

Fair Campaign Practices Commission
Open Government Commission

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

MEETING AGENDA

September 17, 2026

6:30 p.m.

2180 Milvia St., Berkeley, CA 94704

1st Floor, Cypress Room

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

A live broadcast of this meeting will be available at:

<https://cityofberkeley-info.zoomgov.com/j/1614055306>

Public comment will be taken in-person and virtually through the posted link.

Secretary: Sam Harvey

The Commission may act on any item on this agenda

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

4. Approval of agenda.
5. Public Comment. *Comments on subjects not on the agenda that are within the Commissions' purview are heard at the beginning of meeting. Speakers may comment on agenda items when the Commission hears those items.*
6. Approval of minutes for July 18, 2026 FCPC-OGC Regular Meeting.

Fair Campaign Practices Commission (FCPC) Agenda

7. Reports
 - a. Report from Chair
 - b. Report from Staff
8. Review of City of Berkeley elections website, including accessibility of Netfile public portal; discussion and possible action.
9. Notification of campaign report non-filers for (1) Committee for Initiative to Amend the Nuclear Free Berkeley Act; and (2) Andrew for Berkeley Council 2024; discussion and possible action.

Open Government Commission (OGC) Agenda

10. Reports.
 - a. Report from Chair
 - b. Report from Staff
11. Complaint regarding Public Records Act request 26-2144; discussion and possible action.
12. Public access to hybrid meetings, including progress update on North Berkeley Senior Center, policy discussion of topics raised by the public regarding access for persons with temporary or permanent disabilities, handling of written public comment, and the availability of live transcription and recordings; discussion and possible action.
13. Review and revision of Open Government Ordinance related to broadcasting and archiving commission meetings; discussion and possible action.
14. Review and revision of Open Government Ordinance related to Public Records Act request public positing procedures; discussion and possible action.
15. Review and revision of Open Government Ordinance related to ephemeral messaging applications; discussion and possible action.

16. City Council policies for items on consent calendar, including practice of placing consent items on agenda that are not going to pass unanimously; discussion and possible action.
17. Practices for describing public meeting agenda items; discussion and possible action.
18. Commission City Council item re public access to supplemental materials and amendments at City Council meetings, including the timing of presentation of such materials by the Mayor or City Councilmembers, such that the public may comment on them; possible discussion and assignment of Commission representatives for Council meeting.
19. Announcements
20. Adjournment

Information Items

21. Public Financing Candidate Certifications:
 - a. Ross Bernet for Council 2026
 - b. Aidan Hill for Berkeley City Council District 7, 2026
 - c. Mendonca for Council 2026
 - d. Daria Wrubel for City Council 2026
 - e. Laura Babbitt for Berkeley City Council 2026

Communications

- None

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



Fair Campaign Practices Commission
Open Government Commission

DRAFT MINUTES

July 16, 2026

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

**2180 Milvia St., Berkeley, CA 94704
1st Floor, Cypress Room**

Members Present: David Shere, Pajouablai Monica Lee, Janis Ching, Kitt Saginor,
Rithwik Sudharsan, Kyle Haugh

Also Present: Stephen Hylas, Staff Secretary

1. **Call to Order**

The Chair called the meeting to order at 6:31 pm.

2. **Roll Call.**

Roll call taken.

3. **Land Acknowledgement**

4. **Approval of agenda**

- a. Public comment: None.
- b. Commission discussion and action.

Motion to approve agenda. (M/S/C: Shere/Saginor: Ayes: Shere, Lee, Ching, Saginor,
Sudharsan, Haugh; Noes: None; Absent: Lazarus.)

5. **Public Comment**

No speakers.

6. **Approval of minutes for July 16, 2026 FCPC-OGC Regular Meeting**

- a. Public comment: None.
- b. Commission discussion and action.

FCPC / OGC Minutes
 July 16, 2026
 Page 2

Motion to approve minutes. (M/S/C: Ching/Shere: Ayes: Shere, Lee, Ching, Saginor, Sudharsan, Haugh; Noes: None; Absent: Lazarus.)

Fair Campaign Practices Commission (FCPC) Agenda

7. **Reports**
 - a. Report from Chair
 - b. Report from Staff
8. **Review of City of Berkeley elections website, including accessibility of Netfile public portal**
 - a. Public comment: None.
 - b. Commission discussion and action.

Motion to authorize Chair to send letter to Clerk thanking Clerk for making changes and asking if Clerk can make several more identified changes. (M/S/C: Saginor/Shere: Ayes: Shere, Lee, Ching, Saginor, Sudharsan, Haugh; Noes: None; Absent: Lazarus.)

9. **Notification of campaign report non-filers from City Clerk Department**
 - a. Public comment: None.
 - b. Commission discussion and action.

Motion to direct Secretary to investigate and come back with recommendation. (M/S/C: Ching/Sudharsan: Ayes: Shere, Lee, Ching, Saginor, Sudharsan, Haugh; Noes: None; Absent: Lazarus.)

Open Government Commission (OGC) Agenda

10. **Reports.**
 - a. Report from Chair
 - b. Report from Staff
11. **Public access to hybrid meetings, including progress update on North Berkeley Senior Center, policy discussion of topics raised by the public regarding access for persons with temporary or permanent disabilities, handling of written public comment, and the availability of live transcription and recordings**

Motion to recommend to City Clerk low or no cost options to broadcast and archive hybrid meetings; and to authorize Chair Haugh to send letter with memo attached.
 M/S/C: Ching/Sudharsan: Ayes: Shere, Lee, Ching, Saginor, Sudharsan, Haugh; Noes: None; Absent: Lazarus.)

FCPC / OGC Minutes
 July 16, 2026
 Page 3

12. **Review and revision of Open Government Ordinance related to broadcasting and archiving commission meetings**
 - a. Public comment: None.
 - b. Commission discussion.
13. **Review and revision of Open Government Ordinance related to Public Records Act request public positing procedures**
 - a. Public comment: None.
 - b. Commission discussion.
14. **Review and revision of Open Government Ordinance related to ephemeral messaging applications.**
 - a. Public comment: None.
 - b. Commission discussion.
15. **City Council policies for items on consent calendar, including practice of placing consent items on agenda that are not going to pass unanimously**
 - a. Public comment: None.
 - b. Commission discussion and action.

Motion to create ad hoc subcommittee regarding consent calendar and other City Council procedures. (M/S/C: Shere/Ching: Ayes: Shere, Lee, Ching, Saginor, Sudharsan, Haugh; Noes: None; Absent: Lazarus.)

Chair Haugh appointed Commissioners Shere, Saginor and Ching to the ad hoc subcommittee.

16. **Practices for describing public meeting agenda items.**
 - a. Public comment: None.
 - b. Commission discussion and action.

Motion to add this issue to the subcommittee on Council procedures. (M/S/C: Ching/Saginor: Ayes: Shere, Lee, Ching, Saginor, Sudharsan, Haugh; Noes: None; Absent: Lazarus.)

17. **Announcements**

FCPC / OGC Minutes
July 16, 2026
Page 4

- a. Public comment: None.
- b. Commission discussion.

18. **Adjournment**

Motion to adjourn. (M/S/C: Saginor/Shere: Ayes: Shere, Lee, Ching, Saginor, Sudharsan, Haugh; Noes: None; Absent: Lazarus.)



Open Government Commission

Date: September 17, 2026

To: Open Government Commission

From: Samuel Harvey, Secretary

Subject: Complaint from Jonathan Maye-Hobbs Alleging Violations of the Public Records Act

On August 18, 2026, Commission staff received the attached complaint from Complainant Jonathan Maye-Hobbs alleging that City staff failed to comply with the California Public Records Act (Gov't Code § 7920.000 et seq.) in their handling of Complainant's request.

The Commission has authority to "hear complaints by any person concerning alleged non-compliance with [the Open Government] Ordinance, the Brown Act, the Public Records Act, or the Lobbyist Registration Act, by the City or any of its legislative bodies, elected or appointed officials, officers or employees." (BMC § 2.06.190.A.1.a.)

Staff recommend that the Commission direct the Secretary to review and evaluate the complaint and return at a future meeting with a report and recommendation for any further action by the Commission consistent with the authority granted to the Commission in Berkeley Municipal Code section 2.06.190.

Attachments:

1. Complaint and attachments



Open Government Commission

Complaint of Noncompliance

Open Government Ordinance ("OGO") - Brown Act - Public Records Act - Lobbyist Registration Act

Name: Jonathan Maye-Hobbs

Date: August 18, 2026

Mailing Address/

Contact Info: Contact through submitting email; street address and phone omitted.

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

☐

OGO

☐

Brown Act

☒

Public Records Act

☐

Lobbyist Registration Act

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

See attachment. As of the preserved August 18 checkpoint, the CPRA records-request portion of Request
26-2144 displayed no determination after the City's August 4 notice.

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

August 4, August 17, and August 18, 2026.

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

Submitted Request 26-2144, preserved the portal, and posted a written demand for determination in
NextRequest on August 18, 2026. See attachment and exhibits.

Documents:

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

Complaints must be submitted to the Secretary of the Commission no less than 14 days prior to the Commission meeting at which it will be considered. Complaints may be submitted via email to FCPC@berkeleyca.gov

Attachment to City of Berkeley Open Government Commission Complaint of Noncompliance

Request 26-2144

Complainant: Jonathan Maye-Hobbs

Date: August 18, 2026

Area: Public Records Act

Subject: Request 26-2144 - determination and notice timing

Statement of facts

1. The NextRequest portal reports that Request 26-2144 was received through the web on July 24, 2026. The request-opened event is timestamped July 24, 2026 at 8:10 p.m. by the requester. This complaint identifies July 24 as the portal-reported receipt date and does not claim independent knowledge of a different City receipt time.
2. Request 26-2144 has two express parts: a request that the City reconsider the partial production and closure of Request 26-1808, and a new California Public Records Act request for existing administrative records concerning the processing and disposition of Request 26-1808. The requested administrative records include request and production logs, a page-count or production manifest, withholding information, notices, and correspondence reflecting the basis for withholding or closure. This complaint's alleged statutory noncompliance is limited to the second, CPRA records-request portion; it does not ask the Commission to decide the merits of the reconsideration request.
3. On August 4, 2026 at 2:36 p.m., City staff posted a notice stating that the response period was extended by fourteen additional calendar days to August 18, 2026. The notice cited the need to examine a voluminous amount of separate and distinct records and to consult with two or more City departments or offices with substantial subject-matter interest.
4. Government Code section 7922.535 requires an agency to determine within 10 days from receipt whether a request, in whole or in part, seeks disclosable public records, promptly notify the requester of that determination and the reasons, and state the estimated date and time of availability when disclosable records are found. A written unusual-circumstances notice may extend the determination period by no more than 14 days. If the portal-reported July 24 date is the statutory receipt date, excluding the first day places the initial determination date on August 3 and the maximum extended date on August 17. On that premise, the August 4 notice followed the initial date and its stated August 18 date exceeded the maximum extension. Because the request was submitted at 8:10 p.m. on Friday, July 24, the City may contend that operational receipt occurred on Monday, July 27; that premise would produce later dates. The complainant asks the Commission to determine the operative receipt date and resulting deadlines rather than assume either premise.
5. At 6:20:17 a.m. PDT on August 18, 2026, the authenticated NextRequest page displayed Request 26-2144 as open and unpublished, displayed a Documents count of 0, and displayed no determination message after the August 4 notice. The controlling complete native capture is preserved as
2026-08-18-062017-nextrequest-26-2144-expanded-native.html, SHA-256
15a72db33d2a248b5be13eac8cfe2ea68e0e0e6a6a4f6db2b89ee4de31d53321. Fresh pre-demand and approximately 7:05 a.m. post-demand portal checks showed no change. A 7:05 a.m. Gmail search found no later NextRequest or Berkeley notification in all mail, spam, or trash. These are bounded electronic-channel observations, not a representation about an unchecked physical-mail channel.
6. After a fresh check showed no change, the requester posted a written demand through the Request 26-2144 Message agency function. NextRequest displays the demand as a message from the requester at 6:27 a.m. on August 18, 2026. The demand asked the City to issue the determination and required notice, preserve the request's

existing scope, and make rolling production. The complete expanded post-send capture is preserved as 2026-08-18-062806-nextrequest-26-2144-demand-posted-expanded-native.html, SHA-256 16f5294a22393864ece7e8c9484d46857be00dd309f4d21ccfdccb87bc31fb02. No City response was displayed in the post-send capture.

Alleged noncompliance

Based on the portal-reported receipt date and the preserved portal chronology, no determination and reasons required by Government Code section 7922.535 for the CPRA records-request portion were displayed in the portal or otherwise reflected in the checked electronic channels by the August 18 checkpoint. Because no determination was reflected at that checkpoint, the preserved record also contains no availability estimate; section 7922.535(a) requires an estimate if the City determines that the request seeks disclosable records. The complaint asks the Commission to determine the operative receipt date and review whether the August 4 notice and its stated August 18 date complied with the statute's timing requirements.

This is a bounded timing and notice allegation. It does not allege bad faith, retaliation, concealment, deletion, improper template use, or a City-wide practice. It does not assert that a later response never occurred. Any later determination, denial, production, or correction must be preserved and incorporated before submission.

Requested Commission action

Consistent with Berkeley Municipal Code section 2.06.190, the complainant requests that the Commission:

1. hear the complaint and review the preserved chronology for compliance with the Public Records Act's determination and notice requirements;
2. advise the City Council of the Commission's opinion, conclusion, or recommendation concerning the operative receipt date and the timing and sufficiency of the City's notice for the CPRA records-request portion of Request 26-2144; and
3. consider informal resolution, including recommending that the City issue any still-outstanding statutory determination and required notice.

The complainant does not ask the Commission to adjudicate any exemption, order production, award damages, decide the merits of the underlying incident, or treat this process as a prerequisite to judicial relief.

Steps taken directly with the City

- Submitted Request 26-2144 through NextRequest on July 24, 2026.
- Preserved the complete request and timeline, including the August 4 extension notice.
- Posted the written demand for determination through NextRequest on August 18, 2026 at 6:27 a.m.
- Preserved the exact demand, post-send portal event, native HTML, screenshots, and hashes.

Source limits

The public evidence excerpt accompanying this attachment is requester-prepared from authenticated native captures. The attached clean screenshots are contemporaneous, non-generative captures of the authenticated portal display. Only browser zoom, responsive layout, and scroll position were changed to exclude private contact details and unrelated tabs; portal content was not altered. The restricted originals remain available for a later foundation or controlled production if necessary.

Authorities

- California Government Code section 7922.535: https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV§ionNum=7922.535.
- California Government Code section 7922.540: https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV§ionNum=7922.540.
- California Code of Civil Procedure sections 12 and 12a.
- Berkeley Municipal Code section 2.06.190: <https://berkeley.municipal.codes/BMC/2.06.190>

Public evidence excerpts - Request 26-2144

Request 26-2144

Prepared by: Jonathan Maye-Hobbs

Prepared: August 18, 2026

Purpose: privacy-controlled, requester-prepared excerpts for the Berkeley Open Government Commission complaint

Status: not a City-certified export; restricted native sources, clean portal captures, and hashes are identified below

Foundation for clean portal captures

The PNG files listed below are true and correct copies of what the authenticated NextRequest portal displayed during the approximately 7:05-7:11 a.m. PDT August 18 recheck. They were captured through the Brave browser in a new window containing one Request 26-2144 tab. Only browser zoom, responsive layout, and scroll position were changed. The images were not generated, retouched, cropped, or substantively edited. Private email, street-address, and telephone details and unrelated tabs are not displayed. The requester's name remains visible in one receipt image consistent with the present Gate 6 public-posture choice.

Exhibit A - request and portal chronology

Request text

I understand that request 26-1808 was closed today. Please treat this correspondence as:

1. A request that the agency reconsider the partial production/closure of request 26-1808; and
2. A new California Public Records Act request for existing records concerning the processing and disposition of request 26-1808, including any request log, search/production log, page-count or production manifest, redaction or withholding log/index, closure notice, extension notice, and correspondence reflecting the basis for withholding or closing the request.

I am not asking the agency to create a new analysis or address any underlying dispute. If any requested administrative record is withheld in whole or part, please identify the applicable legal basis, the persons responsible for the denial, and release all reasonably segregable material.

If no responsive record exists in a listed category, please say so.

Portal chronology

- July 24, 2026, 8:10 p.m. by the requester: request received via web; request opened.
- July 24, 2026, 8:10 p.m. by the requester: City Attorney department assignment displayed.
- July 28, 2026, 12:13 p.m. by staff: Police Department added and City Attorney removed.
- August 4, 2026, 2:36 p.m. by staff: extension notice posted.
- August 18, 2026, 6:20:17 a.m. PDT capture: request displayed as unpublished and open; Documents count 0; no determination message displayed after the August 4 notice.
- August 18, 2026, 6:27 a.m. by the requester: written demand displayed as Message from requester.
- Post-send capture: request remained unpublished and open; Documents count 0; no City response displayed.

- Approximately 7:05 a.m. portal recheck: request remained open with Documents count 0 and no City message after the August 4 notice.
- 7:05 a.m. Gmail recheck: no later NextRequest or Berkeley notification was found in all mail, spam, or trash.

Exhibit B - August 4 extension notice

The City stated that it was extending the response period by fourteen additional calendar days to August 18, 2026 based on the need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records and the need for consultation with two or more City departments or offices with substantial subject-matter interest in the request. The message cited Government Code section 7922.535(b)-(c) and was signed Berkeley Police Records.

This paragraph is a requester-prepared transcription of the preserved portal message. Clean capture Exhibits B1-B2 show the extension text, asserted basis, staff timestamp, and sender label; the complete message remains in the native sources below.

Exhibit C - August 18 written demand

The NextRequest portal reports that Request 26-2144 was received on July 24, 2026. On August 4, 2026, the City's notice stated an expected determination date of August 18, 2026. As of 6:25:47 a.m. PDT on August 18, 2026, the portal displayed the request as open, displayed a Documents count of 0, and displayed no determination message after the August 4 notice.

Please issue the City's determination under Government Code section 7922.535, stating whether the request, in whole or in part, seeks disclosable public records and the reasons for the determination. If the City determines that the request seeks disclosable records, please state the estimated date and time when those records will be available.

To clarify the City's determination, please also identify which responsive categories the City will produce, has not located, or denies in whole or in part. For each whole or partial denial, please provide the written denial; the names and titles or positions of each person responsible; and the specific exemption or particularized withholding justification on which the City relies.

Request 26-2144 asks the City both to reconsider the partial production and closure of Request 26-1808 and to provide existing administrative records concerning that request's processing and disposition, including the request log, search or production log, page-count or production manifest, redaction or withholding log or index, closure notice, extension notice, and correspondence reflecting the basis for withholding or closing.

Please preserve and, to the extent responsive to that existing scope, produce the existing records showing the authorization and request-specific basis for the August 4 extension, calculation of the stated expected date, assignment and routing history, and the departments or offices consulted. This paragraph identifies processing records already sought in Request 26-2144; it does not add a new request category.

Please produce reasonably segregable nonexempt records on a rolling basis. This follow-up does not narrow, amend, or withdraw Request 26-2144.

Native-source integrity

- August 14 expanded native capture: 2026-08-14-123332-nextrequest-26-2144-expanded-native.html; SHA-256 b8ae793888efab92ab0319a21ee2b8bca3ea095dc730dc45d98ffc8d79a91ba.
- August 18 pre-demand native capture: 2026-08-18-062017-nextrequest-26-2144-expanded-native.html; SHA-256 15a72db33d2a248b5be13eac8cfe2ea68e0e0e6a6a4f6db2b89ee4de31d53321.

- Exact posted demand text: 2026-08-18-nextrequest-26-2144-demand-posted.txt; SHA-256 52b1f3ae1338457acb1a0e2e8ed124c3450f6be0ecc6b6a4b4593693e610cd85.
- August 18 expanded post-demand native capture: 2026-08-18-062806-nextrequest-26-2144-demand-posted-expanded-native.html; SHA-256 16f5294a22393864ece7e8c9484d46857be00dd309f4d21ccfdccb87bc31fb02.

The restricted native sources are preserved locally and are not part of this public submission set because they contain requester contact information and unrelated browser context.

Clean public-capture integrity

- exhibit-a0-request-identity-open-status.png; SHA-256 d36e980c2b2d4d7ea806aa9acf5704b51299b9700c37d341d2da3ea9d0b1c420.
- exhibit-a1-request-text.png; SHA-256 0ca65e32ed22c6652493816ea05e0b83194915988174e91653ff1e3e10e85732.
- exhibit-a2-request-text-continuation.png; SHA-256 92a8eb13593d879f9a9edf5bcbac3839df666e1acf5e800caed8cfd eb3212448.
- exhibit-a3-received-july-24.png; SHA-256 54c6beb301d82572b45b17ef952f3e0a82a6ef1553e19d4bb00d52604a2411d4.
- exhibit-b1-august-4-extension-notice.png; SHA-256 f74d9c7c4126981c642b36ae8e01efbd8e39706c18916a58fac5c2887d77984a.
- exhibit-b2-august-4-notice-timestamp.png; SHA-256 0b887a3c37fe908113426b3fe53c8a07bee2cb10140b8de37c4362f17185b15f.
- exhibit-c1-august-18-demand.png; SHA-256 9cbdfed12bd1530cac831d7ff0ec86cd302ffec7f0650f55aab7b0e44b302618.
- exhibit-c1b-august-18-demand-continuation.png; SHA-256 76d23ac1a95409587d230ad4efd05b53e56e5d887da896af25804657e7f7722c.
- exhibit-c2-august-18-demand-timestamp.png; SHA-256 b1e04895264392dbf01479e5d6ad71e9a5a918147e20a135ffe76f40c7c6cd8c.

Exhibit A0 - Request identity and live open status

Authenticated portal capture; browser zoom/scroll only; no generative or substantive editing

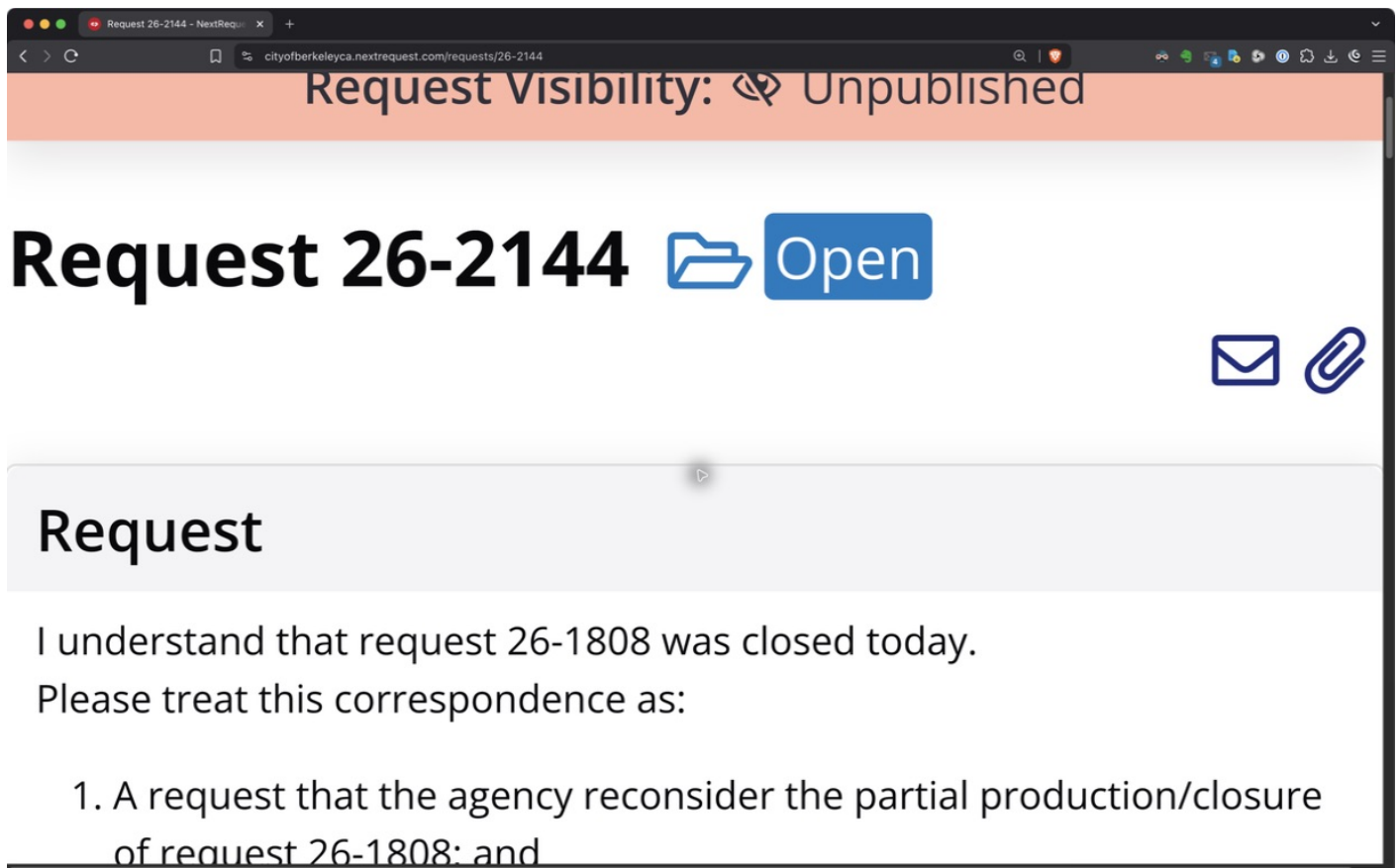


exhibit-a0-request-identity-open-status.png

Exhibit A1 - Request text, part 1

Authenticated portal capture; browser zoom/scroll only; no generative or substantive editing

