

**BERKELEY CITY COUNCIL AGENDA & RULES COMMITTEE
SPECIAL MEETING MINUTES**

MONDAY, JANUARY 25, 2021

2:30 P.M.

Committee Members:

Mayor Jesse Arreguin, Councilmembers Sophie Hahn and Susan Wengraf
Alternate: Councilmember Lori Droste

PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED EXCLUSIVELY THROUGH VIDEOCONFERENCE AND TELECONFERENCE

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, this meeting of the City Council Agenda & Rules Committee will be conducted exclusively through teleconference and Zoom videoconference. Please be advised that pursuant to the Executive Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, there will not be a physical meeting location available.

To access the meeting remotely using the internet: Join from a PC, Mac, iPad, iPhone, or Android device: Use URL <https://us02web.zoom.us/j/84992094173>. If you do not wish for your name to appear on the screen, then use the drop down menu and click on "rename" to rename yourself to be anonymous. To request to speak, use the "raise hand" icon on the screen.

To join by phone: Dial **1-669-900-9128 or 1-877-853-5257 (Toll Free)** and Enter Meeting ID: **849 9209 4173**. If you wish to comment during the public comment portion of the agenda, press *9 and wait to be recognized by the Chair.

Written communications submitted by mail or e-mail to the Agenda & Rules Committee by 5:00 p.m. the Friday before the Committee meeting will be distributed to the members of the Committee in advance of the meeting and retained as part of the official record. City offices are currently closed and cannot accept written communications in person.

Roll Call: 2:32 p.m. All present.

Public Comment – 1 speaker.

Review of Agendas

1. Approval of Minutes: January 11, 2021

Action: M/S/C (Wengraf/Hahn) to approve the minutes of 1/11/21.

Vote: All Ayes.

2. Review and Approve Draft Agenda:

a. 2/9/21 – 6:00 p.m. Regular City Council Meeting

Action: M/S/C (Arreguin/Wengraf) to refer Item 13 Measure P Allocations to the Homeless Services Panel of Experts and the Budget & Finance Committee and request that Councilmember Droste make revisions to the item to clarify that Measure P is not a “fund” and discussion of homeless services would be regarding General Fund sources.

Vote: All Ayes.

Action: M/S/C (Arreguin/Hahn) to approve the agenda of 2/9/21 with the changes noted below.

- Item Added: Housing Trust Fund (Arreguin) – added to 2/9 Consent Calendar
- Item Added: Black Lives Matter (Arreguin) – added to 2/9 Consent Calendar
- Item 7 Kala Bagai Way (Arreguin) – Councilmembers Hahn and Robinson added as co-sponsors
- Item 11 Right to Boycott (Davila) – Moved to Consent Calendar
- Item 12 Communications Services (Droste) – Moved to Consent Calendar
- Item 13 Measure P Allocations (Droste) – Referred to the Homeless Services Panel of Experts and the Budget & Finance Committee; requested amendments from the author

Order of Items on Action Calendar

Item 8 Consolidated Plan

Item 9 Home Occupations

Item 10 Police Chief

Vote: All Ayes.

3. Selection of Item for the Berkeley Considers Online Engagement Portal

- None Selected

4. Adjournments In Memory – None

Scheduling

5. **Council Worksessions Schedule** – received and filed
6. **Council Referrals to Agenda Committee for Scheduling** – received and filed
7. **Land Use Calendar** – received and filed

Referred Items for Review

8. **Discussion Regarding Impact of COVID-19 (novel coronavirus) on Meetings of Legislative Bodies**

Action: 1 speaker. No action taken.

9. **Amendments to the Berkeley Election Reform Act to prohibit Officeholder Accounts; Amending BMC Chapter 2.12** *(Item contains supplemental material)*
From: Fair Campaign Practices Commission
Referred: July 28, 2020
Due: January 29, 2021

Recommendation: Conduct a public hearing and upon conclusion, adopt first reading of an ordinance amending the Berkeley Election Reform Act, Berkeley Municipal Code Chapter 2.12, to prohibit Officeholder Accounts (See Section 18531.62. Elected State Officeholder Bank Accounts, Regulations of the Fair Political Practices Commission).

