaws in the application process that reveal inequities which must be addressed quickly so that first time candidates are not discouraged to run,

Thank you,
Catherine Huchting
Friends of Adeline
415-694-8900



Fair Campaign Practices Commission
Open Government Commission

DATE: January 20, 2022

TO: Fair Campaign Practices Commission & Open Government Commission

FROM: Samuel Harvey, Commission Secretary

SUBJECT: Commission 2022 regular meeting schedule

The Commissions must set their annual meeting schedule for 2022. Traditionally, the Commissions have met in a concurrent meeting every third Thursday at 7 p.m. The Commissions recently considered beginning their meetings at 6 p.m.

In recent years, the Commissions have not had a regular meeting scheduled in August or December. The Commissions may need to schedule additional meetings as needed throughout the year. Given that 2022 is an election year, the FCPC may need to schedule additional special meetings to address various campaign-related matters.

The Commission Secretary has generated the following proposed schedule for the remainder of the year, which the Commissions should feel free to adjust as they see fit:

- Thursday, February 17
- Thursday, March 17
- Thursday, April 21
- Thursday, May 19
- Thursday, June 16
- Thursday, July 21
- Thursday, September 15
- Thursday, October 20
- Thursday, November 17

COMMUNICATIONS

Harvey, Samuel

From: Tom Luce <tomfluce@gmail.com>
Sent: Wednesday, August 24, 2022 9:14 AM
To: FCPC (Fair Campaign Practices Commission)
Subject: : Fix City Staff's Gross Mistakes - Let Negeene Access Her Public Financing!

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Berkeley City Commission:

I am a Berkeley resident writing to demand that you correct the gross errors of City staff and allow grassroots Rent Board candidate Negeene Mossaed to access the public financing she is entitled to.

Last week, Negeene Mosaed - a first-time candidate - was denied public financing from the city for the November election due to not having a final electronic signature. This mistake was not Negeene's fault; rather, it was caused by multiple failures of the Clerk's Office.

First, this failure was the result of poor training for the new staff at the Clerk's office, who didn't do a complete job of instructing candidates on the importance of all of the steps in the filing process, including the final signature. But even more concerning, Negeene acted on reliance of the Clerk's statement that everything was complete with her filing.

The Commission needs to move quickly to address the inefficiencies and failure in training of public financing staff, particularly as it relates to Ms. Mosaed, who was told by the City Clerk, Mark Numainville, that she had successfully completed the application process at the time of the final review. It is unacceptable for a candidate who acts in good faith to be shut out of public financing through no fault of their own. Any candidate who acted in good faith but is being denied public financing due to

following the incorrect instructions of City staff must be allowed to participate in public financing.

The Commission should work with City Staff to ensure that nothing like this occurs ever again. But first, it must fix the massive harm that has already been caused.

--

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Tom Luce
1515 Fairview St. Apt. C
Berkeley, Ca 94703-2317
510-575-6326

Harvey, Samuel

From: Betsy Morris <betsymorris88@gmail.com>
Sent: Wednesday, August 24, 2022 10:55 AM
To: FCPC (Fair Campaign Practices Commission)
Cc: Berkeley Tenants Convention; negeene mosaed
Subject: Access To Public Financing

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I write to urge the Fair Campaign Practices Commission to take action to allow first time Rent Board candidate Negeene Mossaed to access the public financing she is eligible for.

I am told that City Clerk Mark Numainville told her she had successfully completed the public financing application process.

Last week, however another staffperson denied her application because of the lack of a final electronic signature. Mistakes of this sort are all too human, but should not be used to deny candidates like Ms Mosaed, acting in good faith and with clear intention who have fulfilled all the essential criteria for public financing laws.

Please do what you can to ensure she may run for office with public financing and please work with City Staff to provide full and fair verbal information to all candidates in the future.

Thank you for the good work you do!

Sincerely yours
Betsy Morris
2220 Sacramento St, Berkeley, CA 94702

Harvey, Samuel

From: Alan K <alank5e@earthlink.net>
Sent: Wednesday, August 24, 2022 6:48 PM
To: FCPC (Fair Campaign Practices Commission)
Subject: FCPC: Plz Grant Rent Bd Candidate Negeene Mosaed Her Public \$. Despite BIG City Clerk Office errors, GREATLY MIS-LEADING her.

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August 24th, 2022

To: City of Berkeley Fair Political Practices Commission

FCPC: Let Rent Board Candidate Negeene Mosaed Access Her Public Financing.

Despite BIG errors by the City Clerk's Office, that GREATLY MIS-LED her.

Dear Commissioners,

I'm Alan Kiviat, a long-time Berkeleyan. I write you today to urge you to please correct the gross errors of City staff and allow grassroots Rent Board candidate Negeene Mosaed to access the public campaign funding she was told she did all she needed to do to earn.

Last week, Ms. Mosaed---a first-time candidate---was rejected for public financing from the City for the November election, due to not having a final electronic signature. **This mistake was not Negeene's fault; rather, it was the direct result of multiple failures by the Clerk's Office.**

First, this failure was due in big part to poor training of the new staff at the Clerk's office. They didn't do a full job of instructing candidates on the importance of *all* the steps in the filing process, including the final signature.

But Finally, even more concerning: *Negeene acted on reliance of the Clerk's statement that everything was complete with her filing.*

Please move quickly to prevent the punishing of her for the serious performance deficits of the new City public financing staff. Esp. since Ms. Mosaed was told by the City Clerk, Mark Numainville, that she had successfully completed the entire application process, at the time of the final review. It is unacceptable for a candidate who acts in good faith to be shut out of public financing through no fault of their own. **Any candidate who acted in good faith, but is being denied public financing due to following the incorrect instructions of City staff, must be allowed to receive public financing.**

The Commission should work with City Staff to ensure that nothing like this occurs ever again. But first, Commission, please remedy the situation by approving Negeene Mosaed's access to public funding of her campaign to represent the citizens of Berkeley.

Sincerely,

Alan Kiviat

Harvey, Samuel

From: margots999@aol.com
Sent: Wednesday, August 24, 2022 8:36 AM
To: FCPC (Fair Campaign Practices Commission)
Subject: Fix City Staff's Gross Mistakes - Let Negeene Access Her Public Financing!

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Subject: Fix City Staff's Gross Mistakes - Let Negeene Access Her Public Financing!

Dear Commissioners,

My name is Margot Smith and I am a Berkeley resident writing to demand that you correct the gross errors of City staff and allow grassroots Rent Board candidate Negeene Mossaed to access the public financing she is entitled to.

