City of Berkeley

PUBLIC FINANCING PROGRAM

SUPPLEMENTAL GUIDE

FOR PARTICIPATING CANDIDATES

2020 Election | City Clerk Department

CONTENTS

SECTION 1: INTRODUCTION

Overview

The Public Financing Program Supplemental Guide is prepared by the City of Berkeley for candidates considering participation in Berkeley's Public Financing Program.

This guide provides basic information regarding the program, but does not substitute for local and state regulations. Please use the Supplemental Guide in conjunction with the following resources; these documents are also available online:

- State Campaign Disclosure Manual 2
- Berkeley Election Reform Act (BERA)
- Fair Campaign Practices Commission Manual
- Fair Campaign Practices Commission (FCPC) Regulations
- California Elections Code

It is strongly recommended that you obtain a copy of the Berkeley Election Reform Act and the FCPC Regulations from the City Clerk and read them along with this guide. You must also acquaint yourself with the state disclosure manuals, as all filers have state law obligations. (Government Code § 81000, et seq.) The state may require separate and additional information.

What is the Fair Campaign Practices Commission?

The Berkeley Election Reform Act (BERA) was adopted by Berkeley voters in 1974. Containing requirements for local campaign committees that go beyond the requirements in state law, BERA also created the Fair Campaign Practices Commission (FCPC) to enforce its provisions. The nine-member commission ensures that monies received or spent in municipal campaigns are fully disclosed in accordance with BERA.

What is the Public Financing Program?

In 2016, Berkeley voters adopted the Berkeley Fair Elections Act of 2016. This ballot measure created a voluntary program providing public matching funds for candidates running for the office of Mayor or Councilmember. Participating candidates are eligible to receive a 6-to-1 match on qualifying contributions of up to $50 (e.g. for a $50 qualifying contribution, a participating candidate receives $300 in public matching funds).

What are the initial requirements to qualify for the Public Financing Program?

To participate in the program, a candidate must:

- Meet all requirements of applicable law to be eligible to hold the office of Mayor or Councilmember;

- File with the FCPC an application for certification as a participating candidate verifying that the candidate has complied with the restrictions of Berkeley Municipal Code Chapter 2.12 **during the election cycle to date**, the candidate's 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 the candidate will comply with the requirements of the Fair Elections Act during the remainder of the election; and

- Before the close of the qualifying period, collect and submit at least 30 qualified contributions of at least $10, for a total dollar amount of at least $540. Each qualified contribution shall be acknowledged by a receipt to the contributor, with a copy retained by the candidate.

What does participation in the Public Financing Program require of my campaign?

The Public Financing Program requires participating candidates to provide additional documentation regarding the money they raise and spend, and restricts the amount a candidate may receive from an individual contributor to $50.

To operate in accordance with the Fair Elections Act, a participating candidate must:

- Maintain such records of receipts and expenditures as required by the Commission.
- Provide all required documentation requested by the Commission.
- Abide by the restrictions on the use of personal funds.
- Only solicit, direct, or accept permissible contributions not greater than $50.
- File electronically using the City's online filing system, and only use the forms approved by the FCPC.
- Submit payment requests as needed by the established deadlines.
- Repay all unspent funds back to the Fair Elections Fund after the election.
- Adhere to additional recordkeeping requirements, and maintain additional supporting documentation required for each contribution.
- Not accept loans from any source.

The Act also imposes additional restrictions on how campaign funds can be used, as described further below.

May I qualify for the Public Financing Program if I have not complied fully with its requirements?

The Commission has the authority to approve a candidate's application for public financing, even if the candidate has committed a violation related to participation and qualification in the Public Financing Program, so long as the violation is minor in scope and the candidate demonstrates a timely, good-faith effort to remedy the violation. (BMC § 2.12.500.A.3.)

What if I need more help?

City staff may be able to provide limited technical assistance related to using the electronic filing system and may also provide general information on where to find applicable regulations of governing codes regarding campaign regulations. Please consult the detailed information on the City's website and attend the in-person trainings offered by City staff.

SECTION 2: GETTING STARTED WITH PUBLIC FINANCING

What do I do first?

Contact the City Clerk Department to obtain copies of select reference materials and schedule an appointment for NetFile training. Candidates participating in the program should review the list below to get started.

☐	Review all applicable campaign filing manuals and other reference materials.
☐	Candidates with existing committees must manage or disburse existing campaign funds in accordance with BMC § 2.12.515; and re-designate the campaign committee by filing an amended State Form 501, State Form 410, and City of Berkeley Statement of Organization.
☐	New candidates must establish a campaign committee by filing: • State Form 501 (Candidate Intention Statement) • State Form 410 (Statement of Organization) • City of Berkeley Statement of Organization
☐	Obtain an Employer Identification Number (EIN) from the IRS.
☐	Open a campaign committee checking account.
☐	Obtain a voided check from your bank.
☐	Prepare to receive electronic disbursements by completing and filing: • City of Berkeley Vendor Information Application • City of Berkeley Automated Clearing House (ACH) form (with voided check) • IRS Form W9
☐	Create NetFile user accounts and complete Signature Verification Cards for the committee's signing officers (candidate and treasurer).
☐	Create the committee's NetFile user account.
☐	Attend one-on-one NetFile training with staff. Training is tailored to meet the needs of candidates familiar with NetFile or new to the system.
☐	In NetFile: • Submit an Application for Participation • Enter contributions and upload supporting documentation. • Submit a Qualifying Request for Funds before the close of the qualifying period.

After certification of your Application for Participation by the FCPC, you may continue to raise funds and submit requests for matching public funds in accordance with BERA and state law.

SECTION 3: CONTRIBUTIONS AND EXPENDITURES

What are Qualified Contributions?

Qualified Contributions are defined in BMC § 2.12.167:

> ***Section 2.12.167 - Qualified contribution.***
> *"Qualified Contribution" means 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.*

Whom can I take contributions from?

You may accept contributions from any Berkeley resident or non-resident natural person. Only contributions from Berkeley residents are eligible for matching public funds.

Whom can't I take contributions from?

You may not accept any contributions from another campaign committee. BERA also prohibits Berkeley candidates and committees from accepting contributions from sources as defined by BMC § 2.12.440:

> ***Section 2.12.440   Contributions from certain organizations and business entities prohibited.***
> *No proprietorship, firm, partnership, joint venture, syndicate, business trust, company, corporation, including non-profit corporations, or labor union shall make a contribution to any candidate or committee (supporting or opposing any candidate) directly or indirectly, and no campaign treasurer (of any such committee) shall solicit or accept such contribution.*

What are the contribution limits?

The limit for any type of contribution to a candidate participating in the Public Financing Program is $50, with the exception of a monetary or non-monetary contribution from a candidate to their own controlled committee of $250 or less. Contributions from a participating candidate to their own controlled committee are not eligible for matching funds.

May I loan my committee money to open its bank account?

No. Loans from any source are prohibited and may disqualify a candidate from the Public Financing Program. (BMC § 2.12.500.A.9.)

What information must be collected for contributions?

Each contribution received that is eligible for public funds must be accompanied by a Qualified Contribution Receipt as specified in BMC § 2.12.500.A.3.a:

> *Each qualified contribution shall be acknowledged by a receipt to the contributor, with a copy retained by the candidate. The receipt shall include the contributor's **original signature, printed name, home address**, and **telephone number**, if any, and the **name of the candidate** on whose behalf the contribution is made. In addition, the receipt shall indicate by the contributor's signature that the contributor understands that the purpose of the qualified contribution is to help the candidate qualify for Fair Elections campaign funding and that the contribution is made without coercion or reimbursement.*

Receipts must be accompanied by supporting documentation appropriate to the type of contribution – copy of check, credit card slip or receipt, online payment receipt, cash or money order receipt.

You must also collect information required under BERA in BMC § 2.12.280, including the contributor's occupation and employer; if a contributor is self-employed, you must also record the city in which the business is located.

What can I spend campaign funds on?

Funds are limited to direct campaign purposes as outlined in BMC § 2.12.530.A:

> ### 2.12.530 - Use of Fair Elections funds.
> *A. A participating candidate shall use Fair Elections funds and contributions only for direct campaign purposes.*

What expenditures are prohibited?

