

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

**Monday, November 21, 2022  
10:30 AM**

Committee Members:

Councilmembers Rashi Kesarwani, Terry Taplin, and Susan Wengraf  
Alternate: Councilmember Sophie Hahn

**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://us02web.zoom.us/j/85723890728>. 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: **857 2389 0728**. 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:** 10:36 am. Councilmembers Kesarwani, Taplin, and Wengraf present.

**Public Comment on Non-Agenda Matters:** 3 speakers.

## Minutes for Approval

*Draft minutes for the Committee's consideration and approval.*

**1. Minutes - September 19, 2022**

**Action:** M/S/C (Wengraf/Taplin) to approve the September 19, 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.*

**2a. Measure FF Budget Recommendation - Expanded Fire Prevention Inspection Program**

**From:** Disaster and Fire Safety Commission

**Referred:** October 19, 2022

**Due:** April 11, 2023

**Recommendation:** With the risk of catastrophic wildfire steadily increasing due to climate change, the Disaster and Fire Safety Commission (DFSC) recommends prioritizing wildfire fuel reduction in the FY 23 and FY 24 Measure FF budget by expanding the Fire Department's Fire Prevention Inspection Program and fully enforcing the existing Fire Code to clear vegetation build-up and overgrowth within 100 feet of structures in Berkeley's Very High Fire Severity Zones (VHFSZs) (Fire Zones 2 and 3). In addition, the Fire Code would be strengthened as needed to require removal of hazardous vegetation on the entirety of properties beginning in FY 25. The program would provide for City vegetation management crews to clear vegetation where property owners opt into the program or fail to comply, with no-interest liens placed upon properties to recover direct costs upon transfer. Special emphasis should be placed on eucalyptus groves due to their high flammability and potential to create spot fires. Funding for this expanded program, together with the Fire Department's existing home inspection program, which is focused on creating defensible space around structures, would be supported by devoting 21 percent and 26 percent of Measure FF revenues for FY 23 and FY 24, respectively.

**Financial Implications:** See Report

Contact: Keith May, Commission Secretary, (510) 981-3473

## Committee Action Items

**2b. Companion Report: Measure FF Budget Recommendation – Expanded Fire Prevention Inspection Program**

**From: City Manager**

**Referred: October 19, 2022**

**Due: April 11, 2023**

**Recommendation:** That the Berkeley City Council reaffirms its support for the work being conducted by the Fire Department (Department) and considers the Disaster and Fire Safety Commission's (DFSC) Report during the FY24 budget process if the DFSC so chooses to resubmit an updated version at that time.

**Financial Implications:** None

Contact: David Sprague, Fire, (510) 981-3473

**Action:** 4 speakers. Discussion held. M/S/C (Kesarwani/Wengraf) Positive recommendation to adopt the City Manager's recommendation as presented in the companion report.

**Vote:** All Ayes.

**3. Review of Policy 1043 Extra Duty Employment**

**From: City Manager**

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

**Action:** 4 speakers. Discussion held. Item continued to a special meeting on Monday, December 5, 2022, at 10:30 am.

## 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**

**Referred: August 29, 2022**

**Due: January 25, 2023**

**From: Councilmember Taplin (Author)**

**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

## Items for Future Agendas

- **Special meeting scheduled for Monday, December 5, 2022, at 10:30 am, to continue discussion regarding Item #3 – Review of Policy 1043 Extra Duty Employment.**

## Adjournment

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

**Vote:** All Ayes.

Adjourned at 11:40 am.

I hereby certify that this is a true and correct record of the Public Safety Committee meeting held on November 21, 2022.

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