

Fair Campaign Practices Commission

DATE: October 18, 2018
TO: FAIR CAMPAIGN PRACTICES COMMISSION
FROM: JESSICA MAR, Commission Secretary/Deputy City Attorney JM 10/18/18
SUBJECT: Referral Regarding Potential Violation of BERA by
Lacey for Council 2018 from the City Clerk's Office

INTRODUCTION

By letter dated August 6, 2018, the City Clerk Department informed the committee *Lacey for Council 2018* of items in the committee's filing that appeared to be noncompliant with the Berkeley Election Reform Act (BERA). The letter also referred an item regarding a potential violation of the Berkeley Election Reform Act (BERA) by the committee *Lacey for Council 2018* to the Fair Campaign Practices Commission. The referral is regarding the committee's Form 460 semi-annual campaign statement filed July 30, 2018, covering the period from March 21, 2018 through June 30, 2018, showing aggregate contributions from a single individual of \$100. (**Attachment 1.**) Ms. Lacey is a public financing participating candidate.

By letter dated August 20, 2018, staff reached out to *Lacey for Council 2018* (the "Committee") for any additional information that the Committee wished to provide. (**Attachment 2.**)

Public financing candidates may not "accept contributions in connection with the election for which Fair Elections funds are sought other than qualified contributions, contributions not greater than fifty dollars (\$50) made by a natural person non-resident of Berkeley, or non-monetary contributions with a fair market value not greater than fifty dollars (\$50). The aggregate value of all contributions from any individual must not be greater than fifty dollars (\$50)." BMC § 2.12.500.A.1.7.

The statement lists a loan in Schedule B of \$50.00 made by **Stephen Henry**¹ on March 21, 2018; schedule A lists a contribution of a monetary gift of \$50.00 made by **Stephen Henry** on May 5, 2018. (**Attachment 3**). The statement lists a repayment of the loan to Mr. Henry on May 5, 2018. A loan qualifies as a contribution under Berkeley Municipal Code section 2.12.100. Therefore, contributions totaling \$100 from a single individual would violate the \$50 contribution limit from a single individual for public financing participating candidates.

¹ Mr. Stephen Henry is Treasurer of *Lacey for Council 2018* as well as Candidate Lacey's spouse.

In accordance with Sections V.B. and D of the FCPC Procedures, the Secretary reviewed the documentation submitted with the referral, provided the referral and requested responses from *Lacey for Council 2018*, and reviewed the relevant campaign disclosure statements of *Lacey for Council 2018*.

As discussed in more detail below, after the presentation of the Secretary's report, the Commission may move to dismiss the matter by majority vote and proceed no further, or make a determination that probable cause exists to believe that BERA has been violated. FCPC Procedures section VI.B.

Based on the evidence from the Committee's public filings and the information provided by Candidate Lacey and Treasurer Henry there appears to be sufficient evidence to present a reasonable basis on which to believe that a violation of BERA has occurred pursuant to the FCPC Procedures section VI.B.2.

SUMMARY OF EVIDENCE

On March 21, 2018, Stephen Henry made a \$50.00 loan to the committee.² (**Attachment 3**, Schedule A).³ On May 5, 2018, Stephen Henry made a monetary gift contribution of \$50.00 to the Committee. (**Attachment 3**, Schedule A).

Candidate Mary Kay Lacey submitted an application to participate in the City's Public Financing Program, including a candidate certification dated May 7, 2018. (**Attachment 4**). Mr. Henry's May 5, 2018 monetary gift contribution of \$50.00 was submitted as one of Candidate Lacey's initial qualifying contributions.

At its May 22, 2018 meeting, the Commission accepted the application with the following action:
Motion to certify candidate Mary Kay Lacey to participate in the Berkeley public campaign financing program (M/S/C: Soichet/O'Donnell; Ayes: Smith, Metzger, O'Donnell, Soichet; Noes: None; Absent: McLean, Tsui (leave of absence), Harper, Saver).

The Commission also approved Mary Kay Lacey's initial request for Fair Elections Funds with the following action:

Motion to approve 6:1 public matching funds for candidate Mary Kay Lacey in an amount not to exceed \$14,400. (M/S/C: Soichet/Smith; Ayes: Smith, Metzger, O'Donnell, Soichet; Noes: None; Absent: McLean, Tsui (leave of absence), Harper, Saver).

² Mr. Henry's first contribution of a loan of \$50.00 to the Committee was first publically disclosed on the committee's Form 460 Campaign statement covering the period from March 21, 2018 through June 30, 2018, which was filed on July 30, 2018. (**Attachment 1**.)

³ Mr. Henry's second contribution of a monetary gift of \$50.00 to the Committee was included with Candidate Lacey's application for public financing certification as one of the qualifying requests, which the Commission considered at its May 22, 2018 meeting. (**Attachment 5**).

The second contribution made by Stephen Henry on May 5, 2018 was submitted with the candidate's initial qualifying request for Fair Elections Funds Payment, which was the basis for the Commission's motion to certify Candidate Lacey to participate in the public financing program and to approve disbursement of 6:1 public matching funds. (**Attachment 3**).

In response to an inquiry from the Secretary reached out to Mr. Henry and Candidate Lacey to confirm facts regarding the contributions from Mr. Henry and to see if there was any additional information that the Committee could provide and provided a copy of the referral from the City Clerk's Office.

Candidate Lacey submitted a statement confirming that Mr. Henry made a \$50.00 loan to the Committee on March 21, 2018 and that on May 5, 2018 he made a \$50.00 monetary gift contribution to the Committee. (**Attachment 6**). Candidate Lacey stated that "on May 5, 2018, a check was written from the Lacey 2018 campaign checking account to repay the loan." (**Attachment 6**.)

The Committee did not have a check showing repayment of the \$50.00 loan to Mr. Henry, but instead submitted a check showing a \$50.00 check made out to Candidate Lacey. (**Attachment 6**). The Secretary followed up with the Committee, pointing out the discrepancy and gave the Committee an opportunity to show that the loan to Mr. Henry had been repaid and that the Committee did not have more than \$50.00 in contributions from Mr. Henry at one time.

Mr. Henry confirmed that his May 5, 2018 \$50.00 gift contribution and \$50.00 loan were both deposited in the Committee's bank account at the same time and that the Committee had \$100.00 in its bank account from him at one time. Mr. Henry stated that he believed that his \$50.00 loan to the committee was repaid on May 5, 2018 when the check was written based on his use of a cash, not an accrual, accounting method. Neither Mr. Henry nor Candidate Lacey provided documentation of the \$50.00 loan being repaid to Mr. Henry, but rather provided documentation that the Committee made a \$50.00 payment to Candidate Lacey. (**Attachment 6**).

DISCUSSION

1. Applicable Law

a. Under BERA Loans are Contributions

Pursuant to Berkeley Municipal Code section 2.12.100, loans are contributions. Specifically, "Contribution' means a gift, subscription, loan, advance, deposit, pledge, forgiveness of indebtedness, payment of a debt by a third party, contract, agreement, or promise of money or anything of value or other obligation, whether or not legally enforceable, made directly or indirectly in aid of or in opposition to the nomination or election of one or more candidates or the qualification for the ballot or voter approval of one or more measures."

2. Public Financing Program Requirements

a. The Public Financing Contribution Limits: Amount and Type of Acceptable Contributions

Candidates participating in the City's Public Financing Program are subject to a \$50.00 aggregate value of contribution from any one individual. BMC § 2.12. 500. A.7.

Additionally, participating candidates may only accept "qualified contributions, contributions not greater than fifty dollars (\$50) made by a natural person non-resident of Berkeley, or non-monetary contributions with a fair market value not greater than fifty dollars (\$50)." *Id.*

Loans are specifically excluded from the definition of a "qualified contribution," which is defined as "a monetary contribution, **excluding loans**, made directly in aid of the nomination or election of one or more candidates not greater than fifty dollars (\$50) made by a natural person resident of the City of Berkeley." BMC § 2.12.167.

3. Discussion and Analysis

Mr. Henry made two contributions to the Committee: 1) He made a \$50.00 loan contribution on March 21, 2018; and 2) a monetary gift contribution that the Committee used as a qualifying contribution for public matching funds on May 5, 2018. Candidate Lacey and Mr. Henry claim that the \$50.00 loan from Mr. Henry was repaid on May 5, 2018, when the Committee wrote a check to Candidate Lacey. (**Attachment 6**).

Under BERA, a "contribution" means a gift, as well as a loan. BMC § 2.12.100. Candidates participating in public financing agree to a \$50.00 contribution aggregate limit from any one individual. BMC § 2.12. 500. A.7. Participating candidates may also only accept the following types of contributions:

1. Qualified contributions,
2. Contributions not greater than fifty (\$50) made by a natural person non-resident of Berkeley, or
3. Non-monetary contributions with a fair market value not greater than fifty dollars (\$50).

BMC § 2.12. 500. A.7.