Last week, Negeene Mosaed - a first-time candidate - was denied public financing from the city for the November election due to not having a final electronic signature. **This mistake was not Negeene's fault; rather, it was caused by multiple failures of the Clerk's Office. Any candidate who acted in good faith but is being denied public financing due to following the incorrect instructions of City staff must be allowed to participate in public financing.**

The Commission should work with City Staff to ensure that nothing like this occurs ever again. But first, the Commission must remedy the situation by approving Negeene Mosaed's access to public financin.

Margot Smith
1300 A Shattuck Ave, 94709
510-486-8010 (no text)
510-660-5508 (text)
Margots999@aol.com

These are the time that try men's souls. Paine.

*Hope, the only solace for afflicted mortals,
in Orfeo by Monteverdi, 1607*

Harvey, Samuel

From: Sylvia Chapman <syldare7@gmail.com>
Sent: Wednesday, August 24, 2022 5:02 PM
To: FCPC (Fair Campaign Practices Commission); Harvey, Samuel
Cc: negeene mosaed; BTU Steering; Michai Freeman; Digest Recipients
Subject: Fair Campaign Procedures for Tamar Michai Freeman and Negeene Mosaed

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Fair Campaign Practices Commission
Sam Harvey
City Attorney's Office
2180 Milvia Street, 4th Floor
Berkeley, CA 94704

Dear Mr. Harvey and FCPC members:

I recently learned that two powerful community candidates that I respect have been disallowed from Campaign matchings. One being Tamar Michai Freeman and Negeene Mosaed.

Tamar Michai Freeman is running for city council for District 1, my district. Negeene Mosaed is running for the City of Berkeley Rent Stabilization Board seat.

Both are strong proponents for social equity and human justice for disenfranchised communities here in Berkeley. Michai holds positions on the Disability Rights Board and the Social Equity Summit. She is a mother and homeschooler and refuse to let her life challenges deter her.

Negeene Mosaed is a business and home owner here in Berkeley. She is Friends of Adeline and Berkeley Tenants Union Steering Committee member. She is a grassroots organizer working with many community-based organizations in Berkeley for human rights globally, nationally and locally.

Mr. Harvey, both Tamar Michai Freeman and Negeene Mosaed complied within their power and diversity with the Netfile trainings and given time limitations. Michai called, when the deadline was approaching to seek the reasonable accommodations for her disability and **was not** informed of the reasonable accommodations procedures. Instead she was given a half-hour extension. Her accommodation for entering data was different than the traditional method. The difference no doubt may have added processing time based on the city's hardware or software compatibility.

It brings up the question that *What is the city's position of assistive technology compatibility for all Berkeley candidates with a mobility limitation--visible or invisible?*

Negeene confirmed that she timely checked with the City Clerk, Mark Noumanville, to verify if she had fulfilled all the Matching funds deadlines and criteria. Later his assurance that she did, turned out to be inaccurate. That is a big concern, as a City of Berkeley official. Times are trying with staffing and Covid. We all make mistakes. We only hope that the courtesies we are asked to extend, be extended to our candidates as well.

Mr. Harvey and the FCPC, I wish to call your attention to the Fair Campaign and Practices Procedures: Section VII "Hearings" and Paragraph G "Reconsideration" on page 15. I believe both candidates' disallowance of campaign matching contributions fall under the 60-day review for "Good cause".

I look forward to FCPC's Thursday night meeting to support Tamar Michai Freeman and Negeene Mosaed's Fair Campaign and Practices Request for Reconsideration. Thank you all.

Yours truly,

Sylvia Chapman
FOA member
BTU Steering Committee Member

Harvey, Samuel

From: Stacia Wyman <staciakwyman@gmail.com>
Sent: Wednesday, August 24, 2022 8:55 AM
To: FCPC (Fair Campaign Practices Commission)
Subject: Fix City Staff's Gross Mistakes - Let Negeene Access Her Public Financing!

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

I am a Berkeley resident writing to demand that you correct the gross errors of City staff and allow grassroots Rent Board candidate Negeene Mossaed to access the public financing she is entitled to.

Last week, Negeene Mosaed - a first-time candidate - was denied public financing from the city for the November election due to not having a final electronic signature. This mistake was not Negeene's fault; rather, it was caused by multiple failures of the Clerk's Office.

First, this failure was the result of poor training for the new staff at the Clerk's office, who didn't do a complete job of instructing candidates on the importance of all of the steps in the filing process, including the final signature. But even more concerning, Negeene acted on reliance of the Clerk's statement that everything was complete with her filing.

The Commission needs to move quickly to address the inefficiencies and failure in training of public financing staff, particularly as it relates to Ms. Mosaed, who was told by the City Clerk, Mark Numainville, that she had successfully completed the application process at the time of the final review. It is unacceptable for a candidate who acts in good faith to be shut out of public financing through no fault of their own. Any candidate who acted in good faith but is being denied public financing due to following the incorrect instructions of City staff must be allowed to participate in public financing.

The Commission should work with City Staff to ensure that nothing like this occurs ever again. But first, it must fix the massive harm that has already been caused.

Stacia Wyman
1654 Oxford Street
Berkeley, CA 94709

Harvey, Samuel

From: Kristen Ho <kristenho@berkeley.edu>
Sent: Wednesday, August 24, 2022 9:38 AM
To: FCPC (Fair Campaign Practices Commission)
Subject: Fix City Staff's Gross Mistakes - Let Negeene Access Her Public Financing!

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Commissioners,

I am a Berkeley resident writing to demand that you correct the gross errors of City staff and allow grassroots Rent Board candidate Negeene Mossaed to access the public financing she is entitled to.

Last week, Negeene Mosaed - a first-time candidate - was denied public financing from the city for the November election due to not having a final electronic signature. This mistake was not Negeene's fault; rather, it was caused by multiple failures of the Clerk's Office.

First, this failure was the result of poor training for the new staff at the Clerk's office, who didn't do a complete job of instructing candidates on the importance of all of the steps in the filing process, including the final signature. But even more concerning, Negeene acted on reliance of the Clerk's statement that everything was complete with her filing.

The Commission needs to move quickly to address the inefficiencies and failure in training of public financing staff, particularly as it relates to Ms. Mosaed, who was told by the City Clerk, Mark Numainville, that she had successfully completed the application process at the time of the final review. It is unacceptable for a candidate who acts in good faith to be shut out of public financing through no fault of their own. Any candidate who acted in good faith but is being denied public financing due to following the incorrect instructions of City staff must be allowed to participate in public financing.

The Commission should work with City Staff to ensure that nothing like this occurs ever again. But first, it must fix the massive harm that has already been caused.

