

**ANNOTATED AGENDA
SPECIAL MEETING OF THE
BERKELEY CITY COUNCIL**

**Thursday, May 5, 2022
6:00 PM**

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – TERRY TAPLIN
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – KATE HARRISON

DISTRICT 5 – SOPHIE HAHN
DISTRICT 6 – SUSAN WENGRAF
DISTRICT 7 – RIGEL ROBINSON
DISTRICT 8 – LORI DROSTE

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 of the City Council 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 attendees. Therefore, no physical meeting location will be available.

Live captioned broadcasts of Council Meetings are available on Cable B-TV (Channel 33) and via internet accessible video stream at <http://www.cityofberkeley.info/CalendarEventWebcastMain.aspx> or http://berkeley.granicus.com/MediaPlayer.php?publish_id=1244.

To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL <https://us02web.zoom.us/j/81580825926>. 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 by rolling over the bottom of the screen.

*To join by phone: Dial **1-669-900-9128** or **1-877-853-5257 (Toll Free)** and enter Meeting ID: **815 8082 5926**. 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 teleconference will be recorded as any Council meeting is recorded, and all other rules of procedure and decorum will apply for Council meetings conducted by teleconference or videoconference.

To submit a written communication for the City Council's consideration and inclusion in the public record, email council@cityofberkeley.info.

This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953. Any member of the public may attend this meeting. Questions regarding this matter may be addressed to Mark Numainville, City Clerk, (510) 981-6900. The City Council may take action related to any subject listed on the Agenda. Meetings will adjourn at 11:00 p.m. - any items outstanding at that time will be carried over to a date/time to be specified.

Preliminary Matters

Roll Call: 6:03 p.m.

Present: Bartlett, Harrison, Hahn, Wengraf, Robinson, Droste, Arreguin

Absent: Kesarwani, Taplin

Councilmember Taplin present at 6:04 p.m.

Councilmember Kesarwani present at 6:13 p.m.

Action Calendar – New Business

Action: M/S/C (Arreguin/Harrison) to add the urgent item from Councilmember Robinson to the agenda and make the required findings under the Government Code.

Vote: Ayes – Taplin, Bartlett, Harrison, Hahn, Wengraf, Robinson, Droste, Arreguin; Noes – None; Abstain – None; Absent – Kesarwani.

Urgency Item: Resolution Supporting the Reintroduction of a Mask Mandate on AC Transit

From: Councilmember Rigel Robinson, Mayor Jesse Arreguin

Recommendation: Adopt a Resolution calling on the AC Transit Board of Directors to reconsider its decision and readopt a mask mandate for the AC Transit system, and calling on the health officers of Alameda, Contra Costa, San Mateo, Santa Clara, and San Francisco to mandate mask wearing on all public transit systems.

Action: 4 speakers. Councilmembers Wengraf and Harrison added as co-sponsors. M/S/C (Robinson/Arreguin) to adopt Resolution No. 70,333-N.S. calling on the AC Transit Board of Directors to reconsider its decision and readopt a mask mandate for the AC Transit system, and calling on the health officers of Alameda, Contra Costa, San Mateo, Santa Clara, and San Francisco to mandate mask wearing on all public transit systems.

Vote: All Ayes.

Action: M/S/C (Robinson/Arreguin) to adopt a temporary rule to set the speaker time at one-minute per speaker.

Vote: All Ayes.

Action: M/S/C (Robinson/Wengraf) to accept supplemental material from Councilmember Droste.

Vote: All Ayes.

- 1a. **Fulfilling the Promise of Berkeley’s Reimagining Public Safety Initiative: Recommendations for a Comprehensive, Phased Approach**
From: Mayor Arreguin (Author), Councilmember Harrison (Co-Sponsor), Councilmember Bartlett (Co-Sponsor), Councilmember Hahn (Co-Sponsor)

Action Calendar – New Business

Recommendation:

To continue the study and implementation of a comprehensive, new approach to public safety and policing in Berkeley, responsive to the City Council's unanimous July 14, 2020 direction for a transformative approach to community-centered safety with equitable investment in the essential conditions of a safe and healthy community:

1. Refer up to \$5.3 Million to the FY 2023-2024 Budget Process for staff and/or consulting services and community investments to complete the Priority Reimagining Public Safety Initiatives listed in Attachment 1, Section A to the report.
2. Direct the City Manager to prioritize over the next two years the programmatic recommendations for Phase 1 of Reimagining Implementation listed in Attachment 1, Section B to the report.
3. Direct the City Manager to initiate a design process for an innovative and comprehensive public safety agency or Department of Community Safety within the City of Berkeley administration, as outlined in Attachment 1, Section C to the report, and return with recommendations to the City Council by May 2024 to align with the FY 25-26 Biennial Budget process.
4. Except where resources may allow for expedited implementation, refer additional reforms to the FY 2025-2026 Biennial Budget as outlined in Attachment 1, Section D to the report.

