

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

**MONDAY, AUGUST 31, 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/82373336588>. 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** and Enter Meeting ID: **823 7333 6588**. 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.

# AGENDA

**Roll Call:** 2:30 p.m. All present.

**Public Comment** – 3 speakers.

## Review of Agendas

### 1. Approval of Minutes: July 13, 2020

**Action:** M/S/C (Wengraf/Hahn) to approve the Minutes of 7/13/2020.

**Vote:** All Ayes.

### 2. Review and Approve Draft Agendas:

a. 9/15/20 – 6:00 p.m. Regular City Council Meeting

**Action:** M/S/C (Hahn/Wengraf) to approve the Agenda of the 9/15/2020 regular meeting with the revisions noted below.

- *Item Added: Traffic Safety Grant (City Manager)*
- *Item Added: Zero Waste Grant (City Manager)*
- *Item Added: Willard Park (Droste)*
- *Item Added: California Rebuilding Fund (Hahn)*
- *Item 21 Proposition 20 (Robinson) – Councilmember Bartlett added as a co-sponsor*
- *Item 26 LOCC Voting Delegates (City Manager) – moved to Consent Calendar*
- *Item 27 Sustainable Trips (CEAC) – moved to Consent Calendar*
- *Item 28 Council Relinquishments (OGC) – referred to Agenda & Rules Committee*
- *Item 29 Healthy Checkout (Harrison) – Scheduled to September 22, 2020*
- *Item 30 Fair Chance (Arreguin) – moved to Consent Calendar*
- *Item 31 Police Chief (Davila) – revised item submitted; scheduled for 9/15 Action Calendar*
- *Item 32 Vision 2025 (Davila) – referred to Health, Life Enrichment, Equity & Community Committee*
- *Item 33 Property Tax Measures (Bartlett) – referred to Budget & Finance Committee*
- *Item 34 Suffrage Proclamation (Harrison) – moved to Consent Calendar; Councilmembers Wengraf and Hahn added as co-sponsors*
- *Item 35 Proclamation for Kamala Harris (Hahn) – revised item submitted; moved to Consent Calendar; Mayor Arreguin added as a co-sponsor*
- *Item 36 Paid Internships (Robinson) – moved to Consent Calendar*

**Vote:** All Ayes.

### Order of Items on Action Calendar

Item 22 Public Hearing

Item 23 Housing Report

Item 24 Contract 9274A

Item 25 Urgency Ordinance

Item 31 Police Chief

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

- None selected

### 4. Adjournments In Memory

- Dr. Elmer Grossman, Pediatrician and City Commissioner

## Scheduling

### 5. Council Worksessions Schedule

- Undergrounding Task Force presentation scheduled for October 20.

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

**Action:** M/S/C (Hahn/Arreguin) to take no action on Item 1 Short-Term Rentals.

**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:** 2 speakers. Update provided by City Manager. No action taken. Item will remain on the agenda for future updates.

### 9a. Compiling Commission Recommendations in a Reference Manual

**From:** Homeless Commission

**Referred:** June 29, 2020

**Due:** December 14, 2020

**Recommendation:** The Homeless Commission recommends that Council refer to staff to develop a procedure for staff secretaries to all City of Berkeley commissions to compile all commission recommendations, whether in report or letter form, in a binder. Such binder shall also track the outcomes of all commission recommendations including action taken by Council and subsequent implementation of Council action. One copy of the binder shall remain with the staff secretary; another copy of the binder shall be available as a resource in the City Clerk's office. The City Clerk shall index all subject matters of commission proposals so that there is cross-referencing of all subjects that commissions have addressed. This reference manual shall be available for use by commissions to share information, the Mayor and Council, staff and members of the public. The City Clerk shall also provide this information online.

