



Fair Campaign Practices Commission

MINUTES

North Berkeley Senior Center
1901 Hearst Street
Classroom C (Upstairs)

Regular Meeting
March 17, 2016

Members Present: Brad Smith (Chair), Al Murray (Vice Chair), Dean Metzger, Patrick O'Donnell, Dave Ritchie, Sherry Smith, Emma Soichet

Members Absent: Alex Mabanta (excused) Mark McLean (excused)

Also Present: Savith Iyengar, Secretary/Deputy City Attorney

1. **Call to Order**

Chair called the meeting to order at 7:00 p.m.

2. **Roll Call**

Roll call taken.

3. **Public Comment (items not on agenda)**

No public comments on matters not on agenda. One member of the public in attendance.

4. **Reports**

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

Chair noted that City Council will be considering public financing of elections item further.

5. **Approval of minutes for the February 18, 2016 meeting**

- a. Public comment: no speakers.
- b. Commission discussion and action.

Motion to approve minutes (M/S/C: S. Smith/Murray; Ayes: B. Smith, Murray, Metzger, Ritchie, S. Smith; Noes: None; Abstain: None; Absent: Mabanta (excused), McLean (excused), O'Donnell, Soichet).

*Commissioner O'Donnell arrived at 7:09 p.m.
Commissioner Soichet arrived at 7:10 p.m.*

6. **Discussion and action regarding draft FCPC Regulation on Paid Electronic Advertising**

- a. Public comment: no speakers.
- b. Commission discussion and action.

Motion to adopt the draft regulation as Regulation No. R2.12.335, with the replacement of the phrase “for a period of at least four seconds and” with “until the user clicks through the disclosure information and the disclosure information must” – to become effective immediately; Regulation No. R2.12.335 will read, in full, as follows:

R2.12.335 Text or Graphic Electronic Media Advertisement

The disclosure information in a text or graphic electronic media advertisement must appear in letters at least as large as the majority of the text in the advertisement, or alternatively, if the advertisement is limited in size (e.g., a micro bar, button ad, paid text advertisement that is limited to 500 characters or less in length, or small paid graphic or picture link), the disclosure is displayed via link to a webpage with disclosure information or other technological means that provide the user with disclosure information. In addition, the disclosure information must be visible until the user clicks through the disclosure information, and the disclosure information must appear with a reasonable degree of color contrast between the background and text of the statement as to be legible.

(M/S/C: Ritchie/Metzger; Ayes: B. Smith, Murray, Metzger, O'Donnell, Ritchie, S. Smith, Soichet; Noes: None; Abstain: None; Absent: Mabanta (excused), McLean (excused).)

7. **Discussion and action regarding updating the FCPC Campaign Filing Manual**

- a. Public comment: no speakers.
- b. Commission discussion and action.

Motion to direct the Chair to work with staff to finalize and publish the updated FCPC Campaign Filing Manual (M/S/C: Soichet/Murray; Ayes: B. Smith, Murray, Metzger, O'Donnell, Ritchie, S. Smith, Soichet; Noes: None; Abstain: None; Absent: Mabanta (excused), McLean (excused).)

8. **Discussion and possible action regarding Commission work-plan for 2016**

- a. Public comment: no speakers.
- b. Commission discussion and possible action.

Motion to add the item “change in procedure regarding Slate Mailer Organizations” to the work plan (M/S/C: Murray/Soichet; Ayes: B. Smith, Murray, Metzger, O'Donnell, Ritchie, S. Smith, Soichet; Noes: None; Abstain: None; Absent: Mabanta (excused), McLean (excused).)

9. **Adjournment**

Motion to adjourn (M/S/C: O'Donnell/Soichet; Ayes: B. Smith, Murray, Metzger, O'Donnell, Ritchie, S. Smith, Soichet; Noes: None; Abstain: None; Absent: Mabanta (excused), McLean (excused).)

The meeting adjourned at 7:41 p.m.