Financial Implications: See report

Contact: Jesse Arreguin, Mayor, (510) 981-7100

Action: M/S/Failed (Droste/Wengraf) to adopt the proposal submitted by Councilmembers Droste, Taplin, Wengraf, and Kesarwani.

Vote: Ayes – Kesarwani, Taplin, Wengraf, Droste; Noes – Bartlett, Harrison, Hahn, Robinson, Arreguin.

Action: 56 speakers. M/S/Carried (Arreguin/Harrison) to approve Item 1a from Mayor, Bartlett, Hahn and Harrison, with the following amendments:

- 1) to refer the budget process the City Manager's Police re-staffing proposal as presented in the City Manager Reimagining Public Safety Report. (181 positions, with 5 deferred)
- 2) refer to the budget process the proposed Dispatch positions in the amount of \$926,710 (4 Dispatch Positions, 1 Supervisor)
- 3) Refer to fully fund the Office of Race, Equity and Diversity in the amount of \$479,540
- 4) As part of permanent decision on an SCU in FY 25-26, evaluate bringing the program internally within the City organization to be staffed by City of Berkeley staff, including exploring medical and mental health models and also refer for consideration a community paramedicine model similar to the MIP launched by the Berkeley Fire Department, in addition to all other ideas.

Action Calendar – New Business

Vote: Ayes – Taplin, Bartlett, Harrison, Hahn, Wengraf, Robinson, Arreguin; Noes – Kesarwani, Droste.

1b. **Response to Reimagining Public Safety Recommendations** **From: Councilmember Taplin (Author)**

Recommendation:

1. Adopt the City Manager’s April 2022 recommendations for Reimagining Public Safety with the following revisions, and;
2. Refer to the City Manager’s office establishment of an Office of Racial Equity to aid in the implementation:

Policy Recommendation amendments

-“Implement the Specialized Care Unit Pilot using all of the recommendations of the consultant and the SCU Steering Committee as a road map”; Add: with regular review of performance metrics and service evaluations.

-“Continue to plan for a civilian traffic enforcement unit, both by informing the content of state law changes to enable such a unit, and by developing an implementation plan once state law does change”; Revise: Conduct a feasibility analysis of a non-sworn auxiliary traffic enforcement unit, including comprehensive analysis of any and all traffic violations and dangerous road behavior that may be safely addressed entirely by a civilian unit.

-“Approve a new Vision Zero staff position in Public Works’ Division of Transportation to conduct collision analysis”; Add: and to study extent of feasibility and scope of potential civilian enforcement pilot, implementation of Vision Zero and Berkeley Department of Transportation and Infrastructure department structuring models to advance engineering-first solutions to traffic safety with a racial justice and social equity lens.

-“Develop additional capabilities to address public safety goals with appropriate response level”; Revise: Develop additional capabilities to address root causes of crime and violence, including reduction of poverty and recidivism through a Guaranteed Income pilot program and City employment opportunities for formerly incarcerated individuals, and locally-based Crisis Stabilization. In addition, the City Manager’s Office, and subsequently an Office of Racial Equity as appropriate, shall periodically report on performance metrics, administrative capacity, and fiscal sustainability for partnering CBOs and other NGOs performing violence prevention services, mental health crisis responses, and any other services under the auspices of Reimagining Community Safety.

Budget Recommendation amendments

-Consulting services - \$650k amended to: Office of Racial Equity Associate Management Analyst (1) to oversee a Guaranteed basic income pilot, city employment opportunities for formerly incarcerated, and support position (1) to conduct structural assessment and administrative capacity building for CBO partners- \$480k; Consulting services for Priority Dispatch, Call Data Analysis for Crisis Stabilization - \$170k.

-Add: Vision Zero analyst - \$200k

Financial Implications: See report

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

Action: See action noted in Item 1a.

Action Calendar – New Business

- 1c. **Discussion and Possible Action on Budget Referrals and Direction on Reimagining Public Safety including Consideration of the Recommendations of the National Institute for Criminal Justice Reform (NICJR), Reimagining Public Safety Task Force, and City Manager’s Report on Reimagining Public Safety** (*Materials from April 21, 2022 and March 10, 2022 meetings.*)
Recommendation: Discuss and provide direction on recommendations to transform public safety and policing in Berkeley.
Action: No action taken.

