



Fair Campaign Practices Commission
Open Government Commission

DRAFT MINUTES
February 20, 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: Patrick O'Donnell, Janis Ching, Andrew Lazarus, Kitt Saginor

Also present: Sam Harvey, Secretary

1. **Call to Order**

Chair called the meeting to order at 6:31 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: Ching/Lazarus; Ayes: O'Donnell, Ching, Lazarus, Saginor; Noes: none; Abstain: none; Absent: Soichet)

5. **Public Comment**

One speaker.

6. **Approval of minutes for January 16, 2025 FCPC-OGC Regular Meeting**

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

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

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**

- a. Public comment: none.
- b. Item continued to March meeting.

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

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

Motion to find probable cause regarding failure to file Form 460 for January 1, 2023-June 30, 2023, Form 460 for July 1, 2023-December 31, 2023, and Form 460 for January 1, 2024-June 30, 2024. (M/S/C: Ching/O'Donnell; Ayes: O'Donnell, Ching, Lazarus, Saginor; Noes: none; Abstain: none; Absent: Soichet)

Motion to dismiss the complaint because the violation "has only a slight impact on the administration of BERA and further proceeding would be an inefficient use of resources." (M/S/C: O'Donnell/Ching; Ayes: O'Donnell, Ching, Lazarus, Saginor; Noes: none; Abstain: none; Absent: Soichet)

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

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

Motion to administratively terminate Campaign for Police Accountability Campaign Committee in accordance with R2.12.270.1 (M/S/C: Ching/O'Donnell; Ayes: O'Donnell, Ching, Lazarus, Saginor; Noes: none; Abstain: none; Absent: Soichet)

11. **Enforcement referral regarding Vanessa Danielle Marrero, Rent Stabilization Board Commissioner**
 - a. Public comment: none.
 - b. Commission discussion.

12. **Review and possible revision of Procedures for the Fair Campaign Practices Commission**
 - a. Public comment: none.
 - b. Commission discussion.

Open Government Commission (OGC) Agenda

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

14. **Publicizing commission work and vacancies, information about commissions on the web**
 - a. Public comment: none.
 - b. Commission discussion and action

Motion to approve draft letter for submission to Council (M/S/C: O'Donnell/Ching; Ayes: O'Donnell, Ching, Lazarus, Saginor; Noes: none; Abstain: none; Absent: Soichet)

Chair Saginor appointed Commissioner Ching to serve with Kitt Saginor on the OGC ad hoc subcommittee created on September 19, 2024 to develop recommendations for publicizing the value of Commission work and opportunities for members of the public to serve on commissions.

15. **Commissioners Manual - Recommendations for revision**
 - a. Public comment: none.
 - b. Commission discussion and action

Motion to authorize Chair to speak on this topic to the Agenda & Rules Policy Committee and the City Council (M/S/C: Ching/O'Donnell; Ayes: O'Donnell, Ching, Lazarus, Saginor; Noes: none; Abstain: none; Absent: Soichet)

16. **City Council Rules of Procedure and Order Revisions**
 - a. Public comment: none.

b. Commission discussion.

17. **Regulations for the Open Government Commission**

- a. Public comment: none.
- b. Item continued to a future meeting.

18. **Progress in providing remote access to Commission and Board meetings**

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

Joint FCPC-OGC Calendar

19. **Training presentation: Procedural due process**

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

20. **Election of Chair and Vice-Chair**

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

Motion to elect Commissioner Saginor to the office of Chair (M/S/C: Ching/O'Donnell; Ayes: O'Donnell, Ching, Lazarus, Saginor; Noes: none; Abstain: none; Absent: Soichet)

Motion to elect Commissioner Ching to the office of Vice Chair. (M/S/C: Saginor/O'Donnell; Ayes: O'Donnell, Ching, Lazarus, Saginor; Noes: none; Abstain: none; Absent: Soichet)

21. **Adjournment**

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

The meeting adjourned at 8:53 p.m.