Public financing candidates are not permitted to accept loan contributions. BMC § 2.12.500.A.7. Loans are specifically excluded from the definition of qualified contributions. BMC § 2.12.167. Mr. Henry is a resident of Berkeley and could only make a qualified contribution or a non-monetary contribution with a fair market value not greater than \$50.00.

When Candidate Lacey accepted the March 21, 2018 \$50.00 loan from Mr. Henry, this appeared to violate the restrictions on the types of contributions public financing candidates may accept as it did not fall within one of the three categories of acceptable contributions for public financing participating candidates. BMC § 2.12.500.A.7.

When Candidate Lacey subsequently accepted the \$50.00 May 5, 2018 monetary gift contribution from Mr. Henry, the aggregate amount of contributions from Mr. Henry totaled \$100.00, which

appears to violate the \$50.00 aggregate contribution limit from any one individual for public financing candidates. BMC 2.12.500.A.7.

For the reasons identified above, there appears to be sufficient circumstances for a reasonable basis on which to believe that a violation of BERA Section 2.12.500.A.7 has occurred.

DISPOSITION OF POTENTIAL VIOLATIONS

1. Probable Cause Determination

After presentation of this report, the Commission may dismiss the matter and proceed no further if evidence of any violation is insufficient or unreliable or if the possible violation has only a slight impact on the administration of BERA and/or the outcome of any election that further proceeding would be an inefficient use of resources. Procedures of the FCPC section VI.B.1. Alternately, the Commission may determine that probable cause exists to believe that the BERA has been violated. *Id.* at Section VI.B.2. Probable cause exists when based on the circumstances presented there is a reasonable basis on which to believe that a violation of the BERA has occurred. *Id.*

If the Commission determines there is probable cause for believing the committee violated BMC section 2.12.500, the Commission shall consider what action to take and may consider the factors identified in Section VI.C.1 of the Procedures.

2. Proceeding After a Determination of Probable Cause

Following a determination of probable cause, the Commission may take any of the following courses of action:

- a. Dismiss the complaint and take no further action;
- b. Request the Secretary conduct further investigation;
- c. Require the timely filing of campaign statements and/or amendments to campaign statements;
- d. Invite the respondents to participate in settlement negotiations.
- e. Schedule and conduct a hearing pursuant to Section 2.12.230 of BERA.⁴
- f. Ask the City Attorney or the District Attorney to seek legal remedies.
- g. Seek any other remedy within its authority.

Procedures for the FCPC section VI.C.2.

Attachments:

1. Letter from City Clerk's Office referring matter to Fair Campaign Practices Commission, dated August 6, 2018
2. Letter from FCPC Secretary to *Lacey for Council 2018* regarding referral to the FCPC for investigation, dated August 20, 2018.

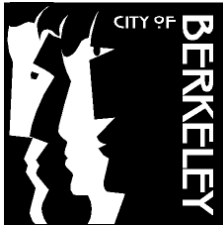
⁴ If the Commission holds a hearing pursuant to BMC § 2.12.230, and determines that there is a violation, the violation penalties under BMC 2.12.231 would be available remedies. Because this matter potentially involves in violation of the Fair Elections Act of 2016, the Fair Elections Act penalties in BMC § 2.12.550 may be available in addition to the remedies in BMC § 2.12.231.

FCPC

October 18, 2018

Page 6 Referral Re Potential Violation of BERA by *Lacey for Council 2018*

3. Excerpts of Lacey for Council 2018, Form 460 semi-annual campaign statement filed July 30, 2018, covering the period from March 21, 2018 through June 30, 2018 (filed July 30, 2018).
4. Mary Kay Lacey application to participate in the City's Public Financing Program candidate certification, dated May 7, 2018
5. Mary Kay Lacey application to participate in the City's Public Financing Program Initial Qualifying Request for Fair Elections Funds Payment, dated May 7, 2018
6. Documents submitted by Mary Kay Lacey, dated August 21, 2018



August 6, 2018

VIA EMAIL AND U.S. MAIL

Mr. Stephen Henry, Treasurer
Lacey for Council 2018
3047 Benvenue Avenue
Berkeley, CA 94705

RE: Campaign Statement – Amendment Required

Dear Mr. Henry:

The City Clerk Department has received your committee's Form 460 semi-annual campaign statement filed July 25, 2018, covering the period from March 21, 2018 through June 30, 2018.

As the local Filing Officer, our office reviews filed campaign statements to determine whether they conform on their face with requirements of the Berkeley Election Reform Act ("BERA") the California Political Reform Act (PRA). In furtherance of these duties, I am contacting you regarding items that appear to be noncompliant with BERA and state law.

(1) *Incorrect period covered.*

Your semi-annual statement should cover the period January 1, 2018 through June 30, 2018, even if the committee was formed subsequent to the start of that period.

(2) *Missing or incorrect address information.*

BMC Sections 2.12.280.G and H and state law require the residential street address of each contributor and street address of each payee. The committee provided a P.O. Box instead of a street address for contributor **Susan Henry** and payee **ActBlue**.

(3) *Missing occupation/employer information.*

Under BMC Sections 2.12.280.G and H and state law, committees must list the occupations and employers of contributors and payees. The committee failed to specify the occupation and employer for the contributors **Gwen Morris**, and **Abbie Zak**, The committee also failed to specify the employer for the contributor **Tina Baker**, and the occupation for **Mauricio Viera** ("Sales").

(4) Contributions with Negative Values.

The statement lists a monetary contribution in Schedule A from contributor **Amy Mezey** in the amount of *negative* \$50.00, dated May 21, 2018. If this negative value means to represent a refunded contribution or payment made, the committee must disclose it in Schedule E (Payments Made), not Schedule A, and include the date the payment was made (or contribution refunded).

(5) Contribution exceeding maximum permitted amount.

The statement lists a loan in Schedule B of \$50.00 made by **Stephen Henry** on March 21, 2018; schedule A lists a contribution of \$50.00 made by **Stephen Henry** on May 5, 2018. A loan is considered a contribution under BERA and state law; therefore, this second contribution exceeded the allowable aggregate amount permitted from any one individual. This limitation is contained in BERA as follows (emphasis added):

BMC 2.12.500 Eligibility for Fair Elections campaign funding:

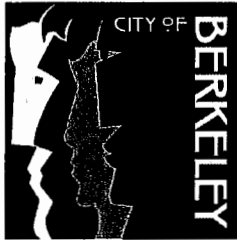
A. To be eligible to be certified as a participating candidate, a candidate must:..7) Not accept contributions in connection with the election for which Fair Elections funds are sought other than qualified contributions, contributions not greater than fifty dollars (\$50) made by a natural person non-resident of Berkeley, or non-monetary contributions with a fair market value not greater than fifty dollars (\$50). The aggregate value of all contributions from any individual must not be greater than fifty dollars (\$50)..”

You may amend your statement to address items (1) through (4). If you intend to file an amendment and/or provide further information, please contact me no later than August 16, 2018. However, please note that item (5) has been referred to the Fair Campaign Practices Commission for further investigation. You may contact the FCPC Secretary at 981-6998 or fcpc@cityofberkeley.info if you have questions about the potential violation noted above.

Sincerely,

Leslie S. Rome
Assistant Management Analyst
on behalf of
Mark Numainville
City Clerk

Cc: Fair Campaign Practices Commission



Fair Campaign Practices Commission

August 20, 2018

VIA EMAIL AND U.S. MAIL

Mr. Stephen Henry, Treasurer
Lacey for Council 2018
3047 Benvenue Avenue
Berkeley, CA 94705
stephen@shenrylaw.com

Ms. Mary Kay Lacey, Candidate/Asst. Treasurer
Lacey for Council 2018
3047 Benvenue Avenue
Berkeley, CA 94705
mklacey@comcast.net

RE: Referral to the Fair Campaign Practices Commission for investigation

Dear Mr. Henry and Ms. Lacey:

By letter dated August 6, 2018, the City Clerk Department referred an item regarding a potential violation of the Berkeley Election Reform Act (BERA) by the committee *Lacey for Council 2018* to the Fair Campaign Practices Commission. The referral is regarding your committee's Form 460 semi-annual campaign statement filed July 30, 2018, covering the period from March 21, 2018 through June 30, 2018. (**Attachment 1**.)

The statement lists a loan in Schedule B of \$50.00 made by **Stephen Henry** on March 21, 2018; schedule A lists a contribution of a monetary gift of \$50.00 made by **Stephen Henry** on May 5, 2018. (**Attachment 2**). A loan qualifies as a contribution under Berkeley Municipal Code section 2.12.100.

Candidate Mary Kay Lacey submitted an application to participate in the City's Public Financing Program, including a candidate certification dated May 7, 2018. (**Attachment 3**). At its May 22, 2018 meeting, the Commission accepted the application with the following action:

Motion to certify candidate Mary Kay Lacey to participate in the Berkeley public campaign financing program (M/S/C: Soichet/O'Donnell; Ayes: Smith, Metzger, O'Donnell, Soichet; Noes: None; Absent: McLean, Tsui (leave of absence), Harper, Saver).