Adjournment

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

Vote: All Ayes.

Adjourned at 9:58 p.m.

Communications

Discussion and Possible Action on Budget Referrals and Direction on Reimagining Public Safety including Consideration of the Recommendations of the National Institute for Criminal Justice Reform (NICJR), Reimagining Public Safety Task Force, and City Manager’s Report on Reimagining Public Safety
Fulfilling the Promise of Berkeley’s Reimagining Public Safety Initiative: Recommendations for a Comprehensive, Phased Approach
Response to Reimagining Public Safety Recommendations

1. Clara de Martel
2. Brian Hinch
3. Sara Beth Hoffman
4. Collin Thormoto
5. Sunny Smith
6. Kelsey Reid
7. Liz Wagstaffe
8. Sarah Openheim
9. Jessica Stern
10. Mary-Lee Smith
11. Diana Bohn

Supplemental Communications and Reports 1

- None

Supplemental Communications and Reports 2

1a. Fulfilling the Promise of Berkeley’s Reimagining Public Safety Initiative: Recommendations for a Comprehensive, Phased Approach

1b. Response to Reimagining Public Safety Recommendations

1c. Discussion and Possible Action on Budget Referrals and Direction on Reimagining Public Safety including Consideration of the Recommendations of the National Institute for Criminal Justice Reform (NICJR), Reimagining Public Safety Task Force, and City Manager’s Report on Reimagining Public Safety

12. Supplemental material for 1a, submitted by Councilmember Droste, Kesarwani, Taplin and Wengraf
13. 69 similarly-worded form letters (Critical to the safety of our community)
14. 24 similarly-worded form letters (Unfreeze the BPD)
15. Jean Tepperman
16. Raye Kahn
17. Susan Payne
18. Robin
19. Barbara Freeman
20. Antony Lepire
21. Michael Lewis
22. Ellen Goldblatt
23. Ann Krooth
24. David Biale
25. Rod Richardson
26. John Rice
27. Cynthia Larson
28. Dave Kent
29. Joann Driscoll
30. John Chater
31. Barbara Cohn
32. Les Guliasi
33. Susan Nunes
34. Rachel Biale
35. Darya Kavitskaya
36. Ryn Singley
37. Doug Kidder
38. Julie Elis
39. Katherine Brown
40. Mary Stats
41. David Browne
42. Natalie Leimkuhler
43. Naomi Pearce
44. David Feiten
45. Matt Jarvis
46. John Damonte
47. Don Ichino
48. Michael Parman
49. Mary B
50. William Foley
51. Fran Haselsteiner
52. Eric Haesloop
53. Crystal Brunzell
54. Teresa Clarke
55. Kyra Subbotin
56. Barbara Gross Davis
57. Jeff and Laurin Vincent

58. Marlon Maus
59. Nathan Francis
60. Jesse Arreguin, Mayor (2)
61. David Glenn
62. Katherine Young
63. Christopher Horgan
64. Patricia Adler
65. Anna Urrea

Supplemental Communications and Reports 3

66. Presentation, submitted by Mayor Arreguin
67. Supplemental material, submitted by Councilmember Droste
68. 102 similarly-worded form letters (Critical to the safety of our community)
69. 51 similarly-worded form letters (Unfreeze the BPD)
70. David Glenn and Karen Fagerstrom
71. Elizabeth Jordan
72. Alice Feller (2)
73. Kitt Saginor
74. Elizabeth Ferguson
75. Micahel Katz
76. Rhoda Alvarez
77. Sabinadale
78. Geoff Lomax
79. Lucinda Reinold
80. Cat Zavis
81. Elizabeth Snowden and Charles Smith
82. Jeremy Lent
83. Jennifer Dix
84. Alicia Moore
85. Mark Rhoades
86. Ellen Archilla
87. Dan Brown
88. Mary Thomas
89. Michael Frantz
90. Joan Garvin
91. Patty Brink
92. James T. Nelson
93. Michael Richards
94. Laura Louis
95. Rosalyn and Thomas Jamison
96. Michael Scandling
97. Katya Stoakes
98. Elana Auerbach
99. Don Hubbard
100. Sharon Solkowitz and Bob Iding
101. Jeanne Courtney
102. Ted Obbard
103. Gail Machlis
104. Hillary Worthen
105. Marsha Weintraub and Stuart Hellman