Thank you,
Kris

Harvey, Samuel

From: Jonah Gottlieb <jonahmgottlieb@gmail.com>
Sent: Wednesday, August 24, 2022 10:44 AM
To: FCPC (Fair Campaign Practices Commission)
Subject: Fix City Staff's Gross Mistakes - Let Negeene Access Her Public Financing!

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Commissioners,

My name is Jonah Gottlieb and I am a Berkeley resident writing to demand that you correct the gross errors of City staff and allow grassroots Rent Board candidate Negeene Mossaed to access the public financing she is entitled to.

Last week, Negeene Mosaed - a first-time candidate - was denied public financing from the city for the November election due to not having a final electronic signature. **This mistake was not Negeene's fault; rather, it was caused by multiple failures of the Clerk's Office.**

First, this failure was the result of poor training for the new staff at the Clerk's office, who didn't do a complete job of instructing candidates on the importance of *all* of the steps in the filing process, including the final signature. But even more concerning, Negeene acted on reliance of the Clerk's statement that everything was complete with her filling.

The Commission needs to move quickly to address the inefficiencies and failure in training of public financing staff, particularly as it relates to Ms. Mosaed, who was told by the City Clerk, Mark Numainville, that she had successfully completed the application process at the time of the final review. It is unacceptable for a candidate who acts in good faith to be shut out of public financing through no fault of their own. **Any candidate who acted in good faith but is being denied public financing due to following the incorrect instructions of City staff must be allowed to participate in public financing.**

The Commission should work with City Staff to ensure that nothing like this occurs ever again. But first, the Commission must remedy the situation by approving Negeene Mosaed's access to public financing.

Sincerely,

Jonah Gottlieb

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Jonah Gottlieb | he/him/his
NorCal Organizing Director & Candidate Engagement Lead
[Project Super Bloom PAC](#)
(707) 780-7169 | jonahmgottlieb@gmail.com
[Instagram](#) | [Twitter](#) | [Facebook](#) | [LinkedIn](#) | Solidarity Forever

Harvey, Samuel

From: Sandra Smith <sandysmithjd7@gmail.com>
Sent: Wednesday, August 24, 2022 10:47 AM
To: FCPC (Fair Campaign Practices Commission)
Subject: Fix City Staff's Gross Mistakes - Let Negeene Access Her Public Financing!

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

I am a Berkeley resident writing to demand that you correct the gross errors of City staff and allow grassroots Rent Board candidate Negeene Mossaed to access the public financing she is entitled to. Last week, Negeene Mosaed - a first-time candidate - was denied public financing from the city for the November election due to not having a final electronic signature. This mistake was not Negeene's fault; rather, it was caused by multiple failures of the Clerk's Office. First, this failure was the result of poor training for the new staff at the Clerk's office, who didn't do a complete job of instructing candidates on the importance of all of the steps in the filing process, including the final signature. But even more concerning, Negeene acted on reliance of the Clerk's statement that everything was complete with her filling. The Commission needs to move quickly to address the inefficiencies and failure in training of public financing staff, particularly as it relates to Ms. Mosaed, who was told by the City Clerk, Mark Numainville, that she had successfully completed the application process at the time of the final review. It is unacceptable for a candidate who acts in good faith to be shut out of public financing through no fault of their own. Any candidate who acted in good faith but is being denied public financing due to following the incorrect instructions of City staff must be allowed to participate in public financing. The Commission should work with City Staff to ensure that nothing like this occurs ever again. But first, it must fix the massive harm that has already been caused. Legally speaking, she has substantially complied with the requirements. She should be allowed to repair the filing, if necessary, and included in the public financing. Thank you,
Sandra A. Smith

Harvey, Samuel

From: Kathleen Hess <kahess@earthlink.net>
Sent: Wednesday, August 24, 2022 10:58 AM
To: FCPC (Fair Campaign Practices Commission)
Subject: Fix City Staff's Gross Mistakes - Let Negeene Access Her Public Financing!

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

I am a Berkeley resident writing to demand that you correct the gross errors of City staff and allow grassroots Rent Board candidate Negeene Mossaed to access the public financing she is entitled to.

Last week, Negeene Mosaed - a first-time candidate - was denied public financing from the city for the November election due to not having a final electronic signature. This mistake was not Negeene's fault; rather, it was caused by multiple failures of the Clerk's Office.

First, this failure was the result of poor training for the new staff at the Clerk's office, who didn't do a complete job of instructing candidates on the importance of all of the steps in the filing process, including the final signature. But even more concerning, Negeene acted on reliance of the Clerk's statement that everything was complete with her filing.

The Commission needs to move quickly to address the inefficiencies and failure in training of public financing staff, particularly as it relates to Ms. Mosaed, who was told by the City Clerk, Mark Numainville, that she had successfully completed the application process at the time of the final review. It is unacceptable for a candidate who acts in good faith to be shut out of public financing through no fault of their own. Any candidate who acted in good faith but is being denied public financing due to following the incorrect instructions of City staff must be allowed to participate in public financing.

The Commission should work with City Staff to ensure that nothing like this occurs ever again. But first, it must fix the massive harm that has already been caused.

Kathleen A. Hess,
Sent from my iPhone

Harvey, Samuel

From: Chani Bockwinkel <chanibocks@gmail.com>
Sent: Wednesday, August 24, 2022 11:05 AM
To: FCPC (Fair Campaign Practices Commission)
Subject: Fix City Staff's Gross Mistakes - Let Negeene Access Her Public Financing!

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Commissioners,

My name is Chani Bockwinkel and I am a Berkeley resident writing to demand that you correct the gross errors of City staff and allow grassroots Rent Board candidate Negeene Mossaed to access the public financing she is entitled to.

Last week, Negeene Mosaed - a first-time candidate - was denied public financing from the city for the November election due to not having a final electronic signature. **This mistake was not Negeene's fault; rather, it was caused by multiple failures of the Clerk's Office.**

First, this failure was the result of poor training for the new staff at the Clerk's office, who didn't do a complete job of instructing candidates on the importance of *all* of the steps in the filing process, including the final signature. But even more concerning, Negeene acted on reliance of the Clerk's statement that everything was complete with her filling.

The Commission needs to move quickly to address the inefficiencies and failure in training of public financing staff, particularly as it relates to Ms. Mosaed, who was told by the City Clerk, Mark Numainville, that she had successfully completed the application process at the time of the final review. It is unacceptable for a candidate who acts in good faith to be shut out of public financing through no fault of their own. **Any candidate who acted in good faith but is being denied public financing due to following the incorrect instructions of City staff must be allowed to participate in public financing.**

The Commission should work with City Staff to ensure that nothing like this occurs ever again. But first, the Commission must remedy the situation by approving Negeene Mosaed's access to public financing

thank you

Chani

Harvey, Samuel

From: Michael Brown <michaelbrown922750@gmail.com>
Sent: Wednesday, August 24, 2022 11:26 AM
To: FCPC (Fair Campaign Practices Commission)
Subject: Fix City Staff's Gross Mistakes - Let Negeene Access Her Public Financing!