Participating candidates shall not use Fair Elections funds or contributions as specified by BMC § 2.12.530.B, including:

1. Costs of legal defense in any campaign law enforcement proceeding under the Fair Elections Act, or penalties arising from violations of any local, state, or federal campaign laws;

2. The candidate's personal support or compensation to the candidate or the candidate's family. A candidate may not compensate a family member providing services to their controlled campaign committee;

3. Indirect campaign purposes, including but not limited to:

    a. Any expense that provides a direct personal benefit to the candidate, including clothing and other items related to the candidate's personal appearance;

b. Capital assets having a value in excess of $540 and useful life extending beyond the end of the current election period determined in accordance with generally accepted accounting principles;

c. A contribution or loan to the campaign committee of another candidate or to a party committee or other political committee;

d. An independent expenditure as defined in Berkeley Municipal Code Section 2.12.142, as may be amended;

e. Any payment or transfer for which compensating value is not received.

SECTION 4: SUBMITTING AN APPLICATION FOR PARTICIPATION

What is an Application for Participation?
Candidates must be certified by the FCPC as participants in the Public Financing Program. You will submit your application electronically using the City's online filing system, NetFile. After submission, the FCPC will review the application and determine if you qualify for the Program.

What documentation do I submit with the Application for Participation?
In order to be certified by the FCPC, the application must be accompanied by an initial Qualifying Request. The Qualifying Request must be submitted before the close of the qualifying period and includes at least 30 qualified contributions of at least $10, for a total dollar amount of at least $540. (BMC § 2.12.500.A.3) Each contribution included on your Qualifying Request must be accompanied by a fully completed Qualified Contribution Receipt and supporting documentation.

How do I submit an Application for Participation?
The application and Qualifying Request are submitted through the City's online filing system (NetFile). Complete the preliminary steps described in Section 2: Getting Started with Public Financing (establish a campaign committee, create your NetFile account, etc.) and refer to Appendix E: NetFile Filer Guide for step-by-step instructions.

SECTION 5: SUBMITTING A MATCHING REQUEST

What is a Matching Request?
A request for public matching funds from the Fair Elections Fund. Matching Requests must be submitted electronically through the online filing system (NetFile) and be accompanied by all required supporting documentation.

What documentation do I submit with Matching Requests?
Each contribution included on your Matching Request must be accompanied by a fully completed Qualified Contribution Receipt and supporting documentation.

How often do I submit Matching Requests?

You may submit Matching Requests as frequently as desired. Disbursements are made on a rolling basis, as long as requests are received by the deadline. Refer to Section 6 below.

How do I submit Matching Requests?

You may submit Matching Requests at any time through the City's online filing system (NetFile). Refer to Appendix E: NetFile Filer Guide for step-by-step instructions.

What if my request is denied?

The City will provide written determination specifying basis for any non-payment of Fair Elections Funds. The candidate has an opportunity to appeal that denial to the FCPC. See section 2.12.505.G and refer to the Petition for Reconsideration of Payment Denial form in Appendix C.

SECTION 6: DISBURSEMENT OF FUNDS

When do I receive public funds?

The initial payment of Fair Elections Funds is disbursed within seven business days of the certification of the participating candidate's eligibility, or as soon thereafter as is practicable.

After the initial payment, funds are disbursed on a rolling basis. Payments are reviewed by City Clerk staff, and processed by the Finance Department. Requests and all supporting documentation must be submitted no later than 5:00 pm on a Wednesday for disbursement on Thursday of the following week.

DISBURSEMENT PROCESS

Request Submitted (by Wednesday @ 5:00pm)	Review by Staff (Thursday to Monday)	Submitted to Finance (Monday by 5:00pm)	Processed by Finance (Tuesday – Wednesday)	Funds Disbursed by ETF (Thursday)
⇨	⇨	⇨	⇨	⇨

How are the funds disbursed?

Public matching funds are disbursed to all campaign committees electronically via ETF. The funds are transferred directly into your campaign checking account.

What if I reach the disbursement limit?

If you reach the matching funds limit ($43,000 for city council; $129,000 for mayor), you may continue to raise money subject to the $50 limit and other restrictions, but you are not eligible for additional public matching funds.

When are previously withheld funds disbursed?

Funds withheld due to outstanding fines or penalties related to campaign filings will be disbursed at the next available distribution date upon submission of outstanding campaign filings and fines.

SECTION 7: AFTER THE ELECTION

What do I need to do after the election?

You may submit Matching Requests for funds in the month of November. Disbursements of November requests occur on the regular schedule, meaning your committee will receive the funds after Election Day.

Participating candidates are required to repay all remaining funds to the Fair Elections Fund as outlined in BMC Section 2.12.505.H:

> *Unspent funds of any Participating Candidate who does not remain a candidate until the election for which they were distributed or such funds that remain unspent by a Participating Candidate following the date of the election for which they were distributed shall be deposited into the Fair Elections Fund. A Participating Candidate shall deposit all unspent funds into the Fair Elections Fund, up to the total amount of funds that the Participating Candidate received as Fair Elections Fund distributions in that election cycle, within sixty (60) days after the date of the election.*

SECTION 8: ENFORCEMENT AND PENALTIES

What are the penalties for violating the Fair Elections Act?

Penalties for violating the Fair Elections Act are described in BMC §§ 2.12.550 and 2.12.555:

> **2.12.550 - Fair Elections Act penalties.**
> In addition to other enforcement and penalty provisions of this Article:
> A. It is a violation of the law for candidates to accept more Fair Elections Act benefits than those to which they are entitled or misuse such benefits or Fair Elections funding.
> B. If a participating candidate knowingly or willfully accepts or spends Fair Elections funding in violation of this Act, then the candidate shall repay to the Fair Elections Fund an amount equal to twice the value of Fair Elections funding unlawfully accepted or spent.
> C. The Commission shall, after a hearing held pursuant to Section 2.12.230, have the authority to impose the fine created by this section upon a two-thirds vote.

> **2.12.555 - Violation--Persons ineligible for public funds--Time limit.**
> No person who commits a substantial violation of this chapter shall be eligible to receive public funds for a period of four years from and after the date that the Commission determines, upon a two-thirds vote, that such a violation has occurred, following a hearing held pursuant to Section 2.12.230. The Commission shall by regulation state the criteria to be satisfied in order to make a finding of a substantial violation.

Other provisions of BERA—which also apply to the Public Financing Program—provide for various penalties including a fine of up $1,000 per violation, or up to the amount or value of the unlawful or undisclosed contribution or expenditure, whichever is greater; termination of candidacy; and forfeiture of office (if elected).

In accordance with BMC § 2.12.505.C.2, Fair Elections Funds are withheld from candidates with outstanding fines or penalties related to campaign filings. Withheld funds will be disbursed at the next regularly scheduled distribution for that election cycle upon submission of outstanding campaign filings and fines.

APPENDIX A: FREQUENTLY ASKED QUESTIONS

QUESTION: Signature requirements: Is a wet signature required on the Qualified Contribution Receipt?

ANSWER: **Yes. A <u>hand-written</u> signature on the hard copy receipt is required. The contributor must sign the paper receipt by hand, but they can send you a scan or image of their signed receipt via e-mail or other electronic means. The Treasurer must upload the image of the form in NetFile and must also print a copy to keep as a record. Electronic or Digital signatures are NOT permitted.**

QUESTION: Will voters be informed if a candidate is or is not participating in Public Financing Program?

ANSWER: **BMC § 2.12.510 requires a notice to be printed on the same page as the candidate statement for participating candidates. There is no notice for non-participating candidates. The notice will read:**
"This candidate is participating in the Berkeley Fair Elections Program, which provides public matching funds to candidates who abide by specific fundraising restrictions."

QUESTION: Can participating candidates accept donations from <u>both</u> Berkeley and non-Berkeley residents, at a max of $50 for both types of residents?

ANSWER: **Yes, see BMC § 2.12.500.A.7. Only QUALIFIED contributions from <u>Berkeley</u> residents are eligible for the City's 6-to-1 match; contributions from <u>non</u>-Berkeley residents are allowed (at the $50 limit), but are <u>not</u> eligible for public matching funds.**

QUESTION: How much can a candidate contribute to their own campaign committee?

