

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

**Monday, January 30, 2023
10:30 AM**

Committee Members:

Councilmembers Rashi Kesarwani, Terry Taplin, and Susan Wengraf
Alternate: Councilmember Rigel Robinson

**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 Public Safety Committee 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.

To access the meeting remotely using the internet: Join from a PC, Mac, iPad, iPhone, or Android device: Use URL <https://cityofberkeley-info.zoomgov.com/j/1604574711>. 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 **1-669-254-5252 or 1-833-568-8864 (Toll Free)** and Enter Meeting ID: **160 457 4711**. 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: 10:35 am. All present.

Minutes for Approval

Draft minutes for the Committee's consideration and approval.

1. Minutes - December 5, 2022

Action: M/S/C (Kesarwani/Taplin) to approve the December 5, 2022 minutes.

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. Election of Chairperson

Action: M/S/C (Wengraf/Kesarwani) to select Councilmember Taplin as Chair.

Vote: All Ayes.

3. Review of Policy 1043 Extra Duty Employment (Item contains supplemental materials)

From: City Manager

Contact: Jennifer Louis, Police, (510) 981-5900

Action: 3 speakers. M/S/C (Kesarwani/Wengraf) to: 1) Approve Policy 1043 Extra Duty Employment, with the inclusion of administrative costs at 35% to align with the Indirect Cost Rate Proposal - Federal Plan; 2) Requesting that the Police Department report back to the committee annually in January regarding the administrative rate and the terms and conditions of service agreements, including revenues received from extra duty employment; and 3) Requesting the action taken on 1/30/23 be sent to the City Council as an Information Report.

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.

4. **Information Report Request: Alternatives to Chemical Agents for Response to Violent Large-Scale Crowd Scenarios**
From: Councilmember Taplin (Author)
Referred: August 29, 2022
Due: February 28, 2023

Recommendation: Direct the City Manager to study alternatives to chemical agents to improve the Berkeley Police Department's ability and capacity to respond to and de-escalate large-scale crowd scenarios, including violent militias, and return a report to the City Council by the end of Fiscal Year 2023. Report should include but not be limited to the following factors: -BPD intelligence-gathering capabilities on potentially violent large crowd scenarios; - BPD response protocols including procedures for protecting bystanders, peaceful protesters, and businesses; -Tools and tactics available for crowd control in potentially violent scenarios; -Mutual aid and support from other local/state/federal agencies; -Applicable state and federal laws on crowd control and First Amendment rights.

Financial Implications: Staff time

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

Item due date extended to June 30, 2023.

Items for Future Agendas

- The committee requested an informational report from Public Works on mudslides in Berkeley as a future agenda item

Adjournment

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

Vote: All Ayes.

Adjourned at 11:18 am.

I hereby certify that this is a true and correct record of the special Public Safety Committee meeting held on January 30, 2023.

Sarah K. Bunting, 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.