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Commissioners,

My name is Michael Brown and I am a Berkeley resident writing to demand that you correct the gross errors of City staff and allow grassroots Rent Board candidate Negeene Mossaed to access the public financing she is entitled to.

Last week, Negeene Mosaed - a first-time candidate - was denied public financing from the city for the November election due to not having a final electronic signature. **This mistake was not Negeene's fault; rather, it was caused by multiple failures of the Clerk's Office.**

First, this failure was the result of poor training for the new staff at the Clerk's office, who didn't do a complete job of instructing candidates on the importance of *all* of the steps in the filing process, including the final signature. But even more concerning, Negeene acted on reliance of the Clerk's statement that everything was complete with her filing.

The Commission needs to move quickly to address the inefficiencies and failure in training of public financing staff, particularly as it relates to Ms. Mosaed, who was told by the City Clerk, Mark Numainville, that she had successfully completed the application process at the time of the final review. It is unacceptable for a candidate who acts in good faith to be shut out of public financing through no fault of their own. **Any candidate who acted in good faith but is being denied public financing due to following the incorrect instructions of City staff must be allowed to participate in public financing.**

The Commission should work with City Staff to ensure that nothing like this occurs ever again. But first, the Commission must remedy the situation by approving Negeene Mosaed's access to public financing.

Michael Brown

Harvey, Samuel

From: Tobey Wiebe <twiebe@sonic.net>
Sent: Wednesday, August 24, 2022 11:44 AM
To: FCPC (Fair Campaign Practices Commission)
Subject: Fix City Staff's Gross Mistakes - Let Negeene Access her public financing

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

To: FCPC@cityofberkeley.info from: twiebe@sonic.net

Subject: Fix City Staff's Gross Mistakes - Let Negeene Access Her Public Financing!

Dear Commissioners,

My name is Tobey M. Wiebe and I am a Berkeley resident writing to demand that you correct the gross errors of City staff and allow grassroots Rent Board candidate Negeene Mossaed to access the public financing she is entitled to.

Last week, Negeene Mosaed - a first-time candidate - was denied public financing from the city for the November election due to not having a final electronic signature. **This mistake was not Negeene's fault; rather, it was caused by multiple failures of the Clerk's Office.**

First, this failure was the result of poor training for the new staff at the Clerk's office, who didn't do a complete job of instructing candidates on the importance of *all* of the steps in the filing process, including the final signature. But even more concerning, Negeene acted on reliance of the Clerk's statement that everything was complete with her filing.

The Commission needs to move quickly to address the inefficiencies and failure in training of public financing staff, particularly as it relates to Ms. Mosaed, who was told by the City Clerk, Mark Numainville, that she had successfully completed the application process at the time of the final review. It is unacceptable for a candidate who acts in good faith to be shut out of public financing through no fault of their own. **Any candidate who acted in good faith but is being denied public financing due to following the incorrect instructions of City staff must be allowed to participate in public financing.**

The Commission should work with City Staff to ensure that nothing like this occurs ever again. But first, the Commission must remedy the situation by approving Negeene Mosaed's access to public financing.

Harvey, Samuel

From: Linda Franklin <godzilinda@gmail.com>
Sent: Wednesday, August 24, 2022 5:27 PM
To: FCPC (Fair Campaign Practices Commission)
Subject: Fwd: Fix City Staff's Mistakes - Let Negeene Mosaed Access Her Public Financing!

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Commissioners,

My name is Linda Franklin.

I am a Berkeley resident writing to demand that you correct the errors of City staff and allow grassroots Rent Board candidate Negeene Mossaed to access the public financing she is entitled to.

Last week, Negeene Mosaed - a first-time candidate - was denied public financing from the city for the November election due to not having a final electronic signature. This mistake was not Negeene's fault; rather, it was caused by multiple failures of the Clerk's Office. Any candidate who acted in good faith but is being denied public financing due to following the incorrect instructions of City staff must be allowed to participate in public financing.

The Commission should work with City Staff to ensure that nothing like this occurs ever again. But first, the Commission must remedy the situation by approving Negeene Mosaed's access to public financing.

--

Linda Franklin

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Linda Franklin

Harvey, Samuel

From: Matthew Lewis <mrlewis125@gmail.com>
Sent: Wednesday, August 24, 2022 4:43 PM
To: FCPC (Fair Campaign Practices Commission)
Subject: Let Negeene Access Her Public Financing - Fix City Staff's Gross Mistakes!

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Commissioners,

My name is Matthew Lewis and I am a Berkeley resident writing to demand that you correct the gross errors of City staff and allow grassroots Rent Board candidate Negeene Mossaed to access the public financing she is entitled to.

Last week, Negeene Mosaed - a first-time candidate - was denied public financing from the city for the November election due to not having a final electronic signature. **This mistake was not Negeene's fault; rather, it was caused by multiple failures of the Clerk's Office.**

First, this failure was the result of poor training for the new staff at the Clerk's office, who didn't do a complete job of instructing candidates on the importance of *all* of the steps in the filing process, including the final signature. But even more concerning, Negeene acted on reliance of the Clerk's statement that everything was complete with her filing.

The Commission needs to move quickly to address the inefficiencies and failure in training of public financing staff, particularly as it relates to Ms. Mosaed, who was told by the City Clerk, Mark Numainville, that she had successfully completed the application process at the time of the final review. It is unacceptable for a candidate who acts in good faith to be shut out of public financing through no fault of their own. **Any candidate who acted in good faith but is being denied public financing due to following the incorrect instructions of City staff must be allowed to participate in public financing.**

The Commission should work with City Staff to ensure that nothing like this occurs ever again. But first, the Commission must remedy the situation by approving Negeene Mosaed's access to public financing.

Harvey, Samuel

From: Bill Bogert <bill.bogert@gmail.com>
Sent: Wednesday, August 24, 2022 9:01 AM
To: FCPC (Fair Campaign Practices Commission)
Subject: Mosaed matching fund's

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Commissioners,

My name is William Bogert. I am a Berkeley resident writing to demand that you correct the gross errors of City staff and allow grassroots Rent Board candidate Negeene Mossaed to access the public financing she is entitled to.

Last week, Negeene Mosaed - a first-time candidate - was denied public financing from the city for the November election due to not having a final electronic signature. **This mistake was not Negeene's fault; rather, it was caused by multiple failures of the Clerk's Office.**

First, this failure was the result of poor training for the new staff at the Clerk's office, who didn't do a complete job of instructing candidates on the importance of *all* of the steps in the filing process, including the final signature. But even more concerning, Negeene acted on reliance of the Clerk's statement that everything was complete with her filing.