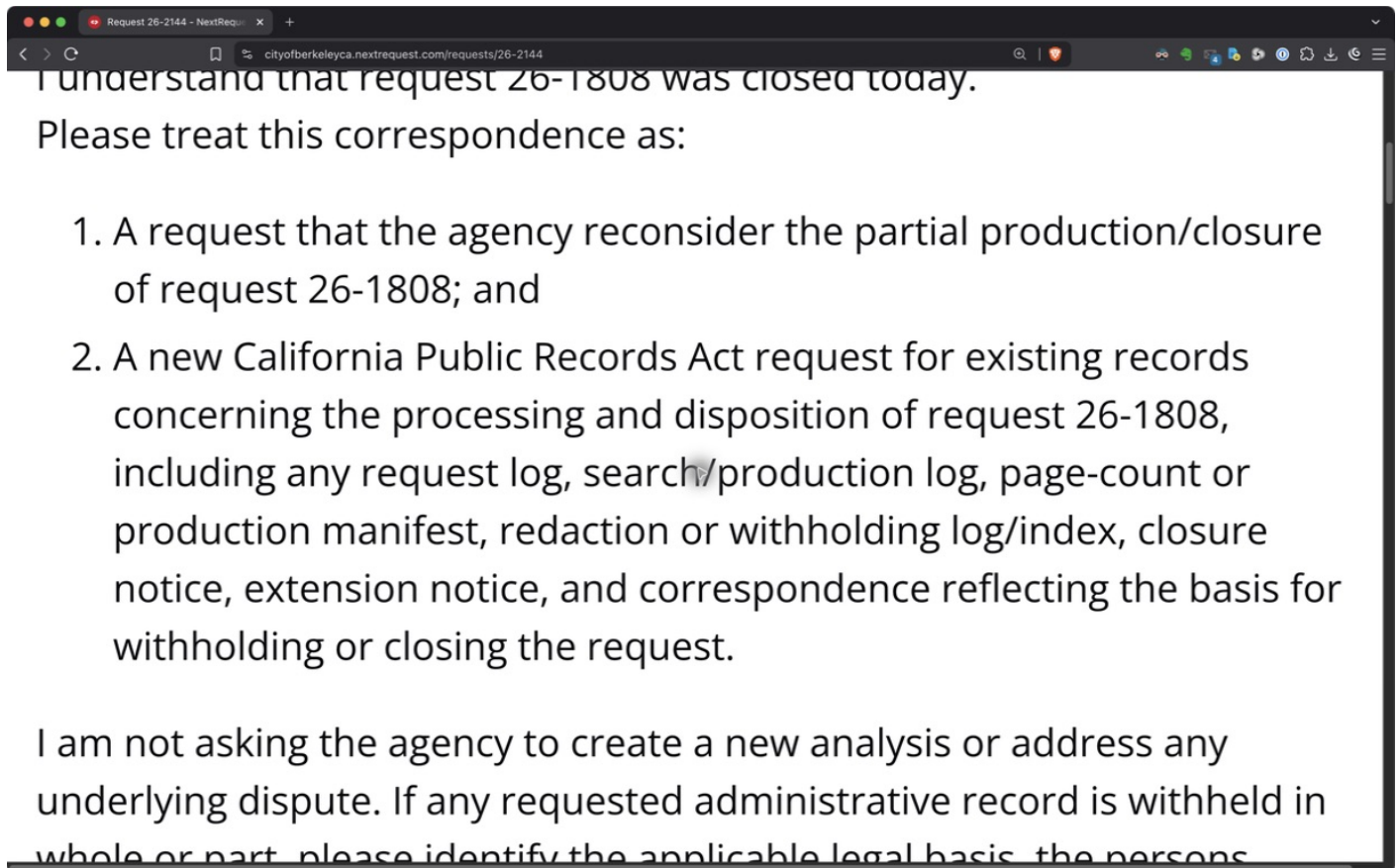


exhibit-a1-request-text.png

Exhibit A2 - Request text, continuation

Authenticated portal capture; browser zoom/scroll only; no generative or substantive editing

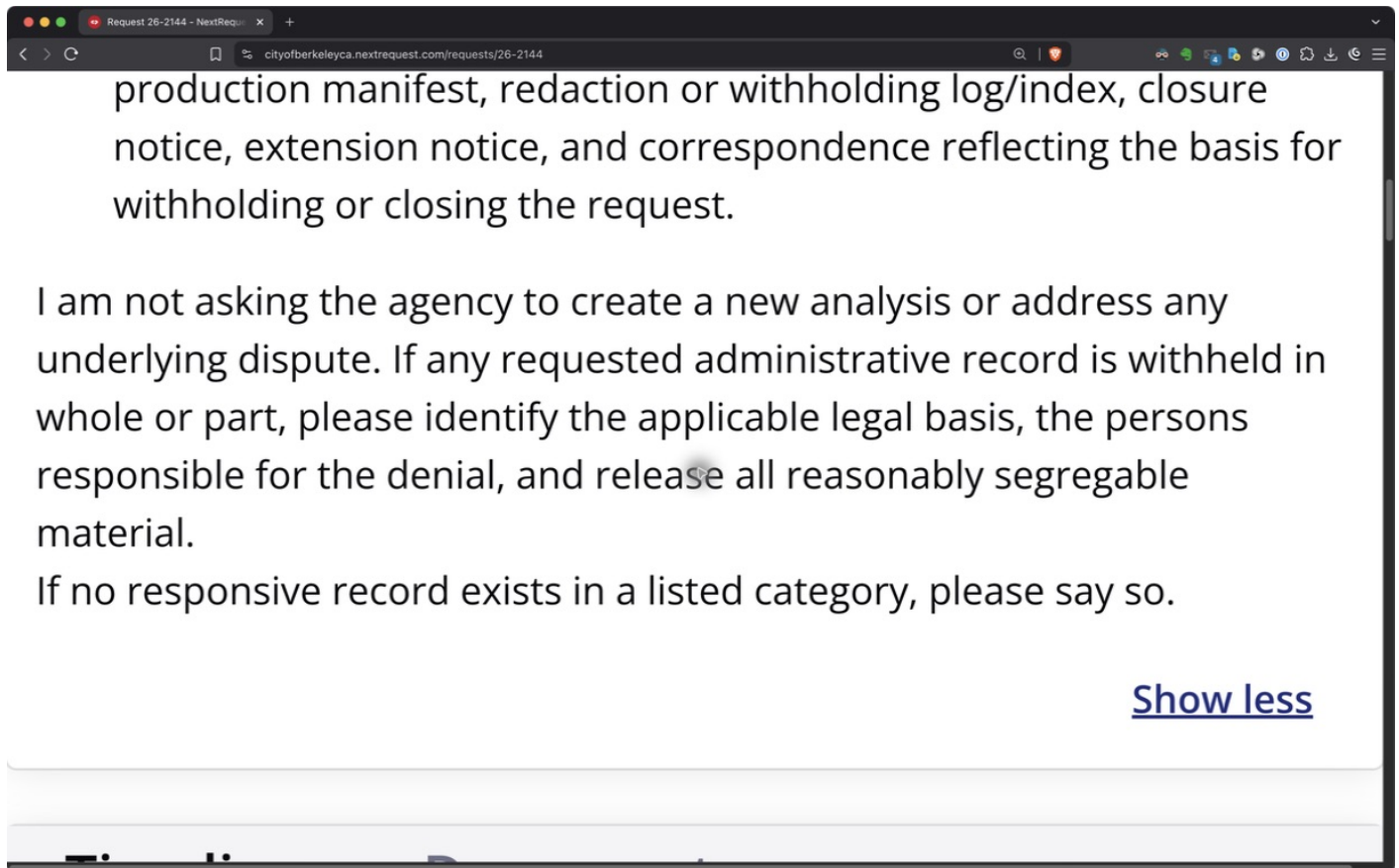


exhibit-a2-request-text-continuation.png

Exhibit A3 - Portal-reported receipt date

Authenticated portal capture; browser zoom/scroll only; no generative or substantive editing

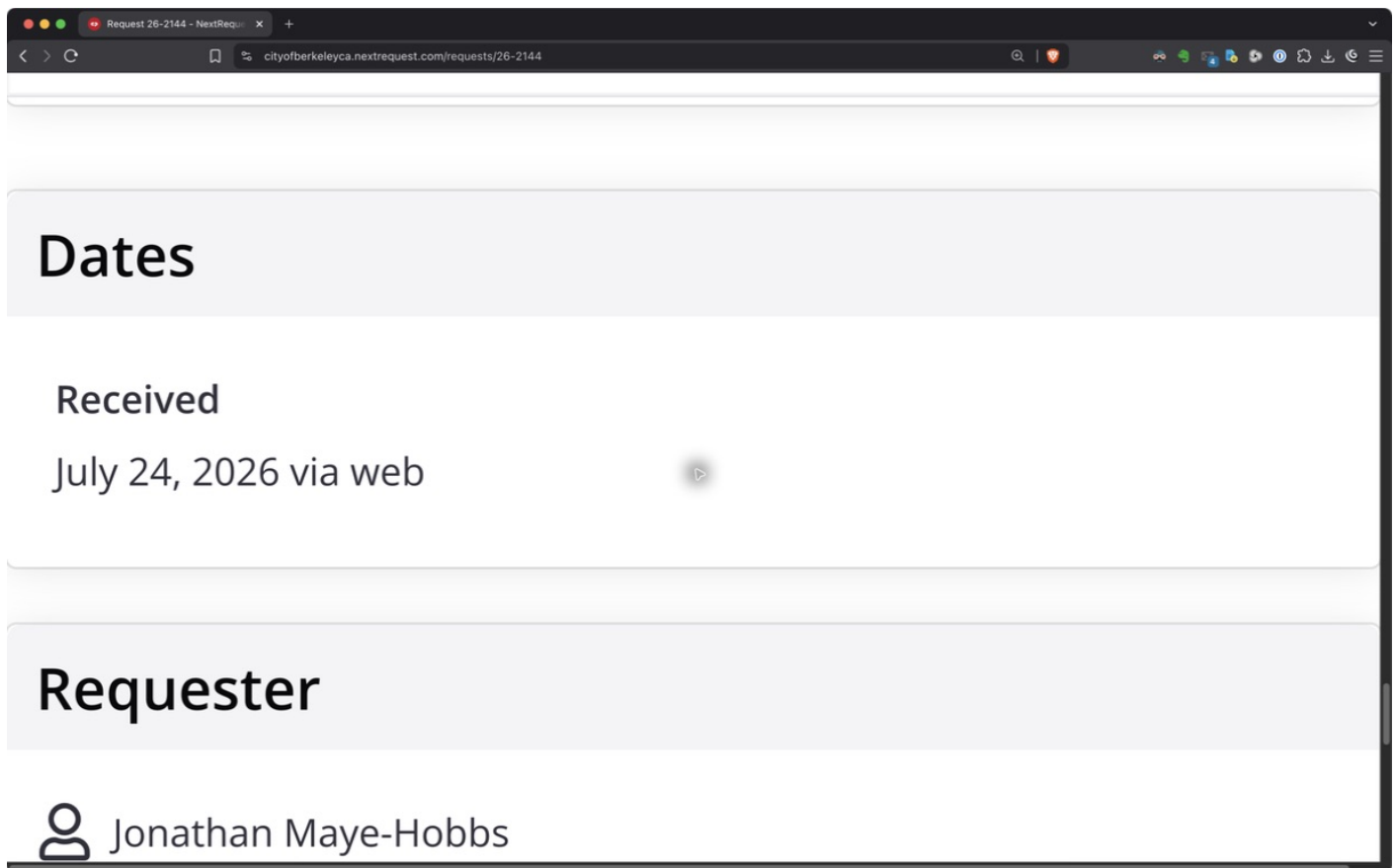


exhibit-a3-received-july-24.png

Exhibit B1 - August 4 extension notice

Authenticated portal capture; browser zoom/scroll only; no generative or substantive editing

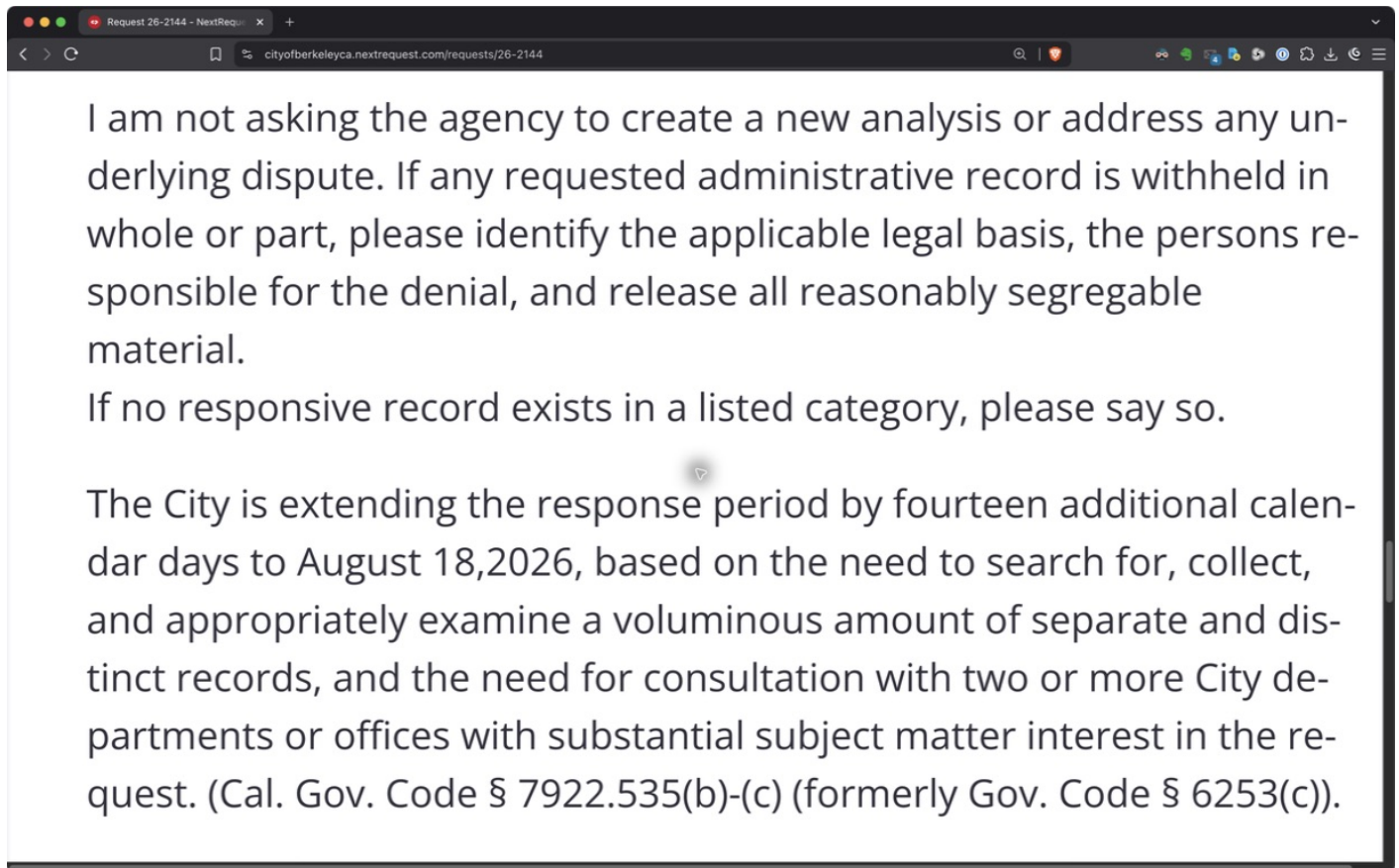
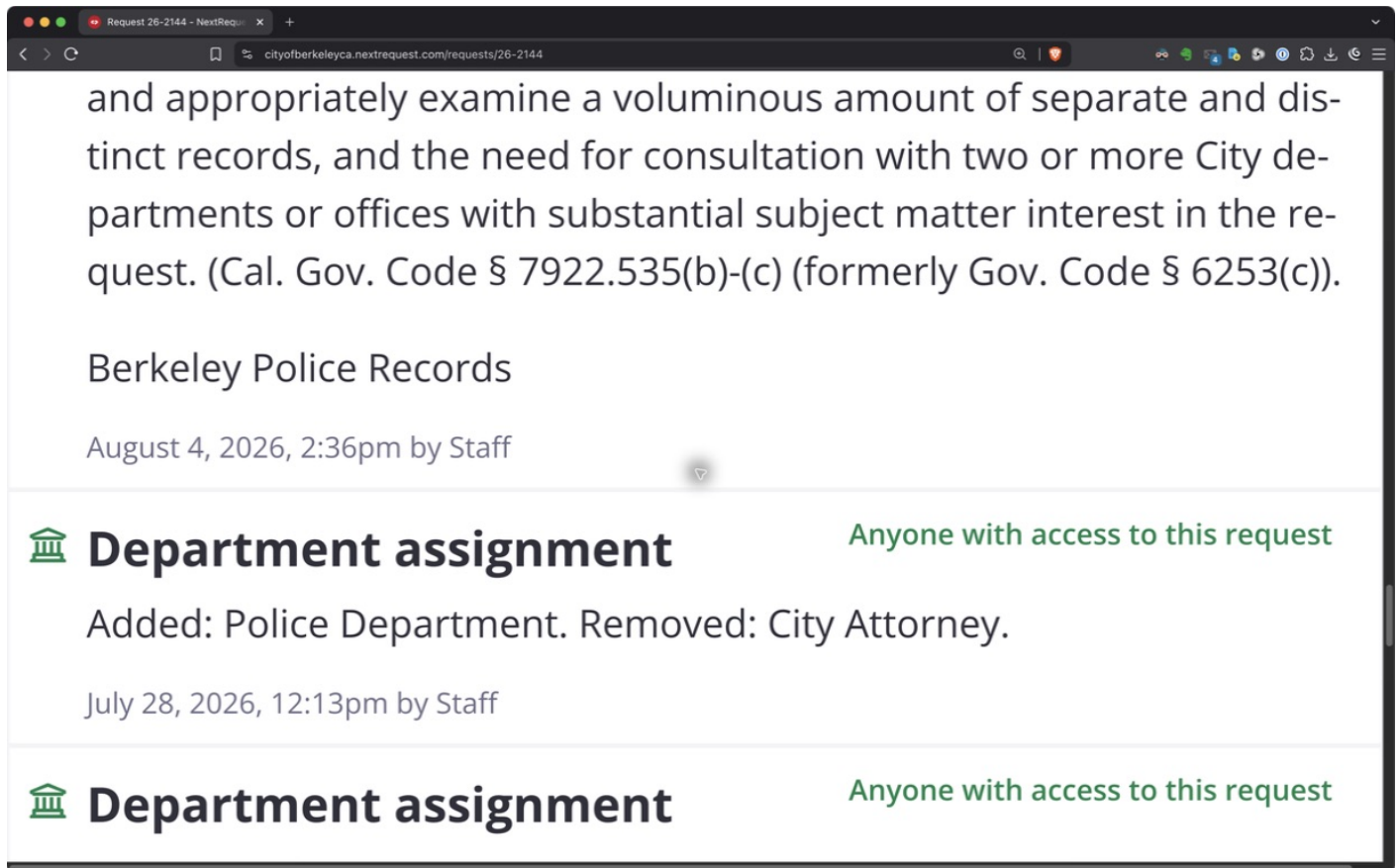


exhibit-b1-august-4-extension-notice.png

Exhibit B2 - August 4 staff timestamp

Authenticated portal capture; browser zoom/scroll only; no generative or substantive editing



and appropriately examine a voluminous amount of separate and distinct records, and the need for consultation with two or more City departments or offices with substantial subject matter interest in the request. (Cal. Gov. Code § 7922.535(b)-(c) (formerly Gov. Code § 6253(c)).

Berkeley Police Records

August 4, 2026, 2:36pm by Staff

 **Department assignment** Anyone with access to this request

Added: Police Department. Removed: City Attorney.

July 28, 2026, 12:13pm by Staff

 **Department assignment** Anyone with access to this request

exhibit-b2-august-4-notice-timestamp.png

Exhibit C1 - August 18 demand

Authenticated portal capture; browser zoom/scroll only; no generative or substantive editing

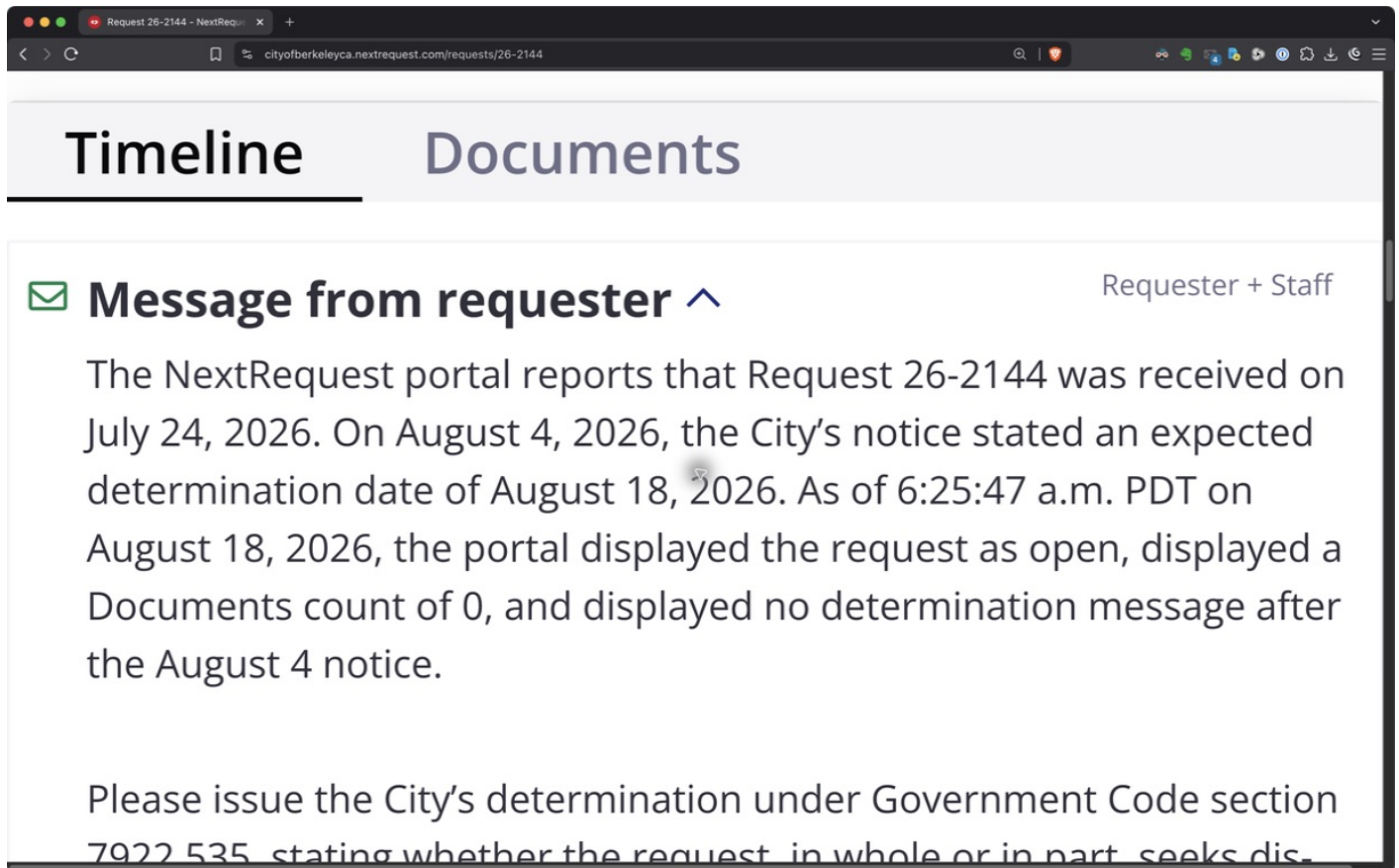


exhibit-c1-august-18-demand.png

Exhibit C1b - August 18 demand, continuation

Authenticated portal capture; browser zoom/scroll only; no generative or substantive editing