Financial Implications: None

Contact: Sam Harvey, Commission Secretary, (510) 981-6950

Action: 0 speakers. M/S/C (Hahn/Arreguin) to refer the item to the Council with a qualified Positive Recommendation to take no action on the item, but to refer the concepts and materials to the Agenda & Rules Committee for discussion with representatives of the commission on Item 11.

Vote: All Ayes

Referred Items for Review

10. Relinquishments and grants from Councilmembers' office budgets

From: Open Government Commission

Referred: August 31, 2020

Due: February 15, 2021

Recommendation: Adopt a Resolution creating a temporary advisory committee consisting of three (3) members each of the City Council and the Open Government Commission ("OGC") to enable discussion between the Council and the OGC to make recommendations governing relinquishments and grants from Councilmembers' office budgets.

Financial Implications: None

Contact: Sam Harvey, Commission Secretary, (510) 981-6950

Action: 0 speakers. M/S/C (Arreguin/Hahn) to refer the item to the Council with a qualified Positive Recommendation to take no action on the item, but to designate the Agenda & Rules Committee as the entity to engage with the commission on Item 11.

Vote: All Ayes

11. Amendments to the Berkeley Election Reform Act (BERA) to Regulate Officeholder Accounts and Proposed Changes to City Council Office Budget Expenditure and Reimbursement Policies (Resolution 67,992-N.S.)

From: Fair Campaign Practices Commission

Referred: January 11, 2021

Due: June 1, 2021

Recommendation: Form a joint subcommittee of members of the City Council and members of the Fair Campaign Practices and Open Government Commissions to (1) prepare an ordinance amending the Berkeley Election Reform Act (BMC Chapter 2.12) to prohibit or regulate officeholder accounts and (2) prepare a change in City Council Expenditure and Reimbursement policies (Resolution 67,992-N.S.) to have donations to nonprofit organizations made in the name of the entire Berkeley City Council on behalf of the citizens of Berkeley rather than from individual Council members.

Financial Implications: None

Contact: Sam Harvey, Commission Secretary, (510) 981-6950

Action: 0 speakers. No action taken. Scheduled for February 8, 2021 meeting.

Unscheduled Items

These items are not scheduled for discussion or action at this meeting. The Committee may schedule these items to the Action Calendar of a future Committee meeting.

**12. Commission Reorganization for Post-COVID19 Budget Recovery
From: Councilmember Droste (Author), Councilmember Robinson (Co-Sponsor), Councilmember Kesarwani (Co-Sponsor)**

Referred: June 15, 2020

Due: March 1, 2021

Recommendation: 1. Reorganize existing commissions with the goal of achieving 20 total commissions; 2. Reorganize existing commissions within various departments to ensure that no single department is responsible for more than five commissions; 3. Reorganize commissions within the Public Works Department to ensure Public Works oversees no more than three commissions; 4. Refer to the City Manager and every policy committee to agendaize at the next meeting available to discuss commissions that are in their purview and make recommendations to the full Council on how to reorganize and address the various policy areas. Commission members should be notified and chairs should be invited to participate. Policy committee members are encouraged to consider the renaming of some commissions in order to ensure that all policy areas are addressed.

Financial Implications: See report

Contact: Lori Droste, Councilmember, District 8, (510) 981-7180

Action: No action taken. Scheduled for a special meeting of the committee on February 1, 2021 at 3:00 p.m.

Items for Future Agendas

- None

Adjournment

Action: M/S/C (Wengraf/Hahn) to adjourn the meeting.

Vote: All Ayes.

Adjourned at 3:29 p.m.

I hereby certify that the foregoing is a true and correct record of the closed session meeting held on January 25, 2021.



Mark Numainville
City Clerk

Communications

Communications submitted to City Council Policy Committees are on file in the City Clerk Department at 2180 Milvia Street, 1st Floor, Berkeley, CA, and are available upon request by contacting the City Clerk Department at (510) 981-6908 or policycommittee@cityofberkeley.info.