The Commission needs to move quickly to address the inefficiencies and failure in training of public financing staff, particularly as it relates to Ms. Mosaed, who was told by the City Clerk, Mark Numainville, that she had successfully completed the application process at the time of the final review. It is unacceptable for a candidate who acts in good faith to be shut out of public financing through no fault of their own. **Any candidate who acted in good faith but is being denied public financing due to following the incorrect instructions of City staff must be allowed to participate in public financing.**

The Commission should work with City Staff to ensure that nothing like this occurs ever again. But first, the Commission must remedy the situation by approving Negeene Mosaed's access to public financing

Harvey, Samuel

From: Libby Sayre <2libbysayre@gmail.com>
Sent: Wednesday, August 24, 2022 9:17 AM
To: FCPC (Fair Campaign Practices Commission)
Subject: Negeene Mosaed should get Public Financing!

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Denying public financing to a candidate because of a bureaucratic error by a poorly trained employee of the Clerk's office is patently unfair and violates the spirit of the law and the letter of the law.

The error should have been corrected by the City promptly. It should not have become the focus of public anger. This is a serious breach of trust by City because of its political implications.

I am a Berkeley resident writing to demand that you correct the gross errors of City staff and allow Negeene Mossaed to access the public financing to which she is entitled.

Negeene Mosaed is a first-time candidate She reasonably relied on the advice and reassurance of Clerks Office. Lack of a final electronic signature should not be allowed to affect the outcome in a Berkeley election

This mistake was not Negeene's fault; it was caused by failures of the Clerk's Office.

Correct the error now and provide the financing.

Sincerely,
Anne E. Sayre
44 Domingo Ave.
Berkeley 94705

Harvey, Samuel

From: Paola Laverde <plaverde64@gmail.com>
Sent: Wednesday, August 24, 2022 8:10 PM
To: FCPC (Fair Campaign Practices Commission)
Subject: Allow Rent Board Candidate Negeene Mosaed Access Her Public Financing

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Commissioners,

My name is Paola and I am a member of the Berkeley Tenants Union I am writing to demand that you correct the gross errors of City staff and allow grassroots Rent Board candidate Negeene Mossaed to access the public financing she is entitled to.

Last week, Negeene Mosaed - a first-time candidate - was denied public financing from the city for the November election due to not having a final electronic signature. **This mistake was not Negeene's fault; rather, it was caused by multiple failures of the Clerk's Office.**

First, this failure was the result of poor training for the new staff at the Clerk's office, who did not do a complete job of instructing candidates on the importance of *all* of the steps in the filing process, including the final signature. But even more concerning, Negeene acted on reliance of the Clerk's statement that everything was complete with her filing.

The Commission needs to move quickly to address the inefficiencies and failure in training of staff in public financing, particularly as it relates to Ms. Mosaed, who was told by the City Clerk, Mark Numainville, that she had successfully completed the application process at the time of the final review. It is unacceptable for a candidate who acts in good faith to be shut out of public financing through no fault of their own. **Any candidate who acted in good faith but is being denied public financing due to following the incorrect instructions of City staff must be allowed to participate in public financing.**

The Commission should work with City Staff to ensure that nothing like this occurs ever again. But first, the Commission must remedy the situation by approving Negeene Mosaed's for the public financing she is entitled to.

Sincerely,

Paola Laverde

1533 MLK Jr. Way #4

Berkeley, CA 94709

Harvey, Samuel

From: Alan <larkadie@gmail.com>
Sent: Wednesday, August 24, 2022 8:20 PM
To: FCPC (Fair Campaign Practices Commission)
Subject: Fix City Staff's Gross Mistakes - Let Negeene Access Her Public Financing!

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

My name is Alan Thomsen and I am a long-time Berkeley renter writing to urge you to correct at once the gross errors of City staff and allow grassroots Rent Board candidate Negeene Mossaed to access the public financing to which she is entitled and for which purpose I made a contribution to her efforts.

Last week, Negeene Mosaed - a first-time candidate - was denied public financing from the city for the November election due to not having a final electronic signature. This mistake was not Negeene's fault; rather, it was caused by multiple failures of the Clerk's Office.

First, this failure was the result of poor training for the new staff at the Clerk's office, who didn't do a complete job of instructing candidates on the importance of all of the steps in the filing process, including the final signature. But even more concerning, Negeene acted on reliance of the Clerk's statement that everything was complete with her filing.

The Commission needs to move quickly to address the inefficiencies and failure in training of public financing staff, particularly as it relates to Ms. Mosaed, who was told by the City Clerk, Mark Numainville, that she had successfully completed the application process at the time of the final review. It is unacceptable for a candidate who acts in good faith to be shut out of public financing through no fault of their own. Any candidate who acted in good faith but is being denied public financing due to following the incorrect instructions of City staff must be allowed to participate in public financing.

The Commission should work with City Staff to ensure that nothing like this occurs ever again. But first, it must fix the massive harm that has already been caused.

Thank you for your attention to this matter,

Alan Thomsen

Harvey, Samuel

From: Kat Vidt <katharinevidt@gmail.com>
Sent: Wednesday, August 24, 2022 4:52 PM
To: FCPC (Fair Campaign Practices Commission)
Subject: Public Financing for Negeene

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Commissioners,

Please allow Rent Board candidate Negeene Mossaed to access public financing. I understand she is being denied on a technicality after being told by city staff that her paperwork was complete. This hardly seems fair. Please consider extending the opportunity to complete all paperwork and receive public financing to keep this process open to all Berkeley residents and as equitable as possible.

Thank you,

Kat

Harvey, Samuel

From: Chana Kronfeld <chanakronfeld@gmail.com>
Sent: Wednesday, August 24, 2022 9:39 PM
To: FCPC (Fair Campaign Practices Commission)
Subject: Let Negeene Access Her Public Financing - Fix City Staff's Gross Mistakes!

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Commissioners,

My name is Chana Kronfeld and I am a member of the Berkeley Tenants Union. I am writing to demand that you correct the gross errors of City staff and allow grassroots Rent Board candidate Negeene Mossaed to access the public financing she is entitled to.

Last week, Negeene Mosaed - a first-time candidate - was denied public financing from the city for the November election due to not having a final electronic signature. **This mistake was not Negeene's fault; rather, it was caused by multiple failures of the Clerk's Office.**

First, this failure was the result of poor training for the new staff at the Clerk's office, who didn't do a complete job of instructing candidates on the importance of *all* of the steps in the filing process, including the final signature. But even more concerning, Negeene acted on reliance of the Clerk's statement that everything was complete with her filing.