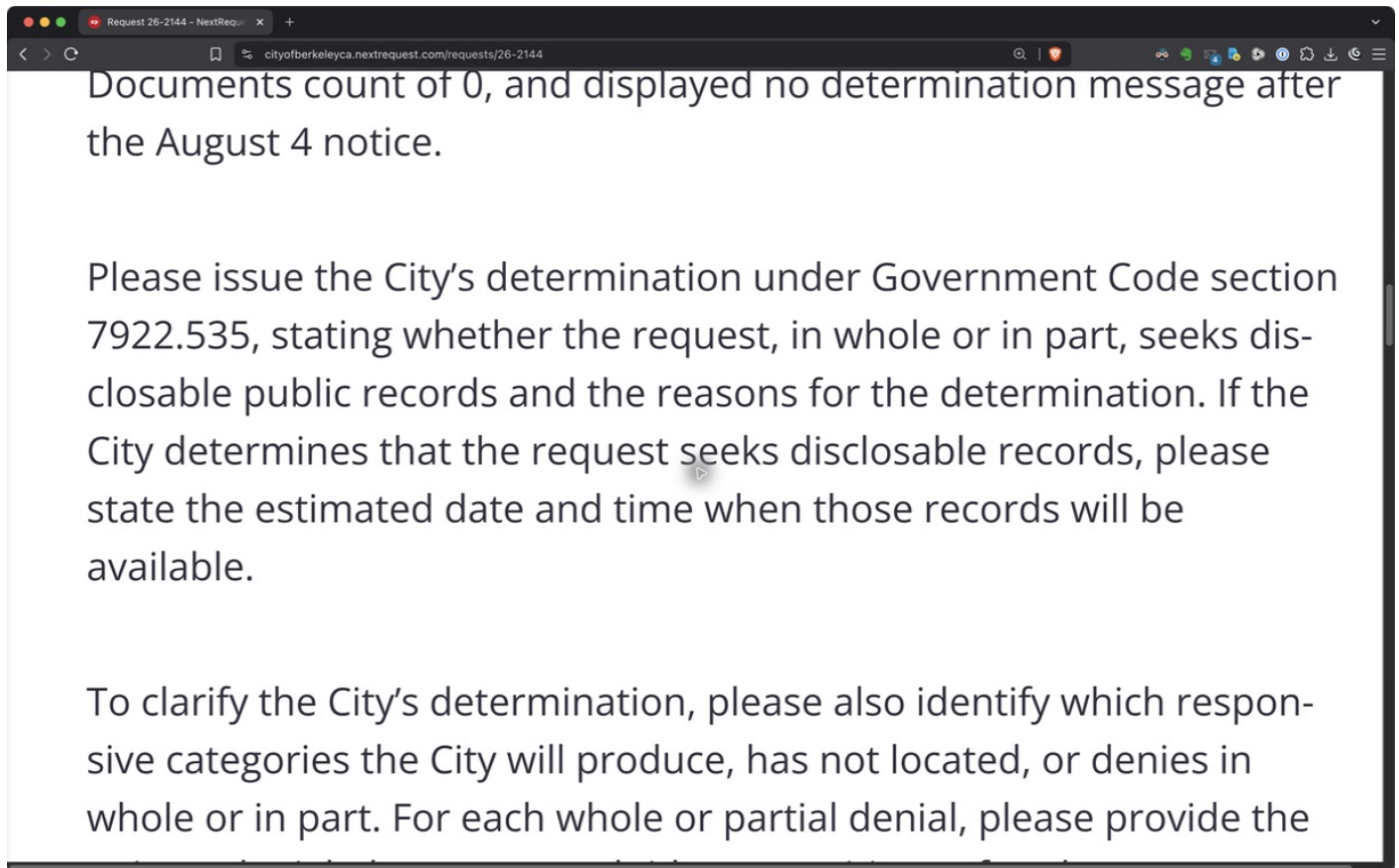


exhibit-c1b-august-18-demand-continuation.png

Exhibit C2 - August 18 demand timestamp

Authenticated portal capture; browser zoom/scroll only; no generative or substantive editing

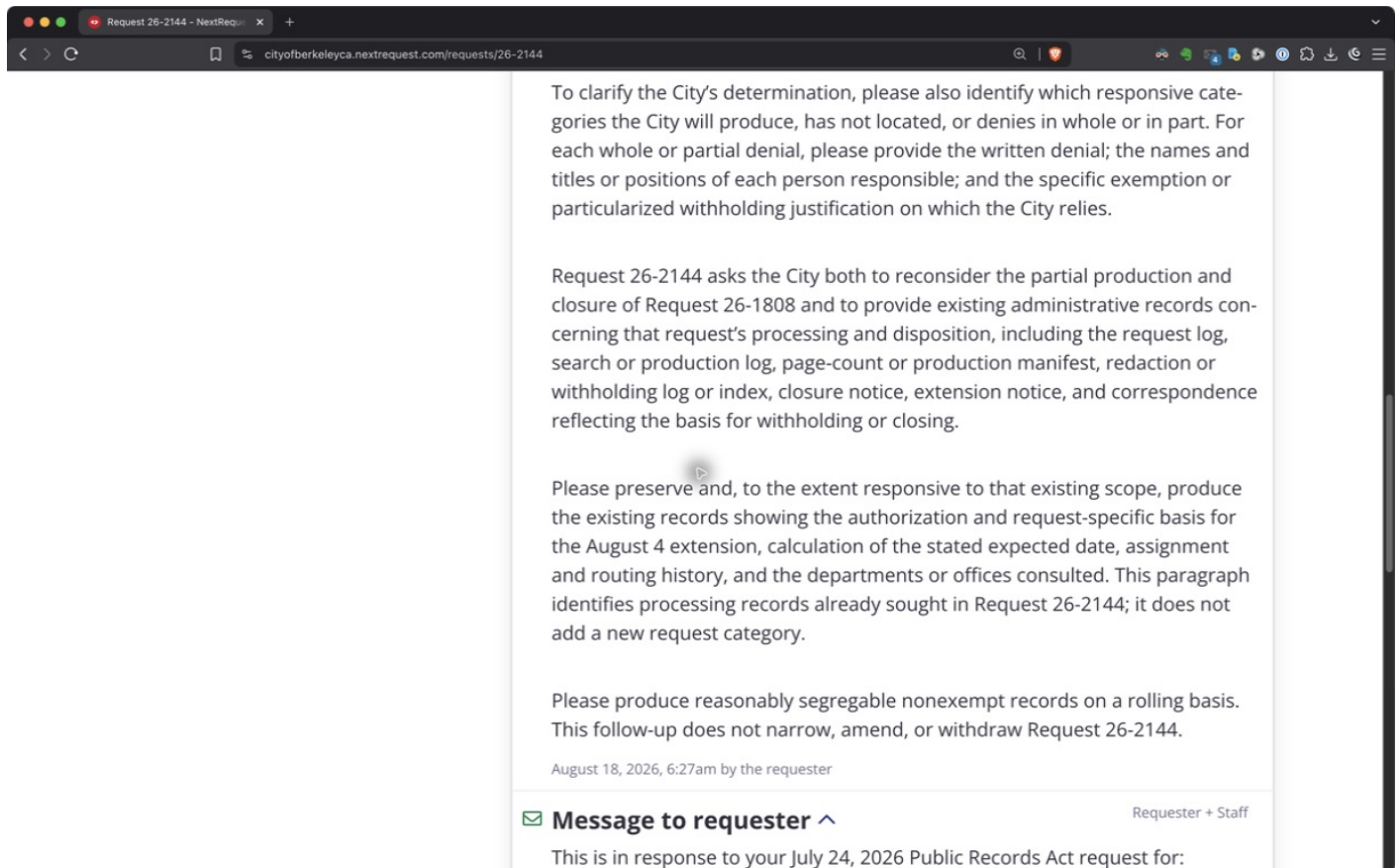


exhibit-c2-august-18-demand-timestamp.png

OPEN GOVERNMENT COMMISSION**CALENDAR**

July 16, 2026

To: Open Government Commission

Submitted by: Kyle Haugh, Chair

Date: July 16, 2026

Subject: Recommendation to Evaluate Low- and No-Cost Options for Broadcasting, Transcribing, and On-Demand Viewing of Hybrid Commission Meetings

RECOMMENDATION

The Open Government Commission recommends to the City Clerk that:

- The city evaluate low- or no-cost options for broadcasting, transcribing, and viewing on-demand all hybrid commission meetings, including video and transcripts.
- The city consider longer-term solutions for broadcasting and archiving hybrid meetings and transcripts that align with Berkeley's values regarding privacy and open government.

FISCAL IMPACTS OF RECOMMENDATION

Evaluating low- and no-cost options will take staff time likely from the Clerk's office and the IT department. If streaming meetings to a platform like YouTube is feasible, staff time will also need to be expended developing training materials and managing training, troubleshooting, and otherwise helping commission staff operate the streaming platform.

A longer-term, privacy protecting solution may require contracting with an entity like Berkeley Community Media or otherwise expending resources to develop a system for hosting, long-term archiving, and any other features the city may want from a longer-term system.

CURRENT SITUATION AND ITS EFFECTS**Council and Staff Action**

BMC 2.06, The Open Government Ordinance, requires that:

A. All regular and special meetings of the City Council, Redevelopment Agency, Rent Stabilization Board, and Zoning Adjustments Board, when held in the venue regularly used, shall be recorded, televised and video-streamed live as well as archived for replay. The live broadcasts shall be captioned.

B. It is the intent of the City to broadcast the meetings of the Planning Commission, Landmarks Preservation Commission, and Housing Advisory Commission, in the same manner as specified in paragraph A, as City resources become available.

C. The broadcast requirements shall not apply if necessary equipment malfunctions or if a public meeting is changed to a location that does not have the technological capacity to accommodate the broadcasting needs. (Ord. 7166-NS § 1 (part), 2011) [BMC 2.06.100](#)

At the May 7, 2024 regular meeting of the City Council, the council initiated a budget referral for "equipment for hybrid commission meetings."¹ That referral highlighted the benefits of hybrid meetings, specifying that they allow "the public to remain, or become, civically engaged."

In a June 27, 2025 memorandum² to commission secretaries, the City Clerk described an initial rollout of hybrid meetings to the subset of bodies which serve a quasi-judicial function, after which "the hybrid meeting program will be expanded to all city commissions."

The Open Government Commission is directly interested in the city's efforts to expand hybrid meetings access across all commissions, and has been closely tracking the city's progress.

Vendors that support Berkeley's hybrid meeting policy

Today the City of Berkeley relies on two platforms and at least three vendors for supporting hybrid access to public meetings.

Meetings for a small handful of legislative bodies are streamed by Granicus, which offers a wide range of services that support government administration. Granicus streams rely on a technology called HLS, or HTTP Live Streaming. HLS is an open industry standard. The streams can be viewed via a video player provided by Granicus, or streamed directly into other systems using widely and freely available tools.

Further, Granicus offers long-term archiving, and the city maintains these archives which today include over 20 years of video. (Note that this archive page is not easy to find, and reviewing archives of meetings from different bodies is deeply unintuitive.)

Another hybrid meeting platform the city uses is Zoom. Zoom is a widely used enterprise teleconferencing platform that allows the city to support hybrid meetings using webinar features that allow viewers to not only watch a meeting but participate and give comment remotely as well. (The city also supports remote participation via phone.) The platform offers a number of features that are specific to governments.

Hybrid meetings conducted over Zoom are generally not archived long-term, and under the city's record retention policies most recordings can be deleted and are deleted within 90 days. The only way for the public to review a hybrid meeting conducted over zoom after it is complete is to reach out directly to the commission secretary within the 90-day records retention window. Sometimes a commission secretary will provide a link to a video recording of the meeting on the body's agenda page. This is entirely at the discretion of the secretary.

The final vendor that the city relies on for hybrid access to meetings is Berkeley Community Media, a local nonprofit which operates a public television station and broadcasts meetings of the City Council and the Rent Stabilization Board. It does not appear to perform an archiving function.

RATIONALE FOR RECOMMENDATION

Note that while this report refers throughout to *commission meetings*, it should be understood that the recommendation applies equally to all city legislative bodies, such as the council policy committees and joint bodies such as the 2x2 and 3x3 committees.

Streaming, archiving, and providing transcripts is vital for equal access to government

Under current city policy, access to a large majority of hybrid meetings is limited to those who can attend at the time the meeting takes place. Someone with caregiving or professional obligations, someone who is ill or in a different time zone, or who is otherwise unable to watch live simply has no way to see the meeting. This cuts off access to many consequential meetings. Council policy committees are a prime example: legislation is shaped there in detail, and public participants can have the most direct impact, but these meetings typically happen during the work and school day, when many residents are unavailable.

Furthermore, staff regularly develop detailed presentations on the programs under their purview and present them at commission meetings. They answer questions from commissioners and often from the public as well. The city invests meaningful staff time to develop and give these presentations which provide incredibly valuable insight into the workings of government. Under current practices, most of this vital and valuable information is lost to anyone who didn't attend the meeting. This is not only a waste of precious staff time, it's a missed opportunity to keep residents informed.

Lastly, all hybrid meetings are captioned, either by a human captioner or by an automated system. A resident who wanted to review a transcript has to either reach out to the Clerk's office or the commission secretary and hope that they have a copy, or if they are watching a Zoom meeting live, they can download the automated transcript after the meeting. These mechanisms are only available to people who know that they exist.

Making these transcripts more easily accessible would have a substantial impact on transparency and the ability of residents to understand the decisions that leaders are making and hold those leaders accountable.

There may be a "free" way to begin streaming and viewing on-demand both video and transcripts from all hybrid meetings

Zoom integrates directly with YouTube. If the Clerk's office and IT investigate the process for streaming meetings from Zoom to YouTube, they may find that it can be enabled through configuration of tools the city is already using. If so, training or light automation could allow the city to offer on-demand viewing with transcripts for all hybrid meetings, without spending additional funds on a new technology vendor. This would be a significant advancement for open government, smartly leveraging the work the city has already done to support hybrid meetings.

Zoom publishes step-by-step instructions for this integration and workflow in its support article, [Livestreaming meetings or webinars on YouTube](#).

There is also local precedent for this approach. The Police Accountability Board already streams its meetings from Zoom to YouTube in exactly this way, and staff of the Office of the Director of Police Accountability have written a detailed internal guide covering login and account management, starting the livestream, enabling live transcription, and handling closed sessions. The Clerk's office would not be starting from scratch; it could draw directly on a workflow another city body has already implemented and documented.

Finding long-term solutions that align with Berkeley's values

While YouTube may allow the city to begin making videos and transcripts available on-demand quickly and at a low cost, it is not an ideal solution for the City of Berkeley. YouTube's business model relies on surveillance and tracking of users in order to serve them ads. Its parent company Alphabet profits from lines of business that many Berkeleyans might object to. The short-run benefits may outweigh those costs, but in the longer-run the city should support an archiving solution that does not require participation in surveillance capitalism in order to participate in local government.

Relying on Zoom exclusively for livestreaming of public meetings shares these and other drawbacks. Residents are either required or strongly encouraged to download an app that the city does not control in order to participate.

A browser-based option exists, but Zoom's own interface steers users toward installing the app first, and potential vulnerabilities in that software place residents' devices at risk. Such flaws continue to be disclosed.³ In March 2025, for example, a flaw in Zoom's Windows, macOS, Linux, Android, and iOS apps could have let an already-authenticated attacker escalate their access and take over a user's device.⁴ Requiring residents to accept that exposure as a condition of participating in local government is a real cost, whether the threat comes from malicious actors or from Zoom itself.

Granicus appears to limit its tracking to Google Analytics, which loads on every stream page and can report play, pause, and seek events. This kind of tracking is standard practice. But the City of Berkeley may be able to achieve a higher standard by partnering with local nonprofits or other vendors or contractors that minimize the amount of personal and behavioral information they track themselves or share with third parties. This partner can host broadcasts, archives, and transcripts using a system that does not collect any information on Berkeley residents other than what is necessary to operate the system.

1. City of Berkeley, Budget Referral — Equipment for Hybrid Commission Meetings (May 7, 2024).

<https://berkeleyca.gov/sites/default/files/documents/2024-05-07%20Item%2054%20Budget%20Referral%20%20Equipment%20for%20Hybrid.pdf> ↗

2. City Clerk memorandum, FCPC-OGC packet (Dec. 18, 2025). https://berkeleyca.gov/sites/default/files/legislative-body-meeting-attachments/PACKET%20-%20FCPC-OGC%20-%20Dec%2018%202025_0.pdf ↗

3. National Institute of Standards and Technology, National Vulnerability Database, Zoom vulnerability records. https://nvd.nist.gov/vuln/search/results?form_type=Basic&results_type=overview&query=zoom&search_type=all ↗

4. National Institute of Standards and Technology, National Vulnerability Database, CVE-2025-27439 (published March 11, 2025).
<https://nvd.nist.gov/vuln/detail/CVE-2025-27439> ↩



**OFFICE OF THE DIRECTOR
OF POLICE ACCOUNTABILITY**

ZOOM INSTRUCTIONS FOR MANAGING PAB MEETING RECORDINGS

Table of Contents

Section 1. Passwords.....	Page 3
Section 2. Accessing and Starting the Webinar.....	Page 3
Section 3. Running the Meeting	Page 4
1 Starting the Meeting Recording and Live Transcript.....	Page 4
2 Starting a Live Stream on YouTube.....	Page 6
3 Managing Speaking Permissions and Timing Public Comment.....	Page 8
4 Closed Sessions.....	Page 17
5 Saving the Recording and Ending the Meeting.....	Page 18

Section 1. Passwords

There are two platforms involved in order to record and livestream PAB regular meetings: YouTube and Zoom. The login information for those account is the following:

YouTube	Zoom
Login: [insert email]	Login: [insert email]
Password: [Insert password]	Password: [insert password]

IMPORTANT NOTES:

When login into a new device, Zoom will require you to verify that you are the owner of the account. To verify, you will have to insert the security code sent to [insert email associated with zoom account]

When login into a new device, YouTube may require you to verify that you are the owner of the account. To verify, you will have to insert the security code sent one of the phone numbers on file. If you cannot access the YouTube, you won't be able to live stream. However, you can upload the zoom recording to YouTube at a later time.

Section 2. Accessing and Starting the Webinars

How to start a webinar? There are a few ways that you can start your webinar.

Start a webinar from the web portal

1. Sign in to the Zoom web portal
2. In the navigation menu, click [Webinars](#).
3. Hover your mouse over the webinar you want to start and click Start.
4. If a dialog box appears, click Open to open the webinar in the Zoom desktop client.
5. Your webinar will open and start in the Zoom desktop client.

Start a webinar from the desktop client

1. Sign in to the Zoom desktop client.
2. Click the Meetings tab.
3. Find and click the webinar that you want to start.
4. Click Start.

Start a webinar from the mobile app

1. Sign in to the Zoom mobile app.
2. Tap the Meetings tab.
3. Find and tap the webinar that you want to start.
4. Tap Start.

Section 3. Running the Meeting

The host of the meeting is responsible for running the meeting behind the scenes. The relevant task includes:

- Starting the meeting recording and live transcript & Saving it
- Starting the live stream on YouTube
- Managing speaking permission and the timing public comment
- Setting up the meeting for a closed session
- Ending the Recording and Livestream

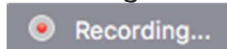
The following are step-by-step instructions as how to execute items 1-5.

1. *Starting the meeting recording and live transcript*

a. Starting the meeting recording

The host must record the meeting or grant the ability to record to a participant.

1. Start a Zoom meeting as the host.
2. Click **Record** .
3. If there is a menu, select **Record on this Computer**.
Hosts will see the following recording indicator in the top-left corner while recording is active.



Participants will see the following indicator in the top-left corner while the recording is active.



4. Click **Participants** to see which participants are currently recording.



Note: [Dial-in participants](#) will hear a message informing them that the meeting is now being recorded unless disabled by the host.

5. After the meeting has ended, Zoom will convert the recording so you can access the files.
6. Once the conversion process is complete, the folder containing the recording files will open.

Note: By default, the [recording files are formatted](#) a certain way. The audio/video file (MP4) will be named **video[random number].mp4**. The audio only file (M4A) is named **audio[random number].m4a**.

Note:

- If the meeting unexpectedly shuts down or if the conversion process is interrupted, the recording files could become corrupted and non-recoverable. Restarting or shutting down your computer, putting the hard disk to sleep, or closing your laptop will interrupt the conversion process.
- If the conversion process is not successful after the meeting has ended, you can try to [manually convert the recording](#).
- You can record the meeting in different [layouts including Active Speaker, Gallery View, and shared screen](#).

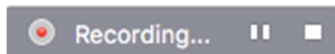
How to stop or pause a local recording

During a Zoom recording, a participant can **Stop** or **Pause** the recording. If a participant stops the recording and starts it again, a **new** video file will be created for the next recording segment. If a participant pauses the recording and starts it again, Zoom will record to the same video file for the recording segment.

1. After a recording has been started, click Pause or Stop Recording at the bottom.



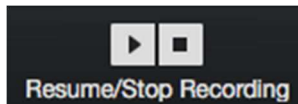
The recording can also be stopped or paused by clicking the indicator in the top left corner.



2. When a recording is paused, the following indicator will be displayed in the meeting.



3. To resume the recording, click **Resume Recording** at the bottom



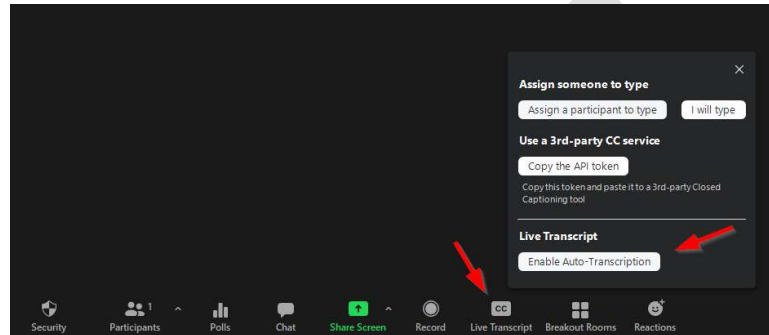
The recording can also be resumed by clicking the indicator in the top left corner.



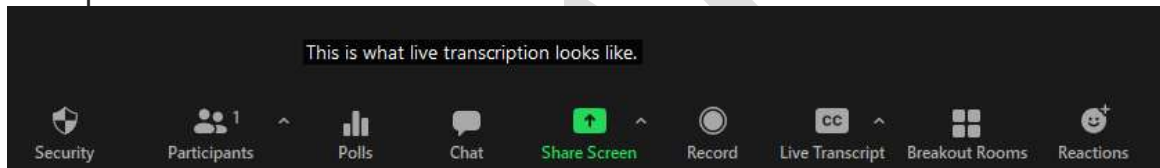
4. After you stop the recording, you can [access the local recording files on your computer](#).

b. Starting the Live Transcript

1. Begin your meeting
2. At the bottom of the screen, select **Live Transcript**. If you don't see it, you might need to resize your window to be wider.
3. Click **Enable Auto-Transcription**. This button will turn blue, indicating that live transcription has begun



4. You will now see live transcription appear along the bottom of the screen. An example of what this looks like is below

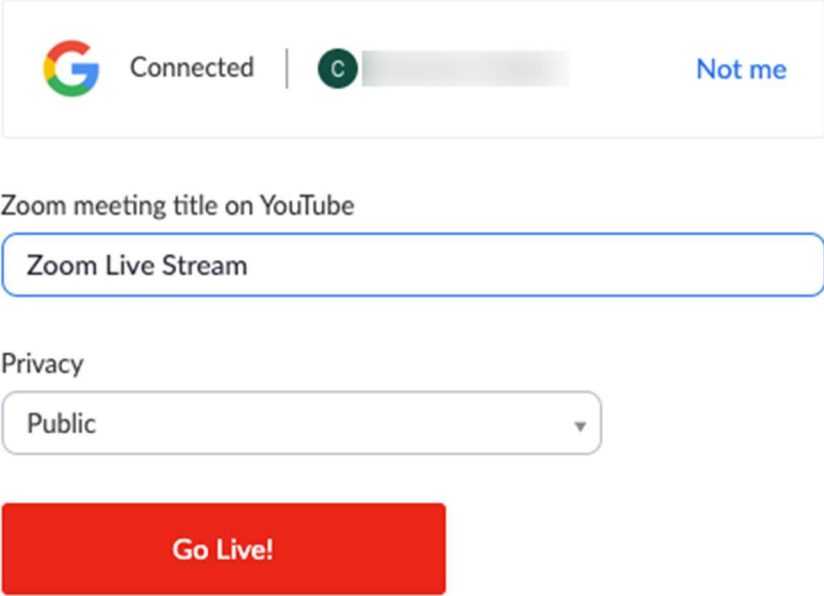


2. Starting a live stream on YouTube

Live stream in a meeting or webinar from your desktop

1. [Start the webinar or meeting](#) as the host.
2. In the meeting or webinar controls at the bottom of your screen, click **More**.
3. Click **Live on YouTube**.
4. Sign in to YouTube and select the YouTube channel you want to stream to (if you have multiple channels).
After you authenticate successfully, the following page appears:

Broadcast Zoom Meeting to YouTube Live



Zoom meeting title on YouTube

Zoom Live Stream

Privacy

Public

Go Live!

5. Specify the following settings on the Broadcasting to YouTube Live page:
 - **Zoom meeting/webinar title on YouTube**
Automatically populated with the Zoom meeting or webinar topic. Navigate to the text box to change it.
 - **Privacy**
You can choose **Public**, **Unlisted**, or **Private**.
 - (Optional) Under **Resolution**, select **Full HD (1080P)** when streaming a meeting/webinar if the setting's value is 1080p.
6. Click the **Go Live!** button.
You will see a progress bar letting you know that your session is being prepared for streaming.

- Wait for the notification from the Zoom client that your meeting or webinar is live on YouTube, then begin your meeting or webinar.

Streaming stops when you end the webinar or meeting, or click **More** then **Stop Live Stream** in the meeting/webinar controls.

3. Managing Speaking Permissions and Timing Public Comment

While managing PAB meetings, the host will be responsible for allowing attendees to speak during public comment and time their comments.

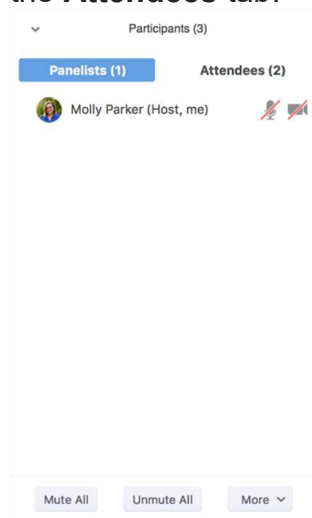
How to time speakers

The easiest way to time the speakers is by opening a timer on google, making that tab the full-screen, and then sharing your screen. However, the public has complained that this does not allow them to see the PAB's reaction so there is also the option to use the timer app under apps.