ANSWER: **BMC § 2.12.500.A.6 states that candidates are limited to contributing a maximum of $250 to their own committee from their personal funds** (or from funds jointly held with their spouse, domestic partner, or dependent children) in connection with their election**.** This includes non-monetary contributions. Contributions from a participating candidate to their own controlled committee are **not eligible for matching funds**.

QUESTION: If a participating candidate reaches the $43,000 or $129,000 maximum of public matching funds, can the candidate continue to raise funds?

ANSWER: **Yes; however, they will no longer be eligible for public matching funds, and the $50 limit and other restrictions of the program remain in effect.**

QUESTION: Can campaign funds from a prior campaign be carried over into the Fair Elections Program?

ANSWER: **No, remaining funds from a previous election must be disposed of in accordance with BMC § 2.12.515.**

QUESTION: How does the treasurer submit the Qualified Contribution receipt and supporting documentation?

ANSWER: **Each contribution must be accompanied by the receipt and supporting documentation. A scanned image or photo of the receipt and documentation must be uploaded into NetFile when the contribution is entered.**

APPENDIX B: GLOSSARY

BERA	Berkeley Election Reform Act – Local Berkeley ordinance placing requirements on campaign committees in addition to state law.
FCPC	Fair Campaign Practices Commission – The local appointed commission that enforces the provisions of BERA.
Fair Elections Fund	The City fund in which the Public Matching Funds are held.
Matching Request	Campaign committees participating in the Public Financing Program submit a Matching Request with all required documentation in order to receive Public Matching Funds.
NetFile	The electronic filing system used by Berkeley campaign committees.
Public Financing Program	General term for the requirements and processes that govern candidates receiving Public Matching Funds.
Public Matching Funds	Public funds allocated by Berkeley voters from the General Fund for the Fair Elections Fund in order to subsidize candidates participating in the Public Financing Program.
Qualified Contribution	A contribution that is eligible for the 6-to-1 match from the Fair Elections Fund. A Qualified Contribution is a contribution of $50 or less from a natural person resident of Berkeley.

APPENDIX C: SAMPLE FORMS

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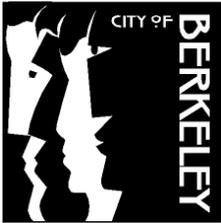
City Clerk Department
2180 Milvia Street
Berkeley, CA 94704
(510) 981-6900
www.cityofberkeley.info | **elections@cityofberkeley.info**

FAIR ELECTIONS ACT FORM

APPLICATION FOR PARTICIPATION
IN PUBLIC FINANCING PROGRAM
(Berkeley Municipal Code Chapter 2.12 – Election Reform Act)

OFFICE SOUGHT	
OFFICE Mayor	COUNCIL DISTRICT (IF APPLICABLE)
ELECTION CYCLE 11/06/2018	

CANDIDATE INFORMATION		
LAST Bunting	FIRST Kristine	M.I.

COMMITTEE INFORMATION	
NAME OF CAMPAIGN COMMITTEE Kris Bunting for Mayor 2018	FPPC I.D. No. Pending

CANDIDATE CERTIFICATION

Under penalty of perjury, I hereby certify:

I have complied with the restrictions of Berkeley Municipal Code Chapter 2.12 (Election Reform Act) during the election cycle to date; and

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

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.

Kristine Bunting	11/06/2017
CANDIDATE SIGNATURE	DATE SIGNED

RECEIPT – QUALIFIED CONTRIBUTION FOR FAIR ELECTIONS FUNDS

COMMITTEE INFORMATION
ENTER COMMITTEE NAME

Sample Committee Name

CANDIDATE INFORMATION
THIS CONTRIBUTION IS MADE ON BEHALF OF THE FOLLOWING CANDIDATE

Sample Candidate Name

CONTRIBUTION INFORMATION

| ☑ Check | ☐ Credit/Debit | ☐ Money Order | ☐ Online Payment | ☐ Cash | Amount: $25.00 |

CONTRIBUTOR INFORMATION

LAST **Doe** FIRST **Jane** M.I.

HOME ADDRESS 123 Main Street APARTMENT/SUITE/FLOOR

CITY **Berkeley** STATE **CA** ZIP CODE **94704**

TELEPHONE **(510) 981-7000** EMAIL ADDRESS **jane.doe@emailaddress.com**

To comply with reporting requirements, individuals must provide occupation and employer. If you are not employed, indicate what best describes your employment status (e.g., "homemaker," "student," "retired," or "unemployed"). If self-employed, enter the name of the business and city of employment.

OCCUPATION

Retired

EMPLOYER/IF SELF EMPLOYED ENTER BUSNESS NAME AND CITY

CERTIFICATION

I understand that the purpose of this contribution is to help the above-named candidate qualify for Fair Elections campaign funding as prescribed by the Berkeley Charter, Article III (Elections) and Berkeley Municipal Code Chapter 2.12 (Election Reform Act). I have made this contribution without coercion or reimbursement. I certify that I am a Berkeley resident.

Sample Name

CONTRIBUTOR SIGNATURE

1-1-2018

DATE

COMMITTEE USE ONLY

I AM STUDENT
123 YOUR STREET
ANYTOWN, USA 12345

1076

90-7685/3222
06

March 13, 2013 Date

Pay to the Order of *John Smith* $25.00

Twenty Five and °/100 Dollars

LBS FINANCIAL Credit Union www.lbsfce.org
562.598.9007 · 714.891.5111
P.O. Box 4860, Long Beach, CA 90804-0860

FOR EDUCATIONAL USE ONLY
SAMPLE-VOID

For _____

I Am Student

⑆322276855⑆1076 0000000 0⑈

SELECTED REQUIREMENTS AND LIMITATIONS
FOR QUALIFIED CONTRIBUTIONS

Please reference the Berkeley Election Reform Act codified in Berkeley Municipal Code 2.12 for complete requirements

What is the Public Campaign Financing Program (PCFP)?

In 2016, Berkeley voters established an optional public financing program for candidates for Mayor and City Council. Participating candidates are eligible to receive matching public funds of six times the amount of contributions received, up to $129,000 (mayoral candidates) or $43,000 (council candidates).[1]

Why do you need my personal information?

The information you provide is required to demonstrate that you are a natural person resident of the City of Berkeley, as required by the PCFP. [2]

What is a Qualified Contribution?

Qualified Contributions are monetary contributions limited to $50 or less and made by a natural person resident of the City of Berkeley.[3]

What is the Qualifying Period?

The qualifying period is the period beginning on the day after the date of the most recent general election for the specific office that a candidate is seeking and ending at the close of the nomination period for that office. To qualify for participation in the PCFP the candidate must collect at least thirty (30) Qualified Contributions of at least $10, for a total dollar amount of at least $540 before the close of the qualifying period.[4]

Are there any restrictions on candidates' personal funds?

Yes. Candidates may not make expenditures from or use his or her personal funds or property or the personal funds or property jointly held with his or her spouse, domestic partner, or emancipated children in connection with his or her election except as a qualified contribution to his or her controlled committee.[5]

Where can I find more information regarding this program?

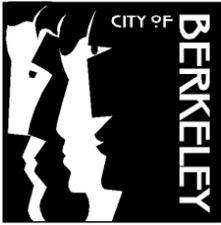Visit the City of Berkeley website to learn more: www.cityofberkeley.info/elections/

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[1] Berkeley Municipal Code § 2.12.505.B.

[2] Berkeley Municipal Code § 2.12.500.A.3.

[3] Berkeley Municipal Code § 2.12.167

[4] Berkeley Municipal Code § 2.12.500.A.3.

[5] Berkeley Municipal Code § 2.12.500.A.6.

Rev. 9/25/19

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

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

OFFICE SOUGHT	
OFFICE Mayor	COUNCIL DISTRICT (IF APPLICABLE)
ELECTION CYCLE 11/06/2017	

COMMITTEE INFORMATION	
NAME OF CAMPAIGN COMMITTEE Kris Bunting for Mayor 2018	FPPC I.D. No. Pending
STREET ADDRESS 123 Main Street	APARTMENT/SUITE/FLOOR

CITY Berkeley	STATE CA	ZIP CODE 94704

TELEPHONE (510) 981-6900	EMAIL ADDRESS kbunting@numainville.info

CANDIDATE DECLARATION

I hereby declare that the following information is true and correct:

- 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.

