

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

MONDAY, NOVEMBER 30, 2020

2:30 P.M.

Committee Members:

Mayor Jesse Arreguin, Councilmembers Sophie Hahn and Susan Wengraf
Alternate: Councilmember Ben Bartlett

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/82887417316>. 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: **828 8741 7316**. 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 – 17 speakers.

Review of Agendas

1. Approval of Minutes: November 16, 2020

Action: M/S/C (Hahn/Wengraf) to approve the minutes of 11/16/20 with the corrected spelling of “Dr. Steven Rader” under ceremonial items.

Vote: All Ayes.

2. Review and Approve Draft Agenda:

a. 12/15/20 – 6:00 p.m. Regular City Council Meeting

Action: M/S/C (Hahn/Wengraf) to approve the agenda of 12/15/20 with the changes noted below.

- *Item Added: Reimagining Public Safety RFP (City Manager) - Consent Calendar*
- *Item Added: Sugar Sweetened Beverage Panel Recommendations (City Manager) - Consent Calendar*
- *Item Added: Berkeley Rep Fee Waiver (Arreguin) - Consent Calendar; Councilmember Wengraf added as a co-sponsor*
- *Item 11 Use of Force Policy (City Manager) – moved to Action Calendar*
- *Item 24 Martin Luther King Celebration (Arreguin) – Vice-Mayor Hahn and Councilmember-Elect Taplin added as co-sponsors*
- *Item 25 Sale of Vehicles (Davila) – scheduled for the January 19, 2021 meeting*
- *Item 26 Bonding and Funding for Paving (Harrison) – Councilmembers Kesarwani and Bartlett added as co-sponsors*
- *Item 27 Baby Book Project (Wengraf) – Vice-Mayor Hahn added as a co-sponsor*
- *Item 28 Support S.4571 (Robinson) – Mayor Arreguin and Vice-Mayor Hahn added as a co-sponsor*
- *Item 33 Pedestrian Plan (City Manager) – Moved to Unscheduled Presentations List*
- *Item 34 BHA Appointment (Arreguin) – scheduled for 12/15 Consent Calendar*
- *Item 35 Public Safety Task Force (Arreguin) – scheduled for 12/15 Consent Calendar*
- *Item 36 Traffic Enforcement (Arreguin) – scheduled for 12/15 Consent Calendar; Councilmember-Elect Taplin added as a co-sponsor*
- *Item 37 Plaque for Vice President-Elect Kamala Harris (Davila) – scheduled for 12/15 Consent Calendar; Vice-Mayor Hahn added as a co-sponsor*
- *Item 38 Value Human Life (Davila) – Referred to Health, Life Enrichment, Equity & Community Committee*
- *Item 39 Proposition 12 (Davila) – scheduled for 12/15 Consent Calendar; Councilmember Harrison added as a co-sponsor*
- *Item 40 Right to Boycott (Davila) – Referred to Agenda & Rules Committee*
- *Item 41 Loan Forgiveness (Davila) – scheduled for 12/15 Action Calendar*
- *Item 42 Housing Trust Fund (Hahn) – scheduled for 12/15 Consent Calendar; revised item submitted*

Vote: All Ayes.

Order of Items on Action Calendar

Item 30 Referral Response

Item 31 Budget Update

Item 32 Annual Appropriations

Item 41 Loan Forgiveness

Item 11 Use of Force Policy

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

- Selected Item 29 related to outdoor dining

4. Adjournments In Memory – None

Scheduling

5. Council Worksessions Schedule

- Removed undergrounding update
- Added Pedestrian Plan
- Tentatively scheduled Zero Waste for March 16, 2021

6. Council Referrals to Agenda Committee for Scheduling

Action: M/S/C (Arreguin/Wengraf) to schedule Item 4 regarding commissions for the 1/19/21 Consent Calendar.

Vote: All Ayes.

Action: M/S/C (Wengraf/Arreguin) to schedule Item 5 regarding community refrigerators for the 1/26/21 Action Calendar.

Vote: All Ayes.

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: 2 speakers. Discussion held. Mayor Arreguin requested that staff introduce an item to temporarily suspend City rules related to commission subcommittees as proposed in the staff memo.

Referred Items for Review

9. **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: Item continued to January 4, 2021 meeting.

Referred Items for Review

10. **Implement Protocols for managing the City Council Meetings on Zoom**

From: Councilmember Davila (Author) *(Item contains revised material)*

Referred: October 26, 2020

Due: March 29, 2021

Recommendation: Adopt a Resolution with the following actions:

1. Implement the following protocols and criteria for City Council Meetings held on the Zoom Video Conferencing service, which shall take effect upon adoption, as well as adding the following section to the City Council Rules of Procedures:
 - A. Gallery view showing the list of all participants and attendees.
 - B. Display the timer, during public comment on any item on the agenda, the timer for each speaker shall be displayed. The timer countdown shall start when the person starts speaking, and shall notify the speaker their time has exceeded the allotted time; but will stop when the speaker stops speaking. In the event of technical difficulties during a speaker presentation, the speaker time will stop and will resume when the speaker resumes speaking.
 - C. Time yielded, in order to yield extra time to the current speaker, attendees speaking shall state the name of the person yielding their time prior to speaking, each person yielding time must be on the zoom as an attendee at the time, time is yielded;
 - D. The designated meeting host shall keep track of a list and record attendees requesting to speak in the order when they raised their hands for public comment. The list shall be presented on screen publicly that shows who raised their hand to speak on Zoom, how they were chosen and in what order.
 - E. Notify speakers they have exceeded their time, and allow to complete their sentence and state you are moving on to the next speaker, prior to cutting the speaker off;
 - F. Allow chat and reactions capabilities for attendees and participants.
 - G. The chat should be saved and part of the public record.
 - H. When the Mayor or a Councilmember speak, the timer shall be displayed. The timer countdown shall start when the Mayor or a Councilmember starts speaking, and shall be notified their time has exceeded the allotted time; but will stop when the Mayor or a Councilmember stops speaking. In the event of technical difficulties, the timer will stop and will resume when the Mayor or Councilmember resumes speaking.
2. Designate a third party community organization to host and manage the meeting with neutrality.

Financial Implications: See report

Contact: Cheryl Davila, Councilmember, District 2, (510) 981-7120

Action: 0 speakers. M/S/C (Hahn/Arreguin) to move the item to City Council with a Negative Recommendation. The Mayor, under his authority and prerogative as the Presiding Officer, may implement certain recommendations in the item, as appropriate, to manage Council meetings

Vote: All Ayes.

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.

- 11. 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: Item continued to January 4, 2021 meeting.
- 12. 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: Item continued to January 4, 2021 meeting.

Items for Future Agendas

- None

Adjournment

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

Vote: All Ayes.

Adjourned at 4:45 p.m.

I hereby certify that the foregoing is a true and correct record of the Agenda & Rules Committee meeting held on November 30, 2020.

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.