How to access the Participants panel

- Sign in to the Zoom desktop client.
- Start a webinar as the host.
- Click on **Participants**  in the webinar controls.

The Participants panel will be on right side of your screen. The host, co-hosts, and panelists will be listed in the **Panelist** tab and the attendees will be listed in the **Attendees** tab.



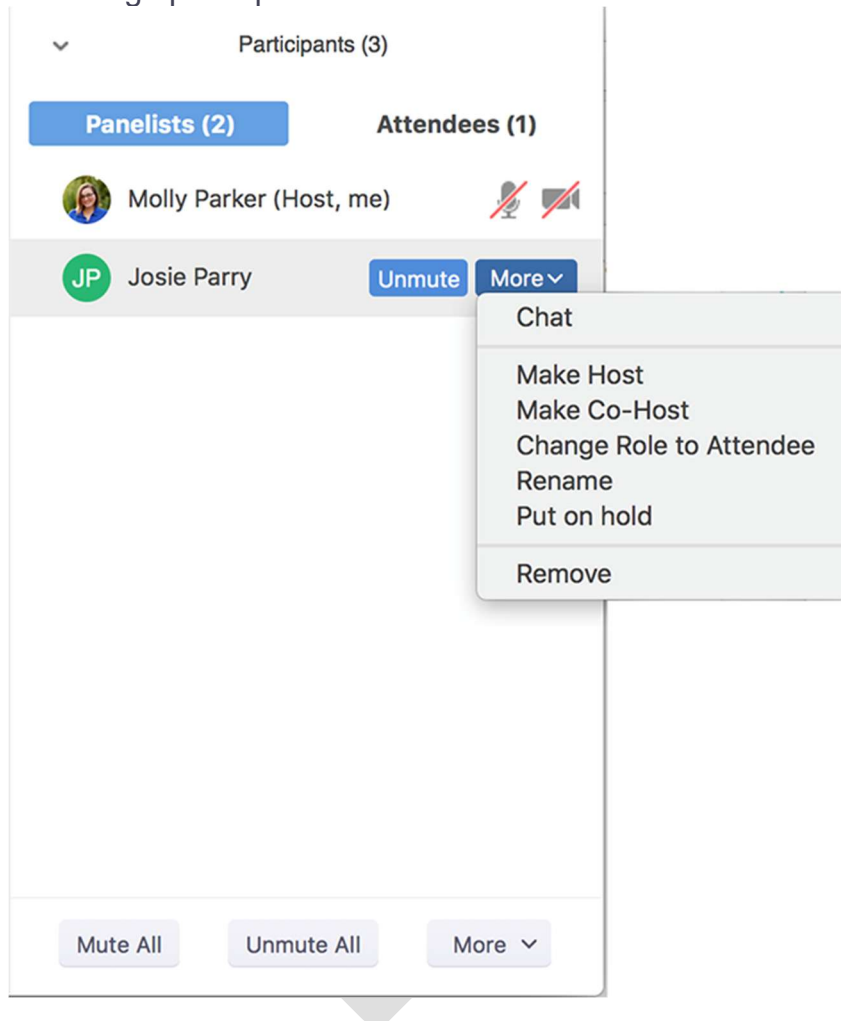
Note: Participants are displayed in the following order.

- Participants allowed to talk.

2. Participants with their hand raised. Participants that raised their hand first are displayed at the top.
3. Participants without their hand raised.

How to manage panelists

Hover over over the panelist's name and click **More**. You will see the following options to manage participants:



- **Mute / Ask to Unmute:** Mute or unmute the panelist. They need to accept the unmute prompt before they are unmuted.
- **Chat:** Open the [chat](#) window to send messages directly to the panelist.
- **Make Host:** Assign the panelist to be the host. There can only be one host.
- **Make Co-Host / Withdraw Co-host permission:** Assign the panelist to be a [co-host](#). You can have an unlimited number of co-hosts.
- **Change Role to Attendee:** Click this to change the panelist's role to an attendee.

Note: If you demote a panelist, it will remove their panelist join link from the web.

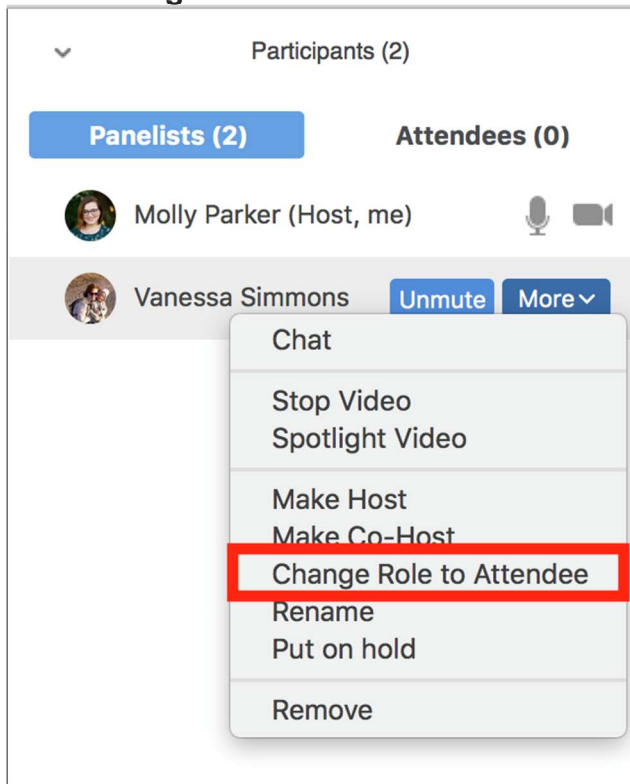
If it is a recurring webinar, this also means that it will remove the panelist from all occurrences. If you promote them back to a panelist within the same webinar that they were demoted, then they are added back on the web.

- **Rename:** Change the panelist's name that is displayed to other participants.
Note: To change your own name that is displayed, hover over your name in the participants list and click **Rename**. This change only applies to the current webinar. To permanently change your name, see [My Profile](#).
- **Assign to Type Closed Captions:** Assign the panelist to type [Closed Caption](#) during the webinar.
- **Allow to Record Local Files / Remove Permission to Record Local Files:** Allow the panelist to start or stop a [local recording](#) of the webinar, or remove that given permission. Panelists do not have access to start a [cloud recording](#).
- **Allow to Multi-pin:** Allows this panelists to [pin up to 9 videos](#) within their view of the webinar
- **Put on hold:** Place the panelist [on hold](#). This will temporarily remove them from the webinar so that they cannot hear you, see your screen share, or your video, as well cannot be heard, seen, or share content. Their webinar screen will change to the message: "Please wait, the meeting host will let you in soon", followed by the name and date of the webinar.
- **Remove:** Remove the panelist from the webinar. They will not be able to rejoin unless you [allow participants and panelists to rejoin](#).

Changing a panelist to attendee

If you demote a panelist, it will remove their panelist join link from the web. If it is a recurring webinar, this also means that it will remove the panelist from all occurrences. If you [promote them back to a panelist](#) within the same webinar that they were demoted, then they are added back on the web.

1. Sign in to the Zoom desktop client.
2. Start a webinar as the host.
3. Click **Participants** .
4. Click the **Panelists** tab.
5. Hover over the name of the panelist you want to make an attendee and click on **More**.

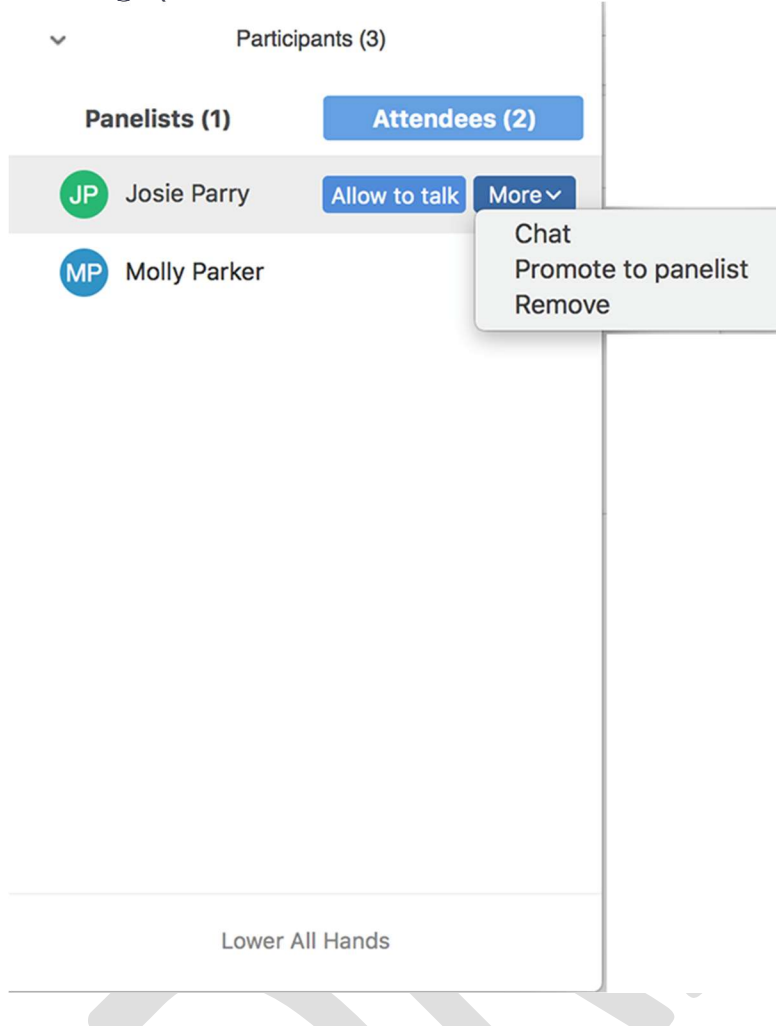
6. Click **Change Role to Attendee**.

How to manage attendees

On the Attendees tab, you will see the list of present attendees with any [non-verbal feedback](#) they have selected next to their name. When there are 7 or more attendees, the search bar will be available at the top of the list, allowing you to quickly search for a specific attendee.

Internal

To manage attendees, hover over the attendee's name and click **More**. You will see the following options:



- **Allow to Talk:** Allow the attendee to unmute and speak in the webinar. The participant will receive a prompt to confirm if they want to unmute or stay muted. If you already allowed a participant to talk but they decided to stay muted, click **Ask to Unmute** to prompt them to unmute their mic. All participants will be able to hear them.

Note: While unmuted, the attendee's profile picture and name is displayed to the host and panelists. Only their name is displayed to other attendees.

If you allowed the attendee to talk, you will see these options:

- **Mute / Ask to Unmute:** Mute or unmute the attendee. They need to accept the unmute prompt before they are unmuted.
- **Disable talking:** Revoke the attendee's ability to talk. This will mute the participant and prevent them from unmuting themselves.
- **Lower Hand:** Lower the participant's hand. Their position in the participants will move down after the participants with their hand raised.
- **Chat:** Open the [chat](#) window to send messages directly to the attendee.
- **Promote to panelist:** Make the attendee a [panelist](#).

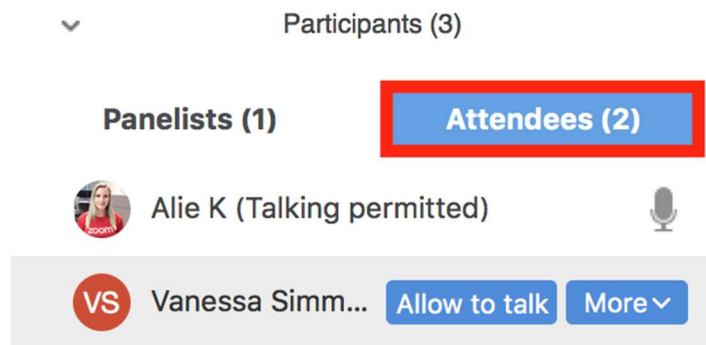
- **Rename:** Change the attendee's name that is displayed to other attendees.
- **Remove:** Remove the attendee from the webinar. Remove the panelist from the webinar. They will not be able to rejoin unless you [allow the attendee to rejoin](#).

At the bottom of the list of attendees, you will see the **Lower All Hands** option, which will lower all raised hands. This does not mute attendees that raised their hand and were unmuted.

IMPORTANT NOTE: Once the speaker is done, remove their permission

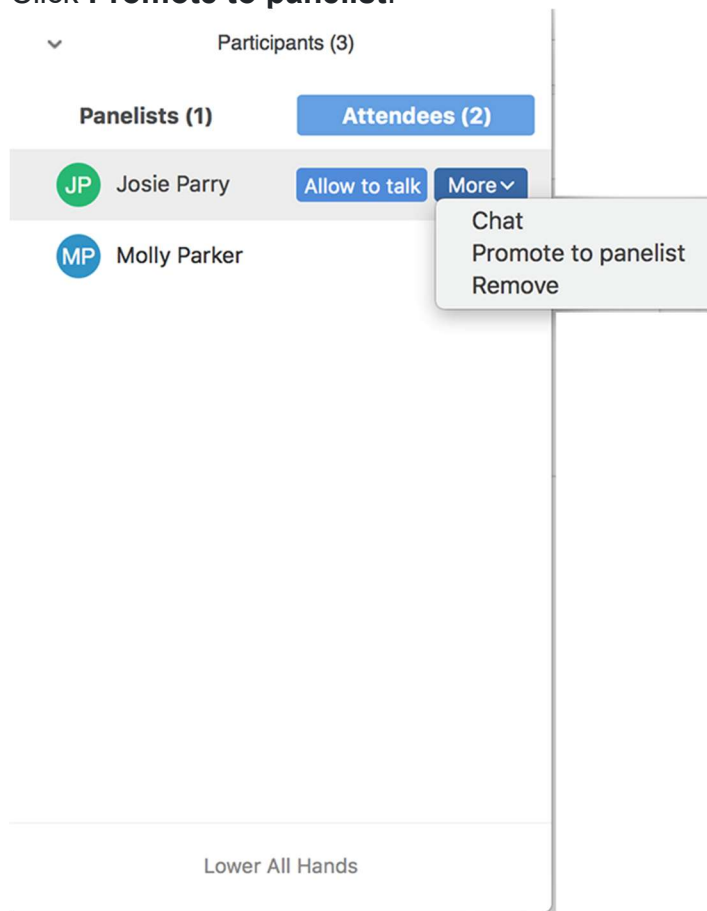
Promoting an attendee to panelist

1. Sign in to the Zoom desktop client.
2. Start a webinar as the host.
3. Click **Participants** .
4. Click the **Attendees** tab.



5. Hover over the name of the attendee you want to promote and click **More**.

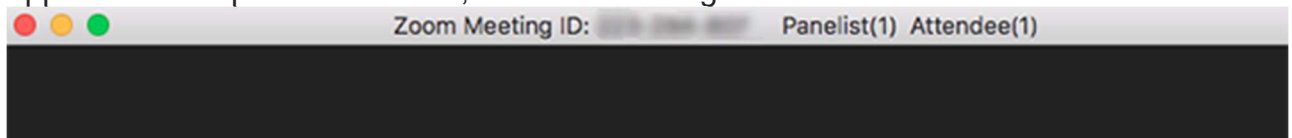
Internal

6. Click **Promote to panelist**.**Additional controls**

There are some additional controls at the bottom of the **Participants** panel in the **Panelists** tab:

- **Invite:** [Invite others](#) to join your meeting.
- **Mute All:** Mute all of the panelists and any attendees who you have given permission to talk.
- **More:**
 - **Ask All to Unmute:** Unmute all panelists and any attendees who you have given permission to talk. The attendees without permission to talk will remain muted.
 - **Lower All Hands:** Lowers all raised hands of panelists. This has no effect on attendees' raised hands.
 - **Mute Panelists On Entry:** Mute all new panelists upon entry, but they will be able to unmute themselves. Attendees are automatically muted (and will not be able to unmute unless you promote them to panelists or allow them to talk).
 - **Play Join and Leave Sound** Play a chime whenever a new panelist or attendee joins or leaves the webinar.

- **Lock Webinar:** Prevent any new panelists or attendees from joining the webinar, until you unlock it.
- **Allow Panelist to**
- **Unmute Themselves:** Allow panelists to unmute themselves as they see fit.
- **Rename:** Allow panelists to rename themselves in the webinar
- **Start Video:** Allow panelists to start their video if they would like to. If you uncheck this option, it will not stop the video feed of any panelist who already has their video on.
- **Allow attendees to:**
- **Raise Hand:** Allow attendees to [raise their hand in the webinar](#). This feature is typically used if you want to know who would like to ask questions out loud.
- **View Participant Count:** Allow attendees to see how many panelists and attendees are in the webinar. The number of panelists includes the host. It will appear at the top of their screen, after the meeting ID.



Attendee view controls

The host and co-host also have the ability to control the video layout that attendees presented during the webinar. All panelists can set their own view layout separate from the layout seen by attendees.

Attendee view controls can be set in two locations: always available in the Participants panel under **More**, or in the top-right corner of the video section by clicking  **View**. The following options are available:

- **My View:** Set the video layout that you will personally see in the webinar.
- **Speaker:** Speaker view switches between the active speakers in the webinar, with other video panelists above the active speaker when not speaking.
- **Gallery:** Gallery view presents either 25 or 49 participants (if enabled in [client Settings](#)) on the screen in equal size. If there are more panelists than allowed to fit, multiple pages of gallery view will be created.
- **Release video order:** If a [custom gallery view](#) order has been set, the order is locked into place and will not change unless manually changed. This option will release the order and let Zoom adjust the order of gallery view based on who is speaking.
- **Fullscreen**
- **Attendee View:** Set the video layout that the attendees see during the webinar. By default, they see the same view as the host (the host's default view is gallery view).
- **Follow Host's View:** Participants will see the same view that the host is using, whether active speaker view or gallery view. If the host is sharing their screen,

the attendees will have [side by side mode](#) with the host's share and the active speaker's video. The attendees can adjust the share and video size.

- **[Speaker](#)**: Speaker view switches between the active speakers in the webinar, with other video panelists above the active speaker when not speaking.
- **[Gallery](#)**: Gallery view presents either 25 or 49 participants (if enabled in [client Settings](#)) on the screen in equal size. If there are more panelists than allowed to fit, multiple pages of gallery view will be created.

When the host or a panelist is [sharing their screen](#), the options will change and appear as such:

- 
- **My View**: Set the video layout that you will personally see in the webinar.
 - **Standard**: Shared content is the main focus, while video thumbnails are displayed either above the content when in windowed mode (similar to speaker view) or over the content in the top-right corner of the screen when in full screen. These thumbnails during full screen can be moved by clicking and dragging.
 - **[Side-by-side: Speaker](#)**: Allows you to view shared screen alongside the Speaker view, with the ability to adjust the location of the separator between the shared screen and video to change the relative size of each side.
 - **[Side-by-side: Gallery](#)**: Allows you to view shared screen alongside the Gallery view, with the ability to adjust the location of the separator between the shared screen and video to change the relative size of each side.
 - **Release video order**: If a [custom gallery view](#) order has been set, the order is locked into place and will not change unless manually changed. This option will release the order and let Zoom adjust the order of gallery view based on who is speaking.
 - **Swap Video and Shared Screen**: Available when using standard view, this swaps the the video and shared content, bringing the focus back on the panelist video and minimizes the shared content without stopping the share.
 - **Fullscreen**
 - **Attendee View**: Set the video layout that the attendees see during the webinar. By default, they see the same view as the host (the host's default view is gallery view).
 - **Follow Host's View**: Participants will see the same view that the host is using, such as speaker view, gallery view, side-by-side mode, etc. If the host is sharing their screen, the attendees will view the content in [side-by-side mode](#) and speaker view. The attendees can adjust the share and video size.
 - **Standard**: Shared content is the main focus, with video thumbnails displayed over the content in the top-right corner of the screen. These thumbnails can be moved by clicking and dragging.
 - **[Side-by-side: Speaker](#)**: Attendees will view shared screen alongside the Speaker view, with the ability to adjust the location of the separator between the shared screen and video to change the relative size of each side.
 - **[Side-by-side: Gallery](#)**: Attendees will view shared screen alongside the Gallery view, with the ability to adjust the location of the separator between the shared screen and video to change the relative size of each side.

4. Closed Sessions

A closed session will be agendized ahead of time and the meeting host will know when we have to schedule a closed session. Previously, we would everyone who was not PAB members or staff to leave the room before locking the webinar so folks could not join again. Once the closed session was over, staff would unlock the webinar and, in theory, the public could join again. However, a common complain was that members of the public did not know when they could reconvene again. In an effort to address that complaint, the following process was developed:

To be done before the meeting:

1. Login to zoom and go to “Meetings”
2. Under the meetings tab, click on “schedule a meeting”
3. Insert a title using the following format “[Date] PAB Closed Session]
4. Insert your date and time for the meeting (I recommend setting duration to 2 hours)
5. Under security, select “passcode” and uncheck any other box
6. Under Options, click “show” and check “allow participants to join anytime”
 - a. **Important note:** The reason we check this feature is so that the PAB can discuss without the DPA account having to be there. An account cannot be in two separate meetings at once and doing so would end the webinar. This way, everyone can join in and members of the public can wait in the webinar while the APB discusses in the meeting room.

Once this has been done, you will have a meeting room that could be used for a closed session.

The process:

- I. Once a closed session is announced, pause the recording on the top left corner. (This way, the meeting recording wont include the long gap during the closed session. Once folks come back from closed session, you can resume the recording.)
- II. Using the zoom meeting information, log in to the other meeting. DO NOT sign in with the DPA account, this will end the webinar for all. Instead, use a personal email and join as a guest. The setting to allow participants to join anytime will allow folks to have the meeting without the host (DPA account) present.
- III. Once the closed session is done, simply return to the webinar and restart the recording once everyone is back.

5. Saving the Recording & Ending the meeting

Once the meeting is adjourned, click “end recording.” This will also stop the livestream. Once that has been done, it will begin to download on the compute and go into a “zoom meeting” folder on your local drive. It will take a few minutes to render but once that is done, the meeting and transcript will be saved.

For the youtube livestream, once the meeting ends, the video will be automatically uploaded there.

DRAFT

BERKELEY COMMISSIONS AND BOARDS ACCESSIBILITY INFORMATION ONLINE as of August 12, 2026							
Commission/Board	Date	Hybrid?	Recordings posted?	Location	Notes		
Behavioral Health Commission (was Mental Health Commission)	6/25	zoom	-	NB Senior Center			
Board of Library Trustees	7/8	-	MP3	location rotates			
Civic Arts Comm	7/22	zoom	-	THP South Branch Libr	subcomms are virtual on zoom		
Comm on Aging	7/15	zoom	-	NB Senior Center			
Comm on Disability	7/8	zoom	-	NB Senior Center			
Comm on Labor	7/15	zoom	-	SB Senior Center			
Comm on Status of Women	6/17	-	-	NB Senior Center			
Community Health Comm	4/23	-	-	SB Senior Center			
Design Review Committee	7/16	zoom	-	NB Senior Center			
Disaster & Fire Safety Comm	8/5	zoom	-	Fire Dept Headquarters 1250 Ninth St	past meetings at Fire Dept Training Classroom, 997 Cedar Street		
Elmwood BIDA Board	6/5	-	-	2947 College			
Environment & Climate Comm	7/22	zoom	-	NB Senior Center			
Fair Campaign Practices Comm	7/16	zoom	videorecording	Cypress Room			
Homeless Services Panel	7/1	zoom	-	NB Senior Center			
Housing Advisory Comm	7/2	zoom	-	SB Senior Center	quasi-judicial 2/5 was first meeting with zoom		
Human Welfare and Community Action Comm	7/17	zoom	-	Cypress Room			
Independent Redistricting Comm	3/16	zoom	videorecording	virtual meeting			
Landmarks Preservation Commission	6/4	zoom	-	NB Senior Center	July 2nd meeting cancelled		
Loan Administration Board					No posts since 2024		
Mental Health Commission (see Behavioral Health Commission)							
Open Government Commission	7/16	zoom	videorecording	Cypress Room			
Parks, Recreation, and Waterfront Commission	7/8	-	-	Frances Albrier Comm Center			
Peace and Justice Commission	7/6	zoom	-	SB Senior Center			

BERKELEY COMMISSIONS AND BOARDS ACCESSIBILITY INFORMATION ONLINE as of August 12, 2026							
Commission/Board	Date	Hybrid?	Recordings posted?	Location	Notes		
Personnel Board	7/13	zoom	-	2180 Milvia			
Planning Commission	7/1	zoom	-	NB Senior Center			
Policy Accountability Board	7/22	zoom	videorecording	1900 Addison Street			
Reimagining Public Safety Task Force				Only in person, says to contact secretary.	No posts since 2022		
Safe Streets Citizen Oversight Committee (SSOC)	6/10	-	-	SB Senior Center	usually meets at NBSC, May meeting canceled		
Solano Avenue BID Advisory Board	7/21	-	-	Solano Oriental Rug Gallery			
Sugar-Sweetened Beverage Product Panel of Experts	6/18	-	-	West Berkeley Family Wellness Center			
Transportation and Infrastructure Commission	5/21	-	-	NB Senior Center	July meeting cancelled		
Wildland Urban Interface Vegetation Code Workgroup	-	-	-	Varies	12/24/25 last meeting listed		
Youth Commission	5/11	-	-	Frances Albrier Comm Center			
Zero Waste Commission	7/15	zoom	-	Ratcliff Bldg			
Zoning Adjustments Board	8/13	zoom	granicus video	BUSD Board Room			

Review and possible recommendations for revisions to the Open Government Ordinance
(black text: existing language, red text: new language, blue text: notes)

Deadline for the broadcast and archival of all commission meetings

2.06.100 Broadcast of meetings.

A. All regular and special meetings of the City Council, Redevelopment Agency, Rent Stabilization Board, and Zoning Adjustments Board, when held in the venue regularly used, shall be recorded, televised and video-streamed live as well as archived for replay. The live broadcasts **and archived recordings** shall be captioned. **The archived recordings shall be posted on the relevant website no later than one week after each meeting is completed.**

~~B. It is the intent of the City to broadcast the meetings of the Planning Commission, Landmarks Preservation Commission, and Housing Advisory Commission, in the same manner as specified in paragraph A, as City resources become available.~~

B. No later than July 1, 2027, all meetings of the Planning Commission, Landmarks Preservation Commission, and Housing Advisory Commission shall be regularly broadcast and archived in the same manner as specified in paragraph A. No later than July 1, 2028, this requirement shall apply to all boards and commissions.