Additionally, the Commission approved Mary Kay Lacey's initial request for Fair Elections Funds with the following action:

Motion to approve 6:1 public matching funds for candidate Mary Kay Lacey in an amount not to exceed \$14,400. (M/S/C: Soichet/Smith; Ayes: Smith, Metzger, O'Donnell, Soichet; Noes: None; Absent: McLean, Tsui (leave of absence), Harper, Saver).

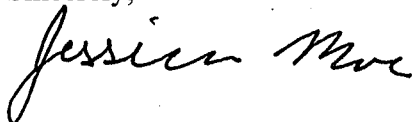
Pursuant to Berkeley Municipal Code section 2.12.500, candidates participating in the City's Public Financing Program may "[n]ot accept contributions in connection with the election for which Fair Elections funds are sought other than qualified contributions, contributions not greater than fifty dollars (\$50) made by a natural person non-resident of Berkeley, or non-monetary contributions with a fair market value not greater than fifty dollars (\$50). The aggregate value of all contributions from any individual must not be greater than fifty dollars (\$50)."

Therefore, it appears that the second monetary gift contribution exceeded the allowable aggregate amount permitted from any one individual. The second contribution made by Stephen Henry on May 5, 2018 was submitted with the candidate's initial qualifying request for Fair Elections Funds Payment, which was the basis for the Commission's motion to approve public matching funds. (**Attachment 3**).

This item will be **placed on the agenda for the Fair Campaign Practices Commission's October 18, 2018 regular meeting** at 7:00 p.m. in Classroom C of the North Berkeley Senior Center at 1901 Hearst Avenue. If you would like to provide any information to the Commission regarding this matter, including any factors in mitigation or aggravation, please submit **your material in writing no later than Tuesday, October 9**, so that the materials may be included in the Commission's meeting packet. The packet is generally mailed and posted on the Commission's website (<https://www.cityofberkeley.info/FCPC/>) one week in advance of the meeting, and no later than 72 hours prior to the meeting.

If you have questions, you may contact the Commission Secretary at 981-6998 or fcpc@cityofberkeley.info.

Sincerely,



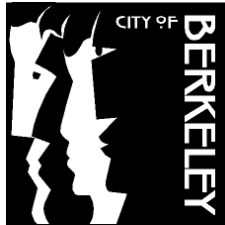
Jessica Mar

Secretary, Fair Campaign Practices and Open Government Commissions

cc: Mark Numainville, City Clerk

Attachments:

1. Letter from City Clerk's Office referring matter to Fair Campaign Practices Commission, dated August 6, 2018
2. Excerpts of Lacey for Council 2018, Form 460 semi-annual campaign statement filed July 30, 2018, covering the period from March 21, 2018 through June 30, 2018 (filed July 30, 2018).
3. Mary Kay Lacey application to participate in the City's Public Financing Program, dated May 7, 2018:
 - Mary Kay Lacey candidate certification;
 - Initial Qualifying Request for Fair Elections Funds Payment



August 6, 2018

VIA EMAIL AND U.S. MAIL

Mr. Stephen Henry, Treasurer
Lacey for Council 2018
3047 Benvenue Avenue
Berkeley, CA 94705

RE: Campaign Statement – Amendment Required

Dear Mr. Henry:

The City Clerk Department has received your committee's Form 460 semi-annual campaign statement filed July 25, 2018, covering the period from March 21, 2018 through June 30, 2018.

As the local Filing Officer, our office reviews filed campaign statements to determine whether they conform on their face with requirements of the Berkeley Election Reform Act ("BERA") the California Political Reform Act (PRA). In furtherance of these duties, I am contacting you regarding items that appear to be noncompliant with BERA and state law.

(1) *Incorrect period covered.*

Your semi-annual statement should cover the period January 1, 2018 through June 30, 2018, even if the committee was formed subsequent to the start of that period.

(2) *Missing or incorrect address information.*

BMC Sections 2.12.280.G and H and state law require the residential street address of each contributor and street address of each payee. The committee provided a P.O. Box instead of a street address for contributor **Susan Henry** and payee **ActBlue**.

(3) *Missing occupation/employer information.*

Under BMC Sections 2.12.280.G and H and state law, committees must list the occupations and employers of contributors and payees. The committee failed to specify the occupation and employer for the contributors **Gwen Morris**, and **Abbie Zak**, The committee also failed to specify the employer for the contributor **Tina Baker**, and the occupation for **Mauricio Viera** ("Sales").

(4) Contributions with Negative Values.

The statement lists a monetary contribution in Schedule A from contributor **Amy Mezey** in the amount of *negative* \$50.00, dated May 21, 2018. If this negative value means to represent a refunded contribution or payment made, the committee must disclose it in Schedule E (Payments Made), not Schedule A, and include the date the payment was made (or contribution refunded).

(5) Contribution exceeding maximum permitted amount.

The statement lists a loan in Schedule B of \$50.00 made by **Stephen Henry** on March 21, 2018; schedule A lists a contribution of \$50.00 made by **Stephen Henry** on May 5, 2018. A loan is considered a contribution under BERA and state law; therefore, this second contribution exceeded the allowable aggregate amount permitted from any one individual. This limitation is contained in BERA as follows (emphasis added):

BMC 2.12.500 Eligibility for Fair Elections campaign funding:

A. To be eligible to be certified as a participating candidate, a candidate must:..7) Not accept contributions in connection with the election for which Fair Elections funds are sought other than qualified contributions, contributions not greater than fifty dollars (\$50) made by a natural person non-resident of Berkeley, or non-monetary contributions with a fair market value not greater than fifty dollars (\$50). The aggregate value of all contributions from any individual must not be greater than fifty dollars (\$50)..”

You may amend your statement to address items (1) through (4). If you intend to file an amendment and/or provide further information, please contact me no later than August 16, 2018. However, please note that item (5) has been referred to the Fair Campaign Practices Commission for further investigation. You may contact the FCPC Secretary at 981-6998 or fcpc@cityofberkeley.info if you have questions about the potential violation noted above.

Sincerely,

Leslie S. Rome
Assistant Management Analyst
on behalf of
Mark Numainville
City Clerk

Cc: Fair Campaign Practices Commission

Recipient Committee Campaign Statement Cover Page

(Government Code Sections 84200-84216.5)

Date Stamp: E-Filed 07/30/2018 14:38:47, Filing ID: 172796718. CALIFORNIA FORM 460, Page 1 of 31, For Official Use Only.

Statement covers period from 03/21/2018 through 06/30/2018. Date of election if applicable: 11/06/2018.

SEE INSTRUCTIONS ON REVERSE

1. Type of Recipient Committee: All Committees - Complete Parts 1, 2, 3, and 4.

- Officeholder, Candidate Controlled Committee (checked), State Candidate Election Committee, Recall, General Purpose Committee, Sponsored, Political Party/Central Committee, etc.

2. Type of Statement:

- Preelection Statement, Semi-annual Statement (checked), Termination Statement, Amendment, Quarterly Statement, Special Odd-Year Report, Supplemental Preelection Statement.

3. Committee Information

COMMITTEE NAME (OR CANDIDATE'S NAME IF NO COMMITTEE): Lacey For City Council 2018. STREET ADDRESS (NO P.O. BOX): Berkeley, CA 94705. MAILING ADDRESS (IF DIFFERENT) NO. AND STREET OR P.O. BOX: Berkeley, CA 94705. OPTIONAL: FAX / E-MAIL ADDRESS: shenry@shenrylaw.com

I.D. NUMBER 1403957

Treasurer(s)

NAME OF TREASURER: Stephen Henry. MAILING ADDRESS: Berkeley, CA 94705. NAME OF ASSISTANT TREASURER, IF ANY: Mary Kay Lacey. MAILING ADDRESS: Berkeley, CA 94705. OPTIONAL: FAX / E-MAIL ADDRESS: (510)295-2516 / shenry@shenrylaw.com

4. Verification

I have used all reasonable diligence in preparing and reviewing this statement and to the best of my knowledge the information contained herein and in the attached schedules is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on 07/30/2018, Executed on 07/30/2018, Executed on, Executed on

By Stephen Henry, Signature of Treasurer or Assistant Treasurer; By Mary Kay Lacey, Signature of Controlling Officeholder, Candidate, State Measure Proponent or Responsible Officer of Sponsor; By, Signature of Controlling Officeholder, Candidate, State Measure Proponent; By, Signature of Controlling Officeholder, Candidate, State Measure Proponent

**Schedule A (Continuation Sheet)
Monetary Contributions Received**

SCHEDULE A (CONT.)

Amounts may be rounded
to whole dollars.