The Commission needs to move quickly to address the inefficiencies and failure in training of public financing staff, particularly as it relates to Ms. Mosaed, who was told by the City Clerk, Mark Numainville, that she had successfully completed the application process at the time of the final review. It is unacceptable for a candidate who acts in good faith to be shut out of public financing through no fault of their own. **Any candidate who acted in good faith but is being denied public financing due to following the incorrect instructions of City staff must be allowed to participate in public financing.**

The Commission should work with City Staff to ensure that nothing like this occurs ever again. But first, the Commission must remedy the situation by approving Negeene Mosaed's for the public financing she is entitled to.

Sincerely,
Prof. Chana Kronfeld

--

Chana Kronfeld
Bernie H. Williams Professor Emerita
and Professor of the Graduate School
Comparative, Hebrew and Yiddish Literature
Department of Middle Eastern Languages and Cultures
and Department of Comparative Literature
University of California, Berkeley

Harvey, Samuel

From: Berkeley Citizens Action <berkeleycitizensaction@gmail.com>
Sent: Wednesday, August 24, 2022 10:17 PM
To: FCPC (Fair Campaign Practices Commission)
Cc: bca-steering-committee@googlegroups.com
Subject: Fix City Staff's Mistakes - Let Negeene Access Her Public Financing!

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Commissioners,

I am writing on behalf of Berkeley Citizens Action, a community organization more than 40 years old. Our Steering Committee demands that you correct the errors of City staff and allow grassroots Rent Board candidate Negeene Mossaed to access the public financing she is entitled to.

Last week, Negeene Mosaed - a first-time candidate - was denied public financing from the city for the November election due to not having a final electronic signature. This mistake was not Negeene's fault; rather, it was caused by multiple failures of the Clerk's Office. Any candidate who acted in good faith but is being denied public financing due to following the incorrect instructions of City staff must be allowed to participate in public financing.

The Commission should work with City Staff to ensure that nothing like this occurs ever again. But first, the Commission must remedy the situation by approving Negeene Mosaed's access to public financing.

--S

Linda Franklin, Secretary
BCA Steering Committee

Berkeley Citizens Action
P.O. Box 9932, Berkeley, CA 94709 • (510) 982-6528
www.berkeleycitizensaction.org • berkeleycitizensaction@gmail.com

Harvey, Samuel

From: Marc Sapir <marcsapir@gmail.com>
Sent: Wednesday, August 24, 2022 10:24 PM
To: FCPC (Fair Campaign Practices Commission)
Subject: Let Negeene Access Her Public Financing - Fix City Staff's Gross Mistakes!

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

I am not a member of the Berkeley Tenants Union but I am writing to demand that you correct the gross errors of City staff and allow grassroots Rent Board candidate Negeene Mossaed to access the public financing she is entitled to.

This whole affair smells of political machinations against this candidate who is a well known Berkeley activist and business owner. Please do your due diligence in this matter and avoid the City obstructing a fair election in Berkeley-- which would surely not go unnoticed.

Thanks in advance for correcting this egregious error.

Marc Sapir MD, MPH
1326 Spruce St, Berkeley, CA 94709

Harvey, Samuel

From: Bekka Fink <bekka.frogland@gmail.com>
Sent: Wednesday, August 24, 2022 10:52 PM
To: FCPC (Fair Campaign Practices Commission)
Subject: Let Negeene Access Her Public Financing - Fix City Staff's Gross Mistakes!

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

I am a member of the Berkeley Tenants Union writing to demand that you correct the gross errors of City staff and allow grassroots Rent Board candidate Negeene Mossaed to access the public financing she is entitled to.

Last week, Negeene Mosaed - a first-time candidate - was denied public financing from the city for the November election due to not having a final electronic signature. This mistake was not Negeene's fault; rather, it was caused by multiple failures of the Clerk's Office.

First, this failure was the result of poor training for the new staff at the Clerk's office, who didn't do a complete job of instructing candidates on the importance of all of the steps in the filing process, including the final signature. But even more concerning, Negeene acted on reliance of the Clerk's statement that everything was complete with her filing.

The Commission needs to move quickly to address the inefficiencies and failure in training of public financing staff, particularly as it relates to Ms. Mosaed, who was told by the City Clerk, Mark Numainville, that she had successfully completed the application process at the time of the final review. It is unacceptable for a candidate who acts in good faith to be shut out of public financing through no fault of their own. Any candidate who acted in good faith but is being denied public financing due to following the incorrect instructions of City staff must be allowed to participate in public financing.

The Commission should work with City Staff to ensure that nothing like this occurs ever again. But first, the Commission must remedy the situation by approving Negeene Mosaed's for the public financing she is entitled to.

Negeene is an amazing member of this community here in Berkeley, and it would be unacceptable for her to be impacted in this way.

Best, Rebecca Fink

Sent from my iPhone

Harvey, Samuel

From: Vanessa Marrero <vdmarrero@gmail.com>
Sent: Thursday, August 25, 2022 1:39 AM
To: FCPC (Fair Campaign Practices Commission)
Cc: Paola Laverde
Subject: Let Negeene Access Her Public Financing - Fix City Staff's Gross Mistakes! Inbox

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Commissioners,

I am a Berkeley resident writing to demand that you correct the gross errors of City staff and allow grassroots Rent Board candidate Negeene Mossaed to access the public financing she is entitled to.

Last week, Negeene Mosaed - a first-time candidate - was denied public financing from the city for the November election due to not having a final electronic signature. As a first-time candidate, with over 25 years serving government institutions, I consider myself well versed at navigating complicated and nuisance processes. However, I feel that across the over 7 conversations I have had with staff I learned something very important that was extremely time sensitive to address. If the City of Berkeley intends to have community leaders engage in the elections process so that we ensure our commitment to community, diversity and equity, it will be beholden on the City to ensure that the protocols and processes across all possible case scenarios are led by experienced and well trained staff. The process is a trap for first time candidates creating issues like the one Negeene experienced.

I would like you to take the following actions as a good faith measure and to improve this process.

1. Ensure that staff manage each candidate's visits so that across time all staff know the unique cases.
2. Assign one Nomination Technical Assistant Provider to first time candidates.
3. Use the process with the guidance of a checklist that is used for the nomination filing.
2. Ensure Case Review's occur daily and there is coaching and training across the staff who are providing information to candidates.

Due to the lack of the above mentioned, which are practices we see across the State of California, it is incumbent on you as a public servant to provide due process and allow Negeene the opportunity to finalize filings related to her contributions.

I would like a response in writing regarding the actions that you will take. If you fail to take any action to remedy this, I will file a formal complaint to the Secretary of State about impeding practices toward women running for office for the first time.