(Notes: July 1 is the fiscal year start date for the city, and a new budget is proposed every 2 years. A new budget will be adopted in July 2026, and then in July 2028, but mid-cycle revisions can happen. We could contact the city manager to try and change the proposed budget before it goes through in June 2026. Alternatively, we can consider a 2029 deadline for all commissions).

C. The City shall procure and maintain the necessary equipment and venues to support the regular broadcast and archival requirements of paragraphs A and B.

DG. The broadcast requirements shall not apply if necessary equipment malfunctions or if a public meeting is changed to a location that does not have the technological capacity to accommodate the broadcasting needs. This paragraph shall not be construed to excuse the City's obligations under paragraph C.

Requirement for California Public Records Act requests to be made accessible by all

2.06.180 Posting of documents.

All documents submitted to the City Council, including but not limited to, the Agenda and Agenda Packet, communications, and any documents submitted at a meeting of that body, shall be available through the City's website no later than the close of business the following business day after the meeting for which the documents were submitted.

Any electronic communications made to a requester regarding any Public Records Act requests, including status updates, metadata, or documents produced, shall be made freely available to the public via an online portal within a ten-day period after such communications were originally produced.

(Notes: I believe the City of Berkeley already does this via the NextRequest portal, but this inscribes the requirement into law. We could also consider a different timeframe: seven days, fourteen days, or "reasonable timeframe.")

Commissioner Rithwik Sudharsan
Open Government Commission
June 19, 2025

Memo on changes to Open Government Ordinance
Regarding texting and ephemeral messaging

Outline

1. Proposed Language
2. Background Information and Reasoning
3. Response to Concerns about Federal Surveillance

Proposed Language

Prohibition on Ephemeral Messaging Features for Public Business

Section 1. Section 2.06.020 is amended to add the following definitions:

I. “Public Business” means any matter relating to the conduct of the City's affairs.

J. “Ephemeral Messaging Features” means any setting, function, or feature of an electronic communications application or service that causes a message, or any portion of a message, to be automatically deleted, hidden, or rendered inaccessible after a defined period or upon a defined event.

K. “Personal Account or Device” means any electronic account, device, application, or service that is not issued, owned, or controlled by the City.

Section 2. A new Section 2.06.185 is added to Article IV, to read:

2.06.185 Electronic communications concerning Public Business.

A. No member of any Legislative Body, and no elected or appointed official, officer, employee, or contractor of the City shall use for Public Business any ephemeral messaging feature, whether on a City-issued account or device or on a Personal Account or Device.

B. Each person subject to subsection A shall make reasonable efforts to ensure that all electronic communications concerning Public Business sent or received on a Personal Account or Device are retained and stored in a manner that keeps them accessible for the duration of the applicable retention period, regardless of whether such communications would be subject to an exemption from disclosure under the Public Records Act. Upon receipt of a valid request under the Public Records Act seeking such communications, each such person shall search their Personal Accounts and Devices for responsive communications and shall produce all responsive communications, except those subject to a valid exemption under the Public Records Act.

Explicit requirement for personal devices to be included under public records laws, in line with City of San Jose v. Superior Court, 2017

Option 1 (weaker)

Section 2. A new Section 2.06.185 is added to Article IV, to read:

2.06.185 Electronic communications concerning Public Business.

Any electronic communication concerning Public Business sent or received on a Personal Account or Device is subject to the City's applicable records retention schedule and to disclosure under the Public Records Act on the same terms as a communication conducted on a City-issued account or device.

Option 2 (stronger)

Section 2. A new Section 2.06.185 is added to Article IV, to read:

2.06.185 Electronic communications concerning Public Business.

No member of any Legislative Body, and no elected or appointed official, officer, employee, or contractor of the City shall use for Public Business a nonofficial electronic messaging system unless the official or employee sends a copy of all sent and received communications concerning public business to an official electronic messaging system within 20 days of the original sending or receiving of the communication.

In addition, we could append the following recommendation to our letter, though this would not be a part of the ordinance itself:

"The Open Government Commission strongly recommends that city officials use their official emails for all communications."

Background Information and Reasoning

Background

The Information in "[How Telegram Offers Way Around Public Records Laws](#)" revealed that members of the San Francisco Board of Supervisors were using Telegram to conduct city business. Telegram's "Secret Chat" feature, which includes a self-destruct timer for messages, was cited as a primary reason for the app's popularity among officials: one official said they were encouraged to use Telegram by colleagues in City Hall who described it as a way to skirt the city's public records laws. Supervisors were observed appearing "active" on the app throughout the day, often hourly, on their private phones.

California law treats public business communications on personal accounts as public records (*City of San Jose v. Superior Court*, 2017), but does not prohibit officials from using applications whose default behavior is to destroy those records before any member of the public can request them. Once a message is auto-deleted, no enforcement mechanism can recover it. Berkeley residents have shown interest in this category of communication. As of May 7, 2026, a search of the City of Berkeley's NextRequest portal returns more than 50 California Public Records Act requests referencing WhatsApp, Signal, or other platforms that support self-deleting messages.

After (*City of San Jose v. Superior Court*, 2017), State Senator Dave Cortese authored CA SB 908: "An elected or appointed official or employee of a public agency shall not create or send a public record using a nonofficial electronic messaging system unless the official or employee sends a copy of the public record to an official electronic messaging system within 20 days of the original creation or sending of the public record." SB 908 died in 2024. **Note that this requirement is stronger than the one I proposed, which simply requires preservation of records, even if they are stored outside of city IT systems.**

This bill was likely inspired from the existing federal requirement under the "Presidential and Federal Records Act Amendments of 2014:"

44 U.S.C. §2911. Disclosure requirement for official business conducted using non-official electronic messaging accounts

(a) An officer or employee of an executive agency may not create or send a record using a non-official electronic messaging account unless such officer or employee

(1) copies an official electronic messaging account of the officer or employee in the original creation or transmission of the record; or

(2) forwards a complete copy of the record to an official electronic messaging account of the officer or employee not later than 20 days after the original creation or transmission of the record.

The Associated Press in "[Encrypted messaging apps promise privacy. Government transparency is often the price](#)" writes the following:

- Signal is one of many end-to-end encrypted messaging apps that include message auto-delete functions. While such apps promise increased security and privacy, they often skirt open records laws meant to increase transparency around and public awareness of government decision-making. Without special archiving software, the messages frequently aren't returned under public information requests.
- An Associated Press review in all 50 states found accounts on encrypted platforms registered to cellphone numbers for over 1,100 government workers and elected officials. The AP found accounts for state, local and federal officials in nearly every state, including many legislators and their staff, but also staff for governors, state attorneys general, education departments and school board members. The AP's list is likely incomplete because users can make accounts unsearchable.
- Improper use of the apps has been reported over the past decade in places like Missouri, Oregon, Oklahoma, Maryland and elsewhere, almost always because of leaked messages.
- The best remedy is stronger public record laws, said David Cuillier, director of the Brechner Freedom of Information Project at the University of Florida. Most state laws already make clear that the content of communication — not the method — is what makes something a public record, but many of those laws lack teeth, he said.

American Oversight is a "nonpartisan, nonprofit watchdog that advances truth, accountability, and democracy by enforcing the public's right to government records."

American Oversight highlighted in 2023 these as some of the three major threats to transparency:

- "The use of ephemeral messaging apps and personal accounts and devices to conduct official government business is one dangerous way that public officials have been evading retention rules."
- "Lawmakers are taking steps to exempt themselves from public records laws and shield themselves from public scrutiny."

In 2026, they highlighted these as some of the three major **wins** for transparency:

- "We filed a lawsuit against Hegseth and the other officials involved in the now-infamous Signalgate scandal. Our litigation prompted a court order for key officials to preserve records and exposed a broader pattern of recordkeeping violations across multiple Trump administration agencies."
- "Shortly after we asked a court to order DOGE to preserve certain documents, DOGE unveiled a newly created records retention policy. It requires DOGE employees to "capture and transmit" work-related messages received on personal devices — including through Signal — onto their work devices."

- "Because of our lawsuit, DHS demanded its top officials 'preserve documents and electronic records that relate to the subject matter of the complaint in this case.'"

Existing Legal Precedent

MICHIGAN

Michigan House Bill [4778](#) directs state departments to "not use any app, software, or other technology that prevents it from maintaining or preserving a public record"

COLORADO

"Both Democratic and Republican party leaders in the Colorado House of Representatives agreed to a Consent Decree on Sept. 1, 2023, in which they committed to distribute a formal directive to all House members barring them from setting any device or app to auto-delete any electronic message exchanged with another representative. The directive is the first in the nation to expressly prohibit legislators from using so-called "ephemeral messaging" apps when discussing public business."

NEVADA

According to NV Rev Stat § 289.827 (2025), "A law enforcement agency may not approve for official use on a mobile device any mobile application that uses end-to-end encryption or any other means with the intent to avoid the creation, retention or lawful discovery of records or data relating to the communications of a peace officer."

MISSOURI

In *Sansone v. Governor of Missouri*, the Missouri Court of Appeals for the Western District held that the governor's use of disappearing messaging apps was not a violation of the sunshine laws because no messages were retained so there was no public record to be produced.

TEXAS

Texas Senate Bill 944, enacted in 2019, requires government officials to preserve text messages sent from or received on their personal devices that concern public or official business. However, the law does not directly address the use of disappearing or encrypted messaging apps.

KANSAS

Kansas Executive Order 18–06 requires governor's office employees to conduct official business on their official state email accounts; accordingly, any use of a disappearing or encrypted messaging app for official business would be in violation of the executive order.

USA

44 U.S.C. §2911. Disclosure requirement for official business conducted using non-official electronic messaging accounts

(a) An officer or employee of an executive agency may not create or send a record using a non-official electronic messaging account unless such officer or employee

(1) copies an official electronic messaging account of the officer or employee in the original creation or transmission of the record; or

(2) forwards a complete copy of the record to an official electronic messaging account of the officer or employee not later than 20 days after the original creation or transmission of the record.

Sources:

[Colorado Freedom of Information Coalition](#)

["Colorado lawmakers commit to stop auto-deleting instant messages with other lawmakers"](#)

<https://coloradofoic.org/wp-content/uploads/2023/10/ConsentDecree.pdf>

The following government entities have been reported to have experienced incidents of personal devices and/or ephemeral messaging preventing the preservation of public records:

Title	Description	Result
Trump administration in SignalGate	Senior national security officials coordinated airstrikes on Signal and accidentally added The Atlantic's editor to the chat.	American Oversight sued ; Judge Boasberg issued a temporary restraining order to preserve messages (most already auto-deleted); Pentagon issued a memo barring Signal for non-public unclassified info.
Department of Government Efficiency (DOGE)	Department of Government Efficiency members used Signal for agency matters, allegedly to evade FOIA.	A 2025 memo was issued, asking DOGE employees to preserve Signal messages and disable auto-delete.

San Francisco Board of Supervisors	Supervisors and aides used Telegram (including Secret Chats with self-destruct timers, on purpose) for city business.	Supervisor decided not to use Telegram for public business until resolved by City Attorney.
San Jose Mayor	Mayor directed a constituent to contact him on a personal email account to skirt public records laws. "I'm going to delete this email from my government account..."	Judge ruled in August 2023 that they violated state transparency law; this directly prompted SB 908 (2024).
San Diego Councilmembers Offices	Official asked colleagues to use Signal for work purposes. When asked for records via CPRA, records were gone.	Found no action in response.
Missouri Governor	"nearly every member of the former governor's taxpayer-funded staff had a Confide [self-destructive texting app] account and that the app was being used to communicate both within the governor's office and with outside allies and lobbyists."	AG found no legal violation, but Governor's office banned self-destructive texting apps for public business.
Police in Portland, Maine	Police use Signal for sensitive communications, sometimes with self-deleting chat feature.	Found no action in response.
Oklahoma Treasurer's Office	Signal chats used to coordinate policy with outside lobbyists. Official disabled ephemeral messages, but lobbyist may have enabled it, and thus some records auto-deleted.	AG "strongly discourages public officials from using third-party messaging applications when communicating about public business."
Maryland Governor	Governor and senior advisors used Wickr chat rooms with 24-hour auto-delete for state business.	"Transparency in Public Records Act of 2022 (SB 307)" introduced to prevent this. Bill failed.
Michigan State Police	Top police officials used Signal. One quote lightly suggested that some Signal chat were missing.	Passed House Bill 4778 "all state departments and all state agencies must not use any app, software, or other technology that prevents it

		from maintaining or preserving a public record..."
Seattle Mayor	"Former Mayor Jenny Durkan's phone was changed to "delete messages after 30 days" for roughly three weeks, which effectively destroyed past texts. Former Chief Carmen Best deleted her text messages, saying she thought the city backed them up, as they do with email. Fire Chief Harold Scoggins conducted a hard reset on his phone, destroying his text messages, because he couldn't remember the passcode on his phone."	"King County Prosecutor declined criminal charges, citing inability to prove intent."
New York Governor	"In 2012, New York Gov. Andrew Cuomo grabbed headlines by refusing to use email, requiring anyone contacting him to use BlackBerry's PIN-to-PIN function, which establishes a direct connection between phones and, just as with ephemeral messaging apps, does not leave a record that the public can later request. Whether the governor was being prudent, making a point about privacy or the rights of the government, or hiding something he didn't want the public to know about was never proven."	N/A
Florida Governor	Public business seems to have been conducted on personal devices; some records production refused.	"Appeals court overturned a ruling that governor's administration took too long in providing public records about a controversial 2022 decision to fly migrants from Texas to Massachusetts."

Appendix

California Code, Government Code - GOV § 7920.500

Current as of January 01, 2025 | Updated by [Findlaw Staff](#)

For purposes of Article 3 (commencing with [Section 7928.200](#)) of Chapter 14 of Part 5, “elected or appointed official” includes, but is not limited to, all of the following:

- (a) A state constitutional officer.
- (b) A Member of the Legislature.
- (c) A judge or court commissioner.
- (d) A district attorney.
- (e) A public defender.
- (f) A member of a city council.
- (g) A member of a board of supervisors.
- (h) An appointee of the Governor.
- (i) An appointee of the Legislature.
- (j) A mayor.
- (k) A city attorney.
- (l) A police chief or sheriff.
- (m) A public safety official.

(n) A state administrative law judge.

(o) A federal judge or federal defender.

(p) A member of the United States Congress or appointee of the President of the United States.

(q) A judge of a federally recognized Indian tribe.

California Code, Government Code - GOV § 7920.530

Current as of January 01, 2025 | Updated by [Findlaw Staff](#)

(a) As used in this division, “public records” includes any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.

California Code, Government Code - GOV § 7920.545

Current as of January 01, 2025 | Updated by [Findlaw Staff](#)

As used in this division, “writing” means any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored.

California Code, Government Code - GOV § 7921.000

Current as of January 01, 2025 | Updated by [Findlaw Staff](#)

In enacting this division, the Legislature, mindful of the right of individuals to privacy, finds and declares that access to information concerning the conduct of the people's business is a fundamental and necessary right of every person in this state.

Response to Concerns about Federal Surveillance

Evaluating OGO concerns about federal surveillance into Berkeley officials discussing matters of immigration

Question:

Possible changes were introduced to the Open Government Ordinance (OGO) via the OGC (Open Government Commission) that would ban the use of ephemeral, encrypted messaging apps such as Signal by city officials. Concerns were presented regarding a possible situation where city officials want to communicate privately in order to protect undocumented individuals from federal immigration enforcement officials, and they may prefer to use Signal-like technology in these scenarios. This document examines and evaluates such concerns.

Would banning city officials from using ephemeral messaging meaningfully hinder efforts to protect undocumented individuals from federal immigration officials?

My Argument:

We know that ephemeral messaging is used by officials to hide a variety of information regarding public business that the public would like to know about—this law would create a large positive impact by revealing this. When it comes to ICE looking at city data for immigration enforcement, this is chiefly DMV data and other bulk databases, so to protect undocumented individuals those areas should be the focus. It would likely be illegal for ICE to spy on politicians' phones for immigration enforcement, without a (seemingly improbable) public, judicial warrant. And yet, if they did spy secretly, the usage of end-to-end encryption would make it extremely difficult to read texts without getting direct access to one of the devices in the conversation.

End-to-end encryption largely protects city officials already from almost any method that ICE could use to read sensitive texts, with the sole exception of a judge signing a warrant allowing ICE to seize a city official's phone. Using ephemeral messaging on top of that allows officials to skirt public records laws on a wide variety of relevant topics that the public would like to know about, while offering very little additional protection from federal agencies gaining access.

1. There is extensive evidence that city and state officials have used ephemeral messaging to conceal communications around city business.

By the very nature of ephemeral messaging technology, it is hard to know exactly what information has been hidden in the past. However, the press has reported that police matters,

communications with private interests and lobbyists, as well as issues with faulty COVID tests have been hidden.

2. There is limited evidence that ICE can look at personal communications for immigration enforcement, especially not in the covert manner we might be concerned about.

The evidence seems to suggest that the vast majority of intelligence retrieved by ICE is from bulk sources such as DMV records and commercial data brokers, rather than communications between city officials.

To me, covert or automatic collection of city officials' text messages is the main potential concern, not as much subpoenas issued by a judge after due process: What if ICE could use covert means like wiretapping or a secret FISA court order to access city communications intended to protect undocumented individuals? I believe (even illegal) wiretapping would be near impossible if end-to-end encrypted messaging is used, which would be allowed. Any requests for data would have to go through the public, due process of an open court and thus require probable cause. To be frank, many sensitive communications designed to protect undocumented individuals would likely no longer be sensitive after the length of time taken by most legal proceedings.

ICE and congressional committees can issue subpoenas that do not carry the force of law, which can be refused by city officials. If these entities go to a court to request a judge to compel the city official, in cases of overbroad requests, several potential legal defenses exist. By the time these judicial processes resolve, the "time window of sensitivity" during which we'd want these conversations to be private would very likely have lapsed anyway. Of course, ICE could simply ask to view messages between officials via CA Public Records Act, but this would also take time, and such records could be redacted to preserve the privacy of individuals involved.

3. Banning ephemeral messaging is very narrow in scope

In general, the intent behind banning ephemeral messaging is in scope a small restriction that may have outsized positive impact by discouraging the attempted avoidance of public records laws by city officials across the entire gamut of city business.

This does not prevent the use of other avenues for privacy preservation such as:

- end-to-end encryption
 - When end-to-end encryption is properly used, one can assume that the only way a third party like a federal agency could access such communications is by gaining direct access to one of the original devices involved in the communication (remote access by installing a virus/spyware, or physical access). NSA etc. could **not** simply ask Signal, a phone provider, internet provider, Apple, etc. for the messages, because those providers don't have the ability themselves to see any messages.
- simply having naturally "ephemeral" conversations in-person or via phone call.

- records retention schedules which would fully allow the deletion of intermediate text messages after some timeframe.
- deleting documents which are already exempt from CA Public Records Act, i.e. for privacy reasons, as long as official is not in violation of 18 U.S. Code § 1519 which deems it illegal to destroy any document even in anticipation that it may be requested by a federal agency for an investigation.

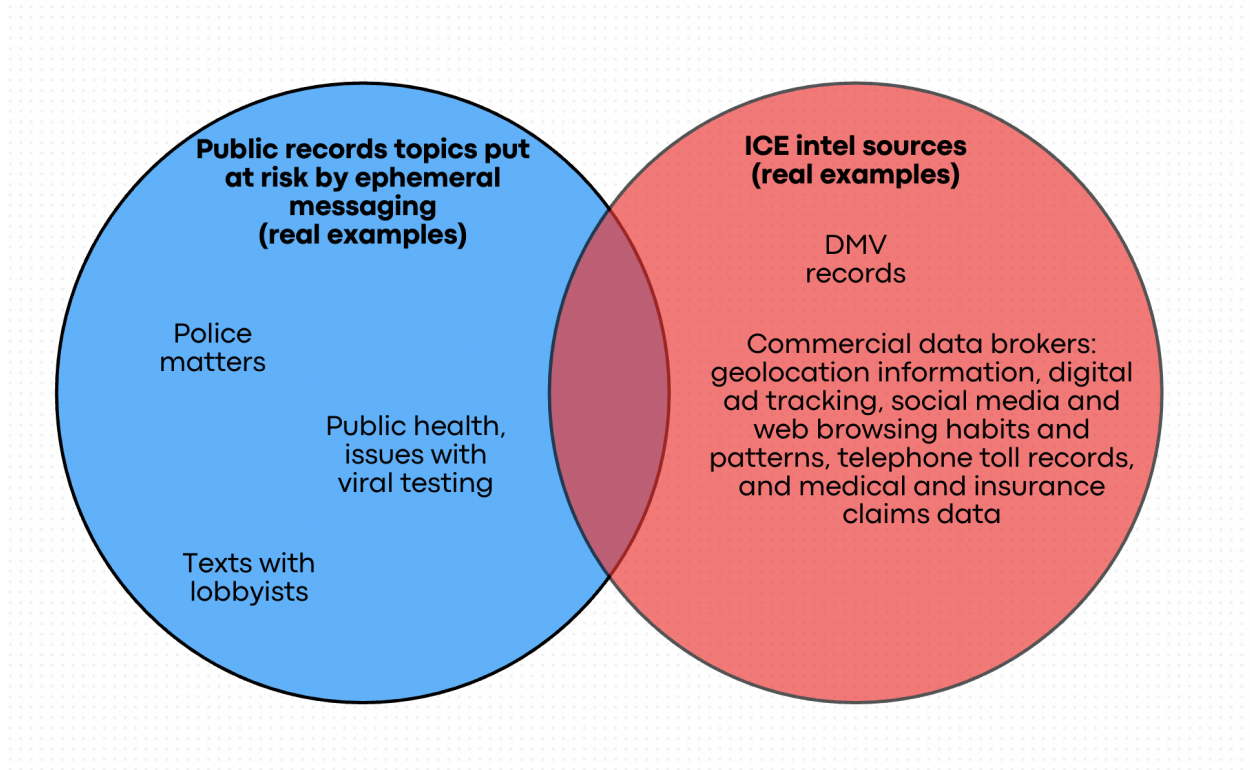


Figure 1: venn diagram. The blue area contains information reported to be hidden from the public via ephemeral messaging, which is of course only a subset of the ideally transparent information which we could help surface. The red area contains ICE intel sources, most of which are unrelated to city official texts. Even if ICE were to gain access to city official texts, I believe an public business ephemeral messaging ban is (a) very narrowly tailored, it still preserves most privacy rights of city officials, and (2) serves a compelling interest of the public. If the aim is to protect data on undocumented individuals from federal access, items in the red circle should be the arena of action. I argue that the intersection itself between these is almost nonexistent, or so much smaller than the benefits in the "blue" that we should pass this law.

Background Information:

What is end-to-end encryption, ephemeral messaging, and Signal?

End-to-end encryption is a technology that, when implemented and used correctly, lets two people exchange messages so that third-parties like the companies and networks carrying those messages cannot read their contents — a protection widely trusted by security experts, though it depends on the users' own devices being secure.

Ephemeral messaging is a technology that automatically deletes messages after they are read or after a set period of time, with the aim of limiting how long communications persist on devices and servers — a useful safeguard against later access, though one that reduces rather than eliminates traces, since recipients can screenshot a message before it disappears.

The Signal Technology Foundation is a nonprofit that built the following:

1. "Signal," an end-to-end encrypted messaging app with ephemeral messaging options. Signal is generally considered to be the most privacy-preserving messaging app, because their software is open-source and they significantly minimize the metadata they store.
2. The "Signal Protocol," an end-to-end encryption algorithm that is used by encrypted messaging providers such as Facebook Messenger, WhatsApp, and the Signal app itself.

Could FISA courts be used to (covertly) access politicians' texts?

I believe the answer is generally **no**, given the right precautions are taken.

The Foreign Intelligence Surveillance Act (FISA, 50 U.S.C. §§ 1801-11, 1821-29, 1841-46, 1861-62, 1871) is intended to conduct surveillance to prevent foreign espionage or terrorism. The courts that authorize spying under this act are famously "closed docket," and fully hidden from the public.

FISA allows warrants against a U.S. person in the following cases:

- If there is probable cause to believe the citizen is knowingly acting as an "agent of a foreign power."
- Section 702 allows the government to vacuum up the communications of foreigners overseas without a warrant. Because those foreigners inevitably communicate with Americans, millions of American emails and texts are "incidentally" swept into the NSA and FBI databases. According to the [Brennan Center](#) and my other research, I believe that only the FBI, CIA, NSA, and National Counterterrorism Center use FISA and section

702. Section 702 of the Foreign Intelligence Surveillance Act (FISA) is currently expired. It lapsed on June 12, 2026—however, it may still be operationally in effect.

