



Fair Campaign Practices Commission

## MINUTES

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

Regular Meeting  
**February 18, 2016**

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

Members Absent: None

Also Present: Savith Iyengar, Secretary/Deputy City Attorney

### 1. **Call to Order**

Chair called the meeting to order at 7:03 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 conducting polling regarding public financing of elections and staff noted that the item is on the agenda of Council's February 23, 2016 meeting.

### 5. **Approval of minutes for the January 14, 2016 special meeting**

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

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

### 6. **Discussion and action regarding election of Chair and Vice-Chair**

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

*Motion to re-elect Brad Smith as Chair (M/S/C: Metzger/Mabanta; Ayes: B. Smith, Murray, Mabanta, McLean, Metzger, O'Donnell, Ritchie; Noes: None; Abstain: None; Absent: S. Smith, Soichet).*

*Motion to elect Al Murray as Vice Chair (M/S/C: Ritchie/O'Donnell; Ayes: B. Smith, Murray, Mabanta, McLean, Metzger, O'Donnell, Ritchie; Noes: None; Abstain: None; Absent: S. Smith, Soichet).*

*Commissioner S. Smith arrived at 7:08 p.m.  
Commissioner Soichet arrived at 7:30 p.m.*

7. **Discussion and action regarding existing law and practices and potential changes to BERA for Paid Electronic Advertising**

- a. Public comment: 1 speaker.
- b. Commission discussion and action.

*Motion to direct the Chair to work with staff to draft an FCPC Regulation that includes all of Section 18450.4(g)(1) of the Regulations of the state Fair Political Practices Commission (Title 2, Division 6, California Code of Regulations) with the exception of the phrase "rollover display," and to bring back the draft regulation for the Commission's approval at the Commission's next meeting (M/S/C: Metzger/Ritchie; Ayes: B. Smith, Murray, Mabanta, McLean, Metzger, O'Donnell, Ritchie, S. Smith, Soichet; Noes: None; Abstain: None; Absent: None).*

8. **Discussion and action regarding recommendation made by Slate Mailer Subcommittee**

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

*Motion to recommend that the Chair work with staff to effect a change in procedure that would have all forms filed with the City Clerk by Slate Mailer Organizations and all candidate or measure forms that list payments to Slate Mailer Organizations as nonmonetary contributions to their committee provided to the Commission as soon as possible (M/S/C: McLean/Soichet; Ayes: B. Smith, Murray, Mabanta, McLean, Metzger, O'Donnell, Ritchie, S. Smith, Soichet; Noes: None; Abstain: None; Absent: None).*

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

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

No action taken.

10. **Adjournment**

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

The meeting adjourned at 8:27 p.m.