Kristine Bunting _____   11/21/2017_____
CANDIDATE SIGNATURE   DATE SIGNED

Rev. 9/25/19

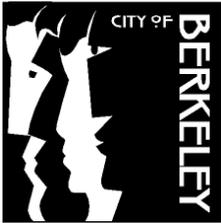**INITIAL QUALIFYING REQUEST FOR FAIR ELECTIONS FUNDS PAYMENT**

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 $540.00.

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.
- Complete contributor information (full name, address, occupation, and employer) as required by BERA and the Political Reform Act.

	Last Name	First Name	Building #, Street, Apt.	Zip Code, City	Occupation	Employer	Payment Method	Date Received	Date Deposited	Deposit Batch #	Amount of Contribution	Amount Requested to be Qualified
1.	Lastname03	Firstname03	1234 Sample Street	94704 Berkeley	Sample Occupation	Sample Employer	Check	10/01/2017	10/02/2017	Q1	10.00	10.00
2.	Lastname11	Firstname11	1234 Sample Street	94704 Berkeley	Sample occupation	Sample employer	Check	10/01/2017	10/31/2017	Q1	50.00	50.00
3.	Lastname06	Firstname06	1234 Sample Street	94704 Berkeley	Sample Occupation	Sample Employer	Check	10/01/2017	10/02/2017	Q1	10.00	10.00
4.	Lastname12	Firstname12	1234 Sample Street	94704 Berkeley	Sample Occupation	Sample Employer	Check	10/01/2017	11/07/2017	Q1	10.00	10.00
5.	Lastname01	Firstname01	1234 Sample Street	94704 Berkeley	Sample Email	Sample Employer	Cash	10/01/2017	10/02/2017	Q1	10.00	10.00
6.	Lastname04	Firstname04	1234 Sample Street	94704 Berkeley	Sample Occupation	Sample Employer	Cash	10/01/2017	10/02/2017	Q1	10.00	10.00
7.	Lastname05	Firstname05	1234 Sample Street	94704 Berkeley	Sample Occupation	Sample Employer	Cash	10/01/2017	10/02/2017	Q1	10.00	10.00
8.	Lastname07	Firstname07	1234 Sample Street	94704 Berkeley	Sample Occupation	Sample Employer	Check	10/01/2017	10/02/2017	Q1	10.00	10.00
9.	Lastname08	Firstname08	1234 Sample Street	94704 Berkeley	Sample Occupation	Sample Employer	Check	10/01/2017	10/02/2017	Q1	10.00	10.00
10.	Lastname23	Firstname23	1234 Sample Street	94704 Berkeley	Sample Occupation	Sample Employer	Check	10/01/2017	10/02/2017	Q1	10.00	10.00
11.	Lastname30	Firstname30	1234 Sample Street	94704 Berkeley	Sample Occupation	Sample Employer	Check	10/01/2017	10/02/2017	Q1	50.00	50.00
12.	Lastname29	Firstname29	1234 Sample Street	94704 Berkeley	Sample Occupation	Sample Employer	Cash	10/01/2017	10/02/2017	Q1	10.00	10.00
13.	Lastname28	Firstname28	1234 Sample Street	97404 Berkeley	Sample Occupation	Sample Employer	Check	10/01/2017	10/02/2017	Q1	10.00	10.00
14.	Lastname27	Firstname27	1234 Sample Street	94704 Berkeley	Sample Occupation	Sample Employer	Cash	10/01/2017	10/02/2017	Q1	10.00	10.00
15.	Lastname26	Firstname26	1234 Sample Street	94704 Berkeley	Sample Occupation	Sample Employer	Check	10/01/2017	10/02/2017	Q1	10.00	10.00
										Subtotals	230.00	230.00

	Last Name	First Name	Building #, Street, Apt.	Zip Code, City	Occupation	Employer	Payment Method	Date Received	Date Deposited	Deposit Batch #	Amount of Contribution	Amount Requested to be Qualified
16.	Lastname25	Firstname25	1234 Sample Street	94704 Berkeley	Sample Occupation	Sample Employer	Check	10/01/2017	10/02/2017	Q1	50.00	50.00
17.	Lastname24	Firstname24	1234 Sample Street	94704 Berkeley	Sample Occupation	Sample Employer	Cash	10/01/2017	10/02/2017	Q1	50.00	50.00
18.	Lastname22	Firstname22	1234 Sample Street	94704 Berkeley	Sample Occupation	Sample Employer	Cash	10/01/2017	10/02/2017	Q1	10.00	10.00
19.	Lastname22	Firstname22	1234 Sample Street	94704 Berkeley	Sample Occupation	Sample Employer	Check	10/01/2017	10/02/2017	Q1	50.00	50.00
20.	Lastname21	Firstname21	1234 Sample Street	94704 Berkeley	Sample Occupation	Sample Employer	Check	10/01/2017	10/02/2017	Q1	50.00	50.00
21.	Lastname20	Firstname20	1234 Sample Street	94704 Berkeley	Sample Occupation	Sample Employer	Cash	10/01/2017	10/02/2017	Q1	50.00	50.00
22.	Lastname19	Firstname19	1234 Sample Street	94704 Berkeley	Sample Occupation	Sample Employer	Cash	10/01/2017	10/02/2017	Q1	10.00	10.00
23.	Lastname18	Firstname18	1234 Sample Street	94704 Berkeley	Sample Occupation	Sample Employer	Check	10/01/2017	10/02/2017	Q1	10.00	10.00
24.	Lastname18	Firstname18	1234 Sample Street	94704 Berkeley	Sample Occupation	Sample Employer	Check	10/01/2017	10/02/2017	Q1	50.00	50.00
25.	Lastname17	Firstname17	1234 Sample Street	94704 Berkeley	Sample Occupation	Sample Employer	Check	10/01/2017	10/02/2017	Q1	10.00	10.00
26.	Lastname16	Firstname16	1234 Sample Street	94704 Berkeley	Sample Occupation	Sample Employer	Cash	10/01/2017	10/02/2017	Q1	10.00	10.00
27.	Lastname15	Firstname15	1234 Sample Street	94704 Berkeley	Sample Occupation	Sample Employer	Cash	10/01/2017	10/02/2017	Q1	10.00	10.00
28.	Lastname14	Firstname14	1234 Sample Street	94704 Berkeley	Sample Occupation	Sample Employer	Cash	10/01/2017	10/02/2017	Q1	10.00	10.00
29.	Lastname13	Firstname13	1234 Sample Street	94704 Berkeley	Sample Occupation	Sample Employer	Check	10/01/2017	10/02/2017	Q1	10.00	10.00
30.	Lastname10	Firstname10	1234 Sample Street	94704 Berkeley	Sample Occupation	Sample Employer	Cash	10/01/2017	10/02/2017	Q1	10.00	10.00
31.	Lastname09	Firstname09	1234 Sample Street	94704 Berkeley	Sample Occupation	Sample Employer	Cash	10/01/2017	10/02/2017	Q1	10.00	10.00
32.	Lastname02	Firstname02	1234 Sample Street	94704 Berkeley	Sample Occupation	Sample Employer	Cash	10/01/2017	11/08/2017	Q1	10.00	10.00
										Subtotals	410.00	410.00
										Grand Totals	640.00	640.00

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

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

OFFICE SOUGHT	
OFFICE Mayor	COUNCIL DISTRICT (IF APPLICABLE)
ELECTION CYCLE 11/06/2018	

COMMITTEE INFORMATION	
NAME OF CAMPAIGN COMMITTEE Kris Bunting for Mayor 2018	FPPC I.D. No. Pending
STREET ADDRESS 123 Main Street	APARTMENT/SUITE/FLOOR

CITY Berkeley	STATE CA	ZIP CODE 94704

TELEPHONE (510) 981-6900	EMAIL ADDRESS kbunting@numainville.info

CANDIDATE DECLARATION

I hereby declare that the following information is true and correct:

- 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.

Kristine Bunting	12/01/2017
CANDIDATE SIGNATURE	DATE SIGNED

REQUEST FOR FAIR ELECTIONS FUNDS PAYMENT

All approved Qualified Contributions are matched at a 6:1 ratio. Each candidate must submit the following documentation in order to be eligible for public matching funds:

- 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.
- Complete contributor information (full name, address, occupation, and employer) as required by BERA and the Political Reform Act.

