



Fair Campaign Practices Commission

PUBLIC HEARING

June 13, 2023

To: Honorable Mayor and Members of the City Council

From: Jim Hynes, Chair, Fair Campaign Practices Commission

Submitted by: Samuel Harvey, Secretary, Fair Campaign Practices Commission

Subject: Amendments to Berkeley Election Reform Act; Amending Berkeley Municipal Code Chapter 2.12

RECOMMENDATION

Conduct a public hearing and, upon conclusion, adopt first reading of an ordinance amending the Berkeley Election Reform Act (BMC Chapter 2.12) to modify the forms required to open a campaign committee, change the deadline to qualify for the public financing program and make associated amendments, clarify the rules for public financing candidates that do not qualify for the ballot, add an automatic inflator for the amount a public financing candidate can give to their own committee, clarify post-election processes for public financing candidates, modify the threshold to create a campaign committee, and clarify the rules for returning certain types of contributions.

FISCAL IMPACTS OF RECOMMENDATION

None.

CURRENT SITUATION AND ITS EFFECTS

These recommended amendments to the Berkeley Election Reform Act (“BERA”) were approved by the Fair Campaign Practices Commission (“FCPC”) at its regular meeting of May 18, 2023.

**Action:** M/S/C (Saginer/Ching) Motion to approve staff’s recommended BERA amendments for submission to the City Council.

**Vote:** Ching, Hernandez, O’Donnell, Saginer, Hynes; Noes: none; Abstain: none; Absent: Blome.)

Pursuant to Berkeley Municipal Code Section 2.12.051, BERA may be amended by the “double green light” process. This process requires that the FCPC adopt the amendments by a two-thirds vote, and the City Council hold a public hearing and adopt the amendments by a two-thirds vote.

### BACKGROUND

The proposed amendments and the narrative context for each amendment are reproduced from the May 18, 2023 FCPC agenda packet in Attachment 1.

The proposed amendments are supported by MapLight, a local advocacy and transparency group that contributed significantly to the drafting of the Fair Elections Act of 2016 (Public Financing Program).

### ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no identifiable environmental effects, climate impacts, or sustainability opportunities associated with the subject of this report.

### RATIONALE FOR RECOMMENDATION

The proposed BERA amendments will simplify the process for candidates and campaign committees and add clarity to the BERA for several processes in order to facilitate proper use of public matching funds and appropriate enforcement by staff and the FCPC.

### ALTERNATIVE ACTIONS CONSIDERED

None.

### CITY MANAGER

Staff concurs with the content and recommendations of the Commission's report.

### CONTACT PERSON

Jim Hynes, Chair, Fair Campaign Practices Commission, (510) 981-6998  
Samuel Harvey, Commission Secretary, Fair Campaign Practices Commission (510) 981-6998

### Attachments:

1. FCPC Agenda Item with Narrative Context for Proposed Amendments
2. Letter from MapLight in Support of Amendments
3. Proposed ordinance amending BERA
4. Public Hearing Notice

## Proposed BERA Amendments for 2023

### #1 Sections 2.12.255, 2.12.260, and 2.12.265 Statement of Organization

The requirements for filing the statement of organization are largely duplicative of state law. The requirements for the Berkeley Statement of Organization was adopted the same year as the state Political Reform Act, so it needed to be very prescriptive at the outset because the state Form 410 did not yet exist. Under state law, all committees must file a Form 410, which makes the City form an extra, duplicative filing.

The information that BERA requires that is not captured in the State Form 410 is not essential for public disclosure, enforcement, or administration. The pieces of information are: funds on hand at the time of formation, candidate address (when applicable), and the dissolution statement. The candidate address is listed on the State Form 501 which is required to be filed before any funds are raised or spent in connection with an election.

The filing process has become more complex, especially for public financing candidates. There are several new forms that public financing candidates must file during the formation process. These revisions will eliminate the requirement to file a superfluous form and streamline the process for all candidates.

#### Proposed Code Amendments:

2.12.255 Statement of organization--Committee required to file.

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

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

C. The date on which a committee ~~formed~~qualified, and not the date on which the committee filed its statement of organization, shall determine the committee's obligation to file the campaign statements and late contribution reports required by this chapter. All committees, whether ~~formed~~qualified before or after the date of the final pre-election statement, but before the date of an election, are subject to late contribution reporting requirements.