- "Section 702 only permits the targeting of non-United States persons who are reasonably believed to be located outside the United States. United States persons and anyone in the United States may not be targeted under Section 702. Section 702 also prohibits “reverse targeting”—the IC may not target a non-U.S. person located outside the U.S. if the purpose of the collection is to collect information about a United States person or anyone located in the United States." ([intel.gov](https://www.intel.gov))

In other words, (1) ICE does not directly use FISA, though theoretically they could gain access to section 702 intelligence gathered by other intelligence agencies, but (2) the only communications that could be retrieved in our case is if a city official is communicating with a foreign person, not another city official.

Could ICE administrative subpoenas be used to access politicians' texts?

Under the tenth amendment's [anti-commandeering doctrine](#), the federal government cannot compel state or local officers to administer a federal regulatory program. City officials can generally refuse requests from ICE until a judge signs a subpoena.

What about Members of Congress requesting information from cities?

"San Francisco and San Diego, two of California's largest sanctuary cities, are under federal investigation for the alleged actions of local officials who stonewalled ICE and let criminal migrants walk free, The California Post has learned... The committee demanded documents and communications about each agency's interactions with ICE, policies involving non-US citizens, the number of ICE detainers received and declined, and communications with local officials about immigration enforcement." ([Media, House Judiciary Committee](#)).

Again, it seems a city could refuse, and argue in court protection under the tenth amendment.

Then, how do federal immigration officials usually access local data?

The evidence seems to suggest that the vast majority of intelligence retrieved by ICE is from bulk sources such as DMV records and commercial data brokers that provide, for example, location data of cell phones.

According to the Immigration Legal Resource Center ([ILRC](#)), ICE uses administrative warrants to request information from local schools, social services departments, and more. However, the [ACLU](#) outlines: "First, any gag order in these subpoenas has no legal effect; you are free to publicize them and inform the target of the subpoena. Second, you do not have to comply with the subpoena at all, unless ICE goes to court—where you can raise a number of possible objections—and the court orders compliance.

[The CATO Institute](#) outlines a primary source of intelligence for ICE: "the most dangerous and far-reaching tools the government uses to violate Americans' rights over the past several decades come from the private sector, usually in the form of personal data about us, or generated by us, which is then leveraged by commercial data brokers and sold to whoever can pay for it. Such data include geolocation information, digital ad tracking, social media and web browsing habits and patterns, telephone toll records, and medical and insurance claims data. This and so much more is available for purchase by law enforcement at the federal, state, and local levels."

According to [The National Immigration Law Center](#) (NILC), ICE routinely accesses state DMV data indirectly through Nlets (the National Law Enforcement Telecommunications System) or state-specific criminal justice platforms. Because ICE is recognized as a law enforcement agency, they can query these centralized hubs to pull state data that the state itself would not hand over directly. They also cite: "In fact, ICE ERO field offices appear to communicate regularly with state DMVs by email or other informal means that are unregulated and unaccountable. Despite any claim to the contrary, email exchanges appear to occur whether or not an automated system has been used. The communications have included: obtaining driver's license photos, obtaining a range of information about the license-holder or vehicle registration, and offering to help in the apprehension of a person sought by ICE. The information provided by DMV employees includes materials that would not be available through Nlets."

Relevant federal laws that Berkeley officials would have to abide by

8 U.S.C. § 1373 says that a government entity or official "may not prohibit, or in any way restrict" any official from sending to or receiving from federal immigration authorities information regarding the citizenship or immigration status of any individual. This means that a city official cannot prevent another city official from sending such immigration information. However, I'm not sure if this would be directly relevant to messages between city officials.

18 U.S.C. § 1519 deems it illegal to destroy any document even in anticipation that it may be requested by a federal agency for an investigation.

Prohibition on Ephemeral Messaging Features for Public Business

Section 1. Section 2.06.020 is amended to add the following definitions:

I. "Public Business" means any matter relating to the conduct of the City's affairs.

J. "Ephemeral Messaging Features" means any setting, function, or feature of an electronic communications application or service that causes a message, or any portion of a message, to be automatically deleted, hidden, or rendered inaccessible after a defined period or upon a defined event, before the applicable records retention period has elapsed.

K. "Personal Account or Device" means any electronic account, device, application, or service that is not issued, owned, or controlled by the City.

Section 2. A new Section 2.06.185 is added to Article IV, to read:

2.06.185 Electronic communications concerning Public Business.

A. No member of any Legislative Body, and no elected or appointed official, officer, employee, or contractor of the City shall use for Public Business any app, software, or other technology that prevents the maintaining or preserving any electronic communication (e.g. Ephemeral Messaging Features), whether on a City-issued account or device or on a Personal Account or Device.

B. Any electronic communication concerning Public Business sent or received on a Personal Account or Device is subject to the City's applicable records retention schedule and to disclosure under the Public Records Act on the same terms as a communication conducted on a City-issued account or device.

C. Each person subject to subsection A shall make reasonable efforts to ensure that all electronic communications concerning Public Business sent or received on a Personal Account or Device are retained and stored in a manner that keeps them accessible for the duration of the applicable retention period, regardless of whether such communications would be subject to an exemption from disclosure under the Public Records Act. Upon receipt of a valid request under the Public Records Act seeking such communications, each such person shall search their Personal Accounts and Devices for responsive communications and shall produce all responsive communications, except those subject to a valid exemption under the Public Records Act.

(Notes: Should volunteers or commissioners be covered? Contractors?

Should Signal be allowed if ephemeral messaging feature is turned off?

We may consider a stronger version, which would require the use of city devices for all communications when such a device is available, and require forwarding communications from personal devices to a city IT system otherwise, similar to 44 U.S.C. §2911 -- see below).

Alternative Option: Prohibition on Ephemeral Messaging Features for Public Business and Forwarding Requirement for Usage of Personal Devices or Accounts for Public Business

Section 1. Section 2.06.020 is amended to add the following definitions:

I. “Public Business” means any matter relating to the conduct of the City's affairs.

J. “Ephemeral Messaging Features” means any setting, function, or feature of an electronic communications application or service that causes a message, or any portion of a message, to be automatically deleted, hidden, or rendered inaccessible after a defined period or upon a defined event, before the applicable records retention period has elapsed.

K. “Personal Account or Device” means any electronic account, device, application, or service that is not issued, owned, or controlled by the City.

Section 2. A new Section 2.06.185 is added to Article IV, to read:

2.06.185 Electronic communications concerning Public Business.

A. No member of any Legislative Body, and no elected or appointed official, officer, employee, or contractor of the City shall use for Public Business:

1. any app, software, or other technology that prevents the maintaining or preserving any written electronic communication (e.g. Ephemeral Messaging Features), whether on a City-issued account or device or on a Personal Account or Device.

2. a nonofficial electronic messaging system unless the official or employee sends a copy of all sent and received communications concerning public business to an official electronic messaging system within 20 days of the original sending or receiving of the communication.

Background

The Information in "[How Telegram Offers Way Around Public Records Laws](#)" revealed that members of the San Francisco Board of Supervisors were using Telegram to conduct city business. Telegram's "Secret Chat" feature, which includes a self-destruct timer for messages, was cited as a primary reason for the app's popularity among officials: one official said they were encouraged to use Telegram by colleagues in City Hall who described it as a way to skirt the city's public records laws. Supervisors were observed appearing "active" on the app throughout the day, often hourly, on their private phones.

California law treats public business communications on personal accounts as public records (*City of San Jose v. Superior Court*, 2017), but does not prohibit officials from using applications whose default behavior is to destroy those records before any member of the public can request them. Once a message is auto-deleted, no enforcement mechanism can recover it. Berkeley residents have shown interest in this category of communication. As of May 7, 2026, a search of the City of Berkeley's NextRequest portal returns more than 50 California Public Records Act requests referencing WhatsApp or other platforms that support self-deleting messages.

After (*City of San Jose v. Superior Court*, 2017), State Senator Dave Cortese authored CA SB 908: "An elected or appointed official or employee of a public agency shall not create or send a public record using a nonofficial electronic messaging system unless the official or employee sends a copy of the public record to an official electronic messaging system within 20 days of the original creation or sending of the public record." SB 908 died in 2024. **Note that this requirement is stronger than the one I proposed, which simply requires preservation of records, even if they are stored outside of city IT systems.**

This bill was likely inspired from the existing federal requirement under the "Presidential and Federal Records Act Amendments of 2014:"

44 U.S.C. §2911. Disclosure requirement for official business conducted using non-official electronic messaging accounts

(a) An officer or employee of an executive agency may not create or send a record using a non-official electronic messaging account unless such officer or employee

(1) copies an official electronic messaging account of the officer or employee in the original creation or transmission of the record; or

(2) forwards a complete copy of the record to an official electronic messaging account of the officer or employee not later than 20 days after the original creation or transmission of the record.

The Associated Press in "[Encrypted messaging apps promise privacy. Government transparency is often the price](#)" writes the following:

- Signal is one of many end-to-end encrypted messaging apps that include message auto-delete functions. While such apps promise increased security and privacy, they often skirt open records laws meant to increase transparency around and public awareness of government decision-making. Without special archiving software, the messages frequently aren't returned under public information requests.
- An Associated Press review in all 50 states found accounts on encrypted platforms registered to cellphone numbers for over 1,100 government workers and elected officials. The AP found accounts for state, local and federal officials in nearly every state, including many legislators and their staff, but also staff for governors, state attorneys general, education departments and school board members. The AP's list is likely incomplete because users can make accounts unsearchable.
- Improper use of the apps has been reported over the past decade in places like Missouri, Oregon, Oklahoma, Maryland and elsewhere, almost always because of leaked messages.
- The best remedy is stronger public record laws, said David Cuillier, director of the Brechner Freedom of Information Project at the University of Florida. Most state laws already make clear that the content of communication — not the method — is what makes something a public record, but many of those laws lack teeth, he said.

According to the [Colorado Freedom of Information Coalition](#), here is the current legal landscape:

- Michigan House Bill 4778 directs state departments to "[not use any app, software, or other technology that prevents it from maintaining or preserving a public record](#)"
- In *Sansone v. Governor of Missouri*, the Missouri Court of Appeals for the Western District held that the governor's use of disappearing messaging apps was not a violation of the sunshine laws because no messages were retained so there was no public record to be produced.
- Texas Senate Bill 944, enacted in 2019, requires government officials to preserve text messages sent from or received on their personal devices that concern public or official business. However, the law does not directly address the use of disappearing or encrypted messaging apps.
- Kansas Executive Order 18–06 requires governor's office employees to conduct official business on their official state email accounts; accordingly, any use of a disappearing or encrypted messaging app for official business would be in violation of the executive order.

The following government entities have been reported to have experienced incidents of personal devices and/or ephemeral messaging preventing the preservation of public records:

Title	Description	Result
Trump administration in SignalGate	Senior national security officials coordinated airstrikes on Signal and accidentally added The Atlantic's editor to the chat.	American Oversight sued ; Judge Boasberg issued a temporary restraining order to preserve messages (most already auto-deleted); Pentagon issued a memo barring Signal for non-public unclassified info.
Department of Government Efficiency (DOGE)	Department of Government Efficiency members used Signal for agency matters, allegedly to evade FOIA.	A 2025 memo was issued, asking DOGE employees to preserve Signal messages and disable auto-delete.
San Francisco Board of Supervisors	Supervisors and aides used Telegram (including Secret Chats with self-destruct timers, on purpose) for city business.	Supervisor decided not to use Telegram for public business until resolved by City Attorney.
San Jose Mayor	Mayor directed a constituent to contact him on a personal email account to skirt public records laws. "I'm going to delete this email from my government account..."	Judge ruled in August 2023 that they violated state transparency law; this directly prompted SB 908 (2024).
San Diego Councilmembers Offices	Official asked colleagues to use Signal for work purposes. When asked for records via CPRA, records were gone.	Found no action in response.
Missouri Governor	"nearly every member of the former governor's taxpayer-funded staff had a Confide [self-destructive texting app] account and that the app was being used to communicate both within the governor's office and with outside allies and lobbyists."	AG found no legal violation, but Governor's office banned self-destructive texting apps for public business.
Police in Portland, Maine	Police use Signal for sensitive communications, sometimes with self-deleting chat feature.	Found no action in response.

Oklahoma Treasurer's Office	Signal chats used to coordinate policy with outside lobbyists. Official disabled ephemeral messages, but lobbyist may have enabled it, and thus some records auto-deleted.	AG "strongly discourages public officials from using third-party messaging applications when communicating about public business."
Maryland Governor	Governor and senior advisors used Wickr chat rooms with 24-hour auto-delete for state business.	"Transparency in Public Records Act of 2022 (SB 307)" introduced to prevent this. Bill failed.
Michigan State Police	Top police officials used Signal. One quote lightly suggested that some Signal chat were missing.	Passed House Bill 4778 "all state departments and all state agencies must not use any app, software, or other technology that prevents it from maintaining or preserving a public record..."
Seattle Mayor	"Former Mayor Jenny Durkan's phone was changed to "delete messages after 30 days" for roughly three weeks, which effectively destroyed past texts. Former Chief Carmen Best deleted her text messages, saying she thought the city backed them up, as they do with email. Fire Chief Harold Scoggins conducted a hard reset on his phone, destroying his text messages, because he couldn't remember the passcode on his phone."	"King County Prosecutor declined criminal charges, citing inability to prove intent."
Florida Governor	Public business seems to have been conducted on personal devices; some records production refused.	"Appeals court overturned a ruling that governor's administration took too long in providing public records about a controversial 2022 decision to fly migrants from Texas to Massachusetts."



Open Government Commission

PUBLIC HEARING
XXXX XX, XXXX

To: Honorable Mayor and Members of the City Council

From: Kyle Edwards Haugh, Chair, Open Government Commission

Submitted by: Samuel Harvey, Stephen Hylas & Lauren Packard, Secretary, Open Government Commission

Subject: Use of the Consent Calendar

RECOMMENDATION

1. Use the Consent Calendar only for noncontroversial items for which unanimous approval without discussion is anticipated
2. Amend the *Rules of Procedure and Order* to support this practice.

III.G.4. Agenda. Regulations Governing City Council Policy Committees. Functions of the Policy Committees. (p. 23)

Once the item is voted out of a Policy Committee, the final item will be resubmitted to the agenda process by the Primary Author, and it will return to the Agenda & Rules Committee on the next available Agenda. The Agenda & Rules Committee may leave the item on the Agenda under consideration or place it on the following Council Agenda. ~~The Agenda & Rules Committee may agendaize the item on the Consent Calendar or Action Calendar.~~ **Only items that receive a Positive Recommendation may be placed on the Consent Calendar.** [restoration of language removed in October, 2024]

II.D. Meetings. Council Meeting Conduct of Meetings. (p.6)

Three or more members of the City Council must agree to pull an item from the Consent or Information Calendar for it to move to Action. ~~Absent at least three members concurring, the item will stay on the Consent or Information Calendar.~~

With respect to Consent items, the Mayor or Councilmembers will be allowed to record their aye, nay, or abstain votes on individual items prior to the vote on the

Consent Calendar. **If a majority of those voting specify a nay or abstain vote, with the consequence that an item will fail, that item will be moved to the Action Calendar prior to the vote on the Consent Calendar.**

BACKGROUND

Until [Date] the Berkeley's *Rules of Procedure and Order* included a provision that allowed members of the public to move items from the Consent Calendar to the Action Calendar.

Until October 29, 2024 the Mayor or a single member of the Council could move an item from Consent or Information to Action.

Until recently, it was the practice of the Agenda and Rules Committee to place items with a negative or mixed recommendation from a Council Committee on the Action Calendar. [Confirmation needed]

CURRENT SITUATION AND ITS EFFECTS

City Council now the Consent Calendar for items that are not going to be approved by the Council. This is confusing to the public who expect that items placed on Consent will be approved by City Council – or if they will not be approved, will be moved to the Action Calendar for debate before a vote is taken.

There are currently two ways in which this confusing practice happens.

A majority of the councilmembers may register an abstention or no vote for an Consent Item without removing it from the Consent Calendar. This practice caused particular public consternation when the [Resolution Opposing Tokyo Electric Power Company and the Government of Japan's Planned Discharge of Wastewater from Fukushima Daiichi Nuclear Power Plant into the Pacific Ocean](#) failed in this manner. In this instance, and in others, the lack of any reasons being given for the item's failure led to speculation, suspicions and lack of trust. Two years ago, City Council voted unanimously in favor of a change to the *Rules of Procedure and Order* that would have automatically moved items to the Action Calendar if three or more members registered their lack of consent, but that change was not incorporated into the Rules.

The second way in which the public can be misled by the Consent Calendar is the practice of placing items on the Consent calendar with an intent to reject the item based on a negative recommendation from a policy committee. This practice commenced with a revision to the *Rules of Procedure and Order* adopted in October, 2024. This is so confusing that public comment on Consent Items at Council meetings has included members of the public thanking the Council for the approval of items that, in fact, were not being approved at all. We question whether the agenda is consistent with the intent of the Brown Act when an action taken under the Consent Calendar is contrary to the title of an item listed.

The Open Government Commission recommends that the Council immediately return to the practice of placing items with a negative Committee recommendation on the Action

Calendar and institute a practice of moving an item from Consent to Action if a majority of the councilmembers record lack of support.

FISCAL IMPACTS OF RECOMMENDATION

None.

ALTERNATIVE ACTIONS CONSIDERED

xxxx

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

None.

RATIONALE FOR RECOMMENDATION

Limiting the use of the Consent Calendar to items that are being approved by Council will provide clear information to the public and engender public trust.

.

CONTACT PERSON

Kyle Edwards Haugh, Chair, Open Government Commission, (415) 860-4173

Samuel Harvey, Commission Secretary, Open Government Commission (510) 981-6998

ATTACHMENTS

Pre 2024 Rules of Procedure and Order

Excerpts from Rules used in other jurisdictions:



Open Government Commission

Date: June 19, 2025

To: Honorable Mayor and Members of the City Council

From: Kitt Saginor, Chair

Subject: Use of Consent Calendar

The Open Government Commission is concerned that City Council has been using the Consent Calendar for items that are not going to be approved by the Council. This is confusing to the public who expect that items placed on Consent will be approved by City Council – or if they will not be approved, will be moved to the Action Calendar for possible debate before a vote is taken.

There are currently two ways in which this confusing practice happens.

A majority of the councilmembers may register an abstention or no vote for an Consent Item without removing it from the Consent Calendar. This practice caused particular public consternation when the [Resolution Opposing Tokyo Electric Power Company and the Government of Japan's Planned Discharge of Wastewater from Fukushima Daiichi Nuclear Power Plant into the Pacific Ocean](#) failed in this manner. In this instance, and in others, the lack of any reasons being given for the item's failure led to speculation, suspicions and lack of trust. A year ago, City Council voted unanimously in favor of a change to the *Rules of Procedure and Order* that would have automatically moved items to the Action Calendar if three or more members registered their lack of consent, but that change was not incorporated into the Rules.

The second way in which the public can be misled by the Consent Calendar is the practice of placing items on the Consent calendar with an intent to reject the item based on a negative recommendation from a policy committee. This is a new practice created by the revisions to the *Rules of Procedure and Order* adopted last October. This is so confusing that public comment on Consent Items at Council meetings has included members of the public thanking the Council for the approval of items that, in fact, were not being approved at all. We question whether the agenda is consistent with the intent of the Brown Act when an action taken under the Consent Calendar is contrary to the title of an item listed.

The Open Government Commission recommends that the Council immediately return to the practice of placing items with a negative Committee recommendation on the Action Calendar, and institute a practice of moving an item from Consent to Action if a majority of the councilmembers record lack of support.

We also recommend that the *Rules of Procedure and Order*, when next revised, formalize these changes:

III.G.4. Agenda. Regulations Governing City Council Policy Committees. Functions of the Policy Committees. (p. 23)

Once the item is voted out of a Policy Committee, the final item will be resubmitted to the agenda process by the Primary Author, and it will return to the Agenda & Rules Committee on the next available Agenda. The Agenda & Rules Committee may leave the item on the Agenda under consideration or place it on the following Council Agenda. ~~The Agenda & Rules Committee may agendaize the item on the Consent Calendar or Action Calendar.~~ **Only items that receive a Positive Recommendation can be placed on the Consent Calendar.**
[restoration of language removed in October, 2024]

II.D. Meetings. Council Meeting Conduct of Meetings. (p.6)

Three or more members of the City Council must agree to pull an item from the Consent or Information Calendar for it to move to Action. ~~Absent at least three members concurring, the item will stay on the Consent or Information Calendar.~~

With respect to Consent items, the Mayor or Councilmembers will be allowed to record their aye, nay, or abstain votes on individual items prior to the vote on the Consent Calendar. **If a majority of those voting specify a nay or abstain vote, with the consequence that an item will fail, that item will be moved to the Action Calendar prior to the vote on the Consent Calendar.**

Nondescriptive Agenda Title

- Kitt Saginor, July 6th, 2026

The June 30th City Council Regular Meeting Agenda listed the following item on Consent;

19.-Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on June 30, 2026

From: City Manager

Recommendation: Approve the request for proposals or invitation for bids (attached to staff report) that will be, or are planned to be, issued upon final approval by the requesting department or division. All contracts over the City Manager's threshold will be returned to Council for final approval.

Financial Implications: - General Fund - \$2,408,500

Contact: Henry Oyekanmi, Finance, (510) 981-7300

This language does not state whether the potential cost might be for just one proposal or for multiple proposals, and which department(s) or division(s) might issue them. It certainly does not state what the purpose of these proposals might be. Likewise, when this agenda was published online, the attachment contained no information about the purpose or originating department or division.

Members of the public, myself included, read the agenda without guessing that this item concerned the potential acquisition of surveillance cameras and systems - a topic of considerable interest and concern to hundreds of Berkeley residents. This should have been clear in the Agenda.

From *The Berkeley City Council Rules of Procedure and Order*, p. 9

III. Agenda B. Definitions

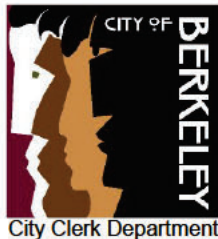
2. Agenda items shall contain all relevant documentation, including the information listed below:

- a) A descriptive title that adequately informs the public of the subject matter and general nature of the item or report;

When the Council began its consideration of the Consent calendar, Councilmember Blackaby said:

"I want to comment on Item 19 **which is the RFP for public safety tech tools.**"
[emphasis added]

A descriptive title of this item would have said that.



DATE: July 20, 2026

TO: FAIR CAMPAIGN PRACTICES COMMISSION

FROM: Mark Numainville, City Clerk

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

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

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

The candidate must also qualify by submitting 30 contributions of at least \$10 from 30 unique contributors totaling at least \$650.

As of July 20, 2026, the following candidate has submitted the required filings as well as a compliant Initial Qualifying Request and their participation in the program has been approved by City staff:

Application for Participation and Initial Qualifying Request for Funds	
Submitted By:	Ross Bernet for Council 2026
Qualified Contributions:	\$2,349
Eligible Matching Funds:	\$14,094
Action	Certified candidate to participate in the program. Approved 6:1 matching public funds in an amount not to exceed \$14,094.

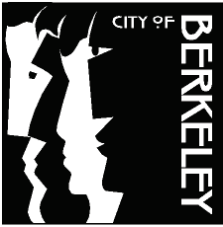
Basic glossary of terms:

Application for Participation	Required form for participating candidates that certifies they will follow the regulations and requirements of the program.
Qualifying Request	In order to qualify to receive public matching funds, a candidate must collect at least 30 contributions (from 30 unique contributors) of at least \$10 totaling \$650.
Matching Request	Campaign committees participating in the Public Financing Program submit a Matching Request with all required documentation in order to receive Public Matching Funds.

