

BERKELEY CITY COUNCIL PUBLIC SAFETY COMMITTEE SPECIAL MEETING MINUTES

**Monday, April 24, 2023
9:30 AM**

2180 Milvia Street, 1st Floor – Cypress Room
1404 Le Roy Ave, Berkeley 94708 – Teleconference Location

Committee Members:

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

This meeting will be conducted in a hybrid model with both in-person attendance and virtual participation. For in-person attendees, face coverings or masks that cover both the nose and the mouth are encouraged. If you are feeling sick, please do not attend the meeting in person.

Remote participation by the public is available through Zoom. 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/1615224966>. 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: **161 522 4966**. If you wish to comment during the public comment portion of the agenda, press *9 and wait to be recognized by the Chair.

To submit a written communication for the Committee's consideration and inclusion in the public record, email policycommittee@cityofberkeley.info.

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: 9:31 a.m.

Present: Wengraf, Taplin

Absent: Kesarwani

Minutes for Approval

Draft minutes for the Committee's consideration and approval.

1. Minutes – March 20, 2023

Action: M/S/C (Wengraf/Taplin) to approve the March 20, 2023 minutes.

Vote: Ayes – Wengraf, Taplin; Noes – None; Abstain – None; Absent – Kesarwani.

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. Berkeley Police Department Surveillance Ordinance Policies Related to Fixed Surveillance Cameras (Policy 351, Policy 1304 and Related Surveillance Acquisition Report) and Unmanned Aerial System (drones) (Policy 611, Policy 1303 and Related Surveillance Acquisition Report) *(Item contains supplemental materials)*

From: City Manager

Recommendation: Review the draft policies and provide direction to staff.

Financial Implications: See report

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

Action: M/S/C (Wengraf/Taplin) Qualified positive recommendation to send the item to the City Council as presented with revisions at the April 24, 2023 Public Safety policy committee meeting.

Vote: Ayes – Wengraf, Taplin; Noes – None; Abstain – None; Absent – Kesarwani.

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.

- 3. Information Report Request: Alternatives to Chemical Agents for Response to Violent Large-Scale Crowd Scenarios**
From: Councilmember Taplin (Author)
Referred: August 29, 2022
Due: June 30, 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

Items for Future Agendas

- The committee scheduled the following item for the May 15, 2023 meeting:
Information Report Request: Alternatives to Chemical Agents for Response to Violent Large-Scale Crowd Scenarios

Adjournment

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

Vote: Ayes – Wengraf, Taplin; Noes – None; Abstain – None; Absent – Kesarwani.

Adjourned at 10:06 am.

I hereby certify that the foregoing is a true and correct record of the Public Safety Committee meeting held on April 24, 2023.

Sarah K. Bunting, Assistant City Clerk