

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

**MONDAY, JANUARY 11, 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/88332004696>. 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: **883 3200 4696**. 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:** 2:33 p.m. All present.

**Public Comment** – 1 speaker.

## **Review of Agendas**

**1. Approval of Minutes: January 4, 2021**

**Action:** M/S/C (Wengraf/Hahn) to approve the minutes of 1/4/21.

**Vote:** All Ayes.

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

a. 1/26/21 – 6:00 p.m. Regular City Council Meeting

**Action:** M/S/C (Wengraf/Arreguin) to recommend to Councilmember Kesarwani that the author edit the recommendation of Item 10 to be a referral to the FY 2022 Budget Process.

**Vote:** All Ayes.

**Action:** M/S/C (Arreguin/Wengraf) to approve the agenda of 1/26/21 with the changes noted below.

- *Item Added: ADU Regulations (Wengraf) – Scheduled for 1/26 Consent Calendar*
- *Item 8 U.S. Base Construction (Commission Item) – Scheduled for 2/23/21 agenda*
- *Item 9 Paving Plan (Commission Item) – Moved to Action Calendar*
- *Item 10 Gun Buyback (Kesarwani) – Recommendation revisions from Agenda & Rules Committee*
- *Item 15 BERA Amendment and District Budgets (Commission Item) – Referred to the Agenda & Rules Committee*
- *Item 16a/b Sanctuary Encampment (Commission Item) – Moved to 1/26 Consent Calendar with Policy Committee recommendation*
- *Item 18 Reimagining Public Safety (Arreguin) – Scheduled for 1/26 Consent Calendar*

*Order of Items on the Action Calendar*

*Item 11*

*Item 14*

*Item 9*

*Item 12*

*Item 13*

*Item 17*

**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 Regarding Impact of COVID-19 (novel coronavirus) on Meetings of Legislative Bodies**

**Action:** 1 speaker. Discussion held. No action taken.

9. **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:** 2 speakers. M/S/C (Hahn/Wengraf) to move the item to the full Council with a Negative Recommendation and recommend that the Council take no action on the item (scheduled for the 2/9/21 agenda).

**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.*

- 10. 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:** Scheduled for the 1/25/21 meeting for discussion.

- 11. 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:** Scheduled for the 1/25/21 meeting for discussion.

## Unscheduled Items

12. **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:** Pending scheduling of a special meeting for this topic.

## Items for Future Agendas

- None

## Adjournment

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

**Vote:** All Ayes.

Adjourned at 4:05 p.m.

I hereby certify that the foregoing is a true and correct record of the Agenda & Rules Committee meeting held on January 11, 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).*