Statement covers period		CALIFORNIA FORM 460
from	03/21/2018	
through	06/30/2018	Page <u>12</u> of <u>31</u>

NAME OF FILER Lacey For City Council 2018	I.D. NUMBER 1403957
--	------------------------

DATE RECEIVED	FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CONTRIBUTOR CODE *	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	AMOUNT RECEIVED THIS PERIOD	CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31)	PER ELECTION TO DATE (IF REQUIRED)
05/05/2018	Michael Bolgatz Berkeley, CA 94705	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Attorney Self employed, Berkeley, CA	50.00	50.00	G2018 \$50.00
05/05/2018	Samuel Gerson Berkeley, CA 94705	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Psychologist Alliant University, San Francisco, CA	50.00	50.00	G2018 \$50.00
05/05/2018	Leah Henry Berkeley, CA 94705	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Educator Children's Creativity Museum, San Francisco	50.00	50.00	G2018 \$50.00
05/05/2018	Stephen Henry Berkeley, CA 94705	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Attorney Self employed as Stephen F. Henry, Esq. - Berkeley	50.00	50.00	G2018 \$100.00
05/05/2018	Mary Kay Lacey Berkeley, CA 94705	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Attorney Self employed as Mary Kay Lacey, Esq. - Berkeley	50.00	50.00	G2018 \$50.00
SUBTOTAL \$				250.00		

*Contributor Codes
 IND – Individual
 COM – Recipient Committee
 (other than PTY or SCC)
 OTH – Other (e.g., business entity)
 PTY – Political Party
 SCC – Small Contributor Committee

Schedule B – Part 1 Loans Received

Amounts may be rounded to whole dollars.

Statement covers period		CALIFORNIA FORM 460
from	03/21/2018	
through	06/30/2018	Page 28 of 31

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

Lacey For City Council 2018

I.D. NUMBER
1403957

FULL NAME, STREET ADDRESS AND ZIP CODE OF LENDER (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	(a) OUTSTANDING BALANCE BEGINNING THIS PERIOD	(b) AMOUNT RECEIVED THIS PERIOD	(c) AMOUNT PAID OR FORGIVEN THIS PERIOD*	(d) OUTSTANDING BALANCE AT CLOSE OF THIS PERIOD	(e) INTEREST PAID THIS PERIOD	(f) ORIGINAL AMOUNT OF LOAN	(g) CUMULATIVE CONTRIBUTIONS TO DATE
Stephen Henry Berkeley, CA 94705	Attorney Self employed as Stephen F. Henry, Esq. - Berkeley	\$ 0.00	\$ 50.00	<input checked="" type="checkbox"/> PAID \$ 50.00 <input type="checkbox"/> FORGIVEN	\$ 0.00 05/05/2018 DATE DUE	% RATE \$ 0.00	\$ 50.00 03/21/2018 DATE INCURRED	CALENDAR YEAR \$ 50.00 PER ELECTION** \$ 62018 100.00
† <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		\$ _____	\$ _____	<input type="checkbox"/> PAID \$ _____ <input type="checkbox"/> FORGIVEN	\$ _____ DATE DUE	\$ _____ RATE	\$ _____ DATE INCURRED	CALENDAR YEAR \$ _____ PER ELECTION** \$ _____
† <input type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		\$ _____	\$ _____	<input type="checkbox"/> PAID \$ _____ <input type="checkbox"/> FORGIVEN	\$ _____ DATE DUE	\$ _____ RATE	\$ _____ DATE INCURRED	CALENDAR YEAR \$ _____ PER ELECTION** \$ _____
† <input type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		\$ _____	\$ _____	<input type="checkbox"/> PAID \$ _____ <input type="checkbox"/> FORGIVEN	\$ _____ DATE DUE	\$ _____ RATE	\$ _____ DATE INCURRED	CALENDAR YEAR \$ _____ PER ELECTION** \$ _____

SUBTOTALS \$ 50.00 \$ 50.00 \$ 0.00 \$ 0.00

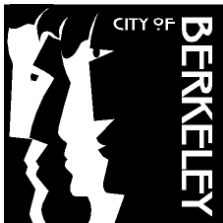
Schedule B Summary

(Enter (e) on Schedule E, Line 3)

- Loans received this period \$ 50.00
(Total Column (b) plus unitemized loans of less than \$100.)
- Loans paid or forgiven this period \$ 50.00
(Total Column (c) plus loans under \$100 paid or forgiven.)
(Include loans paid by a third party that are also itemized on Schedule A.)
- Net change this period. (**Subtract** Line 2 from Line 1.) **NET \$ 0.00**
Enter the net here and on the Summary Page, Column A, Line 2.
(May be a negative number)

†Contributor Codes
IND – Individual
COM – Recipient Committee
(other than PTY or SCC)
OTH – Other (e.g., business entity)
PTY – Political Party
SCC – Small Contributor Committee

*Amounts forgiven or paid by another party also must be reported on Schedule A.
** If required.



City Clerk Department
 2180 Milvia Street
 Berkeley, CA 94704
 (510) 981-6900
www.cityofberkeley.info | elections@cityofberkeley.info

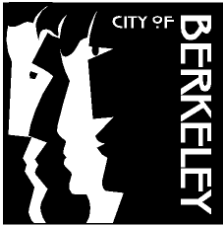
E-Filed
 05/07/2018
 11:01:46
 Filing ID:
 171400997

FAIR ELECTIONS ACT FORM

**APPLICATION FOR PARTICIPATION
 IN PUBLIC FINANCING PROGRAM**

(Berkeley Municipal Code Chapter 2.12 – Election Reform Act)

OFFICE SOUGHT		
OFFICE City Council	COUNCIL DISTRICT (IF APPLICABLE) 8	
ELECTION CYCLE 05/07/2018		
CANDIDATE INFORMATION		
LAST Lacey	FIRST Mary Kay	M.I.
COMMITTEE INFORMATION		
NAME OF CAMPAIGN COMMITTEE Lacey For City Council 2018		FPPC I.D. No. 1403957
CANDIDATE CERTIFICATION		
<p>Under penalty of perjury, I hereby certify:</p> <p>I have complied with the restrictions of Berkeley Municipal Code Chapter 2.12 (Election Reform Act) during the election cycle to date; and</p> <p>My campaign committee has filed all campaign finance reports required by law during the election cycle to date and that they are complete and accurate; and</p> <p>I will comply with the requirements of Chapter 2.12 during the remainder of the election cycle and, specifically, if certified as an eligible participating candidate, will comply with the requirements applicable to participating candidates.</p>		
Mary Kay Lacey _____ CANDIDATE SIGNATURE		05/07/2018 _____ DATE SIGNED



City Clerk Department
 2180 Milvia Street
 Berkeley, CA 94704
 (510) 981-6900
www.cityofberkeley.info | elections@cityofberkeley.info

E-Filed
 05/07/2018
 11:17:15
 Filing ID:
 171401375

**FAIR ELECTIONS ACT FORM
 INITIAL QUALIFYING DECLARATION FOR PUBLIC FUNDS
 BY CANDIDATES FOR MAYOR OR CITY COUNCIL**

OFFICE SOUGHT			
OFFICE City Council		COUNCIL DISTRICT (IF APPLICABLE) District 8	
ELECTION CYCLE 11/06/2018			
COMMITTEE INFORMATION			
NAME OF CAMPAIGN COMMITTEE Lacey For City Council 2018		FPPC I.D. No. 1403957	
STREET ADDRESS		APARTMENT/SUITE/FLOOR	
CITY Berkeley		STATE CA	ZIP CODE 94705
TELEPHONE (510) 919-2163	EMAIL ADDRESS mklacey@comcast.net		
CANDIDATE DECLARATION			
<p>I hereby declare that the following information is true and correct:</p> <ul style="list-style-type: none"> • All information on the attached Qualified Contribution Receipts is complete and accurate to the best of my knowledge. • I understand that the Commission shall verify that the qualified contributions meet all of the requirements and restrictions prior to the disbursement of funds. • I understand that if I submit any contributions that are not from the person(s) identified on the receipt I shall be liable to pay the Fair Elections Fund the entire amount in addition to any penalties. • All Qualified Contributions, of any dollar amount, eligible for matching Fair Elections funds must be publically disclosed with the contributor information required under Sections 2.12.280 and 2.12.283. • I understand that all campaign filings must be current in order for a disbursement of Fair Election funds to be released. 			
Mary Kay Lacey		05/07/2018	
CANDIDATE SIGNATURE		DATE SIGNED	

INITIAL QUALIFYING REQUEST FOR FAIR ELECTIONS FUNDS PAYMENT

In order to participate in the Public Financing Program, a candidate must collect at least 30 Qualified Contributions from at least 30 unique contributors of at least \$10.00 and no more than \$50.00 each, for a total dollar amount of at least \$500.00.

All approved Qualified Contributions are matched at a 6:1 ratio. For all public matching funds requests, a candidate must submit the following documentation:

- Qualified Contributions List (below).
- Receipt for Qualified Contribution for Fair Elections Funds.
- Evidence of each contribution received, such as electronic copies of contributor checks, credit card authorizations, or online payment receipts.
- Electronic copies of itemized deposit slips.

