

BERKELEY CITY COUNCIL AGENDA & RULES COMMITTEE SPECIAL MEETING MINUTES

MONDAY, NOVEMBER 20, 2023

2:30 P.M.

2180 Milvia Street, 6th Floor, Berkeley, CA 94704 – Redwood Room

1404 Le Roy Ave, Berkeley, CA 94708 – Teleconference Location

Committee Members:

Mayor Jesse Arreguin, Councilmembers Sophie Hahn and Susan Wengraf

Alternate: Councilmember Ben Bartlett

This meeting will be conducted in a hybrid model with both in-person attendance and virtual participation. If you are feeling sick, please do not attend the meeting in person.

Remote participation by the public is available through Zoom. To access the meeting remotely using the internet: Join from a PC, Mac, iPad, iPhone, or Android device: Use URL - <https://cityofberkeley-info.zoomgov.com/j/1618450732>. To request to speak, use the “raise hand” icon on the screen. To join by phone: Dial **1-669-254-5252 or 1-833-568-8864 (Toll Free)** and Enter **Meeting ID: 161 845 0732**. If you wish to comment during the public comment portion of the agenda, press *9 and wait to be recognized by the Chair. Please be mindful that the meeting will be recorded.

To submit a written communication for the Committee’s consideration and inclusion in the public record, email policycommittee@berkeleyca.gov.

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.

Pursuant to the City Council Rules of Procedure and State Law, the presiding officer may remove, or cause the removal of, an individual for disrupting the meeting. Prior to removing an individual, the presiding officer shall warn the individual that their behavior is disrupting the meeting and that their failure to cease their behavior may result in their removal. The presiding officer may then remove the individual if they do not promptly cease their disruptive behavior. “Disrupting” means engaging in behavior during a meeting of a legislative body that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting and includes, but is not limited to, a failure to comply with reasonable and lawful regulations adopted by a legislative body, or engaging in behavior that constitutes use of force or a true threat of force.

Roll Call: 2:36 p.m. All present.

Public Comment – 14 speakers

Review of Agendas

1. Approval of Minutes: November 13, 2023

Action: M/S/C (Wengraf/Hahn) to approve the minutes of 11/13/23.

Vote: All Ayes.

2. Review and Approve Draft Agenda:

a. 12/5/23 – 6:00 p.m. Regular City Council Meeting

Action: M/S/C (Arreguin/Wengraf) to accept the Time Critical item from Councilmember Harrison for the December 5 Action Calendar and request that the author make certain changes to recommendation #5 as follows:

Refer to City Manager and the Budget and Finance Committee to consider establishing an ongoing General Fund policy of allocating 50% of annual TNC Tax revenues to a citywide traffic calming budget and the remaining 50% to tier 1 bike/pedestrian/transit priority projects as specified under number 3.a-c.

Vote: All Ayes.

Action: M/S/C (Arreguin/Hahn) to approve the agenda of 12/5/23 with the changes noted below.

- *Item Added TNC Tax Budget Referral (Harrison) – Item added to Action Calendar and amendments requested*
- *Item Added MOU for Berkeley Firefighters (City Manager) – Item added to Consent Calendar*
- *Item 8 MLK, Jr. Celebration (Arreguin) – Councilmembers Hahn and Wengraf added as co-sponsors*
- *Item 9 Green Buildings (Harrison) – revised item submitted*
- *Item 10 Use of Force (Harrison) – Referred to the Public Safety Committee and the Police Accountability Board with a request for time-sensitive review; revised item submitted*
- *Item 12 Municipal Pier (Taplin) – Revised item submitted; moved to Consent Calendar; Councilmember Kesarwani added as a co-sponsor*

Order of Action Calendar

TNC Tax Budget Referral

Reimagining Public Safety Update

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 and Possible Action on City Council Rules of Decorum, Procedural Rules, and Remote Public Comments**

Action: 4 speakers. Discussion held. M/S/C (Arreguin/Hahn) to formalize the rule for the Council to only hear in-person non-agenda public comments at the beginning of the meeting with certain ADA-related exceptions. Request that the City Manager return to Council to incorporate the change in to the Rules of Procedure.

Vote: All Ayes.

9. **Amend Berkeley Municipal Code Chapter 3.78 To Expand Eligibility Requirements for Representatives of The Poor to Serve on The Human Welfare and Community Action Commission**
From: Councilmember Harrison (Author), Councilmember Bartlett (Co-Sponsor)

Referred: November 13, 2023

Deadline: May 13, 2024

Recommendation: Amend Berkeley Municipal Code Chapter 3.78 to expand eligibility requirements for Representatives of the Poor to serve on the Human Welfare and Community Action Commission, or any successor commission, to consider the current geographic formation of poverty in Berkeley.

Financial Implications: None

Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140

Action: Item held over to November 27, 2023.

Unscheduled Items

10. **City Council Legislative Systems Redesign**

Action: Moved to Action Calendar for November 27, 2023 meeting.

11. **Modifications or Improvements to City Council Meeting Procedures (referred by Council at the March 14, 2023 meeting)**

Unscheduled Items

12. **Strengthening and Supporting City Commissions: Guidance on the Development of Legislative Proposals**
13. **Discussion and Recommendations on the Continued Use of the Berkeley Considers Online Engagement Portal**

Items for Future Agendas

- None

Adjournment

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

Vote: All Ayes.

Adjourned at 4:25 p.m.

I hereby certify that the foregoing is a true and correct record of the Agenda & Rules Committee meeting held on November 20, 2023.

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@berkeleyca.gov.