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

Attachments

1. Ross Bernet: Application for Participation and Initial Qualifying Request for Funds.



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

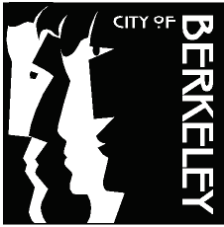
E-Filed
 07/13/2026
 17:49:48
 Filing ID:
 216979273

FAIR ELECTIONS ACT FORM

APPLICATION FOR PARTICIPATION IN PUBLIC FINANCING PROGRAM

(Berkeley Municipal Code Chapter 2.12 – Election Reform Act)

OFFICE SOUGHT		
OFFICE City Council Member		COUNCIL DISTRICT (IF APPLICABLE) 1
ELECTION CYCLE 11/03/2026		
CANDIDATE INFORMATION		
LAST Bernet	FIRST Ross	M.I.
COMMITTEE INFORMATION		
NAME OF CAMPAIGN COMMITTEE Ross Bernet for Council 2026		FPPC I.D. No. 1492143
CANDIDATE CERTIFICATION		
Under penalty of perjury, I hereby certify: I have complied with the restrictions of Berkeley Municipal Code Chapter 2.12 (Election Reform Act) during the election cycle to date; and My campaign committee has filed all campaign finance reports required by law during the election cycle to date and that they are complete and accurate; and I will comply with the requirements of Chapter 2.12 during the remainder of the election cycle and, specifically, if certified as an eligible participating candidate, will comply with the requirements applicable to participating candidates.		
Ross Bernet CANDIDATE SIGNATURE		07/13/2026 DATE SIGNED



City Clerk Department
2180 Milvia Street
Berkeley, CA 94704
(510) 981-6900

www.cityofberkeley.info | elections@cityofberkeley.info

E-Filed
07/14/2026
16:05:50

Filing ID:
216986961

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

OFFICE SOUGHT			
OFFICE City Council Member		COUNCIL DISTRICT (IF APPLICABLE) District 1	
ELECTION CYCLE 11/03/2026			
COMMITTEE INFORMATION			
NAME OF CAMPAIGN COMMITTEE Ross Bernet for Council 2026		FPPC I.D. No. 1492143	
STREET ADDRESS		APARTMENT/SUITE/FLOOR	
CITY Berkeley	STATE CA	ZIP CODE 94702	
TELEPHONE (858) 692-1872	EMAIL ADDRESS rossforberkeley@gmail.com		
CANDIDATE DECLARATION			
I hereby declare that the following information is true and correct: • All information on the attached Qualified Contribution Receipts is complete and accurate to the best of my knowledge. • I understand that the City shall verify that the qualified contributions meet all of the requirements and restrictions prior to the disbursement of funds. • I understand that if I submit any contributions that are not from the person(s) identified on the receipt I shall be liable to pay the Fair Elections Fund the entire amount in addition to any penalties. • All Qualified Contributions, of any dollar amount, eligible for matching Fair Elections funds must be publically disclosed with the contributor information required under Sections 2.12.280 and 2.12.283. • I understand that all campaign filings must be current in order for a disbursement of Fair Election funds to be released.			
Ross Bernet		07/14/2026	
CANDIDATE SIGNATURE		DATE SIGNED	

INITIAL QUALIFYING REQUEST FOR FAIR ELECTIONS FUNDS PAYMENT

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

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

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

	Last Name	First Name	Address	Zip Code, City	Occupation	Employer	Payment Method	Date Received	Date Deposited	Deposit Batch #	Amount of Contribution
1.	Humbert	Charles		94705 Berkeley	Lawyer	Humbert Law Offices	Electronic	07/13/2026	07/13/2026	1	60.00
2.	Krauss	Gregory		94705 Berkeley	Attorney	Federal government	Electronic	06/30/2026	06/30/2026	1	60.00
3.	Jones	Matthew		94702 Berkeley	Actor	Sag	Electronic	06/30/2026	06/30/2026	1	60.00
4.	Weil	Carolyn		94702 Berkeley	retired	retired	Electronic	06/29/2026	06/29/2026	1	60.00
5.	Shiffman	Naomi		94706 Berkeley	Implementation Manager	Oversight Board	Electronic	06/29/2026	06/29/2026	1	60.00
6.	Carey	Lea		94702 Berkeley	Leadership trainer	Lea Carey Consulting LLC Berkeley	Electronic	06/28/2026	06/28/2026	1	60.00
7.	Dwyer	Charlie		94702-1219 Berkeley	Renewable Energy Finance	Pattern Energy	Electronic	06/28/2026	06/28/2026	1	60.00
8.	Papasan	Jay		94702 Berkeley	Engineer	Black Forest Labs	Electronic	06/28/2026	06/28/2026	1	60.00
9.	Stordahl	Trevor		94702 Berkeley	Lawyer	VIZ Media	Electronic	06/28/2026	06/28/2026	1	60.00
10.	Gordon	Theodore		94704 Berkeley	Product Manager	Somewear Labs	Electronic	06/28/2026	06/28/2026	1	60.00
11.	Miguel	Gary		94703 Berkeley	engineer	anthropic pbc	Electronic	06/27/2026	06/27/2026	1	60.00
12.	Tanner	May		94704-2508 Berkeley	Student	Not Employed	Electronic	06/27/2026	06/27/2026	1	60.00
13.	Hernandez-Bachen	Pedro		94703 Berkeley	Program Manager	Youtube	Electronic	06/27/2026	06/27/2026	1	60.00
14.	Gill	Clare		94703 Berkeley	Student	UC Berkeley	Electronic	06/27/2026	06/27/2026	1	60.00
15.	Fono	Lorien		94703 Berkeley	Engineer	Lorien fono	Electronic	06/27/2026	06/27/2026	1	30.00
										Subtotals	870.00

Rev. 12/10/2021

Page 2 of 4

	Last Name	First Name	Address	Zip Code, City	Occupation	Employer	Payment Method	Date Received	Date Deposited	Deposit Batch #	Amount of Contribution
16.	Russ	Zachary		94703 Berkeley	Cofounder/Scientist	Labscape Inc	Electronic	06/27/2026	06/27/2026	1	60.00
17.	Schmidt	Calla		94702 Berkeley	Professor	University of San Francisco	Electronic	06/26/2026	06/26/2026	1	60.00
18.	DiStefano	Joseph		94707 Berkeley	Urban Planner	Metric Planning Group	Electronic	06/26/2026	06/26/2026	1	60.00
19.	Leaverton	Daniel		94702-1505 Berkeley	Insurance adjuster	AIG	Electronic	06/26/2026	06/26/2026	1	60.00
20.	Roos-Collins	Margit		94709-1416 Berkeley	Retired	Not Employed	Electronic	06/26/2026	06/26/2026	1	60.00
21.	Gould	Harvey		94704 Berkeley	Retired	Not Employed	Electronic	06/26/2026	06/26/2026	1	60.00
22.	Emerson	Sandra		94702 Berkeley	Not Employed	Not Employed	Electronic	06/25/2026	06/25/2026	1	60.00
23.	Ewing	John		94707 Berkeley	Retired	Not Employed	Electronic	06/25/2026	06/25/2026	1	60.00
24.	Campana	Anthony		94704 Berkeley	Construction Project Management	Charles Pankow Builders LTD	Electronic	06/25/2026	06/25/2026	1	49.00
25.	Posselt	Theo		94709 Berkeley	Consultant	Deloitte	Electronic	06/24/2026	06/24/2026	1	60.00
26.	Cantor	Lucas		94710 Berkeley	Not Employed	Not Employed	Electronic	06/24/2026	06/24/2026	1	60.00
27.	Lent	Tom		94702-2140 Berkeley	Not Employed	Not Employed	Electronic	06/24/2026	06/24/2026	1	60.00
28.	Gerhardstein	Ben		94702 Berkeley	Environmental health scientist	CDC	Electronic	06/23/2026	06/23/2026	1	60.00
29.	Newbery	Sheila		94707 Berkeley	Editor	MSP.org	Electronic	06/23/2026	06/23/2026	1	50.00
30.	Lee-Egan	Chris		94702 Berkeley	Software Engineer	Google	Electronic	06/23/2026	06/23/2026	1	60.00
31.	Baker	Jeffrey		94703 Berkeley	Unemployed	Unemployed	Electronic	06/23/2026	06/23/2026	1	60.00
32.	Lee-Egan	Elizabeth		94702 Berkeley	graphic designer	Libbyco design & illustration, Berkeley	Electronic	06/23/2026	06/23/2026	1	60.00
33.	Talbot	Andrew		94710 Berkeley	Software Engineer	Elation Health Inc	Electronic	06/21/2026	06/21/2026	1	60.00
34.	Moore	Frances		94703 Berkeley	Professor	UC Davis	Electronic	06/21/2026	06/21/2026	1	60.00
35.	Bao	Xiaoyan		94703 Berkeley	Scientist	Ephla Bio	Electronic	06/21/2026	06/21/2026	1	60.00
36.	Orrick	Phyllis		94702 Berkeley	Retired	Not Employed	Electronic	06/20/2026	06/20/2026	1	60.00
										Subtotals	1,239.00

	Last Name	First Name	Address	Zip Code, City	Occupation	Employer	Payment Method	Date Received	Date Deposited	Deposit Batch #	Amount of Contribution
37.	Cheyette	Oren		94707 Berkeley	Retired	Not Employed	Electronic	06/19/2026	06/19/2026	1	60.00
38.	Busay	Corey		94702 Berkeley	Portfolio Manager	BlackRock	Electronic	06/17/2026	06/17/2026	1	60.00
39.	Hu	Tom		94709 Berkeley	Teacher	Marin Country Day School	Electronic	06/17/2026	06/17/2026	1	60.00
40.	Bell	Sarah		94703 Berkeley	Not Employed	Not Employed	Electronic	06/16/2026	06/16/2026	1	60.00 INSUF
41.	Zhou	Chenlu		94702 Berkeley	Financial Analyst	MSCI	Electronic	06/15/2026	06/15/2026	1	60.00
										Subtotals	300.00 240
										Grand Totals	2,409.00 2,349

2,349
X6
14094

Ineligibility Codes (if any)
DUP - Duplicate Contribution
ECL - Exceeds Cash Limit
EMD - Exceeds Max Donation
INSUF - Insufficient Documentation
MAX - Reached Maximum Amount Permitted
NRES - Non-Berkeley Resident
SIG - Electronic/No Signature



DATE: July 30, 2026

TO: FAIR CAMPAIGN PRACTICES COMMISSION

FROM: Mark Numainville, City Clerk

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

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

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

The candidate must also qualify by submitting 30 contributions of at least \$10 from 30 unique contributors totaling at least \$650.

As of July 30, 2026, the following candidate has submitted the required filings as well as a compliant Initial Qualifying Request and their participation in the program has been approved by City staff:

Application for Participation and Initial Qualifying Request for Funds	
Submitted By:	Aidan Hill for Berkeley City Council District 7, 2026
Qualified Contributions:	\$902.70
Eligible Matching Funds:	\$5,416.20
Action	Certified candidate to participate in the program. Approved 6:1 matching public funds in an amount not to exceed \$5,416.20.

Basic glossary of terms:

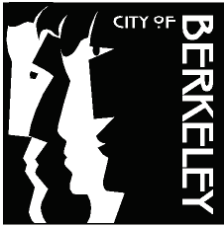
Application for Participation	Required form for participating candidates that certifies they will follow the regulations and requirements of the program.
Qualifying Request	In order to qualify to receive public matching funds, a candidate must collect at least 30 contributions (from 30 unique contributors) of at least \$10 totaling \$650.
Matching Request	Campaign committees participating in the Public Financing Program submit a Matching Request with all required documentation in order to receive Public Matching Funds.

- 2 -

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

Attachments

1. Aidan Hill: Application for Participation and Initial Qualifying Request for Funds.



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

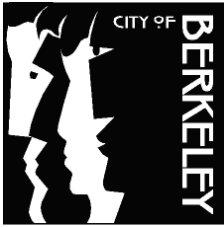
E-Filed
 12/14/2025
 13:36:32
 Filing ID:
 215009976

FAIR ELECTIONS ACT FORM

APPLICATION FOR PARTICIPATION IN PUBLIC FINANCING PROGRAM

(Berkeley Municipal Code Chapter 2.12 – Election Reform Act)

OFFICE SOUGHT		
OFFICE City Council Member		COUNCIL DISTRICT (IF APPLICABLE) 7
ELECTION CYCLE 11/03/2026		
CANDIDATE INFORMATION		
LAST Hill	FIRST Aidan	M.I.
COMMITTEE INFORMATION		
NAME OF CAMPAIGN COMMITTEE Aidan Hill for Berkeley City Council District 7, 2026		FPPC I.D. No. 1481885
CANDIDATE CERTIFICATION		
Under penalty of perjury, I hereby certify: I have complied with the restrictions of Berkeley Municipal Code Chapter 2.12 (Election Reform Act) during the election cycle to date; and My campaign committee has filed all campaign finance reports required by law during the election cycle to date and that they are complete and accurate; and I will comply with the requirements of Chapter 2.12 during the remainder of the election cycle and, specifically, if certified as an eligible participating candidate, will comply with the requirements applicable to participating candidates.		
Aidan Hill CANDIDATE SIGNATURE		12/14/2025 DATE SIGNED



City Clerk Department
2180 Milvia Street
Berkeley, CA 94704
(510) 981-6900

www.cityofberkeley.info | elections@cityofberkeley.info

E-Filed
07/24/2026
20:59:22

Filing ID:
217065049

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

OFFICE SOUGHT			
OFFICE City Council Member		COUNCIL DISTRICT (IF APPLICABLE) District 7	
ELECTION CYCLE 11/03/2026			
COMMITTEE INFORMATION			
NAME OF CAMPAIGN COMMITTEE Aidan Hill for Berkeley City Council District 7, 2026		FPPC I.D. No. 1481885	
STREET ADDRESS		APARTMENT/SUITE/FLOOR	
CITY Berkeley	STATE CA	ZIP CODE 94704	
TELEPHONE (510) 804-5668	EMAIL ADDRESS aidanhill@protonmail.com		
CANDIDATE DECLARATION			
I hereby declare that the following information is true and correct: • All information on the attached Qualified Contribution Receipts is complete and accurate to the best of my knowledge. • I understand that the City shall verify that the qualified contributions meet all of the requirements and restrictions prior to the disbursement of funds. • I understand that if I submit any contributions that are not from the person(s) identified on the receipt I shall be liable to pay the Fair Elections Fund the entire amount in addition to any penalties. • All Qualified Contributions, of any dollar amount, eligible for matching Fair Elections funds must be publically disclosed with the contributor information required under Sections 2.12.280 and 2.12.283. • I understand that all campaign filings must be current in order for a disbursement of Fair Election funds to be released.			
Aidan Hill		07/24/2026	
CANDIDATE SIGNATURE		DATE SIGNED	

INITIAL QUALIFYING REQUEST FOR FAIR ELECTIONS FUNDS PAYMENT

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

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

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

	Last Name	First Name	Address	Zip Code, City	Occupation	Employer	Payment Method	Date Received	Date Deposited	Deposit Batch #	Amount of Contribution
1.	Buters	Brandon		94705 Berkeley	Artist	Self-employed street vendor	Cash	07/21/2026	07/24/2026	9	20.00
2.	Ferguson	Garrett		94704 Berkeley	Student	Self Employed	Electronic	07/12/2026	07/17/2026	7	10.76
3.	Lynch	Kerby		94704 Berkeley	Consultant	Self-Employed	Electronic	07/11/2026	07/17/2026	7	10.76
4.	Miller	Sarah		94704 Berkeley	Teacher	WCCUSD	Electronic	07/11/2026	07/17/2026	7	21.19
5.	Padilla	Jonathan		94702 Berkeley	Unemployed	Not employed	Cash	07/11/2026	07/20/2026	8	10.00
6.	Neal	Carmen		94702 Berkeley	Unemployed	Not employed	Cash	07/11/2026	07/20/2026	8	10.00
7.	Morales	Erick		94702 Berkeley	Custodian	Interactive Resources	Cash	07/11/2026	07/20/2026	8	10.00
8.	Barr	Charles		94702 Berkeley	Unemployed	Not employed	Cash	07/11/2026	07/20/2026	8	15.00
9.	Norris	Michael		94702 Berkeley	Unemployed	Not Employed	Cash	07/11/2026	07/20/2026	8	10.00
10.	Powell	Nicole		94704 Berkeley	Librarian	World Financial Group	Electronic	07/09/2026	07/17/2026	7	60.00
11.	Davila	Cheryl		94710 Berkeley	Retired	Retired	Electronic	07/02/2026	07/17/2026	7	26.41
12.	Tavistock	Anna		94705 Berkeley	Unemployed	None	Cash	06/30/2026	07/01/2026	6	45.00
13.	Sommer	Ryan		94705 Berkeley	Art Production	Ryan Sommer (self-employed)	Cash	06/30/2026	07/01/2026	6	45.00
14.	Chang	James		94703 Berkeley	Legislative Aide	City of Berkeley	Electronic	06/29/2026	07/17/2026	7	26.41
15.	Simon	Donald		94705 Berkeley	Attorney	Stratagem LLP	Electronic	06/29/2026	07/17/2026	7	60.00
										Subtotals	380.53

Rev. 12/10/2021

	Last Name	First Name	Address	Zip Code, City	Occupation	Employer	Payment Method	Date Received	Date Deposited	Deposit Batch #	Amount of Contribution
16.	Nelson	Rodger		94704 Berkeley	Unemployed	Not employed	Cash	06/28/2026	07/01/2026	6	10.00
17.	Sturgis	Alton		94705 Berkeley	Engineering	Self	Cash	06/21/2026	07/01/2026	6	10.00
18.	Dunagan	Mary		94703 Berkeley	Artist	Self	Electronic	06/21/2026	07/17/2026	7	20.00
19.	King	Jenne		94703 Berkeley	Disabled, Volunteer, unemployed	Not employed	Electronic	06/20/2026	07/17/2026	7	26.41
20.	Nisar	Irfan		94709 Berkeley	Housing Navigator	Insight Housing	Electronic	06/20/2026	07/17/2026	7	10.76
21.	Sullivan	Kelly		94704 Berkeley	photographer	self-employed	Electronic	06/08/2026	07/17/2026	7	25.00
22.	Prichett	Andrea		94710 Berkeley	Teacher	Berkeley Unified School District	Check	06/05/2026	06/12/2026	5	60.00
23.	Gilmartin	Steve		94702 Berkeley	Retired	Not Employed	Check	06/05/2026	06/12/2026	5	10.00
24.	Thomas	Stephanie		94707 Berkeley	Retired	Not Employed	Check	05/17/2026	05/18/2026	3	INSUF 25.00
25.	Martin	Will		94705 Berkeley	Unemployed	Not Employed	Cash	05/16/2026	05/18/2026	4	40.00
26.	Stephens	Roosevelt		94709 Berkeley	Artist	Self-employed	Cash	05/10/2026	05/11/2026	2	40.00
27.	Lee	Stanley		94704 Berkeley	Unemployed	Not Employed	Cash	05/10/2026	05/11/2026	2	40.00
28.	Chang	Ethan		94704 Berkeley	Student	Not Employed	Cash	05/09/2026	05/11/2026	2	10.00
29.	Fong	Joe		94704 Berkeley	Retired	Not Employed	Cash	05/09/2026	05/11/2026	2	10.00
30.	Gangopadhyay	Moni		94710 Berkeley	Investigator	State of California	Electronic	05/07/2026	07/17/2026	7	60.00
31.	Auerbach	Elana		94709 Berkeley	Priestess / Author	Self	Check	04/08/2026	04/09/2026	1	30.00
32.	Press	William		94709 Berkeley	Executive	Tau AI	Check	04/08/2026	04/09/2026	1	30.00
33.	Morris	Betsy		94702 Berkeley	Self-employed (Retired)	Retired	Cash	02/02/2026	07/01/2026	6	30.00
34.	Lavine	Joshua		94704 Berkeley	Program Coordinator	Insight Housing	Electronic	01/18/2026	07/17/2026	7	60.00
										Subtotals	522.17547.17
										Grand Totals	902.70927.70

Ineligibility Codes (if any)**DUP - Duplicate Contribution****ECL - Exceeds Cash Limit****EMD - Exceeds Max Donation****INSUF - Insufficient Documentation****MAX - Reached Maximum Amount Permitted****NRES - Non-Berkeley Resident****SIG - Electronic/No Signature****902.70****X6****5,416.20**



DATE: August 12, 2026

TO: FAIR CAMPAIGN PRACTICES COMMISSION

FROM: Mark Numainville, City Clerk

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

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

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

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

As of April 20, 2026, the following candidate has submitted the required filings as well as a compliant Initial Qualifying Request and their participation in the program has been approved by City staff:

Application for Participation and Initial Qualifying Request for Funds	
Submitted By:	Mendonca for Council 2026
Qualified Contributions:	\$1,703
Eligible Matching Funds:	\$10,218
Action	Certified candidate to participate in the program. Approved 6:1 matching public funds in an amount not to exceed \$10,218.

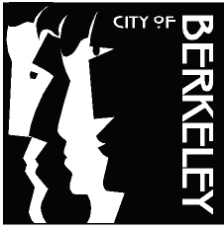
Basic glossary of terms:

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

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

Attachments

1. Mari Mendonca: Application for Participation and Initial Qualifying Request for Funds.



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

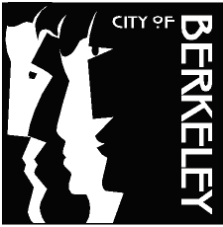
E-Filed
 07/14/2026
 19:37:09
 Filing ID:
 216988784

FAIR ELECTIONS ACT FORM

APPLICATION FOR PARTICIPATION IN PUBLIC FINANCING PROGRAM

(Berkeley Municipal Code Chapter 2.12 – Election Reform Act)

OFFICE SOUGHT		
OFFICE City Council Member		COUNCIL DISTRICT (IF APPLICABLE) 8
ELECTION CYCLE 11/03/2026		
CANDIDATE INFORMATION		
LAST Mendonca	FIRST Mari	M.I.
COMMITTEE INFORMATION		
NAME OF CAMPAIGN COMMITTEE Mendonca for Council 2026		FPPC I.D. No. Pending
CANDIDATE CERTIFICATION		
Under penalty of perjury, I hereby certify: I have complied with the restrictions of Berkeley Municipal Code Chapter 2.12 (Election Reform Act) during the election cycle to date; and My campaign committee has filed all campaign finance reports required by law during the election cycle to date and that they are complete and accurate; and I will comply with the requirements of Chapter 2.12 during the remainder of the election cycle and, specifically, if certified as an eligible participating candidate, will comply with the requirements applicable to participating candidates.		
Mari Mendonca _____ CANDIDATE SIGNATURE		07/14/2026 _____ DATE SIGNED



City Clerk Department
2180 Milvia Street
Berkeley, CA 94704
(510) 981-6900

www.cityofberkeley.info | elections@cityofberkeley.info

E-Filed
08/04/2026
20:19:51

Filing ID:
217161583

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

OFFICE SOUGHT			
OFFICE City Council Member		COUNCIL DISTRICT (IF APPLICABLE) District 8	
ELECTION CYCLE 11/03/2026			
COMMITTEE INFORMATION			
NAME OF CAMPAIGN COMMITTEE Mendonca for Council 2026		FPPC I.D. No. Pending	
STREET ADDRESS		APARTMENT/SUITE/FLOOR	
CITY Berkeley	STATE CA	ZIP CODE 94705	
TELEPHONE (510) 776-7566	EMAIL ADDRESS mendoncafordistrict82026@gmail.com		
CANDIDATE DECLARATION			
I hereby declare that the following information is true and correct: • All information on the attached Qualified Contribution Receipts is complete and accurate to the best of my knowledge. • I understand that the City shall verify that the qualified contributions meet all of the requirements and restrictions prior to the disbursement of funds. • I understand that if I submit any contributions that are not from the person(s) identified on the receipt I shall be liable to pay the Fair Elections Fund the entire amount in addition to any penalties. • All Qualified Contributions, of any dollar amount, eligible for matching Fair Elections funds must be publically disclosed with the contributor information required under Sections 2.12.280 and 2.12.283. • I understand that all campaign filings must be current in order for a disbursement of Fair Election funds to be released.			
Mari Mendonca		08/04/2026	
CANDIDATE SIGNATURE		DATE SIGNED	

INITIAL QUALIFYING REQUEST FOR FAIR ELECTIONS FUNDS PAYMENT

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

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

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

	Last Name	First Name	Address	Zip Code, City	Occupation	Employer	Payment Method	Date Received	Date Deposited	Deposit Batch #	Amount of Contribution
1.	Morris	Elizabeth		94702 Berkeley	Research Consultant	Retired Berkeley	Cash	08/03/2026	08/03/2026	4	ECL 60.00
2.	Green	Alice		94702 Berkeley	Retired	N/A	Cash	08/03/2026	08/03/2026	4	10.00
3.	Cohen	Raines		94702 Berkeley	Systems Analyst	Music From the Hearts of Space	Cash	08/03/2026	08/03/2026	4	ECL 60.00
4.	Lloyd	Deborah		94703 Berkeley	Retired	N/A	Check	07/21/2026	07/31/2026	3	60.00
5.	Rosenkrantz	Louise		94705 Berkeley	Retired	N/A	Check	07/19/2026	07/20/2026	2	15.00
6.	Turitz	Eugene		94705 Berkeley	Retired	N/A	Check	07/19/2026	07/20/2026	2	60.00
7.	Turitz	Eugene		94705 Berkeley	Retired	N/A	Check	07/19/2026	07/19/2026	2	DUP 60.00
8.	Sherrell	Lynn		94705 Berkeley	Attorney	Self Employed	Check	07/19/2026	07/20/2026	2	60.00
9.	Laverde-Levine	Paola		94709 Berkeley	Administrative Services	Alameda County	Check	07/18/2026	07/20/2026	2	60.00
10.	Davila	Cheryl		94710 Berkeley	Retired	N/A	Check	07/18/2026	07/20/2026	2	25.00
11.	Maldonado	Tiara		94702 Berkeley	Homemaker	N/A	Cash	07/18/2026	07/20/2026	2	20.00
12.	Hager	Isla		94708 Berkeley	Gymnastics Coach	YMCA	Cash	07/18/2026	07/20/2026	2	49.00
13.	Mosley	Jerryo		94707 Berkeley	Caregiver	Tool Works	Cash	07/18/2026	07/20/2026	2	20.00
14.	Anderson	Adrian		94705 Berkeley	Instructional Assistant	Berkeley Unified School District	Cash	07/17/2026	07/17/2026	1	25.00
15.	Brown	Tivon		94705 Berkeley	Deputy Probation Officer	Alameda County Probation	Cash	07/17/2026	07/17/2026	1	25.00
										Subtotals	609.00 429.00