	Last Name	First Name	Building #, Street, Apt.	Zip Code, City	Occupation	Employer	Payment Method	Date Received	Date Deposited	Deposit Batch #	Amount of Contribution
1.	Greenwood	Gail		94708 Berkeley	Attorney	PSZY, San Francisco, CA	Check	05/06/2018	05/07/2018	5	50.00
2.	Choy	Ronald		94705 Berkeley	Retired	None	Check	05/06/2018	05/07/2018	5	50.00
3.	Davis	Gregory		94705 Berkeley	Retired	None	Check	05/06/2018	05/07/2018	5	50.00
4.	Kidder	Douglas		94708 Berkeley	Consultant	OSKR, Inc, Emeryville, CA	Check	05/06/2018	05/07/2018	5	50.00
5.	Kidder	Allison		94708 Berkeley	Filed Station Manager	UC Berkeley, Berkeley, CA	Check	05/06/2018	05/07/2018	5	50.00
6.	Bigelow-Teller	Elisabeth		94707 Berkeley	Writer/editor/proofreader	Self employed, Berkeley, CA	Check	05/05/2018	05/07/2018	5	50.00
7.	Bolgatz	Michael		94705 Berkeley	Attorney	Self employed, Berkeley, CA	Check	05/05/2018	05/07/2018	5	50.00
8.	Henry	Stephen		94705 Berkeley	Attorney	Self employed - Berkeley	Check	05/05/2018	05/07/2018	5	50.00
9.	Lacey	Mary Kay		94705 Berkeley	Attorney	Self employed - Berkeley	Check	05/05/2018	05/07/2018	5	50.00
10.	Henry	Leah		94705 Berkeley	Educator	Children's Creativity Museum, San Francisco	Check	05/05/2018	05/07/2018	5	50.00
11.	Bokovoy	Phillip		94704 Berkeley	Consultant	Self-employed, Berkeley	Check	05/03/2018	05/07/2018	5	50.00
12.	Bliss	Judith		94707 Berkeley	Physician	Contra Costa Health Services, Martinez	Check	05/02/2018	05/07/2018	5	50.00
13.	Thornton	James		94705 Berkeley	Attorney	Carl Zeiss Meditec, Inc., Dublin, CA	Check	04/22/2018	05/02/2018	4	50.00
14.	Thornton	Kristi		94705 Berkeley	Manager	UC Berkeley, Berkeley, CA	Check	04/22/2018	05/02/2018	4	50.00
15.	Garz	Seth		94705 Berkeley	Economist	UC Berkeley, Berkeley, CA	Cash	04/18/2018	05/02/2018	4	50.00
										Subtotals	750.00

Last Name	First Name	Building #, Street, Apt.	Zip Code, City	Occupation	Employer	Payment Method	Date Received	Date Deposited	Deposit Batch #	Amount of Contribution
16.	Garz	Julie	94705 Berkeley	Midwife	Kaiser Permanente, Oakland, CA	Check	04/18/2018	05/02/2018	4	50.00
17.	Webb	William	94705 Berkeley	Director	Maybeck School, Berkeley, CA	Check	04/16/2018	04/16/2018	3	50.00
18.	Plowright	Anja	94705 Berkeley	Realtor	Grubb Company, Berkeley, CA	Check	04/10/2018	04/16/2018	3	50.00
19.	Forest	Catherine	94705 Berkeley	Physician	Veterans Administration, Fairfield	Check	04/07/2018	04/16/2018	3	50.00
20.	Schnider	Frederick	94705 Berkeley	Lawyer	Law Offices of Fred Schnider, Berkeley, CA	Cash	04/07/2018	04/09/2018	2	50.00
21.	Zeemont	Mitchell	94705 Berkeley	Mortgage Banker	Newmark Realty Capital Inc., San Francisco, CA	Check	04/07/2018	04/09/2018	2	50.00
22.	Oleson	Robin	94705 Berkeley	Social worker	Veterans Administration, Oakland	Cash	04/07/2018	04/09/2018	2	50.00
23.	Fedman	Mary Elizabeth	94707 Berkeley	Yoga teacher	Self employed - Berkeley	Check	04/07/2018	04/09/2018	2	50.00
24.	Fedman	Alan	94707 Berkeley	Attorney	Dentons, US LLP, San Francisco, CA	Cash	04/07/2018	04/09/2018	2	50.00
25.	Francis	Karen	94703 Berkeley	Career counselor	U.C. Hastings College of Law, Berkeley, CA	Check	04/07/2018	04/09/2018	2	50.00
26.	Cusack	Dennis	94703 Berkeley	Attorney	Farella Braun & Martel, San Francisco, CA	Check	04/07/2018	04/09/2018	2	50.00
27.	Lyon	Eleanor	94707 Berkeley	Homemaker	None	Check	04/07/2018	04/09/2018	2	50.00
28.	Marostica	Matt	94707 Berkeley	Librarian	Stanford University	Check	04/07/2018	04/09/2018	2	50.00
29.	Zukor	Susie	94705 Berkeley	Attorney	Self-employed, Berkeley, CA	Cash	04/07/2018	04/09/2018	2	50.00
30.	Blair	Laura	94705 Berkeley	Retired	None	Check	04/06/2018	04/09/2018	2	50.00
31.	Sargent	Susan	94705 Berkeley	Attorney	Unemployed	Check	04/06/2018	04/09/2018	2	50.00
32.	Drinan	Mary	94708 Berkeley	Attorney	CSAA Insurance Group, Walnut Creek, CA	Cash	04/05/2018	04/09/2018	2	50.00
33.	Berges	Marian	94703 Berkeley	Unemployed	None	Cash	04/04/2018	04/09/2018	2	50.00
34.	Weaver	Stephen	94703 Berkeley	Project supervisor	Jetton Construction, Berkeley, CA	Check	04/04/2018	04/09/2018	2	50.00
35.	Carlson	Anne	94708 Berkeley	Chief Executive Officer	Jiminy's, Berkeley	Check	04/03/2018	04/09/2018	2	50.00
36.	Sayre	Anne	94705 Berkeley	Retired	None	Check	04/02/2018	04/09/2018	2	50.00
									Subtotals	1,050.00

Last Name	First Name	Building #, Street, Apt.	Zip Code, City	Occupation	Employer	Payment Method	Date Received	Date Deposited	Deposit Batch #	Amount of Contribution
37. MacLeod	Karen		94705 Berkeley	Retired	None	Check	04/02/2018	04/05/2018	1	50.00
38. Carlson	Eric		94708 Berkeley	Business development	Jiminy's, Berkeley	Check	03/30/2018	04/05/2018	1	50.00
39. Berg	Cheryl		94705 Berkeley	Lecturer	UC Berkeley Law School, Berkeley	Check	03/29/2018	04/05/2018	1	50.00
40. Mezey	Philip		94705 Berkeley	Chief Executive Officer	Itron, Inc., Oakland, CA	Check	03/29/2018	04/05/2018	1	50.00
41. Mezey	Amy		94705 Berkeley	Homemaker	None	Check	03/29/2018	04/05/2018	1	50.00
42. Beckett	Michael		94703 Berkeley	Retired educator	None	Check	03/29/2018	04/05/2018	1	50.00
43. Sperry	Josh		94705 Berkeley	Union representative	ESC Local 20, IFPTE, Oakland, CA	Check	03/29/2018	04/05/2018	1	50.00
44. Hendrickson	Ilina		94705 Berkeley	Consultant	Three Mountains, Berkeley	Check	03/29/2018	04/05/2018	1	50.00
45. Berg	Jesse		94705 Berkeley	Attorney	General Counsel Law Ventures, Berkeley	Check	03/28/2018	04/05/2018	1	50.00
46. Lynch	Margaret		94705 Berkeley	Retired doctor	None	Check	03/28/2018	04/05/2018	1	50.00
47. Hahn	Sophie		94707 Berkeley	City Council Member	City of Berkeley	Check	03/23/2018	04/05/2018	1	50.00
48. Bjerkholt	Eric		94707 Berkeley	Biotech Chief Financial Officer	Aimmune Therapeutics, South San Francisco	Check	03/23/2018	04/05/2018	1	50.00
									Subtotals	600.00
									Grand Totals	2,400.00

Recipient Committee Campaign Statement Cover Page

(Government Code Sections 84200-84216.5)

Date Stamp: E-Filed 07/30/2018 14:38:47, Filing ID: 172796718. CALIFORNIA FORM 460, Page 1 of 31, For Official Use Only.

Statement covers period from 03/21/2018 through 06/30/2018. Date of election if applicable: 11/06/2018.

SEE INSTRUCTIONS ON REVERSE

1. Type of Recipient Committee: All Committees - Complete Parts 1, 2, 3, and 4.

- Officeholder, Candidate Controlled Committee (checked), State Candidate Election Committee, Recall, General Purpose Committee, Sponsored, Political Party/Central Committee, etc.

2. Type of Statement:

- Preelection Statement, Semi-annual Statement (checked), Termination Statement, Amendment, Quarterly Statement, Special Odd-Year Report, Supplemental Preelection Statement.

3. Committee Information

COMMITTEE NAME (OR CANDIDATE'S NAME IF NO COMMITTEE): Lacey For City Council 2018. STREET ADDRESS (NO P.O. BOX): Berkeley. CITY: Berkeley, STATE: CA, ZIP CODE: 94705, AREA CODE/PHONE: (510)919-2163.