	Last Name	First Name	Building #, Street, Apt.	Zip Code, City	Occupation	Employer	Payment Method	Date Received	Date Deposited	Deposit Batch #	Amount of Contribution	Amount Requested to be Matched
1	Lastname11	Firstname11	1234 Sample Street	94704 Berkeley	Sample occupation	Sample employer	Check	11/05/2017	11/15/2017	Nov1	14.50	14.50
2	Lastname11	Firstname11	1234 Sample Street	94704 Berkeley	Sample occupation	Sample employer	Check	11/03/2017	11/15/2017	Nov1	23.00	23.00
										Subtotals	37.50	37.50
										Grand Totals	37.50	37.50
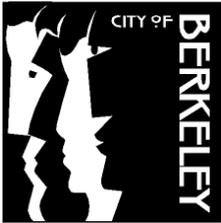
FAIR ELECTIONS ACT FORM
PETITION FOR RECONSIDERATION OF PAYMENT DENIAL

OFFICE SOUGHT		
OFFICE **Mayor**		COUNCIL DISTRICT (IF APPLICABLE)
ELECTION CYCLE **November 6, 2018**		

COMMITTEE INFORMATION		
NAME OF CAMPAIGN COMMITTEE **Sample Committee**		FPPC I.D. No. **123456**
STREET ADDRESS **123 Sample Street**		APARTMENT/SUITE/FLOOR
CITY **Berkeley**	STATE **CA**	ZIP CODE **94704**
TELEPHONE	EMAIL ADDRESS	

TREASURER INFORMATION			
LAST **Sample Last Name**	FIRST **Sample First Name**		M.I.
HOME ADDRESS **123 Sample Street**		APARTMENT/SUITE/FLOOR	
CITY **Berkeley**	STATE **CA**	ZIP CODE **94704**	
TELEPHONE **(510) 981-7000**	EMAIL ADDRESS **name@email.com**		

ORIGINAL PAYMENT REQUEST INFORMATION
DATE **January 15, 2018**
CONTRIBUTOR **Sample Name**
AMOUNT **$50**
LIST OF SUPPORTING DOCUMENTS ATTACHED

1. **Sample Supporting Document**
2. **Sample Supporting Document**
3. **Sample Supporting Document**

Rev. 9/25/17

REASON FOR RECONSIDERATION

Sample Text - Reason for Reconsideration.

DECLARATION

I hereby declare under penalty of perjury that the above information is true and correct to the best of my knowledge and belief.

1/30/2018

_____
SIGNATURE

_____
DATE SIGNED
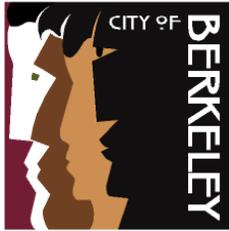
Finance Department
General Services Division

ACH Application

Company Information

Date: January 1, 2018

Name: (Committee Name) Ima Candidate for City Council 2018

EIN# 000-00-0000

Operating Address: 101 Money Street

Phone: (510) 555-5555

Fax: (510) 555-5551

(Street Address)

Berkeley, CA 94704

(City)   (State)   (Zip Code)

Banking Information

Bank Name: Universal Bank

Bank Address: 5 Shattuck Place

(Street Address)

Berkeley, CA 94704

(City)   (State)   (Zip Code)

Bank Phone #: (510) 444-4444

Name on Account: Ima Candidate for City Council 2018

Account Number: 1234567

Routing Number: 987-65-4321

(ACH Transfers Only)

Company ID#:(Issued by COB) IMA1234

Banking Contact: (Treasurer Name) Paul Purser   Phone: (510) 555-5555

Email: paulp@gmail.com

Please return by fax 510-981-7390 or mail to:

Finance General Services
2180 Milvia Street, 3rd Fl.
Berkeley, CA 94704
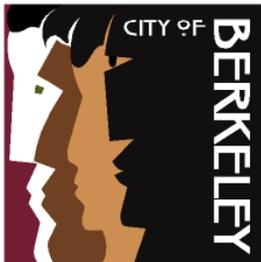
City of Berkeley

Finance Department – General Services Division

Vendor Information Application

PLEASE TYPE OR PRINT CLEARLY IN INK

Business Information (all information must be completed)

Business Name __Ima Candidate for City Council 2018__ Year Est. _2018_ No. of Employees __NA__

Name (as shown on your Income tax return) _____

Check Payable to Name: __Ima Candidate for City Council 2018_____

Street Address ___101 Money Street_____ City Berkeley_____ St _CA_ Zip ___94704_

Remit-to Address _____ City _____ St ____ Zip _____

Contact Person(s) ____Paul Purser_____ Phone(s) _(510) 555-5555___ Fax (510) 555-5551

Email Address ___paulp@gmail.com_____ CA State Sales Permit No. _____NA_____

Federal Tax I.D. No. _000-00-0000_____ or Social Security No. _____NA_____

State Tax I.D. No. _____NA_____ City of Berkeley Business License No. _____NA_____

Prompt Payment Discount _NA_ % Number of Days _NA_ Net _NA_ Days _NA_

[NA] Please check if business is qualified for the City's "Buy Berkeley" local bidding preference (5% below $25K on goods and non professional services. The business has a fixed office or distribution point within the City and a City Business License.)

Important: Indicate on the following pages those products and supplies the firm wishes to supply to the City.

Company Ownership

[ ] Individual/Sole Proprietor [ ] L.L.C [ ] Corporation [ ] S Corp. [ ] Partnership

[X] Other (specify) _Campaign Committee_____

Certification: Under penalties of perjury, I certify that the taxpayer identification number(s) all other information provided herein are correct

___Paul Purser_____
Name (print)

Paul Purser
_____ January 10, 2018   (510) 555-5555
Signature of Company Officer   Date   Phone

PLEASE NOTE: IF THERE IS NO BUSINESS CONDUCTED DURING ONE YEAR YOUR ACCOUNT WILL BE INACTIVATED.

rev 3/2007

Form **W-9**
(Rev. December 2014)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer
Identification Number and Certification

Give Form to the requester. Do not send to the IRS.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

Sample Candidate Name

2 Business name/disregarded entity name, if different from above

Sample Committee Name Here

3 Check appropriate box for federal tax classification; check only **one** of the following seven boxes:

- [✔] Individual/sole proprietor or single-member LLC
- [ ] C Corporation
- [ ] S Corporation
- [ ] Partnership
- [ ] Trust/estate

- [ ] Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▸ ____

  Note. For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner.

- [ ] Other (see instructions) ▸

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) ____

Exemption from FATCA reporting code (if any) ____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.)

1234 Main Street

6 City, state, and ZIP code

Berkeley, CA 94704

Requester's name and address (optional)

7 List account number(s) here (optional)

Print or type
See Specific Instructions on page 2.

Part I — Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

Social security number

| | | | – | | | – | | | | |

or

Employer identification number

| 1 | 2 | – | 3 | 4 | 5 | 6 | 7 | 8 | 8 |

Part II — Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and

2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and

3. I am a U.S. citizen or other U.S. person (defined below); and

4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

Sign Here

Signature of U.S. person ▸

Date ▸ 12/12/2017

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at *www.irs.gov/fw9*.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)

- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding?* on page 2.

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),

2. Certify that you are not subject to backup withholding, or

3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and

4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.

Cat. No. 10231X

Form **W-9** (Rev. 12-2014)

APPENDIX E: NETFILE QUICK TIPS

SECTION ONE: OVERVIEW

What is NetFile?

NetFile is an online system used by Berkeley campaign committees to file electronic campaign statements. Candidates participating in Berkeley's public financing program use additional features in NetFile specific to the program, including:

Application for Participation	*Submitted by candidates seeking certification by the Fair Campaign Practices Commission as participants in the public financing program.*
Additional Information for Monetary Contributions	*Program participants include required information for each qualified contribution, including attaching a receipt and related documentation.*
Qualifying Request for Funds	*A candidate's initial request for matching funds.*
Matching Request for Funds	*Ongoing requests submitted by certified candidates for public matching funds.*
Additional Documentation	*A place to upload supplemental documentation that may be requested by the Fair Campaign Practices Commission or City of Berkeley staff.*
Managing Public Financing Transactions	*Separate report for contributions marked as eligible for public funds; ability to easily sort and filter.*

Appendix F: NetFile Filer Guide explains those additional features with step-by-step instructions.