2.12.260 ~~Repealed. Statement of organization--Information required.~~

~~The statement of organization required by Section [2.12.255](#) shall include:~~

~~A.—The name, street address and telephone number, if any, of the committee;~~

~~B.—The name, street address and telephone number of each candidate, if any, with which the committee is affiliated or connected;~~

~~C.—The full name, street address and telephone number, if any, of the treasurer and other principal officer;~~

~~D.—The full name and office sought by each candidate and the title and ballot number if any, of each measure, which the committee supports or opposes;~~

~~E.—A statement of whether the committee is independent or controlled, and if it is controlled, the name of each candidate or committee by which it is controlled or with which it acts jointly;~~

~~F.—The disposition of surplus funds which will be made in the event of dissolution;~~

~~G.—The account number and name of the bank at which the campaign checking account, required by Section 2.12.250(A), is maintained; if the information required by this section is unavailable at the time of filing, the statement of organization, the filer shall promptly submit an amended statement after such information becomes available;~~

~~H.—The cash on hand at the time of filing the statement of organization;~~

~~I.—Such other information as shall be required by the rules or regulations of the commission consistent with the purposes and provisions of this chapter.~~

2.12.265 Repealed. ~~Statement of organization—Change of information—Amendment required.~~

~~Whenever there is a change in any of the information contained in the statement of organization, an amendment shall be filed within ten days to reflect the change.~~

## #2 Section 2.12.168 Deadline for Qualification

The need for this amendment became apparent in the 2022 election, the first election in which School Board and Rent Board candidates were able to participate in public financing.

Currently, the deadline to qualify for public financing is the same day as the end of the candidate nomination period. This creates a very difficult situation for the candidate. Completing the nomination paperwork to qualify for the ballot and obtaining and submitting the required public financing contributions and documentation are huge tasks. Most candidates are first-time candidates with volunteer treasurers, rather than paid professional treasurers.

In 2022, several candidates had great difficulty completing both tasks simultaneously, and two candidates were initially disqualified as participating candidates because their materials were not filed by the deadline. Also, staff is unable to provide additional assistance to public financing candidates at the deadline due to the demands of receiving and processing candidate nomination documents at the same time.

The proposed amendment changes the deadline to qualify for public financing to 14 days before the election. The 14-day deadline is the close of the qualification period for write-in candidates. However, write-in candidates have fewer forms to file as a candidate and their candidate filing period is longer, so they are less impacted by the filing date matching the public financing deadline.

This amendment allows candidates to start their public financing work after they have completed their candidate requirements. This timeline is consistent with the general past practice of campaign committees prior to public financing when most candidates, especially first-time candidates, started their fundraising activities after completing their nomination documents and qualifying for the ballot. Using the 14-day deadline also factors in write-in candidates and allows for there to be just one deadline for all candidates.

### Proposed Code Amendments:

2.12.168        Qualifying period.

"Qualifying period" means the period beginning on the day after the date of the most recent general election for the specific office or seat that a candidate is seeking and ending at the close of regular business hours, 14 days before the date of the election for which the candidate is seeking office. ~~at the close of the nomination period.~~

