

BERKELEY CITY COUNCIL AGENDA & RULES COMMITTEE SPECIAL MEETING MINUTES

MONDAY, NOVEMBER 16, 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/82045200899>. 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: **820 4520 0899**. 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: 2:31 p.m. All present.

Public Comment – 4 speakers

Review of Agendas

1. Approval of Minutes: November 2, 2020

Action: M/S/C (Wengraf/Hahn) to approve the minutes of 11/2/2020.

Vote: All Ayes.

2. Review and Approve Draft Agenda:

a. 12/1/20 – 6:00 p.m. Regular City Council Meeting

Action: M/S/C (Wengraf/Arreguin) to approve the agenda of 12/1/2020 with the changes noted below.

- *Ceremonial Item: Recognition of Outgoing Councilmembers*
- *Ceremonial Item: Recognition of Pam Grossman, Berkeley Volunteer*
- *Item Added: Street Lighting (Kesarwani) – Mayor Arreguin and Councilmember Bartlett added as co-sponsors*
- *Item Added: T1 Loan (City Manager)*
- *Item Added: Cazadero Lease Ordinance (City Manager)*
- *Item 10 Measure T1 (City Manager) – removed from the agenda by City Manager*
- *Item 19 Endorsement of Ballot Measure (Wengraf) – Vice-Mayor Hahn added as co-sponsor*
- *Item 22 Nuclear Weapons (Arreguin) – Scheduled for 12/1/20 Consent Calendar; Councilmembers Hahn and Wengraf added as co-sponsors*
- *Item 23 Food Delivery Services (Kesarwani) – Revised item submitted; scheduled for 12/1/20 Consent Calendar; Councilmember Hahn added as a co-sponsor*
- *Item 24 Adopt an Unhoused Community (Davila) – Councilmember Harrison added as a co-sponsor; referred to Health, Life Enrichment, Equity & Community Committee*
- *Item 25 Property Deed Covenants (Davila) - Scheduled for 12/1/20 Consent Calendar; Councilmembers Kesarwani and Harrison added as co-sponsors*
- *Item 26 Personal Liability (Hahn) - Scheduled for 12/1/20 Consent Calendar; Councilmember Wengraf added as a co-sponsor*
- *Item 27 School Renaming (Hahn) - Scheduled for 12/1/20 Consent Calendar; revised recommendation*
- *Item 28 Commission Stipends (Robinson) - Scheduled for 12/1/20 Consent Calendar*
- *Item 30 Measure T1 Update (City Manager) – Item removed by the City Manager*

Vote: All Ayes.

Order of Items on the Action Calendar

Item 21 Fee Increases

Item 20 Zoning Ordinance

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

- None selected

4. Adjournments In Memory

- Dr. Steven Rader, Berkeley Resident

Scheduling

5. Council Worksessions Schedule

- Cancelled the January 12, 2021 Worksession. Requested staff to poll the Council for January 19, 2021 at 4:00 p.m.

6. Council Referrals to Agenda Committee for Scheduling

- Item 3 Security Cameras (Kesarwani) – item withdrawn by author
- Item 4 Gun Buyback (Kesarwani) – scheduled for 12/1 Consent Calendar
- Item 6 Surveillance Technology Report (City Manager) – scheduled for 12/1 Consent Calendar

Action: M/S/C (Arreguin/Hahn) to schedule Item 4 and Item 6 for the 12/1/2020 Consent 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: 3 speakers. Discussion held.

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: November 30, 2020

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: Scheduled for Action Calendar at next meeting. M/S/C (Arreguin/Wengraf) to extend the deadline for Item 9 to March 1, 2021 at the request of the Author.

Vote: All Ayes.

Referred Items for Review

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

From: Councilmember Davila (Author)

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.

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: Revised item submitted. Scheduled for Action Calendar at 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.

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

Unscheduled Items

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

Items for Future Agendas

- None

Adjournment

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

Vote: All Ayes.

Adjourned at 3:50 p.m.

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I hereby certify that the foregoing is a true and correct record of the Agenda & Rules Committee meeting held on November 16, 2020.

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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.*