I.D. NUMBER: 1403957

Treasurer(s)

NAME OF TREASURER: Stephen Henry. MAILING ADDRESS: Berkeley, CA 94705. NAME OF ASSISTANT TREASURER, IF ANY: Mary Kay Lacey. MAILING ADDRESS: Berkeley, CA 94705.

4. Verification

I have used all reasonable diligence in preparing and reviewing this statement and to the best of my knowledge the information contained herein and in the attached schedules is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on 07/30/2018, Executed on 07/30/2018, Executed on, Executed on.

By Stephen Henry, Signature of Treasurer or Assistant Treasurer; By Mary Kay Lacey, Signature of Controlling Officeholder, Candidate, State Measure Proponent or Responsible Officer of Sponsor; By, Signature of Controlling Officeholder, Candidate, State Measure Proponent; By, Signature of Controlling Officeholder, Candidate, State Measure Proponent.

**Schedule A (Continuation Sheet)
Monetary Contributions Received**

SCHEDULE A (CONT.)

Amounts may be rounded
to whole dollars.

Statement covers period		CALIFORNIA FORM 460
from	03/21/2018	
through	06/30/2018	Page <u>12</u> of <u>31</u>

NAME OF FILER Lacey For City Council 2018	I.D. NUMBER 1403957
--	----------------------------

DATE RECEIVED	FULL NAME, STREET ADDRESS AND ZIP CODE OF CONTRIBUTOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CONTRIBUTOR CODE *	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	AMOUNT RECEIVED THIS PERIOD	CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31)	PER ELECTION TO DATE (IF REQUIRED)
05/05/2018	Michael Bolgatz Berkeley, CA 94705	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Attorney Self employed, Berkeley, CA	50.00	50.00	G2018 \$50.00
05/05/2018	Samuel Gerson Berkeley, CA 94705	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Psychologist Alliant University, San Francisco, CA	50.00	50.00	G2018 \$50.00
05/05/2018	Leah Henry Berkeley, CA 94705	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Educator Children's Creativity Museum, San Francisco	50.00	50.00	G2018 \$50.00
05/05/2018	Stephen Henry Berkeley, CA 94705	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Attorney Self employed as Stephen F. Henry, Esq. - Berkeley	50.00	50.00	G2018 \$100.00
05/05/2018	Mary Kay Lacey Berkeley, CA 94705	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Attorney Self employed as Mary Kay Lacey, Esq. - Berkeley	50.00	50.00	G2018 \$50.00
SUBTOTAL \$				250.00		

*Contributor Codes
 IND – Individual
 COM – Recipient Committee
 (other than PTY or SCC)
 OTH – Other (e.g., business entity)
 PTY – Political Party
 SCC – Small Contributor Committee

Schedule B – Part 1 Loans Received

Amounts may be rounded to whole dollars.

Statement covers period		CALIFORNIA FORM 460
from	03/21/2018	
through	06/30/2018	Page 28 of 31

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

Lacey For City Council 2018

I.D. NUMBER
1403957

FULL NAME, STREET ADDRESS AND ZIP CODE OF LENDER (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	(a) OUTSTANDING BALANCE BEGINNING THIS PERIOD	(b) AMOUNT RECEIVED THIS PERIOD	(c) AMOUNT PAID OR FORGIVEN THIS PERIOD*	(d) OUTSTANDING BALANCE AT CLOSE OF THIS PERIOD	(e) INTEREST PAID THIS PERIOD	(f) ORIGINAL AMOUNT OF LOAN	(g) CUMULATIVE CONTRIBUTIONS TO DATE
Stephen Henry Berkeley, CA 94705	Attorney Self employed as Stephen F. Henry, Esq. - Berkeley	\$ 0.00	\$ 50.00	<input checked="" type="checkbox"/> PAID \$ 50.00 <input type="checkbox"/> FORGIVEN	\$ 0.00 05/05/2018 DATE DUE	% RATE \$ 0.00	\$ 50.00 03/21/2018 DATE INCURRED	CALENDAR YEAR \$ 50.00 PER ELECTION** \$ 62018 100.00
† <input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		\$ _____	\$ _____	<input type="checkbox"/> PAID \$ _____ <input type="checkbox"/> FORGIVEN	\$ _____ DATE DUE	% RATE \$ _____	\$ _____ DATE INCURRED	CALENDAR YEAR \$ _____ PER ELECTION** \$ _____
† <input type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		\$ _____	\$ _____	<input type="checkbox"/> PAID \$ _____ <input type="checkbox"/> FORGIVEN	\$ _____ DATE DUE	% RATE \$ _____	\$ _____ DATE INCURRED	CALENDAR YEAR \$ _____ PER ELECTION** \$ _____
† <input type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC		\$ _____	\$ _____	<input type="checkbox"/> PAID \$ _____ <input type="checkbox"/> FORGIVEN	\$ _____ DATE DUE	% RATE \$ _____	\$ _____ DATE INCURRED	CALENDAR YEAR \$ _____ PER ELECTION** \$ _____
SUBTOTALS \$			50.00 \$	50.00 \$	0.00 \$	0.00		

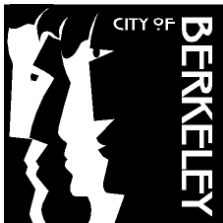
Schedule B Summary

(Enter (e) on Schedule E, Line 3)

- Loans received this period \$ 50.00
(Total Column (b) plus unitemized loans of less than \$100.)
- Loans paid or forgiven this period \$ 50.00
(Total Column (c) plus loans under \$100 paid or forgiven.)
(Include loans paid by a third party that are also itemized on Schedule A.)
- Net change this period. (**Subtract** Line 2 from Line 1.) **NET \$** 0.00
Enter the net here and on the Summary Page, Column A, Line 2.
(May be a negative number)

†Contributor Codes
IND – Individual
COM – Recipient Committee
(other than PTY or SCC)
OTH – Other (e.g., business entity)
PTY – Political Party
SCC – Small Contributor Committee

*Amounts forgiven or paid by another party also must be reported on Schedule A.
** If required.



City Clerk Department
 2180 Milvia Street
 Berkeley, CA 94704
 (510) 981-6900
www.cityofberkeley.info | elections@cityofberkeley.info

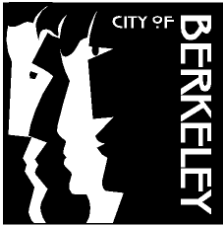
E-Filed
 05/07/2018
 11:01:46
 Filing ID:
 171400997

FAIR ELECTIONS ACT FORM

**APPLICATION FOR PARTICIPATION
 IN PUBLIC FINANCING PROGRAM**

(Berkeley Municipal Code Chapter 2.12 – Election Reform Act)

OFFICE SOUGHT		
OFFICE City Council	COUNCIL DISTRICT (IF APPLICABLE) 8	
ELECTION CYCLE 05/07/2018		
CANDIDATE INFORMATION		
LAST Lacey	FIRST Mary Kay	M.I.
COMMITTEE INFORMATION		
NAME OF CAMPAIGN COMMITTEE Lacey For City Council 2018		FPPC I.D. No. 1403957
CANDIDATE CERTIFICATION		
<p>Under penalty of perjury, I hereby certify:</p> <p>I have complied with the restrictions of Berkeley Municipal Code Chapter 2.12 (Election Reform Act) during the election cycle to date; and</p> <p>My campaign committee has filed all campaign finance reports required by law during the election cycle to date and that they are complete and accurate; and</p> <p>I will comply with the requirements of Chapter 2.12 during the remainder of the election cycle and, specifically, if certified as an eligible participating candidate, will comply with the requirements applicable to participating candidates.</p>		
Mary Kay Lacey CANDIDATE SIGNATURE		05/07/2018 DATE SIGNED



City Clerk Department
 2180 Milvia Street
 Berkeley, CA 94704
 (510) 981-6900
www.cityofberkeley.info | elections@cityofberkeley.info

E-Filed
 05/07/2018
 11:17:15
 Filing ID:
 171401375

**FAIR ELECTIONS ACT FORM
 INITIAL QUALIFYING DECLARATION FOR PUBLIC FUNDS
 BY CANDIDATES FOR MAYOR OR CITY COUNCIL**

OFFICE SOUGHT			
OFFICE City Council		COUNCIL DISTRICT (IF APPLICABLE) District 8	
ELECTION CYCLE 11/06/2018			
COMMITTEE INFORMATION			
NAME OF CAMPAIGN COMMITTEE Lacey For City Council 2018		FPPC I.D. No. 1403957	
STREET ADDRESS		APARTMENT/SUITE/FLOOR	
CITY Berkeley		STATE CA	ZIP CODE 94705
TELEPHONE (510) 919-2163	EMAIL ADDRESS mklacey@comcast.net		
CANDIDATE DECLARATION			
<p>I hereby declare that the following information is true and correct:</p> <ul style="list-style-type: none"> • All information on the attached Qualified Contribution Receipts is complete and accurate to the best of my knowledge. • I understand that the Commission shall verify that the qualified contributions meet all of the requirements and restrictions prior to the disbursement of funds. • I understand that if I submit any contributions that are not from the person(s) identified on the receipt I shall be liable to pay the Fair Elections Fund the entire amount in addition to any penalties. • All Qualified Contributions, of any dollar amount, eligible for matching Fair Elections funds must be publically disclosed with the contributor information required under Sections 2.12.280 and 2.12.283. • I understand that all campaign filings must be current in order for a disbursement of Fair Election funds to be released. 			
Mary Kay Lacey		05/07/2018	
CANDIDATE SIGNATURE		DATE SIGNED	

INITIAL QUALIFYING REQUEST FOR FAIR ELECTIONS FUNDS PAYMENT

In order to participate in the Public Financing Program, a candidate must collect at least 30 Qualified Contributions from at least 30 unique contributors of at least \$10.00 and no more than \$50.00 each, for a total dollar amount of at least \$500.00.