Rev. 12/10/2021

	Last Name	First Name	Address	Zip Code, City	Occupation	Employer	Payment Method	Date Received	Date Deposited	Deposit Batch #	Amount of Contribution
16.	Ausar	Honable		94705 Berkeley	Butcher	Star Grocery	Cash	07/17/2026	07/17/2026	1	25.00
17.	Mosaed	Negeene		94707 Berkeley	Physical Therapist	Berkeley Community P.T.	Cash	07/17/2026	07/17/2026	1	20.00
18.	Von Behren	Carolyn		94709 Berkeley	Student and Homemaker	N/A	Check	07/17/2026	07/20/2026	2	60.00
19.	Brown	Alison		94705 Berkeley	Teacher	Hayward Unified School District	Cash	07/17/2026	07/17/2026	1	49.00
20.	Huchting	Catherine		94703 Berkeley	Director of Business Development	Chronicle Books, LLC	Check	07/17/2026	07/17/2026	1	60.00
21.	Williams	Orlando		94702 Berkeley	DJ	Self Employed	Cash	07/17/2026	07/17/2026	1	20.00
22.	Isles	Susan		94703 Berkeley	Retired	N/A	Cash	07/17/2026	07/20/2026	2	40.00
23.	Rouson	Damien		94707 Berkeley	Scientist	Lawrence Berkeley National Laboratory	Check	07/16/2026	07/17/2026	1	60.00
24.	Auerbach	Elana		94709 Berkeley	Priestess/Author	Self Employed	Check	07/16/2026	07/17/2026	1	60.00
25.	Marcus	Oshalla		94703 Berkeley	Self	Self Employed	Check	07/16/2026	07/17/2026	1	25.00
26.	Cooper	Lynn		94705 Berkeley	Retired	N/A	Check	07/16/2026	07/17/2026	1	25.00
27.	Darinxoso	Oyamasele		94703 Berkeley	Retired	N/A	Cash	07/16/2026	07/17/2026	1	20.00
28.	Brown-Anderson	Jamir		94705 Berkeley	Student at San Francisco State University	N/A	Cash	07/16/2026	07/17/2026	1	10.00
29.	Freed	Dara		94704 Berkeley	Therapist	Blue Oak Therapy Ctr.	Cash	07/16/2026	07/17/2026	1	46.00
30.	Fladdow	Tyler		94705 Berkeley	Student	Student at San Francisco State University	Check	07/16/2026	07/17/2026	1	60.00
31.	Press	William		94709 Berkeley	Executive	Taut AI	Check	07/16/2026	07/17/2026	1	60.00
32.	Payne	Lazondas		94703 Berkeley	Retired	N/A	Cash	07/16/2026	07/17/2026	1	40.00
33.	Thomas	Tonda		94703 Berkeley	Retired	N/A	Cash	07/16/2026	07/20/2026	2	20.00
34.	Schildt	Christine		94703 Berkeley	Policy Advocate	Urban Habitat	Check	07/15/2026	07/17/2026	1	60.00
35.	Lee	Paul		94702 Berkeley	Scholar	Self Employed	Check	07/15/2026	07/17/2026	1	60.00
36.	Wilkinson	Tony		94703 Berkeley	Retired	N/A	Check	07/15/2026	07/17/2026	1	60.00
										Subtotals	880.00
											855.00

Last Name	First Name	Address	Zip Code, City	Occupation	Employer	Payment Method	Date Received	Date Deposited	Deposit Batch #	Amount of Contribution
37. Olivenbaum	Linda		94703 Berkeley	Retired	N/A	Check	07/15/2026	07/17/2026	1	60.00
38. Brown	Gail		94705 Berkeley	Retired	N/A	Check	07/15/2026	07/17/2026	1	50.00
39. Selawsky	John		94704 Berkeley	Retired	N/A	Check	07/15/2026	07/17/2026	1	50.00
40. deBree	Olivia		94703 Berkeley	Nurse Practitioner	San Francisco Departmental Public Health	Check	07/15/2026	07/17/2026	1	50.00
41. Finkelstein	Eliza		94705 Berkeley	Investor	Self Employed	Cash	07/15/2026	07/17/2026	1	49.00
42. Laurent	Olivier		94705 Berkeley	Student	Laney College	Cash	07/15/2026	07/15/2026	1	40.00
43. Brown	Jenifer		94705 Berkeley	Deputy Chief Probation Officer	Alameda County Probation	Check	07/14/2026	07/17/2026	1	60.00
44. Fine	Priscilla		94703 Berkeley	Retired	N/A	Check	07/11/2026	07/17/2026	1	60.00
Subtotals										419.00
Grand Totals										1,908.00

DUP - Duplicate Contributions
ECL - Exceeds Cash Limit
EMD - Exceeds Max Donation
INSUF - Insufficient Documentation
MAX - Reached Maximum Amount
NRES - Non-Berkeley Resident
SIG - Electronic/No Signature

1,703
x 6
\$10,218

1,703.00



DATE: August 21, 2026

TO: FAIR CAMPAIGN PRACTICES COMMISSION

FROM: Mark Numainville, City Clerk

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

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

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

The candidate must also qualify by submitting 30 contributions of at least \$10 from 30 unique contributors totaling at least \$650.

As of August 21, 2026, the following candidate has submitted the required filings as well as a compliant Initial Qualifying Request and their participation in the program has been approved by City staff:

Application for Participation and Initial Qualifying Request for Funds	
Submitted By:	Daria Wrubel for City Council 2026
Qualified Contributions:	\$1,590
Eligible Matching Funds:	\$9,540
Action	Certified candidate to participate in the program. Approved 6:1 matching public funds in an amount not to exceed \$9,540.

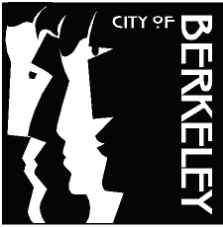
Basic glossary of terms:

Application for Participation	Required form for participating candidates that certifies they will follow the regulations and requirements of the program.
Qualifying Request	In order to qualify to receive public matching funds, a candidate must collect at least 30 contributions (from 30 unique contributors) of at least \$10 totaling \$650.
Matching Request	Campaign committees participating in the Public Financing Program submit a Matching Request with all required documentation in order to receive Public Matching Funds.

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

Attachments

1. Daria Wrubel: Application for Participation and Initial Qualifying Request for Funds.



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

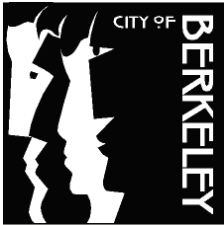
E-Filed
 06/30/2026
 18:32:41
 Filing ID:
 216930511

FAIR ELECTIONS ACT FORM

APPLICATION FOR PARTICIPATION IN PUBLIC FINANCING PROGRAM

(Berkeley Municipal Code Chapter 2.12 – Election Reform Act)

OFFICE SOUGHT		
OFFICE City Council Member		COUNCIL DISTRICT (IF APPLICABLE) 1
ELECTION CYCLE 11/03/2026		
CANDIDATE INFORMATION		
LAST Wrubel	FIRST Daria	M.I.
COMMITTEE INFORMATION		
NAME OF CAMPAIGN COMMITTEE Daria Wrubel for City Council 2026		FPPC I.D. No. Pending
CANDIDATE CERTIFICATION		
Under penalty of perjury, I hereby certify: I have complied with the restrictions of Berkeley Municipal Code Chapter 2.12 (Election Reform Act) during the election cycle to date; and My campaign committee has filed all campaign finance reports required by law during the election cycle to date and that they are complete and accurate; and I will comply with the requirements of Chapter 2.12 during the remainder of the election cycle and, specifically, if certified as an eligible participating candidate, will comply with the requirements applicable to participating candidates.		
Daria Wrubel CANDIDATE SIGNATURE		06/30/2026 DATE SIGNED



City Clerk Department
2180 Milvia Street
Berkeley, CA 94704
(510) 981-6900

www.cityofberkeley.info | elections@cityofberkeley.info

E-Filed
08/15/2026
11:21:41

Filing ID:
217236275

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

OFFICE SOUGHT			
OFFICE City Council Member		COUNCIL DISTRICT (IF APPLICABLE) District 1	
ELECTION CYCLE 11/03/2026			
COMMITTEE INFORMATION			
NAME OF CAMPAIGN COMMITTEE Daria Wrubel for City Council 2026		FPPC I.D. No. Pending	
STREET ADDRESS		APARTMENT/SUITE/FLOOR	
CITY Berkeley	STATE CA	ZIP CODE 94702	
TELEPHONE (510) 603-6004	EMAIL ADDRESS Dariaforberkeley@proton.me		
CANDIDATE DECLARATION			
I hereby declare that the following information is true and correct: • All information on the attached Qualified Contribution Receipts is complete and accurate to the best of my knowledge. • I understand that the City shall verify that the qualified contributions meet all of the requirements and restrictions prior to the disbursement of funds. • I understand that if I submit any contributions that are not from the person(s) identified on the receipt I shall be liable to pay the Fair Elections Fund the entire amount in addition to any penalties. • All Qualified Contributions, of any dollar amount, eligible for matching Fair Elections funds must be publically disclosed with the contributor information required under Sections 2.12.280 and 2.12.283. • I understand that all campaign filings must be current in order for a disbursement of Fair Election funds to be released.			
Daria Wrubel		08/08/2026	
CANDIDATE SIGNATURE		DATE SIGNED	

INITIAL QUALIFYING REQUEST FOR FAIR ELECTIONS FUNDS PAYMENT

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

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

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

	Last Name	First Name	Address	Zip Code, City	Occupation	Employer	Payment Method	Date Received	Date Deposited	Deposit Batch #	Amount of Contribution
1.	Pettus	William		94702 Berkeley	Architect	Self Employed	Electronic	08/05/2026	08/07/2026	237327	60.00
2.	Kaplan	Stephanie		94702 Berkeley	Teacher	Retired	Electronic	08/05/2026	08/07/2026	237327	60.00
3.	Fike	Barry		94703 Berkeley	Retired	Retired	Electronic	08/01/2026	08/05/2026	245880	60.00
4.	Riordan	Lou		94705 Berkeley	Vice President	Global Urban Development	Electronic	07/25/2026	07/29/2026	245	60.00
5.	Sanchirico	Jean		94708 Berkeley	Artist	Self Employed	Electronic	07/25/2026	07/29/2026	245	60.00
6.	Kotchetkov	Ziggy		94702 Berkeley	Engineer	Rigetti	Electronic	07/25/2026	07/29/2026	245	60.00
7.	Main	Mimi		94705 Berkeley	Digital Product Manager	Wells Fargo	Electronic	07/24/2026	07/28/2026	6259	60.00
8.	Marquardt	Anthony		94702 Berkeley	Product Manager	Bio-Rad Laboratories	Check	07/24/2026	07/24/2026	144126391	60.00 INSUF
9.	Berrens	James		94702 Berkeley	Business Owner	Cypress Furniture	Check	07/24/2026	07/24/2026	144126351	60.00 INSUF
10.	Prichett	Andrea		94710 Berkeley	Teacher	Berkeley Unified School District	Electronic	07/23/2026	07/27/2026	105547	60.00
11.	Connelly	Melissa		94702 Berkeley	Consultant	CFPIC	Electronic	07/23/2026	07/27/2026	105547	60.00
12.	Waddell	Jean		94702 Berkeley	Retired	Retired	Electronic	07/23/2026	07/27/2026	105547	10.00
13.	Loeffler	Liza		94702 Berkeley	Program Manager	Google	Electronic	07/23/2026	07/27/2026	105547	25.00
14.	Alper	Ty		94703 Berkeley	Professor	UC Berkeley	Electronic	07/22/2026	07/24/2026	210595	60.00
15.	DenHerder	Debra		94705 Berkeley	Retired	Retired	Electronic	07/22/2026	07/24/2026	210595	45.00
										Subtotals	680 800.00

Rev. 12/10/2021

	Last Name	First Name	Address	Zip Code, City	Occupation	Employer	Payment Method	Date Received	Date Deposited	Deposit Batch #	Amount of Contribution
16.	Casillas	Marguerite		94702 Berkeley	Retired	Retired	Electronic	07/22/2026	07/24/2026	210595	60.00
17.	Newman	April		94709 Berkeley	Immigration Advocate	California Collaborative for Immigrant Justice	Electronic	07/22/2026	07/24/2026	210595	10.00
18.	Thompson	Allegra		94705 Berkeley	Self Employed	Allegra Thompson	Electronic	07/20/2026	07/22/2026	210313	60.00
19.	Buckey	Jill		94706 Berkeley	Preschool Teacher	The Room to Grow Preschool	Cash	07/18/2026	07/20/2026	332156137	INSUF 60.00
20.	Fujikawa	Jesse		94710 Berkeley	Biologist	National Park Service	Electronic	07/16/2026	07/20/2026	178620	60.00
21.	Twigg	Frederick		94702 Berkeley	Teacher	UC Berkeley	Electronic	07/14/2026	07/16/2026	63959	60.00
22.	Phillips	Martin		94702 Berkeley	Paralegal	Recurrent Energy Development Holdings LLC	Electronic	07/13/2026	07/15/2026	220679	60.00
23.	Surasky	Abigail		94703 Berkeley	Acupuncturist	Whole Health Services Acupuncture Corp	Electronic	07/09/2026	07/13/2026	169660	60.00
24.	Hernandez	Johanna		94710 Berkeley	Tax Preparer	Kopman, Inc	Electronic	07/06/2026	07/08/2026	228138	60.00
25.	Cone	David		94702 Berkeley	Retired	Retired	Electronic	07/06/2026	07/08/2026	228138	50.00
26.	Tobin	Lucas		94702 Berkeley	Retired	Retired	Electronic	07/05/2026	07/08/2026	228138	60.00
27.	Gelbart	Norman		94702 Berkeley	Retired	Retired	Electronic	07/04/2026	07/08/2026	228138	25.00
28.	Hayashida	Julie		94702 Berkeley	Attorney	BHC law group	Electronic	07/04/2026	07/08/2026	228138	60.00
29.	Kaplan-Pettus	Sam		94702 Berkeley	Civic Voice Partners	Self Employed	Electronic	07/03/2026	07/07/2026	238	60.00
30.	Livingston	Kimberly		94702 Berkeley	Teacher	Black Pine Circle School	Electronic	07/03/2026	07/07/2026	238	45.00
31.	Alpert	Soli		94709 Berkeley	Rent Board Commissioner	City of Berkeley	Electronic	07/03/2026	07/07/2026	238	60.00
32.	James	Karla		94702 Berkeley	Retired	Retired	Electronic	07/03/2026	07/07/2026	238	60.00
33.	Wrubel	Eric		94702 Berkeley	Biologist	National Park Service	Check	06/09/2026	06/10/2026	327704233	60.00
										Subtotals	910 970.00
										Grand Totals	1,590 1,770.00

Ineligibility Codes (if any)

DUP - Duplicate Contribution
 ECL - Exceeds Cash Limit
 EMD - Exceeds Max Donation
 INSUF - Insufficient Documentation
 MAX - Reached Maximum Amount Permitted
 NRES - Non-Berkeley Resident
 SIG - Electronic/No Signature

1,590
X6
9,540



DATE: August 31, 2026

TO: FAIR CAMPAIGN PRACTICES COMMISSION

FROM: Mark Numainville, City Clerk

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

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

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

The candidate must also qualify by submitting 30 contributions of at least \$10 from 30 unique contributors totaling at least \$650.

As of August 31, 2026, the following candidate has submitted the required filings as well as a compliant Initial Qualifying Request and their participation in the program has been approved by City staff:

Application for Participation and Initial Qualifying Request for Funds	
Submitted By:	Laura Babitt for Berkeley City Council 2026
Qualified Contributions:	\$2,080
Eligible Matching Funds:	\$12,480
Action	Certified candidate to participate in the program. Approved 6:1 matching public funds in an amount not to exceed \$12,480.

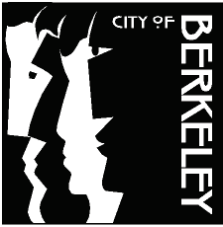
Basic glossary of terms:

Application for Participation	Required form for participating candidates that certifies they will follow the regulations and requirements of the program.
Qualifying Request	In order to qualify to receive public matching funds, a candidate must collect at least 30 contributions (from 30 unique contributors) of at least \$10 totaling \$650.
Matching Request	Campaign committees participating in the Public Financing Program submit a Matching Request with all required documentation in order to receive Public Matching Funds.

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

Attachments

1. Laura Babitt: Application for Participation and Initial Qualifying Request for Funds.



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

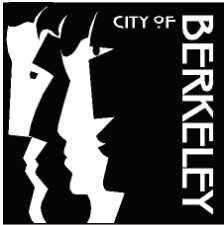
E-Filed
 08/06/2026
 23:47:22
 Filing ID:
 217186299

FAIR ELECTIONS ACT FORM

APPLICATION FOR PARTICIPATION IN PUBLIC FINANCING PROGRAM

(Berkeley Municipal Code Chapter 2.12 – Election Reform Act)

OFFICE SOUGHT		
OFFICE City Council Member		COUNCIL DISTRICT (IF APPLICABLE) 1
ELECTION CYCLE 11/03/2026		
CANDIDATE INFORMATION		
LAST Babitt	FIRST Laura	M.I.
COMMITTEE INFORMATION		
NAME OF CAMPAIGN COMMITTEE Laura Babitt for Berkeley City Council 2026		FPPC I.D. No. 1493406
CANDIDATE CERTIFICATION		
Under penalty of perjury, I hereby certify: I have complied with the restrictions of Berkeley Municipal Code Chapter 2.12 (Election Reform Act) during the election cycle to date; and My campaign committee has filed all campaign finance reports required by law during the election cycle to date and that they are complete and accurate; and I will comply with the requirements of Chapter 2.12 during the remainder of the election cycle and, specifically, if certified as an eligible participating candidate, will comply with the requirements applicable to participating candidates.		
Laura Babitt _____ CANDIDATE SIGNATURE		08/06/2026 _____ DATE SIGNED



City Clerk Department
2180 Milvia Street
Berkeley, CA 94704
(510) 981-6900

www.cityofberkeley.info | elections@cityofberkeley.info

E-Filed
08/31/2026
13:23:41

Filing ID:
217334859

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

OFFICE SOUGHT			
OFFICE City Council Member		COUNCIL DISTRICT (IF APPLICABLE) District 1	
ELECTION CYCLE 11/03/2026			
COMMITTEE INFORMATION			
NAME OF CAMPAIGN COMMITTEE Laura Babitt for Berkeley City Council 2026		FPPC I.D. No. 1493406	
STREET ADDRESS		APARTMENT/SUITE/FLOOR	
CITY Berkeley	STATE CA	ZIP CODE 94710	
TELEPHONE (925) 238-5239	EMAIL ADDRESS laurababitt@gmail.com		
CANDIDATE DECLARATION			
I hereby declare that the following information is true and correct: • All information on the attached Qualified Contribution Receipts is complete and accurate to the best of my knowledge. • I understand that the City shall verify that the qualified contributions meet all of the requirements and restrictions prior to the disbursement of funds. • I understand that if I submit any contributions that are not from the person(s) identified on the receipt I shall be liable to pay the Fair Elections Fund the entire amount in addition to any penalties. • All Qualified Contributions, of any dollar amount, eligible for matching Fair Elections funds must be publically disclosed with the contributor information required under Sections 2.12.280 and 2.12.283. • I understand that all campaign filings must be current in order for a disbursement of Fair Election funds to be released.			
Laura Babitt		08/31/2026	
CANDIDATE SIGNATURE		DATE SIGNED	

INITIAL QUALIFYING REQUEST FOR FAIR ELECTIONS FUNDS PAYMENT

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

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

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

	Last Name	First Name	Address	Zip Code, City	Occupation	Employer	Payment Method	Date Received	Date Deposited	Deposit Batch #	Amount of Contribution
1.	Frydman	Lisa		94702 Berkeley	Attorney	Kids in Need of Defense	Electronic	08/25/2026	08/15/2026	8/15/26	60.00
2.	Hara	Stacey		94707 Berkeley	Communications Consultant	Burson	Electronic	08/25/2026	08/01/2026	8/1/2026	60.00
3.	Siegal	Meryl		94702 Berkeley	Retired	None	Electronic	08/25/2026	08/24/2026	08/24/2026	40.00
4.	Hammer	Martin		94702 Berkeley	Architect	Self employed; Berkeley CA	Electronic	08/24/2026	08/20/2026	08-20-2026	60.00
5.	Dunn	Jamila		94702 Berkeley	Property Manager	Hawthorne Stone	Electronic	08/24/2026	08/20/2026	8/20/26	60.00
6.	Molnar	Alyson		94710 Berkeley	Nurse	Maverix Health	Electronic	08/24/2026	08/19/2026	8/19/26	60.00
7.	Dickinson	Jack		94710 Berkeley	Biotech Researcher	Prolynx Inc	Electronic	08/24/2026	08/19/2026	8/19/26	60.00
8.	Rokeach	Gabrielle		94707-1741 Berkeley	Executive Coordinator	Y Combinator	Electronic	08/24/2026	08/19/2026	8/19/26	60.00
9.	Gurin	Tamara		94709 Berkeley	Retired	none	Electronic	08/24/2026	08/19/2026	8/19/26	60.00
10.	Abt	Emily		94709 Berkeley	Teacher	Hayward United School District	Electronic	08/24/2026	08/23/2026	8/23/26	60.00
11.	Yep	Nancy		94707 Berkeley	Retired	None	Electronic	08/24/2026	08/22/2026	8/22/2026	60.00
12.	Lipson	Judith		94708 Berkeley	Retired	None	Electronic	08/24/2026	08/22/2026	8/22/2026	60.00
13.	Lipson	Steven		94708 Berkeley	Retired	None	Electronic	08/24/2026	08/22/2026	8/22/2026	60.00
14.	Fischer	Rena		94703 Berkeley	Retired	None	Electronic	08/24/2026	08/24/2026	08/24/2026	60.00
15.	Chang	James		94703 Berkeley	Legislative Aide	City of Berkeley	Electronic	08/24/2026	07/30/2026	7/30/2026	60.00
										Subtotals	880.00

Rev. 12/10/2021

	Last Name	First Name	Address	Zip Code, City	Occupation	Employer	Payment Method	Date Received	Date Deposited	Deposit Batch #	Amount of Contribution
16.	Lee	Ilene		94705 Berkeley	Retired	Retired	Electronic	08/24/2026	08/03/2026	08/03/2026	60.00
17.	Stein	Doreet		94703 Berkeley	Psychologist	SLUSD	Electronic	08/18/2026	08/10/2026	8/10/2026	60.00
18.	Dar	Dianna		94709 Berkeley	CEO	Cult Crackers	Electronic	08/18/2026	07/31/2026	7/31/2026	60.00
19.	Wengraf	Susan		94708 Berkeley	Retired	None	Electronic	08/18/2026	08/01/2026	8/01/2026	60.00
20.	Lauer	Katharine		94707 Berkeley	Self-employed	Self Kate Lauer, Berkeley	Electronic	08/18/2026	07/30/2026	07/30/2026	60.00
21.	Matthews	Deborah		94703 CA	Real Estate Broker	The Broka Realty Group	Electronic	08/18/2026	08/15/2026	08/15/2026	60.00
22.	Goldstein	Heidi		94707 Berkeley	Consultant	HomeRise	Electronic	08/18/2026	08/15/2026	8/15/26	60.00
23.	Cain	Martha		94705 Berkeley	Retired	BUSD	Electronic	08/18/2026	07/31/2026	7/31/2026	60.00
24.	Fink	Deborah		94703 Berkeley	Client Services Manager	Shalom Bayit	Electronic	08/18/2026	08/05/2026	08/05/2026	60.00
25.	Wulf	Stanley		94708 Berkeley	Retired	None	Electronic	08/18/2026	08/02/2026	08/02/2026	60.00
26.	Rader	Nancy		94708 Berkeley	Executive Director	CA Wind Energy Association	Electronic	08/18/2026	08/02/2026	08/02/2026	60.00
27.	Nofelt	Lindsay		94707 Berkeley	Graphic Designer	Self-New Parallel, LLC Berkeley	Electronic	08/18/2026	08/18/2026	08/18/2026	60.00
28.	Zamost	Anyaluz		94707 Berkeley	Educator	Bay Area Teacher Training Institute	Electronic	08/15/2026	08/15/2026	8/15/26	60.00
29.	McDunn	Dan		94708 Berkeley	General Contractor	McDunn Construction Inc, Berkeley, CA	Electronic	08/14/2026	08/14/2026	8/14/2026	60.00
30.	Callegari	Anne		94702 Berkeley	Retired	Retired	Electronic	08/04/2026	08/04/2026	8/4/2026	60.00
31.	Fendel	Yossi		94702 Berkeley	Data Analyst	The Permanente Medical Group	Electronic	08/03/2026	08/15/2026	8/15/26	60.00
32.	Wulf	Linda		94708 Berkeley	Retired	Retired	Electronic	08/01/2026	08/01/2026	8/1/2026	60.00
33.	Hansen	Bruce		94710 Berkeley	Retired	none	Electronic	07/31/2026	08/15/2026	8/15/26	60.00
34.	Lee	Reichi		94706 Berkeley	Digital wellness education and children's attorney	N/A	Electronic	07/31/2026	08/15/2026	8/15/26	60.00
35.	Yep	Ray		94707 Berkeley	Civil engineer	Retired	Electronic	07/29/2026	08/15/2026	8/15/26	60.00
										Subtotals	1,200.00
										Grand Totals	2,080.00

Ineligibility Codes (if any)**DUP - Duplicate Contribution****ECL - Exceeds Cash Limit****EMD - Exceeds Max Donation****INSUF - Insufficient Documentation****MAX - Reached Maximum Amount Permitted****NRES - Non-Berkeley Resident****SIG - Electronic/No Signature**

Page 3 of 3

2,080
X6
12,480