Getting Started – Preliminary Steps

Before you can begin participating in the program, you'll need to complete these preliminary steps:

- NetFile User Account Setup – Candidate and Treasurer
- Signature Verification – Candidate and Treasurer

NetFile Campaign Committee Account Setup

- Attend NetFile training

For step-by-step instructions on the preliminary steps, refer to the separate Instructions for Filing Campaign Statements Electronically handbook prepared by the City Clerk Department.

Logging into NetFile

Using the Chrome internet browser, navigate to www.NetFile.com/Filer. Enter the committee's email address and password, then click "Log in."

Public finance statements may be prepared by either the treasurer or candidate, and are signed by the candidate only. To access the Signature Verification Portal, go to https://netfile.com/sign. The candidate will enter their Signer ID and Signer Pin Code and click "Sign in."

SECTION TWO: AVOID COMMON DELAYS AND AMENDMENTS

Duplicate Contributor Entities

When entering contributions, always use the search bar before creating a new entity. Entering duplicate contributors causes incorrect cumulative contribution totals and requires amendments to your campaign statements.

Qualified Contribution Receipt – Individual Transaction vs. Batch

In the "Receipt and Supporting Documentation" field, you will upload the individual receipt and backup (such as an online payment receipt) for the specific transaction you are entering into NetFile. Do not upload anything that does not relate to this contribution and this contribution only. You can add additional supporting documentation later in the process.
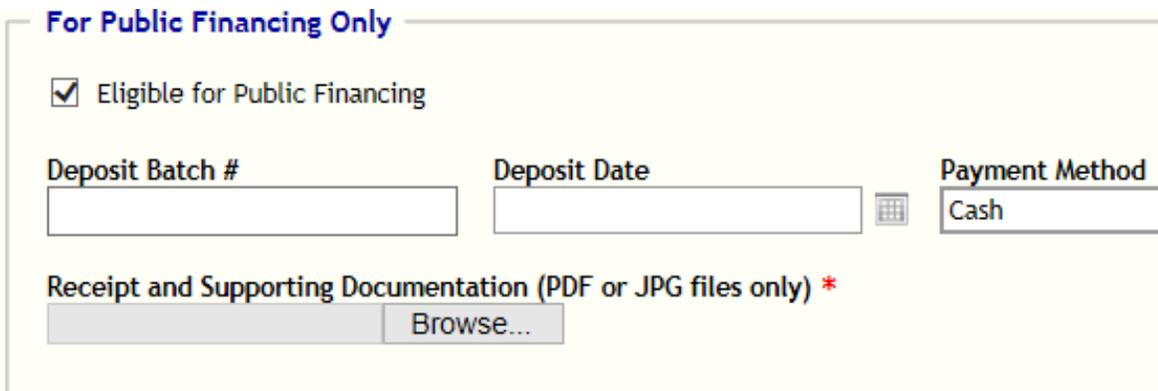
Adding Supporting Documentation (When Requested by Staff)

City Clerk staff may request additional supporting documentation from your committee for Qualifying or Matching Requests. Avoid processing delays by only including additional supporting documentation when requested.

Submitting the Same Transaction on Multiple Requests for Funds

CAUTION: Transactions that you have marked as eligible for public financing and previously submitted on a request for funds remain available in NetFile until they are approved by the City Clerk staff. Review your requests carefully to ensure that you are not submitting contributions that are already part of a pending request.

SECTION THREE: FREQUENTLY ASKED NETFILE QUESTIONS

If I entered contributions marked as eligible for public financing, do I need to enter the contributions again for regular campaign statements (Form 460 filings)?
No, you do not need to enter the contributions again. Contributions eligible for public financing will be included on regular campaign statements.

I lost my NetFile password. How do I get a new one?
Go to www.NetFile.com/filer. Click the "Lost your password?" link. Enter your email address and click "Submit." NetFile will generate a new password and send it to the provided email address.

Where can I get more NetFile Training?
Contact the City Clerk Department to schedule a NetFile training session. Other resources include: Appendix F in this manual; the City's Campaign Filing Handbook; and resources offered by NetFile available at www.NetFile.com/filer.

When are requests for matching public funds disclosed to the public?
Requests are disclosed immediately upon E-Filing (including the initial Qualifying Request and ongoing monthly requests). Form 460 filings are disclosed immediately after E-Filing in accordance with established deadlines (see general campaign filing schedule for details).

How will I be notified if additional documentation is needed for my public financing requests?
City of Berkeley staff will contact the treasurer and candidate if more documentation is needed.

APPENDIX F

CITY OF BERKELEY PUBLIC FINANCING PROGRAM

FILER GUIDE

Table of Contents

Introduction

NetFile has updated its Campaign Filer application to allow candidates for Mayor and the City Council to e-file City of Berkeley Public Financing Program forms.

Forms

The system makes the following forms available to candidates for *Mayor* and *City Council* only:

APPLICATION FOR PARTICIPATION

Application for Participation in Public Financing Program.

QUALIFYING REQUEST

Fair Elections Act Form Initial Qualifying Declaration for Public Funds by Candidates for Mayor or City Council.

MATCHING REQUEST

Fair Elections Act Form Declaration for Public Funds by Candidates for Mayor or City Council.

Preparing Your Account

In order to activate certain features of the Public Financing Program in NetFile's Campaign Filer application, you need to make sure to select and enter specific information in the Committee Set-up Wizard.

Candidate Office Information

When you select *Mayor* or *City Council* for the *Office* on the Candidate/Officeholder tab of the Committee Set-up Wizard, the system displays Public Financing statement links on the Statements menu.

MAYOR

If you are a candidate for Mayor, enter and save the following information on the Candidate/Officeholder tab:

- *Office* - Select *Mayor*.
- *Location* - Select *City*.
- *Location Description* - Enter *Berkeley*.
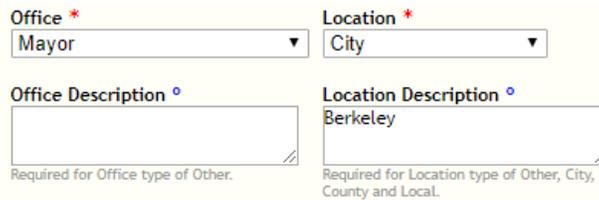
Figure 1

CITY COUNCIL

If you are a candidate for City Council, enter and save the following information on the Candidate/Officeholder tab:

- *Office* - Select *City Council*.
- *Location* - Select *City*.
- *Location Description* - Enter *Berkeley*.
- *District Number* - Enter the district number.

Figure 2

Candidate Signer ID

All e-filings submitted to the Commission pass through the Signature Verification process. Candidates must register to receive a *Signer ID* and *PIN code* combination to use in the Signature Verification process. For further information about Signature Verification, see the document "How to Use Signature Verification" on the main NetFile User Log-in page at https://netfile.com/filer.

Enter and save the *Signer ID* in the *Signature Information* section on the Candidate/ Officeholder tab in the Committee Set-up Wizard. If you do not add the Signer ID, your draft filings will contain validation errors and the system will not allow you to e-file those filings.

Figure 3

Candidate and Treasurer Contact Information

The Qualifying Request and the Matching Request require full contact information for both the candidate and the committee's treasurer. Qualifying Request and Matching Request statements will not pass validation and you will not be able to e-file them without full contact information.

Edit both the *Treasurer* record and the *Controlling Candidate/Officeholder* record on the *Officer Information* tab of the Committee Set-up Wizard to add and save the following information:

- *Mailing Address* - Enter the treasurer's full address information.
- *E-Mail* - Enter the treasurer's e-mail address.

- *Work Phone* - Enter the treasurer's telephone number.

Figure 4

Process Flow

The following information provides a general process flow for the e-filing and processing of Public Financing statements in NetFile's Campaign Filer application.

Application for Participation

Start the process by e-filing the Participation statement. See "Application for Participation" on page 11 for information about creating and e-filing a Participation statement.

Qualifying Request

Only those candidates who are participating in the public financing program may submit a Qualifying Request statement. See "Application for Participation" on page 11 for information about creating and e-filing a Participation statement, and "Qualifying Request" on page 13 for information about marking transactions as eligible for Public Financing, and creating and e-filing a Qualifying Request statement.