106. Mori Costantino
107. Lori Berlin
108. Nancy Rader
109. Vanessa Moraga
110. Ariel Lev
111. Stanley Goldberg
112. Tam Crane
113. Rob Yohai
114. Steven Castleberry
115. Richard King
116. Rae Tau
117. Mark Son-Bell
118. Jack Kurzweil
119. Richard Van Sluyters
120. Robert Dixon
121. Charles Benton
122. Marc Pilsuk
123. Elb Souders
124. William Springer
125. Jane Scantlebury
126. Donald Rothberg
127. Paku Khan
128. Seena Hawley
129. Lura Dolas
130. Corinne Allen
131. Jenny Wenk
132. Wende Micco
133. Fred Krieger
134. Sherri Forever
135. Sally Nelson
136. Barbara Freeman
137. Barbara O'Hay
138. Isabelle Gaston
139. Wayne Huber
140. Joshua Schnoll
141. Richard Hiersch
142. Julianna Dickey
143. Katherine Pope
144. Josh Buswell-Charkow
145. Mariam Nathanson
146. Bessie Chin
147. Amanda Mozes
148. Wynd Kaufmyn
149. Katherine Bierce
150. Holly Scheider
151. Steve Scholl
152. Peter Lyndon
153. Shmuel Weissman
154. Peter Maag
155. Marjorie Winter
156. Paula Buel

157. Sara Gray
158. Jim Rosenau
159. Mary Ann Meany
160. Kevin Kelly
161. Patricia Kelly
162. Mark Lemkin
163. Fredda Cassidy
164. Ian Fraser
165. Scott Straus
166. Bruce Feingold
167. Kitty Calavita
168. Kristin Balder-Froid
169. Carlos Hill and Family
170. Dan Leaverton
171. JoAnn Lorber
172. Karima Cammell
173. Malcolm Ishida
174. Mary MacCready
175. Varun Paul
176. Lane McNab
177. Dana Bohn
178. Sunny Yoon
179. Joan Hamilton
180. George Torgun
181. Patrick Golier
182. Irene Brydon
183. Liza Lutzker, on behalf of Walk Bike Berkeley
184. Norm Vance
185. Sharon Rudnick
186. Matt Siefker
187. Debra Sanderson
188. Wendy Haven
189. Penny Dedel
190. Jennifer Wilks
191. David Schorr
192. Jake Teitelbaum
193. Aviva Gilbert
194. Aran Kaufer
195. CDN
196. Richard Bunce
197. Abbe Kalos
198. Gail Greenwood
199. John Gilbert
200. Margot Smith
201. Gaetan Micco
202. Antonia Sherry Nunez
203. CC Miksza (2)
204. Clyde Zhang
205. John Gilbert
206. Barbara Rydlander
207. Jane Musser

208. Jerry Skrainar
209. Alison and Avery Huetter
210. Matt Jacobs
211. John V.
212. Sondra Schlesinger
213. Andree Jones
214. Erick Allman
215. S. Entwistle
216. Kathy Skrainar
217. Michael O'Hare
218. Rivka Polanick
219. Jed Waldman
220. Steve Kromer
221. Justin Lee
222. Alan Block
223. Eric Angress
224. Tim Kingston
225. Eugene Bolotin
226. Terry Toczynski
227. Pat Reilly
228. Christian Rauh
229. Harald Leventhal
230. Judy Dale
231. Blair Dean
232. Adolfo Cabral
233. Lorenzo Avila
234. Kathleen Curran
235. Meryl Siegal
236. Diane Tokugawa
237. Wendy Alfsen
238. Alan Pearson
239. Denny Abrams
240. Jack & Sherry Delo
241. Ernie Mansfield
242. E. Anne Griffiths
243. Ann Rogers
244. Debbie Perkins-Kalama
245. Barrie Brouse
246. Susan Whitman
247. Joan Guilford
248. Jeffrey Heller
249. Ken Berland
250. Tamara Birdsall
251. Mary-Lee Kimber Smith
252. David Skolnick
253. Todd Andrew
254. Dennis Mulqueeney
255. Charley Vallejo-Anderson
256. Doug Lindsey
257. Bob Hatheway
258. Nicole Shelby

259. Rhoda Alvarez
260. Janice Schroeder
261. Bill Press
262. William Goldsmith
263. Lynda Caesara
264. Audrey Burnam
265. Christopher Kohler
266. Beatriz Leyva-Cutler
267. Peter DiMaria
268. Igor Tregub
269. Sylvia Chapman
270. Dev and Harinder Dhanoa
271. Bruce Brody
272. Tim Daniels
273. Jason Martens
274. Anne Smith
275. Flora Lewis
276. Laura Schmidt
277. May Kandarian
278. MJ Baumann
279. Moni Law (2)