--

Vanessa D. Marrero, MSW, PPSC

You either run with lions or walk with sheep.”
~Matshona Dhliwayo

Equity Education Advocate| Non-Profit Servant Leader| Board Member|
Advisor| Doctorate Student|

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Harvey, Samuel

From: Seamus McDonagh <seamus12@gmail.com>
Sent: Thursday, August 25, 2022 2:25 AM
To: FCPC (Fair Campaign Practices Commission)
Subject: Let Negeene Access Her Public Financing - Fix City Staff's Gross Mistakes!

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

I am a member of the Berkeley Tenants Union writing to demand that you correct the gross errors of City staff and allow grassroots Rent Board candidate Negeene Mossaed to access the public financing she is entitled to. Last week, Negeene Mossaed - a first-time candidate - was denied public financing from the city for the November election due to not having a final electronic signature. This mistake was not Negeene's fault; rather, it was caused by multiple failures of the Clerk's Office. First, this failure was the result of poor training for the new staff at the Clerk's office, who didn't do a complete job of instructing candidates on the importance of all of the steps in the filing process, including the final signature. But even more concerning, Negeene acted on reliance of the Clerk's statement that everything was complete with her filling. The Commission needs to move quickly to address the inefficiencies and failure in training of public financing staff, particularly as it relates to Ms. Mossaed, who was told by the City Clerk, Mark Numainville, that she had successfully completed the application process at the time of the final review. It is unacceptable for a candidate who acts in good faith to be shut out of public financing through no fault of their own. Any candidate who acted in good faith but is being denied public financing due to following the incorrect instructions of City staff must be allowed to participate in public financing. The Commission should work with City Staff to ensure that nothing like this occurs ever again. But first, the Commission must remedy the situation by approving Negeene Mossaed's for the public financing she is entitled to.

Seamus McDonagh
1275 Bonita
St.303
Berkeley
CA 94709
415.240.7472

--

Sent from Gmail Mobile

Harvey, Samuel

From: Priscilla Hine <phine@headroyce.org>
Sent: Thursday, August 25, 2022 6:13 AM
To: FCPC (Fair Campaign Practices Commission)
Subject: RE: Fairness for Negeene Mossaed

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Commissioners,

My name is Priscilla Hine and I am a member of the Friends of Adeline. I am writing with great concern over the gross errors of City staff and to allow grassroots Rent Board candidate Negeene Mossaed to access the public financing she is entitled to.

Last week, Negeene Mosaed - a first-time candidate - was denied public financing from the city for the November election due to not having a final electronic signature. **This mistake was not Negeene's fault; rather, it was caused by multiple failures of the Clerk's Office.**

First, this failure was the result of poor training for the new staff at the Clerk's office, who didn't do a complete job of instructing candidates on the importance of *all* of the steps in the filing process, including the final signature. But even more concerning, Negeene acted on reliance of the Clerk's statement that everything was complete with her filling.

The Commission needs to move quickly to address the inefficiencies and failure in training of public financing staff, particularly as it relates to Ms. Mosaed, who was told by the City Clerk, Mark Numainville, that she had successfully completed the application process at the time of the final review. It is unacceptable for a candidate who acts in good faith to be shut out of public financing through no fault of their own. **Any candidate who acted in good faith but is being denied public financing due to following the incorrect instructions of City staff must be allowed to participate in public financing.**

The Commission should work with City Staff to ensure that nothing like this occurs ever again. But first, the Commission must remedy the situation by approving Negeene Mosaed's for the public financing she is entitled to.

Negeene is a responsible citizen and want to be apart of a fair democratic system. This system has failed her and is broken in this area. Please act quickly to remedy the problem.

With concern for fairness.

Priscilla Hine

Harvey, Samuel

From: Bill Press <billpress@gmail.com>
Sent: Thursday, August 25, 2022 7:50 AM
To: FCPC (Fair Campaign Practices Commission)
Subject: Fix City Staff's Gross Mistakes - Let Negeene Access Her Public Financing!

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Commissioners,

My name is Bill Press and I am a Berkeley resident writing to demand that you correct the gross errors of City staff and allow grassroots Rent Board candidate Negeene Mossaed to access the public financing she is entitled to.

Last week, Negeene Mosaed - a first-time candidate - was denied public financing from the city for the November election due to not having a final electronic signature. **This mistake was not Negeene's fault; rather, it was caused by multiple failures of the Clerk's Office.**

First, this failure was the result of poor training for the new staff at the Clerk's office, who didn't do a complete job of instructing candidates on the importance of *all* of the steps in the filing process, including the final signature. But even more concerning, Negeene acted on reliance of the Clerk's statement that everything was complete with her filing.

The Commission needs to move quickly to address the inefficiencies and failure in training of public financing staff, particularly as it relates to Ms. Mosaed, who was told by the City Clerk, Mark Numainville, that she had successfully completed the application process at the time of the final review. It is unacceptable for a candidate who acts in good faith to be shut out of public financing through no fault of their own. **Any candidate who acted in good faith but is being denied public financing due to following the incorrect instructions of City staff must be allowed to participate in public financing.**

The Commission should work with City Staff to ensure that nothing like this occurs ever again. But first, the Commission must remedy the situation by approving Negeene Mosaed's access to public financing.

Thank you,

Bill Press

Harvey, Samuel

From: Harvey C. Sharp <harveycsharp@gmail.com>
Sent: Thursday, August 25, 2022 8:00 AM
To: FCPC (Fair Campaign Practices Commission)
Subject: Let Negeene Access Her Public Financing - Fix City Staff's Gross Mistakes!

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Commissioners,

My name is Harvey C. Sharp, and I am a member of the Berkeley Tenants Union. I am writing to demand that you correct the gross errors of City staff and allow grassroots Rent Board candidate Negeene Mossaed to access the public financing she is entitled to.

Last week, Negeene Mosaed - a first-time candidate - was denied public financing from the city for the November election due to not having a final electronic signature. **This mistake was not Negeene's fault; rather, it was caused by multiple failures of the Clerk's Office.**

First, this failure was the result of poor training for the new staff at the Clerk's office, who didn't do a complete job of instructing candidates on the importance of *all* of the steps in the filing process, including the final signature. But even more concerning, Negeene acted on reliance of the Clerk's statement that everything was complete with her filing.

The Commission needs to move quickly to address the inefficiencies and failure in training of public financing staff, particularly as it relates to Ms. Mosaed, who was told by the City Clerk, Mark Numainville, that she had successfully completed the application process at the time of the final review. It is unacceptable for a candidate who acts in good faith to be shut out of public financing through no fault of their own. **Any candidate who acted in good faith but is being denied public financing due to following the incorrect instructions of City staff must be allowed to participate in public financing.**

The Commission should work with City Staff to ensure that nothing like this occurs ever again. But first, the Commission must remedy the situation by approving Negeene Mosaed's for the public financing she is entitled to.