Matching Request

Candidates who are participating in the public financing program, have submitted a Qualifying Request statement, and have been certified as eligible to participate in the Public Financing Program may submit a Matching Request statement. See "Application for Participation" on page 11 for information about creating and e-filing a Participation statement, "Qualifying Request" on page 13 for information about creating and e-filing a Qualifying Request statement, and "Matching Request" on page 15 for information about creating and e-filing a Matching Request statement.

Public Financing Transactions

In order to submit a Qualifying Request form, and subsequently a Matching Request form, you must enter monetary contributions from individuals and mark the contributions that you believe are eligible for public financing. If you have previously entered monetary contributions from individuals that you believe are eligible, but have not marked them as such, you need to edit each contribution and mark it as eligible.

Adding New Monetary Contributions

To add a new monetary contribution and mark it as eligible:

1. Select *Monetary Contribution* from the Transactions menu. The *Search for an Existing Entity —Monetary Contribution* page opens.

2. Search for the individual who made the monetary contribution:

   a. *Entity's Name* - Enter a portion of the individual's name. The "containing search" feature returns all results containing the information you enter in the field.

   b. *Search* - Click the button to start the search.

   c. *Search Results* - The results of the search appear below the search form:

      i. *Select* - Click the *Select* link for the individual you want to use for the transaction.

      ii. If the entity is not available, create a new individual using the links in the *Create a New Entity* area. Once you create the new entity, the system automatically selects the individual and opens the *Enter a Monetary Contribution* page.

Figure 5

3. Enter the Monetary Contribution:

a. *Date* - Enter the date of the monetary contribution.

b. *Amount* - Enter the amount of the monetary contribution.

c. *Election Information* - Optional: Select the Election Cycle and Election Period to include Per Election to Date totals.

4. Enter the Pubic Financing information:

a. *Eligible for Public Financing* - Select the check box to mark the monetary contribution as eligible for the public financing program. The system then displays additional fields and controls specific to Public Financing.

b. *Deposit Batch #* - Enter the deposit batch number.

c. *Deposit Date* - Enter the date the monetary contribution was deposited.

d. *Payment Method* - Select the method the individual used to provide the monetary contribution.

e. *Supporting Documentation* - You may upload PDF or JPEG files containing supporting documentation per monetary contribution:

i. *Choose File* - Click this button to select a file on your computer to upload as supporting documentation for the contribution. The *Open* dialog appears.

ii. Locate the file on your computer and click it once to select it.

Note: If you plan to attach more than one file to a transaction, make sure the file names are not the same and that they convey information that associates the files to the transaction.

iii. *Open* - Click the *Open* button on the Open dialog. The system uploads and attaches the file to the filing and lists the file name to the right of the button.

iv. *Remove* - Click the *Remove* button to remove the attachment.

5. *Submit* - Click the Submit button to save the monetary contribution. The new contribution displays in the Transaction History table at the bottom of the page.

Marking Existing Monetary Contributions as Eligible

To mark existing monetary contributions as eligible for public financing:

1. Select *View/Edit/Delete Transactions* from the Transactions menu. The Manage Transactions page opens.

2. Filter the table by Transaction Type.

a. Click the funnel icon in the *Transaction Type* heading.

b. Enter *Monetary Contribution* in the first field under *Contains*.

c. Click the *Filter* button. The system displays all monetary contributions.

3. Click the *Edit* link for a monetary contribution that you want to mark as qualifying. Edit Transaction —Monetary Contribution page opens.

Tip: Right-click the *Edit* link and open the contribution in a new tab or window, so you don't lose the filtered transaction list.

Figure 6

4. Enter the *Pubic Financing* information.

   a. *Eligible for Public Financing* - Select the check box to mark the monetary contribution as eligible for the public financing program.

   b. *Deposit Batch #* - Enter the deposit batch number.

   c. *Deposit Date* - Enter the date the monetary contribution was deposited.

   d. *Payment Method* - Select the method the individual used to provide the monetary contribution.

   e. *Supporting Documentation* - You may upload one PDF or JPEG file containing supporting documentation per monetary contribution:

      i. *Choose File* - Click this button to select a file on your computer to upload as supporting documentation for the contribution. The *Open* dialog appears.

      ii. Locate the file on your computer and click it once to select it.

      iii. *Open* - Click the *Open* button on the Open dialog. The system uploads and attaches the file to the filing and lists the file name to the right of the button.

      iv. *Remove* - Click the *Remove* button to remove the attachment.

5. *Save Changes* - Click the *Save Changes* button to save the monetary contribution.

Managing Public Financing Transactions

To view all transactions associated with Public Financing, select the *Public Finance Transactions* link in the Manage Transactions section of the Transactions menu. The *Manage Public Financing Transactions* page opens displaying the *All Public Financing Transactions* table.

Important: The monetary contributions represented in this table are outside the context of a Qualifying or Matching Request. Other than the *Status*, the table displays no information about the transaction in the context of a funds request. See for information about viewing the status of transactions in a funds requests.

Figure 7

- *Edit* - Click a transaction's *Edit* link to edit the transaction.

Note: There are some transactions that the system does not allow you to edit. For example, the system disallows you from editing any transaction that displays "Approved" in the *Status* column.

- *Contributor Name* - This column lists the full name of the individual contributor.

- *Amount* - This column lists the amount of the monetary contribution.

- *Batch #* - This column lists the deposit batch number for the contribution.

- *Deposit Date* - This column lists the date the contribution was deposited in your bank account.

- *Method* - This column lists the payment method for the contribution.

- *Status* - This column lists the status of the contribution:

  - *BelievedEligible* - You have marked the contribution as eligible for public financing.

  - *Approved* - You have marked the contribution as eligible for public financing, submitted the contribution on a Qualifying Request, and the City has accepted the contribution as eligible.

  - *Rejected* - You have marked the contribution as eligible for public financing, submitted the contribution on a Qualifying Request, and the City has rejected the contribution as not eligible.

- *NoResponse* - You have marked the contribution as eligible for public financing, submitted the contribution on a Qualifying Request, and the City has taken no action as to the contribution's eligibility.

- *Attachments* - This column displays an icon of a paper clip if the transaction contains at least one attachment.

- *Delete* - This column displays a *Delete* button only when the transaction has not been accepted or rejected by the Commission.

EXPORTING ALL PUBLIC FINANCE TRANSACTIONS TO AN EXCEL FILE

The system allows you to export all public finance transaction to a Microsoft Excel file. To export the transactions, click the *Export Transactions to Excel* link above the table. The system produces and downloads the Excel spreadsheet to your computer.

Creating & E-Filing Statements

Application for Participation

Before you enter information in the Participation form, take a moment to view the instructions. Click the title in the yellow section just below the page title (*Instructions Statement of Participation or Non-Participation in Public Financing Program*) to expand the section and reveal the instructions.

Figure 8

CREATING AN APPLICATION FOR PARTICIPATION

To create a Participation statement:

1. Select *Application for Participation* from the *Public Financing Statements* section of the Statements menu.

2. *Participation Information* - Enter the date of election and agree to participate:

   a. *Date of Election* - Enter the date of election.

   b. *I agree to participate* - Select to signify you are agreeing to participate in the Public Financing Program.

3. *Signature Information*:

a. *Date Signed* - Enter the date signed. The system adds the candidate's name automatically.

4. Click the *Create Draft Application* button.

5. Go to the Home page to review the draft. See "Statement Contents" on page 18 for information about the files included in an e-filing.

6. E-File the Statement of Participation:

    a. *E-File* - Click the statement's E-File link in the Draft Statements table on the Home page. The E-File Statement page opens.

    b. *Response E-Mail Address* - Enter your e-mail address to receive a response from the system.

    c. *Submit* - Click the *Submit* button to begin the e-filing process.

7. The candidate must then review the statement in the Signature Verification application and accept or reject it. When the candidate accepts the statement, the system e-files the statement with the City of Berkeley.

Qualifying Request

In order to complete the Qualifying Request form you must enter monetary contributions from individuals and mark the contributions as eligible for public financing. If you have already entered monetary contributions from individuals that are not marked as eligible, you need to edit each contribution and mark it as eligible. For more information about adding, editing and managing monetary contribution transactions, see "Public Financing Transactions" on page 6.

