

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

**MONDAY, JANUARY 4, 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/84969006215>. 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 6900 6215**. 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** – 7 speakers

## **Review of Agendas**

**1. Approval of Minutes: November 30, 2020**

**Action:** M/S/C (Wengraf/Hahn) to approve the Minutes of 11/30/2020.

**Vote:** All Ayes.

**2. Review and Approve Draft Agenda:**

a. 1/19/21 – 6:00 p.m. Regular City Council Meeting

**Action:** M/S/C (Wengraf/Hahn) to approve the 1/19/21 Agenda with the revisions noted below.

- *Item Added: Labor MOU (City Manager) – Added to Consent Calendar*
- *Item Added: AB15 and AB16 (Robinson) – Added to Consent Calendar; Councilmembers Harrison and Taplin added as co-sponsors*
- *Item 16 Sale of Vehicles (Davila) – Moved to Action Calendar*
- *Item 18 Lobbyist Ordinance (OGC) – Moved to Consent Calendar*
- *Item 20 Task Force (Arreguin) – Revised item submitted; moved to Consent Calendar*
- *Item 21 Honor Black Panther Party (Taplin) – Revised item submitted; Mayor Arreguin and Councilmember Bartlett added as co-sponsors; scheduled for 1/19 Consent Calendar*
- *Item 22 Grocery Store Workers (Taplin) (Taplin) – Revised item submitted; Mayor Arreguin and Councilmember Bartlett added as co-sponsors; scheduled for 1/19 Action Calendar*
- *Item 23 Child Care Providers (Hahn) – Councilmembers Harrison and Wengraf and Mayor Arreguin added as co-sponsors; scheduled for 1/19 Consent Calendar*
- *Item 24 Parklets and Sidewalk Seating (Hahn) – Councilmembers Harrison and Bartlett added as co-sponsors; scheduled for 1/19 Action Calendar*
- *Item 25 Roe v. Wade (Wengraf) – Scheduled for 1/19 Consent Calendar*

Order of Action Items

Item 16 Sale of Vehicles

Item 17 Proposition 12 Implementation

Item 19 Racism as a Public Health Crisis

Item 22 Grocery Store Workers

Item 24 Parklets and Sidewalk Seating

**Vote:** All Ayes.

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

- None selected

**4. Adjournments In Memory**

- Tom Guarino, PG&E Governmental Affairs Representative
- Harry Brill, Labor Activist
- Ted Edlin, City Commissioner

## Scheduling

**5. Council Worksessions Schedule**

- Homeless Outreach item added to 2/16/21

**6. Council Referrals to Agenda Committee for Scheduling**

**Action:** M/S/C (Arreguin/Wengraf) to schedule #3 Report on Homeless Outreach for February 16 Worksession agenda.

**Vote:** All Ayes.

**Action:** M/S/C (Arreguin/Hahn) to schedule #4 Police Chief for February 9 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:** 4 speakers. Discussion held. No action taken.

## 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:** 3 speakers. Discussion held. Item moved to Unscheduled Items for the January 11 agenda. Mayor Arreguin will call a special meeting of the committee to hear this item.

## Referred Items for Review

**10. Support Affirming the Right to Boycott as a Tactic for Social and Political Change**

**From: Councilmember Davila (Author)**

**Referred: November 30, 2020**

**Due: May 23, 2021**

**Recommendation:** Adopt a Resolution with the following actions: 1. Support Affirming the Right to Boycott as a Tactic for Social and Political Change, and celebrate the People of Berkeley for their commitment to Peace, Justice and Equity; 2. The City of Berkeley affirms the right of all people to participate in boycotts of any entity when they have conscientious concerns with the entity's policies or actions; 3. The City of Berkeley condemns attempts by governments to infringe upon the right to peaceful boycotts by criminalizing that participation, denying participants state contracts, or otherwise impeding the freedom of advocacy for all; 4. The City Council encourages City Commissions to recommend boycott policies to the City Council when appropriate, so that the City Council may be well informed in its oversight of City resources 5. Send a copy of this resolution to Governor Gavin Newsom, Attorney General Xavier Becerra, State Assemblymember Buffy Wicks, State Senator Nancy Skinner, United States Senators Bernie Sanders, Kamala Harris, Dianne Feinstein, and United States Congressional Representatives Barbara Lee, Ro Khanna, Alexandria Ocasio-Cortez, Ilhan Omar, Ayanna Pressley, Rashida Harbi Tlaib, and Pramila Jayapal.

**Financial Implications:** None

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

**Action:** No action taken. Held over to January 11 agenda.

## 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:** No action taken.

**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:** No action taken.

## Items for Future Agendas

- None

## Adjournment

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

**Vote:** All Ayes.

Adjourned at 4:50 p.m.

I hereby certify that the foregoing is a true and correct record of the Agenda & Rules Committee meeting held on January 4, 2021.

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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](mailto:policycommittee@cityofberkeley.info).*