### #3 Section 2.12.510 Candidate Statement Notice

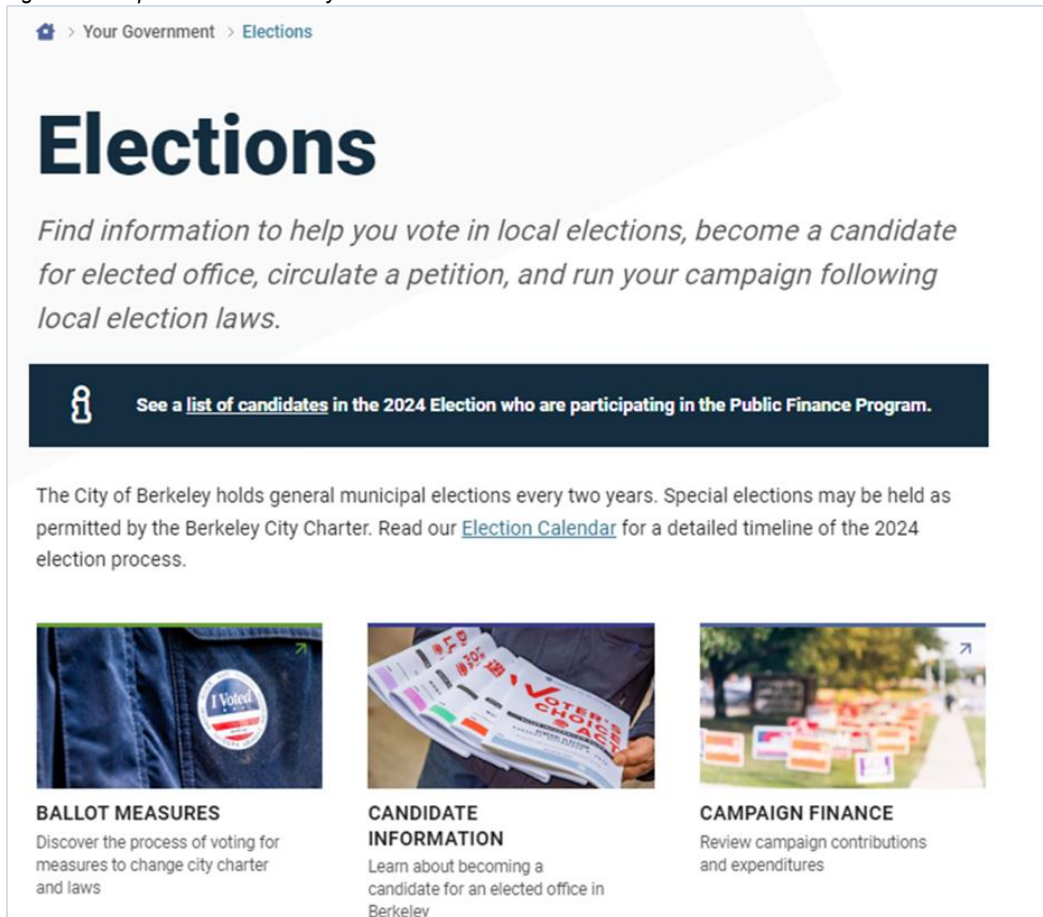
If the deadline to qualify for public financing is moved to 14 days before the election, then the notice regarding candidate participation would need to change from the voter guide to a web posting. This is due to the County's strict publishing deadlines. Cities are required to provide candidate statement text to the Registrar of Voters immediately after the close of the nomination period. Even without the change to the deadline, it has been very difficult to meet the County's publishing deadlines when initial qualifying requests are being reviewed for several days after the filing deadline. And, as we saw in the last election, if there is an appeal of the candidates qualification status, the determination on qualification may not occur for several days or a few weeks after the filing deadline. City staff can make the web notice very prominent on the web as seen in the example below (Figure 1).

#### Proposed Code Amendments:

2.12.510 Candidate statement notice.

A candidate certified as a Fair Elections program participant shall be identified as such by a notice prominently posted on the City website~~printed on the same page as the candidate's statement of qualifications distributed to voters pursuant to City Charter Article III Section 6.1.~~

Figure 1: Sample notice on the City website.



**#4 Section 2.12.505.H.1 Return of funds upon failure to qualify as a candidate.**

The language “remain a candidate” is unclear and not tied to the official status of a candidate through the nomination process. This amendment will clarify the candidate status in a manner than can be verified by official documents filed with the City Clerk.

The second amendment in this section clarifies that if a participating candidate does not qualify for the ballot, they must refund the matching funds to the City before refunding individual contributors.

Proposed Code Amendments:

H. 1). Unspent campaign funds of any Participating Candidate who does not ~~remain-qualify~~ as a candidate for the ballot at the election for which the funds were distributed, up to the total amount of funds that the participating candidate received as Fair Election Funds distributions in that election cycle and after accounting for campaign debts and expenditures, must be returned to the City no later than the date of the election for which the funds were distributed~~-candidate attempted to qualify within 30 (thirty) days of the determination on the qualification of the candidate~~. All funds returned under this paragraph must be accompanied by any required supporting documentation. In such cases, the participating candidate must return the unspent funds to the City, up to the total amount of funds that the participating candidate received as Fair Election Funds distributions, prior to refunding any contributions to individual contributors.

