

**BERKELEY CITY COUNCIL PUBLIC SAFETY COMMITTEE
REGULAR MEETING MINUTES**

**Monday, November 1, 2021
10:30 AM**

Committee Members:

Councilmembers Rashi Kesarwani, Susan Wengraf, and Ben Bartlett
Alternate: Councilmember Terry Taplin

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

Pursuant to Government Code Section 54953(e) and the state declared emergency, this meeting will be conducted exclusively through teleconference and Zoom videoconference. The COVID-19 state of emergency continues to directly impact the ability of the members to meet safely in person and presents imminent risks to the health of the attendees. Therefore, no physical meeting location will be 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/89051605410>. 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: **890 5160 5410**. 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 Public Safety Policy 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.

MINUTES

Roll Call: 10:36 a.m. All present.

Public Comment on Non-Agenda Matters: 4 Speakers

Minutes for Approval

Draft minutes for the Committee's consideration and approval.

1. Minutes - October 4, 2021

Action: M/S/C (Bartlett/Wengraf) to approve the October 4, 2021 minutes as presented.

Vote: All Ayes

Committee Action Items

The public may comment on each item listed on the agenda for action as the item is taken up. The Chair will determine the number of persons interested in speaking on each item. Up to ten (10) speakers may speak for two minutes. If there are more than ten persons interested in speaking, the Chair may limit the public comment for all speakers to one minute per speaker. Speakers are permitted to yield their time to one other speaker, however no one speaker shall have more than four minutes.

Following review and discussion of the items listed below, the Committee may continue an item to a future committee meeting, or refer the item to the City Council.

2. Presentation by the Fire Department on Evacuation Plan

Action: 2 speakers. Presentation made by the Fire Department.

3. Adopt an Ordinance Adding Chapter 13.09 to the Berkeley Municipal Code Prohibiting Discriminatory Reports to Law Enforcement

From: Councilmember Harrison (Author), Councilmember Hahn (Co-Sponsor)

Referred: June 14, 2021

Due: December 23, 2021

Recommendation: 1. Adopt an Ordinance Amending Chapter 13.09 to the Berkeley Municipal Code Prohibiting Discriminatory Reports to Law Enforcement.

2. Refer to the City Manager to report to Council within six months with anonymized data and information regarding discriminatory reports to law enforcement.

Financial Implications: Staff time

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

Action: The item was continued to the next meeting.

Committee Action Items

4. **Budget referral: Automated license plate readers for community safety improvement** *(Item Contains Revised Material)*

From: Councilmember Taplin (Author), Councilmember Droste (Co-Sponsor), Councilmember Wengraf (Co-Sponsor)

Referred: August 30, 2021

Due: January 30, 2022

Recommendation: That the Berkeley City Council take the following actions to enable and deploy tactical technologies in strategic public spaces and the public ROW for the improvement of community safety and determent, intervention, prevention of illegal dumping and/or investigation of violent crime and traffic violations:

Authorize the City Manager to install Automatic License Plate Readers (ALPRs) at strategic locations including public facilities, entrances to the city and strategic intersections in areas impacted by violent crime, traffic violations including bicycle and pedestrian safety infractions, illegal dumping, drug offenses, and other criminal activity; and refer to the budget process cost of ALPRs.

Refer to the City Manager the development of a policy pursuant and subject to City of Berkeley Surveillance Ordinance enabling the use of ALPRs in fixed locations and mobile trailers by the Berkeley Police Department, while restricting data storage to standards in City of Vallejo Police Department Policy 426; and study feasibility of data access standards for some ALPRs to those set forth in Senate Bill 210 (Wiener, 2021).

Financial Implications: See report

Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120

Action: 9 speakers. Discussion held. Revised material submitted by the author.

M/S/C (Kesarwani/Bartlett) to refer the item to Council with a qualified positive recommendation of the item to reflect the Policy Committee's desire for consideration of the costs and benefits of this proposed expenditure against other public safety investments in the two-year FY 2022-23 & 2023-24 budget and the need to first develop a policy related to addressing data retention and other issues in accordance with the City of Berkeley Surveillance Ordinance and Sanctuary City Contracting Ordinance.

Vote: All Ayes

Committee Action Items

5. Restoration of Red Light Camera Program

From: Councilmember Taplin (Author)

Referred: October 12, 2021

Due: March 14, 2022

Recommendation: Refer the City Manager to pursue the reestablishment of the City's Red Light Camera Program and enter into any third party contracts necessary to reinstall red light cameras at the following locations:

University Avenue and Shattuck Avenue, University Avenue and Sixth Street, Martin Luther King Jr. Way and Adeline Street, San Pablo Avenue and Ashby Avenue, San Pablo Avenue and University Avenue, San Pablo Avenue and Dwight Avenue, Sacramento Street and Ashby Avenue, Sacramento Street and University Avenue, Sacramento Street and Dwight Avenue, Sacramento Street and Alcatraz Avenue. Additional intersections to be determined by the Transportation Division of the Public Works Department and the Berkeley Police Department.

Financial Implications: See report

Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120

Action: The item was continued to the next 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.

- None

Items for Future Agendas

- None

Adjournment

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

Vote: All Ayes

Adjourned at 12:43 p.m.

I hereby certify that this is a true and correct record of Public Safety Policy Committee meeting held on November 1, 2021.

Michael MacDonald, Assistant 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.