Thank you for your consideration.

Best Regards,
Harvey C. Sharp

Harvey, Samuel

From: Julia Cato <otacja@yahoo.com>
Sent: Thursday, August 25, 2022 8:21 AM
To: FCPC (Fair Campaign Practices Commission)
Subject: Negeene Mosaed's access to matching funds Hearing Tonight

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Commissioners:

Negeene Mosaed, a first time applicant for matching city campaign funds for her run for Rent Board Commissioner, asked for and got reassurance from the City Clerk's office that she had correctly filled out her application, which she then turned in. To her astonishment, she was rejected, on the grounds that she had failed to provide an electronic signature. Aside from assigning partial culpability to the people who misinformed her, this punishment seems overly harsh for the simple omission. Had Negeene willfully provided incorrect or false information, or failed to provide essential information, the denial of funds would have made sense. But Negeene in no way misled or lied or withheld information on her application, she simply overlooked a request for signature at the bottom of the page. A simple, "Hey you forgot to sign it" from the person receiving the application would have eliminated this time consuming situation.

Please restore Negeene's eligibility for matching funds from the city, since she in no way tried to mislead the City Clerk, or is an undesirable candidate.

Thank you.

Julia Cato
Member of Berkeley Tenants Union Steering Committee and
Berkeley Citizen's Action Steering Committee

"An imbalance between rich and poor is the oldest and most fatal ailment of all republics." Plutarch

"First they ignore you. Then they laugh at you. Then they fight you. Then you win."

--Mahatma Gandhi

Harvey, Samuel

From: allen.phil@yahoo.com
Sent: Thursday, August 25, 2022 9:30 AM
To: FCPC (Fair Campaign Practices Commission)
Subject: Let Negeene Access Her Public Financing - Fix City Staff's Gross Mistakes!

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

I am a member of the Berkeley Tenants Union writing to demand that you correct the gross errors of City staff and allow grassroots Rent Board candidate Negeene Mossaed to access the public financing she is entitled to. Last week, Negeene Mosaed - a first-time candidate - was denied public financing from the city for the November election due to not having a final electronic signature. This mistake was not Negeene's fault; rather, it was caused by multiple failures of the Clerk's Office. First, this failure was the result of poor training for the new staff at the Clerk's office, who didn't do a complete job of instructing candidates on the importance of all of the steps in the filing process, including the final signature. But even more concerning, Negeene acted on reliance of the Clerk's statement that everything was complete with her filing. The Commission needs to move quickly to address the inefficiencies and failure in training of public financing staff, particularly as it relates to Ms. Mosaed, who was told by the City Clerk, Mark Numainville, that she had successfully completed the application process at the time of the final review. It is unacceptable for a candidate who acts in good faith to be shut out of public financing through no fault of their own. Any candidate who acted in good faith but is being denied public financing due to following the incorrect instructions of City staff must be allowed to participate in public financing. The Commission should work with City Staff to ensure that nothing like this occurs ever again. But first, the Commission must remedy the situation by approving Negeene Mosaed's for the public financing she is entitled to.

phil allen
D-1 resident

Harvey, Samuel

From: Elizabeth (Lisa) Ferguson <ferguson.elizabeth@gmail.com>
Sent: Thursday, August 25, 2022 10:03 AM
To: FCPC (Fair Campaign Practices Commission)
Subject: Let Negeene Access Her Public Financing - Fix City Staff's Gross Mistakes!

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Commissioners,

I am a member of the Berkeley Tenants Union. I am writing to demand that you correct the gross errors of City staff and allow grassroots Rent Board candidate Negeene Mossaed to access the public financing she is entitled to.

Last week, Negeene Mosaed - a first-time candidate - was denied public financing from the city for the November election due to not having a final electronic signature. **This mistake was not Negeene's fault; rather, it was caused by multiple failures of the Clerk's Office.**

First, this failure was the result of poor training for the new staff at the Clerk's office, who didn't do a complete job of instructing candidates on the importance of *all* of the steps in the filing process, including the final signature. But even more concerning, Negeene acted on reliance of the Clerk's statement that everything was complete with her filing.

The Commission needs to move quickly to address the inefficiencies and failure in training of public financing staff, particularly as it relates to Ms. Mosaed, who was told by the City Clerk, Mark Numainville, that she had successfully completed the application process at the time of the final review. It is unacceptable for a candidate who acts in good faith to be shut out of public financing through no fault of their own. **Any candidate who acted in good faith but is being denied public financing due to following the incorrect instructions of City staff must be allowed to participate in public financing.**

The Commission should work with City Staff to ensure that nothing like this occurs ever again. But first, the Commission must remedy the situation by approving Negeene Mosaed's for the public financing she is entitled to.

Sincerely,

Elizabeth Ferguson

Harvey, Samuel

From: Donise Adair <doniseadair@gmail.com>
Sent: Thursday, August 25, 2022 10:54 AM
To: FCPC (Fair Campaign Practices Commission)
Subject: Fwd: [Action Alert] THURSDAY 7PM: Help Slate Member Use Public Financing

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Commissioners,

My name is Donise Adair and I am a Berkeley resident writing to demand that you correct the gross errors of City staff and allow grassroots Rent Board candidate Negeene Mossaed to access the public financing she is entitled to.

Last week, Negeene Mosaed - a first-time candidate - was denied public financing from the city for the November election due to not having a final electronic signature. **This mistake was not Negeene's fault; rather, it was caused by multiple failures of the Clerk's Office.**

First, this failure was the result of poor training for the new staff at the Clerk's office, who didn't do a complete job of instructing candidates on the importance of *all* of the steps in the filing process, including the final signature. But even more concerning, Negeene acted on reliance of the Clerk's statement that everything was complete with her filing.

The Commission needs to move quickly to address the inefficiencies and failure in training of public financing staff, particularly as it relates to Ms. Mosaed, who was told by the City Clerk, Mark Numainville, that she had successfully completed the application process at the time of the final review. It is unacceptable for a candidate who acts in good faith to be shut out of public financing through no fault of their own. **Any candidate who acted in good faith but is being denied public financing due to following the incorrect instructions of City staff must be allowed to participate in public financing.**

The Commission should work with City Staff to ensure that nothing like this occurs ever again. But first, the Commission must remedy the situation by approving Negeene Mosaed's access to public financing.

sincerely,

Donise Adair

1214 Francisco St 4

Berkeley, CA 94702