All approved Qualified Contributions are matched at a 6:1 ratio. For all public matching funds requests, a candidate must submit the following documentation:

- Qualified Contributions List (below).
- Receipt for Qualified Contribution for Fair Elections Funds.
- Evidence of each contribution received, such as electronic copies of contributor checks, credit card authorizations, or online payment receipts.
- Electronic copies of itemized deposit slips.

	Last Name	First Name	Building #, Street, Apt.	Zip Code, City	Occupation	Employer	Payment Method	Date Received	Date Deposited	Deposit Batch #	Amount of Contribution
1.	Greenwood	Gail		94708 Berkeley	Attorney	PSZY, San Francisco, CA	Check	05/06/2018	05/07/2018	5	50.00
2.	Choy	Ronald		94705 Berkeley	Retired	None	Check	05/06/2018	05/07/2018	5	50.00
3.	Davis	Gregory		94705 Berkeley	Retired	None	Check	05/06/2018	05/07/2018	5	50.00
4.	Kidder	Douglas		94708 Berkeley	Consultant	OSKR, Inc, Emeryville, CA	Check	05/06/2018	05/07/2018	5	50.00
5.	Kidder	Allison		94708 Berkeley	Filed Station Manager	UC Berkeley, Berkeley, CA	Check	05/06/2018	05/07/2018	5	50.00
6.	Bigelow-Teller	Elisabeth		94707 Berkeley	Writer/editor/proofreader	Self employed, Berkeley, CA	Check	05/05/2018	05/07/2018	5	50.00
7.	Bolgatz	Michael		94705 Berkeley	Attorney	Self employed, Berkeley, CA	Check	05/05/2018	05/07/2018	5	50.00
8.	Henry	Stephen		94705 Berkeley	Attorney	Self employed - Berkeley	Check	05/05/2018	05/07/2018	5	50.00
9.	Lacey	Mary Kay		94705 Berkeley	Attorney	Self employed - Berkeley	Check	05/05/2018	05/07/2018	5	50.00
10.	Henry	Leah		94705 Berkeley	Educator	Children's Creativity Museum, San Francisco	Check	05/05/2018	05/07/2018	5	50.00
11.	Bokovoy	Phillip		94704 Berkeley	Consultant	Self-employed, Berkeley	Check	05/03/2018	05/07/2018	5	50.00
12.	Bliss	Judith		94707 Berkeley	Physician	Contra Costa Health Services, Martinez	Check	05/02/2018	05/07/2018	5	50.00
13.	Thornton	James		94705 Berkeley	Attorney	Carl Zeiss Meditec, Inc., Dublin, CA	Check	04/22/2018	05/02/2018	4	50.00
14.	Thornton	Kristi		94705 Berkeley	Manager	UC Berkeley, Berkeley, CA	Check	04/22/2018	05/02/2018	4	50.00
15.	Garz	Seth		94705 Berkeley	Economist	UC Berkeley, Berkeley, CA	Cash	04/18/2018	05/02/2018	4	50.00
										Subtotals	750.00

Last Name	First Name	Building #, Street, Apt.	Zip Code, City	Occupation	Employer	Payment Method	Date Received	Date Deposited	Deposit Batch #	Amount of Contribution
16.	Garz	Julie	94705 Berkeley	Midwife	Kaiser Permanente, Oakland, CA	Check	04/18/2018	05/02/2018	4	50.00
17.	Webb	William	94705 Berkeley	Director	Maybeck School, Berkeley, CA	Check	04/16/2018	04/16/2018	3	50.00
18.	Plowright	Anja	94705 Berkeley	Realtor	Grubb Company, Berkeley, CA	Check	04/10/2018	04/16/2018	3	50.00
19.	Forest	Catherine	94705 Berkeley	Physician	Veterans Administration, Fairfield	Check	04/07/2018	04/16/2018	3	50.00
20.	Schnider	Frederick	94705 Berkeley	Lawyer	Law Offices of Fred Schnider, Berkeley, CA	Cash	04/07/2018	04/09/2018	2	50.00
21.	Zeemont	Mitchell	94705 Berkeley	Mortgage Banker	Newmark Realty Capital Inc., San Francisco, CA	Check	04/07/2018	04/09/2018	2	50.00
22.	Oleson	Robin	94705 Berkeley	Social worker	Veterans Administration, Oakland	Cash	04/07/2018	04/09/2018	2	50.00
23.	Fedman	Mary Elizabeth	94707 Berkeley	Yoga teacher	Self employed - Berkeley	Check	04/07/2018	04/09/2018	2	50.00
24.	Fedman	Alan	94707 Berkeley	Attorney	Dentons, US LLP, San Francisco, CA	Cash	04/07/2018	04/09/2018	2	50.00
25.	Francis	Karen	94703 Berkeley	Career counselor	U.C. Hastings College of Law, Berkeley, CA	Check	04/07/2018	04/09/2018	2	50.00
26.	Cusack	Dennis	94703 Berkeley	Attorney	Farella Braun & Martel, San Francisco, CA	Check	04/07/2018	04/09/2018	2	50.00
27.	Lyon	Eleanor	94707 Berkeley	Homemaker	None	Check	04/07/2018	04/09/2018	2	50.00
28.	Marostica	Matt	94707 Berkeley	Librarian	Stanford University	Check	04/07/2018	04/09/2018	2	50.00
29.	Zukor	Susie	94705 Berkeley	Attorney	Self-employed, Berkeley, CA	Cash	04/07/2018	04/09/2018	2	50.00
30.	Blair	Laura	94705 Berkeley	Retired	None	Check	04/06/2018	04/09/2018	2	50.00
31.	Sargent	Susan	94705 Berkeley	Attorney	Unemployed	Check	04/06/2018	04/09/2018	2	50.00
32.	Drinan	Mary	94708 Berkeley	Attorney	CSAA Insurance Group, Walnut Creek, CA	Cash	04/05/2018	04/09/2018	2	50.00
33.	Berges	Marian	94703 Berkeley	Unemployed	None	Cash	04/04/2018	04/09/2018	2	50.00
34.	Weaver	Stephen	94703 Berkeley	Project supervisor	Jetton Construction, Berkeley, CA	Check	04/04/2018	04/09/2018	2	50.00
35.	Carlson	Anne	94708 Berkeley	Chief Executive Officer	Jiminy's, Berkeley	Check	04/03/2018	04/09/2018	2	50.00
36.	Sayre	Anne	94705 Berkeley	Retired	None	Check	04/02/2018	04/09/2018	2	50.00
									Subtotals	1,050.00

Last Name	First Name	Building #, Street, Apt.	Zip Code, City	Occupation	Employer	Payment Method	Date Received	Date Deposited	Deposit Batch #	Amount of Contribution
37. MacLeod	Karen		94705 Berkeley	Retired	None	Check	04/02/2018	04/05/2018	1	50.00
38. Carlson	Eric		94708 Berkeley	Business development	Jiminy's, Berkeley	Check	03/30/2018	04/05/2018	1	50.00
39. Berg	Cheryl		94705 Berkeley	Lecturer	UC Berkeley Law School, Berkeley	Check	03/29/2018	04/05/2018	1	50.00
40. Mezey	Philip		94705 Berkeley	Chief Executive Officer	Itron, Inc., Oakland, CA	Check	03/29/2018	04/05/2018	1	50.00
41. Mezey	Amy		94705 Berkeley	Homemaker	None	Check	03/29/2018	04/05/2018	1	50.00
42. Beckett	Michael		94703 Berkeley	Retired educator	None	Check	03/29/2018	04/05/2018	1	50.00
43. Sperry	Josh		94705 Berkeley	Union representative	ESC Local 20, IFPTE, Oakland, CA	Check	03/29/2018	04/05/2018	1	50.00
44. Hendrickson	Ilina		94705 Berkeley	Consultant	Three Mountains, Berkeley	Check	03/29/2018	04/05/2018	1	50.00
45. Berg	Jesse		94705 Berkeley	Attorney	General Counsel Law Ventures, Berkeley	Check	03/28/2018	04/05/2018	1	50.00
46. Lynch	Margaret		94705 Berkeley	Retired doctor	None	Check	03/28/2018	04/05/2018	1	50.00
47. Hahn	Sophie		94707 Berkeley	City Council Member	City of Berkeley	Check	03/23/2018	04/05/2018	1	50.00
48. Bjerkholt	Eric		94707 Berkeley	Biotech Chief Financial Officer	Aimmune Therapeutics, South San Francisco	Check	03/23/2018	04/05/2018	1	50.00
									Subtotals	600.00
									Grand Totals	2,400.00

Confirmation of Loan to Open Campaign Checking Account for Lacey For City Council 2018

I, Mary Kay Lacey, hereby confirm that on March 21, 2018, a check for \$50.00 was written from the personal joint checking account which I share with my husband, Stephen Henry, for the purpose of loaning my campaign \$50.00 to open my campaign checking account for Lacey For City Council 2018.