**#5 Section 2.12.545 Cost of living adjustments.**

Now that the non-participating \$250 contribution limit is indexed, this amendment is needed to index the \$250 amount that a participating public financing candidate can contribute to their own committee. Keeping these amounts tied will create fairness and consistency for all candidates.

In addition, we have added non-qualified contributions and non-monetary contributions to the dollar amounts are indexed after each election.

Proposed Code Amendments:

2.12.545 Cost of living adjustments.

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



**#6 Section 2.12.505 Fair Elections Fund payments.**

Amendment 1 (2.12.505.H.5) clarifies the process and requirements for retiring debt and continuing to raise funds after the 60-day deadline to return unspent funds. All committees should be able to retire debt within 60 days after the election, and they can receive matching funds until 30 days after the election (Amendment 2). It is important to retain the \$60 limit after the 60-day deadline so that a candidate does not disqualify themselves from participating in public financing in the next election.

Amendment 2 (2.12.505.J) adds a deadline to submit matching funds requests after Election Day. This will allow for adequate time to process the requests and issue the matchings funds before the 60-day deadline to return unspent funds.

Amendment 3 (2.12.505.K) clarifies that a participating candidate may not withdraw from the program and then raise money at the non-public financing level. This is in line with the intent of the program, especially with the candidate's certification on the Application for Participation, the published notice of participation, and the contributor's certification on the qualified contribution receipt.

Proposed Code Amendments:

2.12.505 Fair Elections Fund payments.

H.

- 1). Unspent campaign funds of any Participating Candidate who does not remain a candidate for the ballot at the election for which the funds were distributed, up to the total amount of funds that the participating candidate received as Fair Election Funds distributions in that election cycle and after accounting for campaign debts and expenditures, must be returned to the City within 30 (thirty) days of the determination on the qualification of the candidate. All funds returned under this paragraph must be accompanied by any required supporting documentation.
- 2). Any campaign funds that remain unspent by a Participating Candidate following the date of the election for which they were distributed, up to the total amount of funds that the Participating Candidate received as Fair Elections Funds distributions in that elections cycle and after accounting for campaign debts and expenditures, must be returned to the City, within sixty (60) days after the date of the election. All funds returned under this paragraph must be accompanied by any required supporting documentation.
- 3). All unspent campaign funds returned to the City shall be deposited in the Fair Elections Fund pursuant to the City Charter.
- 4). The City Clerk shall immediately refer to the Commission for enforcement any participating candidate who does not return unspent funds as required by this subsection.

5). After the deadline to return unspent funds in 2.12.505.H.2, a participating candidate may continue to raise funds in accordance with Article 8 of Chapter 2.12 to pay campaign-

related debt from the most recent election. Any such contributions received shall not be eligible for matching funds.

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

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

K. Upon approval of a participating candidate's Initial Qualifying Request, the candidate is prohibited from withdrawing from the Public Financing Program and receiving contributions pursuant to Section 2.12.415 for the same office at the same election for which they are were a participating candidate.

**#7 Section 2.12.095 Committee**

The \$250 contribution limit is now indexed to \$270 and it will continue to rise in future elections. Thus, the contribution limit and the threshold to qualify as a committee are now un-linked. The section setting the threshold to qualify as a committee has not been amended since 1976 and it is due for an adjustment. Indexing the committee qualification amount would be very confusing since it will change every election. Staff recommends setting a new committee threshold of \$1,000 which will make the committee threshold the same as the required electronic filing threshold. A committee threshold of \$1,000 is half of the state threshold (\$2,000) so Berkeley would still retain a stricter threshold that creates more disclosure than state law.

Proposed Code Amendments:

2.12.095 Committee

"Committee" means any person or combination of persons that directly or indirectly receives contributions which total more than ~~one thousandtwo hundred fifty~~ dollars in a calendar year or makes expenditures exceeding more than ~~one thousandtwo hundred fifty~~ dollars in a calendar year for the purpose of influencing or attempting to influence the action of voters for or against the nomination or election of one or more candidates, or the passage or defeat of any measure, including any committee or subcommittee of a political party.

**#8 Amendment - New Section**

Currently, the Fair Elections Act does not contain any specific provisions regarding the return of contributions by participating candidates. This new section will establish rules that staff believes are consistent with the intent and purpose of the Fair Elections Act.