**Financial Implications:** See report

Contact: Brittany Carnegie, Commission Secretary, (510) 981-5400

## Referred Items for Review

**9b. Companion Report: Compiling Commission Recommendations in a Reference Manual**

**From: City Manager**

**Referred: June 29, 2020**

**Due: December 14, 2020**

**Recommendation:** Refer the commission recommendation to the City Manager to 1) consider the impacts on staffing levels, approved Strategic Plan projects, and existing baseline services in the context of the projected budget shortfall for FY 2021 and the hiring freeze currently in effect; and 2) work within existing resources to facilitate information sharing among commissions on items referred from the City Council.

**Financial Implications:** See report

Contact: Mark Numainville, City Clerk, (510) 981-6900; Brittany Carnegie, Commission Secretary, (510) 981-5400

**Action:** 3 speakers. M/S/C (Wengraf/Hahn) to send Items 9a and 9b to the City Council with a Qualified Positive Recommendation to adopt the staff item in 9b to explore potential short term solutions and recommend that the commission recommendation be reintroduced to Council after the COVID-19 emergency is lifted.

**Vote:** All Ayes.

## Referred Items for Review

- 10. Amending Council Rules of Procedures such that items submitted by the Mayor or Councilmembers be placed directly on the City Council Agenda to allow the whole City Council to review and take action on the submitted item to ensure equity in the process**  
**From: Councilmember Davila (Author)**  
**Referred: June 29, 2020**  
**Due: December 14, 2020**  
**Recommendation:** Adopt a Resolution to amend Council Rules of Procedures Section C-1 and G-1 such that items submitted by the Mayor or Councilmembers be placed directly on the City Council agenda rather than beginning with submission to commissions or Council Policy Committees to ensure equity in the process.  
**Financial Implications:** None  
Contact: Cheryl Davila, Councilmember, District 2, (510) 981-7120  
**Action:** 2 speakers. M/S/C (Arreguin/Wengraf) to send Item 10 to the City Council with a Negative Recommendation.  
**Vote:** All Ayes.
  
- 11. Resolution to Incorporate the Practice of 1 Minute and 46 seconds of Mindfulness into City Council Meetings**  
**Referred: June 15, 2020**  
**Due: November 30, 2020**  
**From: Councilmember Davila (Author)**  
**Recommendation:** Adopt a resolution to amend the City Council Meeting Agendas and Council Rules of Procedures to include one minute and forty-six seconds of silence to adopt mindfulness into Council meetings to remember the loss of lives due to police violence.  
**Financial Implications:** None  
Contact: Cheryl Davila, Councilmember, District 2, (510) 981-7120  
**Action:** 2 speakers. M/S/C (Wengraf/Arreguin) to send Item 11 to the City Council with a Qualified Positive Recommendation to observe one minute and forty-six seconds of silence at the September 22, 2020 regular meeting to remember the loss of lives due to police violence; and further remind Councilmembers that moments of reflection, recognition, or celebration are requested through the Mayor's office for inclusion on the ceremonial calendar.  
**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.*

- 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: 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:** No action taken.
- 13. Referral Response: Expanding community engagement within work to address Climate Impacts**  
**From: City Manager**  
**Referred: July 21, 2020**  
**Due: January 22, 2021**  
**Recommendation:**  
1. Refer to the City Manager to continually advance engagement around community-driven, equitable climate solutions, and to seek external resources to enable increased community engagement of impacted communities around equitable climate solutions; and  
2. Refer to the Agenda Committee a revision to the Council Rules of Procedures to update the Environmental Sustainability section of City Council items and staff reports as "Environmental Sustainability and Climate Impacts."  
**Financial Implications:** See report  
Contact: Jordan Klein, Planning and Development, (510) 981-7400  
**Action:** No action taken. Item scheduled for Action on the September 8, 2020 agenda.

- 14. 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.

## Items for Future Agendas

- **Discussion of items to be added to future agendas - none**

## Adjournment

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

**Vote:** All Ayes.

Adjourned at 4:27 p.m.

I hereby certify that the foregoing is a true and correct record of the meeting of the Agenda & Rules Committee held on August 31, 2020.

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Mark Numainville  
City Clerk