The loan was made from the joint checking account I share with my husband with the intent to later repay the loan from my campaign checking account.

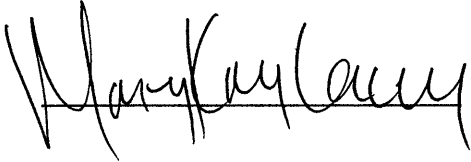
On May 5, 2018, a check was written from the Lacey 2018 campaign checking account to repay the loan made from our joint checking account.

On May 5, 2018, I signed a check from our joint checking account for the purpose of making a \$50.00 personal contribution to the Lacey for City Council 2018 campaign.

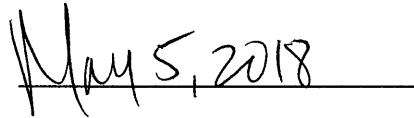
On May 5, my husband, Stephen Henry signed a check from our joint checking account in the amount of \$50.00 for the purpose of making a \$50.00 personal contribution to the Lacey for City Council 2018 campaign.

I attest this is a true and accurate recitation of the facts.

Signed

Handwritten signature of Mary Kay Lacey in black ink, written over a horizontal line.

Date

Handwritten date "May 5, 2018" in black ink, written over a horizontal line.

STEPHEN F HENRY
MARY KAY LACEY
3047 BENVENUE AVENUE
BERKELEY, CA 947052509

80-2118 / 206
3211

215

Date March 31 2014

Pay to the order of

Mayor's City Council
for City and TP

\$ 50.00

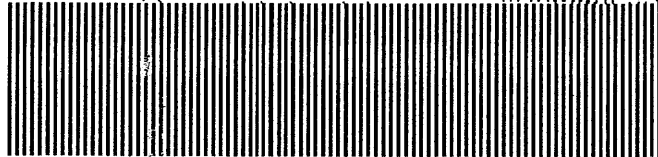
Dollars

citibank

Citi Private Bank

CITIBANK, N.A.

Memorandum



LACEY FOR CITY COUNCIL 2018

102

Date 5-5-18

Pay to the Order of

Mary Kay Lacey

\$ 50.00/00

Fifty dollars and 00/100

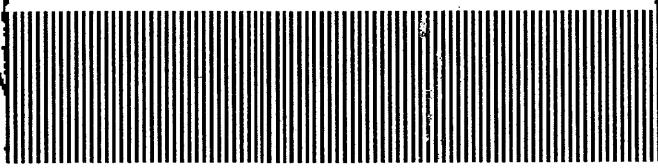
Dollars



Wells Fargo Bank, N.A.
California
wellsfargo.com

For

Repayment of tax



Amounts may be rounded to whole dollars.

Statement covers period		CALIFORNIA FORM 460
from	03/21/2018	
through	06/30/2018	Page 12 of 31
		I.D. NUMBER 1403957

SS AND ZIP CODE OF CONTRIBUTOR (ALSO ENTER I.D. NUMBER)	CONTRIBUTOR CODE *	IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	AMOUNT RECEIVED THIS PERIOD	CUMULATIVE TO DATE CALENDAR YEAR (JAN. 1 - DEC. 31)	PER ELECTION TO DATE (IF REQUIRED)
	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Attorney Self employed, Berkeley, CA	50.00	50.00	G2018 \$50.00
	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Psychologist Alliant University, San Francisco, CA	50.00	50.00	G2018 \$50.00
	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Educator Children's Creativity Museum, San Francisco	50.00	50.00	G2018 \$50.00
	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Attorney Self employed as Stephen F. Henry, Esq. - Berkeley	50.00	50.00	G2018 \$100.00
	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	Attorney Self employed as Mary Kay Lacey, Esq. - Berkeley	50.00	50.00	G2018 \$50.00
SUBTOTAL \$			250.00		

Amounts may be rounded to whole dollars.

**Schedule B - Part 1
Loans Received**

Statement covers period from 01/01/2018 through 06/30/2018

Page 28 of 31
I.D. NUMBER
1403957

SEE INSTRUCTIONS ON REVERSE
NAME OF FILER
Lacey Fox City Council 2018

IF AN INDIVIDUAL, ENTER OCCUPATION AND EMPLOYER (IF SELF-EMPLOYED, ENTER NAME OF BUSINESS)	FULL NAME, STREET ADDRESS AND ZIP CODE OF LENDER (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	(a) OUTSTANDING BALANCE BEGINNING THIS PERIOD	(b) AMOUNT RECEIVED THIS PERIOD	(c) AMOUNT PAID OR FORGIVEN THIS PERIOD*	(d) OUTSTANDING BALANCE AT CLOSE OF THIS PERIOD	(e) INTEREST PAID THIS PERIOD	(f) ORIGINAL AMOUNT OF LOAN	(g) CUMULATIVE CONTRIBUTIONS TO DATE
Attorney Self employed as Stephen F. Henry, Esq. - Berkeley	Stephen Henry 3047 Benvenue Avenue Berkeley, CA 94705	<input checked="" type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	\$ 0.00	\$ 50.00	\$ 50.00 <input checked="" type="checkbox"/> PAID <input type="checkbox"/> FORGIVEN	\$ 0.00 05/05/2018 DATE DUE	% 0.00	\$ 50.00 03/21/2018 DATE INCURRED	\$ 50.00 PER ELECTION** \$ 2018 100.00
		<input type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	\$	\$	<input type="checkbox"/> PAID <input type="checkbox"/> FORGIVEN	DATE DUE	% RATE	\$ DATE INCURRED	\$ PER ELECTION**
		<input type="checkbox"/> IND <input type="checkbox"/> COM <input type="checkbox"/> OTH <input type="checkbox"/> PTY <input type="checkbox"/> SCC	\$	\$	<input type="checkbox"/> PAID <input type="checkbox"/> FORGIVEN	DATE DUE	% RATE	\$ DATE INCURRED	\$ PER ELECTION**
SUBTOTALS \$			50.00 \$	50.00 \$	50.00 \$	0.00 \$	0.00	0.00	

(Enter (e) on Schedule E, Line 3)

Schedule B Summary

- Loans received this period (Total Column (b) plus unitemized loans of less than \$100.) \$ 50.00
- Loans paid or forgiven this period (Total Column (c) plus loans under \$100 paid or forgiven.) \$ 50.00
(Include loans paid by a third party that are also itemized on Schedule A.)
- Net change this period. (Subtract Line 2 from Line 1.) **NET \$ 0.00**
Enter the net here and on the Summary Page, Column A, Line 2.

†Contributor Codes
IND - Individual
COM - Recipient Committee (other than PTY or SCC)
OTH - Other (e.g., business entity)
PTY - Political Party
SCC - Small Contributor Committee

*Amounts forgiven or paid by another party also must be reported on Schedule A.
** If required.

Per Election Limits on Contributions to State Candidates

(For Elections Occurring from January 1, 2017 – December 31, 2018)

Candidate or Officeholder	Contributor Sources		
	Person (individual, business entity, committee/PAC)	Small Contributor Committee	Political Party
Senate and Assembly	\$4,400	\$8,800	No Limit
CalPERS/CalSTRS	\$4,400	\$8,800	No Limit
Lt. Governor, Secretary of State, Attorney General, Treasurer, Controller, Supt. of Public Instruction, Insurance Commissioner, and Board of Equalization	\$7,300	\$14,600	No Limit
Governor	\$29,200	\$29,200	No Limit

Timing

There are no restrictions on when a candidate may begin to fundraise for a state office, and contributions for a general or special general election may be raised during or prior to a primary or special primary election for the same office.

A candidate who is defeated in the primary or special primary election, or who withdraws from the general or special general election, must return contributions received for the general or special general election to the contributors. The contributions are returned on a pro rata basis, less the cost of raising and administering the funds and expenses attributable to the general election paid prior to the primary election (e.g., media purchases). However, contributions (other than loans) made by a state candidate to his or her own campaign may not be returned to the candidate.

Loans

Loans are contributions subject to limits. However, if a loan has been repaid, the lender, guarantor, endorser, or cosigner may make additional contributions to the same committee up to the limit.