Committees must have the ability to return contributions. They may need to return a contribution because the receipt of the contribution violates BERA. They also must have the ability to return contributions that they do not wish to receive to preserve their speech and freedom of association rights. A candidate and their committee cannot be forced to keep a contribution from an individual with whom they do not want to associate.

Of course, if a committee is returning a contribution for which it received matching funds, it must return the associated matching funds to the City.

Proposed Code Amendments:

**2.12.507 Return of Contributions by Participating Candidates**

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

B. Notwithstanding the requirements in Section 2.12.505.H.1, a participating candidate may return a non-qualified contribution to the contributor at any time without triggering any requirement that they return matching funds.



May 9, 2023

Via email

Dear City of Berkeley Fair Campaign Practices Commission,

MapLight, a nonpartisan nonprofit that works to improve U.S. democracy, leads the coalition in support of public funding of elections in Berkeley, including the passage and implementation of the Berkeley Fair Elections Act, passed by voters in 2016.

MapLight has had the opportunity to review proposed amendments to BERA prepared by the City Clerk's office and City Attorney's office. These amendments would make modest changes to streamline both the administration of the program and the candidate experience. We reviewed the latest version of these amendments that were provided to us May 8. **We are in support of these amendments and urge the FCPC to adopt them at your next meeting.**

We deeply appreciate the efforts of the City Clerk's office, City Attorney's office, and the Commission in continuing to update the Fair Elections program so that it works well for candidates, the city, and the public.

Sincerely,

A handwritten signature in blue ink that reads "Daniel Newman".

Daniel Newman  
President  
MapLight

ORDINANCE NO. X,XXX–N.S.

AMENDING BERKELEY MUNICIPAL CODE CHAPTER 2.12

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. That Berkeley Municipal Code Section 2.12.095 is amended to read as follows:

**2.12.095 Committee**

"Committee" means any person or combination of persons that directly or indirectly receives contributions which total more than ~~one thousandtwo hundred fifty~~ dollars in a calendar year or makes expenditures exceeding more than ~~one thousandtwo hundred fifty~~ dollars in a calendar year for the purpose of influencing or attempting to influence the action of voters for or against the nomination or election of one or more candidates, or the passage or defeat of any measure, including any committee or subcommittee of a political party.

Section 2. That Berkeley Municipal Code Section 2.12.168 is amended to read as follows:

**2.12.168 Qualifying period.**

"Qualifying period" means the period beginning on the day after the date of the most recent general election for the specific office or seat that a candidate is seeking and ending at the close of regular business hours, 14 days before the date of the election for which the candidate is seeking office. ~~at the close of the nomination period.~~

Section 3. That Berkeley Municipal Code Section 2.12.255 is amended to read as follows:

**2.12.255 Statement of organization--Committee required to file.**

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

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

C. The date on which a committee ~~formed~~qualified, and not the date on which the committee filed its statement of organization, shall determine the committee's obligation to file the campaign statements and late contribution reports required by this chapter. All committees, whether ~~formed~~qualified before or after the date of the final pre-election

statement, but before the date of an election, are subject to late contribution reporting requirements.

Section 4. That Berkeley Municipal Code Section 2.12.260 is repealed.

**2.12.260 Repealed. Statement of organization--Information required.**

The statement of organization required by Section 2.12.255 shall include:

- A. ~~The name, street address and telephone number, if any, of the committee;~~
- B. ~~The name, street address and telephone number of each candidate, if any, with which the committee is affiliated or connected;~~
- C. ~~The full name, street address and telephone number, if any, of the treasurer and other principal officer;~~
- D. ~~The full name and office sought by each candidate and the title and ballot number if any, of each measure, which the committee supports or opposes;~~
- E. ~~A statement of whether the committee is independent or controlled, and if it is controlled, the name of each candidate or committee by which it is controlled or with which it acts jointly;~~
- F. ~~The disposition of surplus funds which will be made in the event of dissolution;~~
- G. ~~The account number and name of the bank at which the campaign checking account, required by Section 2.12.250(A), is maintained; if the information required by this section is unavailable at the time of filing, the statement of organization, the filer shall promptly submit an amended statement after such information becomes available;~~
- H. ~~The cash on hand at the time of filing the statement of organization;~~
- I. ~~Such other information as shall be required by the rules or regulations of the commission consistent with the purposes and provisions of this chapter.~~

Section 5. That Berkeley Municipal Code Section 2.12.265 is repealed.

