



Fair Campaign Practices Commission
Open Government Commission

DRAFT MINUTES

January 16, 2025

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

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

Secretary: Samuel Harvey

Members Present: Janis Ching, Emmanuelle Soichet, Andrew Lazarus, Kitt Saginor

Also present: Sam Harvey, Staff Secretary

1. **Call to Order**

Chair called the meeting to order at 6:30 p.m.

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: Lazarus/Ching; Ayes: Ching, Lazarus, Saginor;
Noes: none; Abstain: none; Absent: O'Donnell, Soichet)

5. **Public Comment**

No speakers.

6. **Approval of minutes for November 21, 2024 FCPC-OGC Regular Meeting**

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

Motion to approve minutes pending verification and correction. (M/S/C: Lazarus/Saginer; Ayes: Ching, Soichet, Lazarus, Saginer; Noes: none; Abstain: none; Absent: O'Donnell)

Fair Campaign Practices Commission (FCPC) Agenda

7. **Reports**

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

8. **Report from Negotiating Subcommittee: Yes on Measure CC / No on Measure BB**

Chair Saginer appointed Commissioner Soichet to serve on this ad hoc subcommittee with Commissioner Lazarus.

9. **Clerk Referral: Failure to repay unspent public financing funds**

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

Motion to request staff to investigate as of the first week in February and return with a report to our next meeting. (M/S/C: Ching/Lazarus; Ayes: Ching, Soichet, Lazarus, Saginer; Noes: none; Abstain: none; Absent: O'Donnell)

10. **Proposed Amendment to Commission Regulation R.2.12.270.1 – Administrative Termination of Filing Obligations**

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

Motion to amend Commission Regulation R2.12.270.1 Administrative Termination of Filing Obligations as follows: end the items on the numbered list with semicolons; insert a clause into R2.12.270.1(b) last paragraph to read:

Any evidence of possible violations of any provisions of BMC Chapter 2.12, other than violations for failure to file one or more outstanding campaign statements, at present, or if administrative termination occurs, will preclude such administrative termination.

(M/S/C: Ching/Saginer; Ayes: Ching, Soichet, Lazarus, Saginer; Noes: none; Abstain: none; Absent: O'Donnell)

11. **Enforcement referral regarding Andy Kelley for Rent Board 2020 campaign**

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

Motion to refer this matter to the Secretary to investigate and return with a report and recommendations for further action. (M/S/C: Ching/Soichet; Ayes: Ching, Soichet, Lazarus, Saginor; Noes: none; Abstain: none; Absent: O'Donnell)

12. **Enforcement referral regarding Campaign for Police Accountability campaign and possible administrative closure of committee pursuant to FCPC Regulation R2.12.270.1**

Item deferred to future meeting.

13. **Enforcement referral regarding Vanessa Danielle Marrero, Rent Stabilization Board Commissioner**

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

Motion to refer this matter to the Secretary to investigate and return with a report and recommendations for further action. (M/S/C: Ching/Soichet; Ayes: Ching, Soichet, Lazarus, Saginor; Noes: none; Abstain: none; Absent: O'Donnell)

14. **Review and possible revision of Procedures for the Fair Campaign Practices Commission**

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

Open Government Commission (OGC) Agenda

15. **Reports**

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

16. **City Clerk referral of non-filing of quarterly lobbying activity disclosure: Yuro Sadiki-Torres (Northern California Land Trust); discussion and possible action**

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

Motion to direct staff to investigate this matter and report to our next meeting with recommendations on how to proceed. (M/S/C: Ching/Soichet; Ayes: Ching, Soichet, Lazarus, Saginor; Noes: none; Abstain: none; Absent: O'Donnell)

17. **Publicizing Commission work and vacancies**

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

Motion to direct Chair to work with Secretary to revise and send letter concerning vacancies for submission to City Council. (M/S/C: Ching/Soichet; Ayes: Ching, Soichet, Lazarus, Saginor; Noes: none; Abstain: none; Absent: O'Donnell)

18. **Commissioners Manual - Recommendations for revision. (Includes action on Commissioner stipends)**

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

Motion to direct Commission staff to communicate Commission's recommendations for amendments of Commissioners' Manual to the City Clerk. (M/S/C: Soichet/Ching; Ayes: Ching, Soichet, Lazarus, Saginor; Noes: none; Abstain: none; Absent: O'Donnell)

Motion to recommend amendments to City Council and authorize Chair and Secretary to amend or withdraw any portion or all of the proposal based on the content of the proposal from the City Clerk's Office. (M/S/C: Soichet/Lazarus; Ayes: Ching, Soichet, Lazarus, Saginor; Noes: none; Abstain: none; Absent: O'Donnell)

19. **City Council Rules of Procedure and Order Revisions**

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

Joint FCPC-OGC Calendar

20. **Training presentation: Brown Act**

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

21. **Adoption of 2025 FCPC-OGC Joint Concurrent Meeting Schedule; discussion and possible action**

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

Motion to adopt schedule proposed by staff (M/S/C: Saginor/Ching; Ayes: Ching, Soichet, Lazarus, Saginor; Noes: none; Abstain: none; Absent: O'Donnell)

22. **Chair and Vice-Chair elections to be held at February meeting**

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

23. **Adjournment**

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

The meeting adjourned at 8:59 p.m.