Before you enter information in the Qualifying Request form, take a moment to view the instructions. Click the title in the yellow section just below the page title (*Instructions for Qualifying Request*) to expand the section and reveal the instructions.

Figure 9

CREATE A QUALIFYING REQUEST

To create a Qualifying Request:

1.   Select *Qualifying Request* from the Statements menu. The Qualifying Request page opens.

2. *Date of Election* - Enter the date of the election the candidate is running in.

3. *Transactions* - Click a transaction's check box in the *Included?* column to include it in the Qualifying Request. Click the *Include All* check box above the Included? column to include all listed transactions. The number of included transactions and the total dollar amount is listed below the table.

4. *Signature Information*:

   a. *Date Signed* - Enter the date signed. The system adds the candidate's name automatically.

5. Click the *Create Draft Qualifying Request* button.

6. Go to the Home page to review the draft. See "Statement Contents" on page 18 for information about the files included in an e-filing.

7. E-File the Qualifying Request:

   a. *E-File* - Click the statement's E-File link in the Draft Statements table on the Home page. The E-File Statement page opens.

   b. *Response E-Mail Address* - Enter your e-mail address to receive a response from the system.

   c. *Submit* - Click the *Submit* button to begin the e-filing process.

8. The candidate must then review the statement in the Signature Verification application and accept or reject it. When the candidate accepts the statement, the system e-files the statement with the City of Berkeley.

Note: Once you have submitted your Qualifying Request, you may want to upload supporting documentation. Click the *Add Supporting Documentation* link in the Public Financing section of the Statements menu to upload supporting documentation. See "Supporting Documentation" on page 17.

AMENDING A QUALIFYING REQUEST

You may not amend a Qualifying Request.

Matching Request

In order to submit a Matching Request, you must have already submitted a Qualifying Request form and received notification from the Commission that it was approved.

Before you enter information in the Matching Request form, take a moment to view the instructions for your office. Click the appropriate title in the yellow sections just below the page title (*Instructions for Candidates for Board of Supervisors* or *Instructions for Candidates for Mayor*) to expand the section and reveal the instructions.

Figure 10

CREATING A MATCHING REQUEST

To create a Matching Request:

1. Select *Create New Matching Request* from the Statements menu. The *Matching Request* page opens.

2. *Date of Election* - Enter the date of the election the candidate is running in.

3. *Matching Contributions* - Click a transaction's check box in the *Included?* column to include it in the Matching Request. Click the *Include All* check box above the *Included?* column to include all listed transactions. The number of included transactions and the total dollar amount is listed below the table.

4. *Signature Information*:

    a. *Date Signed* - Enter the date signed. The system adds the candidate's name automatically.

5. Click the *Create Draft Matching Request Form* button.

6. Go to the Home page to review the draft. See "Statement Contents" on page 18 for information about the files included in an e-filing.

7. E-File the Matching Request:

    a. *E-File* - Click the statement's E-File link in the Draft Statements table on the Home page. The E-File Statement page opens.

    b. *Response E-Mail Address* - Enter your e-mail address to receive a response from the system.

    c. *Submit* - Click the *Submit* button to begin the e-filing process.

8. The candidate must then review the statement in the Signature Verification application and accept or reject it. When the candidate accepts the statement, the system e-files the statement with the City of Berkeley.

Note: Once you have submitted your Matching Request, you may want to upload supporting documentation. Click the *Add Supporting Documentation* link in the Public Financing section of the Statements menu to upload supporting documentation. See "Supporting Documentation".

AMENDING A MATCHING REQUEST

You may not amend a Matching Request.

Supporting Documentation

You may upload supporting documentation associated with a qualifying or a matching request. The City of Berkeley may also request additional supporting documentation to verify your transactions.

Figure 11

ADDING SUPPORTING DOCUMENTATION

To add supporting documentation to an e-filed qualifying or matching request:

1. Click *Add Supporting Documentation* in the Public Financing section of the Statements menu. The Add Supporting Documentation page opens.

2. *Select an Open Request* - Select an E-Filed Qualifying or Matching Request to view its existing supporting documentation and to attach additional supporting documents.

    a. The *Existing Supporting Documentation* table displays all supporting documentation that you have uploaded for the qualifying or matching request you selected. This does not include any documentation that you uploaded for single monetary contributions.

    b. Click an attachment's *Remove* button to delete the attachment from the qualifying or matching request.

3. *Supporting Documentation* - Upload and attach to the qualifying or matching request you selected any supporting documentation in either PDF or JPEG format:

    a. Click the *Select File to Attach* button. The *Open* window opens.

    b. Locate the file on your computer and click it once to select it.

Note: If you plan to attach more than one file to the qualifying request, make sure the file names are not the same and that they convey information about their contents and purpose.

    c. Click the *Open* button. The system uploads and attaches the file to the filing and lists the file name below the button.

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d.   Click the *Remove* button to remove an attachment.

4.   *Save Attachments* - This button activates after you select a file to attach. Once you have selected all supporting documentation, click the Save Attachments button to upload the files to the City. The system associates the attachments with the e-filed qualifying or matching request you selected.

VIEWING SUPPORTING DOCUMENTATION

To view all of the supporting documentation for a qualifying or matching request:

1.   Click *Add Supporting Documentation* in the Public Financing section of the Statements menu. The Add Supporting Documentation page opens.

2.   *Select an Open Request* - Select an E-Filed Qualifying or Matching Request to view its supporting documentation.

3.   The *Existing Supporting Documentation* table displays all supporting documentation that you have uploaded to the City for the e-filed qualifying or matching request you selected. This includes supporting documentation that you uploaded with monetary contributions along with any additional supporting documentation you have submitted.

REMOVING SUPPORTING DOCUMENTATION

To remove supporting documentation from an e-filed qualifying or matching request:

1.   Click *Add Supporting Documentation* in the Public Financing section of the Statements menu. The Add Supporting Documentation page opens.

2.   *Select an Open Request* - Select an E-Filed Qualifying or Matching Request to view its existing supporting documentation and to attach additional supporting documents.

a.   The *Existing Supporting Documentation* table displays all supporting documentation that you and/or the City of Berkeley have uploaded for the qualifying or matching request you select. This does not include any documentation that you uploaded for single monetary contributions.

Note: You may remove supporting documentation *that you have uploaded*. You may not remove supporting documentation *that the City of Berkeley has uploaded*.

b.   Click an attachment's *Remove* button to delete the attachment from the qualifying or matching request.

Statement Contents

When you create a new draft statement, the system places it in the *Draft Statements* table on the Home page. Click a draft's *View* link to download a compressed zip file containing the statement's individual files:

•   Public Financing Form File (e.g., PRT.pdf)

- Validation Files (e.g., PRT Validation.pdf and PRT Validation.txt)
- Data File (e.g., PRT.cal)
- Parameters (e.g., Parameters.xml)

Each of these file types are detailed below.

PUBLIC FINANCING FORM FILES

The PDF file for a statement's public financing form is the print version of the form. The name of the form files are as follows:

- PRT.pdf - Participation form.
- QR.pdf - Qualifying Request form.
- MR.pdf - Matching Request form.

VALIDATION FILE

The validation PDF file contains a list of warnings and errors. Warnings do not prevent you from e-filing the statement. Errors do prevent you from e-filing the statement. All line numbers for warnings and errors listed in the validation file refer to the *data file* (see page 19), not the PDF form file. The names of the validations files are as follows:

- PRT Validation.pdf - Participation validation file.
- QR Validation.pdf - Qualifying Request validation file.
- MR Validation.pdf - Matching Request validation file.

Help with Validation Errors

Contact NetFile Support at filerhelp@netfile.com with any questions you may have about validation errors or the contents of your statement.

DATA FILE

This comma separated values file contains the raw data of the filing. The names of the files are as follows:

- PRT.cal - Participation data file.
- QR.cal - Qualifying Request data file.
- MR.cal - Matching Request data file.

PARAMETERS FILE

The parameters XML file contains information about the make-up of the filing.

SUPPORTING DOCUMENTATION FILES

The zip file does not contain any supporting documentation files you may have uploaded when adding or editing a monetary contribution. The files are a part of your qualifying or matching request, but they are transmitted to the City using a different mechanism. For information about adding, viewing and removing supporting documentation, see "Supporting Documentation" on page 17.