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

~~Whenever there is a change in any of the information contained in the statement of organization, an amendment shall be filed within ten days to reflect the change.~~

Section 6. That Berkeley Municipal Code Section 2.12.505.H is amended to read as follows:

H.

1). Unspent campaign funds of any Participating Candidate who does not ~~remain qualify as~~ a candidate for the ballot at the election for which the funds were distributed, up to the total amount of funds that the participating candidate received as Fair Election Funds distributions in that election cycle and after accounting for campaign debts and expenditures, must be returned to the City no later than the date of the election for which the funds were distributed, within 30 (thirty) days of the determination on the qualification of the candidate. All funds returned under this paragraph must be accompanied by any required supporting documentation. In such cases, the participating candidate must return the unspent funds to the City, up to the total amount of funds that the participating candidate received as Fair Election Funds distributions, prior to refunding any contributions to individual contributors.

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

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

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

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

Section 7. That Berkeley Municipal Code Section 2.12.505.J is added to read as follows:

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



Section 8. That Berkeley Municipal Code Section 2.12.505.K is added to read as follows:

K. Upon approval of a participating candidate's Initial Qualifying Request, the candidate is prohibited from withdrawing from the Public Financing Program and receiving contributions pursuant to Section 2.12.415 for the same office at the same election for which they are a participating candidate.

Section 9. That Berkeley Municipal Code Section 2.12.507 is added to read as follows:

**2.12.507 Return of Contributions by Participating Candidates**

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

B. Notwithstanding the requirements in Section 2.12.505.H.1, a participating candidate may return a non-qualified contribution to the contributor at any time without triggering any requirement that they return matching funds.

Section 10. That Berkeley Municipal Code Section 2.12.510 is amended to read as follows:

**2.12.510 Candidate statement notice.**

A candidate certified as a Fair Elections program participant shall be identified as such by a notice prominently posted on the City website~~printed on the same page as the candidate's statement of qualifications distributed to voters pursuant to City Charter Article III Section 6.1.~~

Section 11. That Berkeley Municipal Code Section 2.12.545 is amended to read as follows:

**2.12.545 Cost of living adjustments.**

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

Section 12. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

**NOTICE OF PUBLIC HEARING  
BERKELEY CITY COUNCIL**

**AMENDMENTS TO THE BERKELEY ELECTION REFORM ACT**

**The public may participate in this hearing by remote video or in-person.**

Notice is hereby given by the City Council of the City of Berkeley that a public hearing will be conducted by said city council of the City of Berkeley at which time and place all persons may attend and be heard upon the following:

The Fair Campaign Practices Commission of the City of Berkeley is proposing amendments to the Berkeley Election Reform Act related to: modify the forms required to open a campaign committee, change the deadline to qualify for the public financing program and make associated amendments, clarify the rules for public financing candidates that do not qualify for the ballot, add an automatic inflator for the amount a public financing candidate can give to their own committee, clarify post-election processes for public financing candidates, modify the threshold to create a campaign committee, and clarify the rules for returning certain types of contributions

The hearing will be held on, June 13, 2023 at 6:00 p.m. in the School District Board Room, 1231 Addison Street, Berkeley, CA 94702.

For further information, please contact Samuel Harvey, Commission Secretary at (510) 981- 6998.


A copy of the staff report for this hearing will be available on the City’s website at [www.berkeleyca.gov](http://www.berkeleyca.gov) as of June 1, 2023. **Once posted, the agenda for this meeting will include a link for public participation using Zoom video technology, as well as any health and safety requirements for in-person attendance.**

Written comments should be mailed or delivered directly to the City Clerk, 2180 Milvia Street, Berkeley, CA 94704, or e-mailed to [council@berkeleyca.gov](mailto:council@berkeleyca.gov) in order to ensure delivery to all Councilmembers and inclusion in the agenda packet.

Communications to the Berkeley City Council 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 the City Council, 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. 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 City Clerk at (510) 981-6900 or [council@berkeleyca.gov](mailto:council@berkeleyca.gov) for further information.

**Published:** June 2, 2023 pursuant to Berkeley Municipal Code Section 2.12.051

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I hereby certify that the Notice for this Public Hearing of the Berkeley City Council was posted at the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way, as well as on the City’s website, on June 1, 2023.

  
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Mark Numainville, City Clerk