

# BERKELEY CITY COUNCIL AGENDA & RULES COMMITTEE SPECIAL MEETING MINUTES

MONDAY, FEBRUARY 24, 2020

2:30 P.M.

2180 Milvia Street, 6<sup>th</sup> Floor, Berkeley, CA – Redwood Room

Committee Members:

Mayor Jesse Arreguin, Councilmembers Sophie Hahn and Susan Wengraf

Alternate: Councilmember Ben Bartlett

**Roll Call:** 2:31 p.m. All present.

**Public Comment:** 6 speakers.

## Review of Agendas

### 1. Approval of Minutes: February 10, 2020

**Action:** M/S/C (Wengraf/Hahn) to approve the minutes of 2/10/20.

**Vote:** All Ayes.

### 2. Review and Approve Draft Agendas:

#### a. 3/10/20 – 6:00 p.m. Regular City Council Meeting

**Action:** M/S/C (Hahn/Wengraf) to approve the agenda of the 3/10/20 regular meeting with the revisions noted below.

**Vote:** All Ayes.

- *Ceremonial Items: Nolan Coleman; Tibetan Association of Northern California*
- *Item Added – Lease Caltrans Property at University and West Frontage Road (Arreguin)*
- *Item 12 Oppose S.2059 (Arreguin) – Councilmembers Bartlett, Wengraf, and Davila added as co-sponsors*
- *Item 13 Support of AB 1839 (Arreguin) – Councilmembers Bartlett, Harrison, and Wengraf added as co-sponsors; supplemental material submitted*
- *Item 15 Allocation of U1 – Agenda updated to reflect item being from the Land Use, Housing, and Economic Development Committee*
- *Item 16 Bus Rapid Transit (Robinson) Mayor Arreguin added as co-sponsor*
- *Item 19 Vision Zero (City Manager) – moved to Consent Calendar*
- *Item 20a/b Smoke Free (Housing Advisory Commission) – referred to the Health, Life Enrichment, Equity, and Community Committee*
- *Item 21 Cannabis Tax (Homeless Commission) – moved to Consent Calendar*

#### Policy Committee Track Items

- *Item 22 Fair Chance Ordinance (Arreguin) – scheduled for 3/10 Action Calendar*
- *Item 23 Tennant Opportunity (Arreguin) – referred to the Land Use, Housing, and Economic Development Committee*
- *Item 24 Update Definition (Arreguin) – Councilmember Wengraf added as co-sponsor; scheduled for 3/10 Consent Calendar*
- *Item 25 City Council Salary (Davila) – revised item submitted; scheduled for 3/10 Action Calendar.*

- *Item 26 Resource Center (Bartlett) – Councilmember Davila and Mayor Arreguin added as co-sponsors; scheduled for 3/10 Consent Calendar*
- *Item 27 Support for People of Tibet (Robinson) – Mayor Arreguin and Councilmembers Davila and Bartlett added as co-sponsors; scheduled for 3/10 Consent Calendar*
- *Item 28 Allocating Car Fees (Robinson) – referred to Budget and Finance Committee*

Order of Items on the Action Calendar

*Item 17 Electric Bike Share*

*Time Critical - Lease Caltrans Property*

*Item 22 Fair Chance Ordinance*

*Item 25 City Council Salary*

*Item 18 Disposition of Property – 1631 Fifth St*

- 3. Selection of Item for the Berkeley Considers Online Engagement Portal**  
- Selected Item 22 regarding Fair Chance Access to Housing Ordinance
- 4. Adjournments In Memory – None**

## **Scheduling**

- 5. Council Worksessions Schedule – no action**
- 6. Council Referrals to Agenda Committee for Scheduling – no action**
- 7. Land Use Calendar – no action**

## Referred Items for Review

8. **Updating Berkeley Telecom Ordinances and BMC codes** *(Item contains revised material)*  
**From:** Councilmember Davila  
**Referred:** November 25, 2019  
**Due:** May 24, 2020  
**Recommendation:** Adopt a resolution directing the City Manager to include the attached sample language and contained hyperlinked references to update the City's Telecom Ordinances and BMC codes.  
**Financial Implications:** None  
Contact: Cheryl Davila, Councilmember, District 2, (510) 981-7120  
**Action:** M/S/C (Hahn/Arreguin) to move the item with a positive recommendation that the City Council consider the materials at the March 17, 2020 special meeting, and without comment from the Committee regarding the content of the materials.  
**Vote:** All Ayes.
9. **Discussion of Potential Revisions to the City Council Rules of Procedure and Order**

No action taken.

## 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.*

10. **Referral: Compulsory Composting and Edible Food Recovery**  
**From:** Councilmembers Robinson and Hahn  
**Referred:** November 25, 2019  
**Due:** May 24, 2020  
**Recommendation:** Refer to the Zero Waste Commission to develop a plan, in consultation with the public and key stakeholders, to achieve timely compliance with Senate Bill 1383 (Lara, 2016) including: 1. An ordinance making composting compulsory for all businesses and residences in the City of Berkeley. The Commission should also consider the inclusion of compulsory recycling. 2. An edible food recovery program for all Tier 1 and 2 commercial edible food generators.  
**Financial Implications:** See report  
Contact: Rigel Robinson, Councilmember, District 7, (510) 981-7170

## Unscheduled Items

**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: February 4, 2020**

**Due: June 23, 2020**

**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).

**Council Referral:** To refer a discussion of Officeholder Accounts and Council District (D-13) accounts to the Agenda and Rules Committee, to consider a reasonable set of limitations and rules for such accounts and bring back recommendations to the full Council, for the Council to consider referring to the Fair Campaign Practices Committee.

**Financial Implications:** None

Contact: Samuel Harvey, Commission Secretary, (510) 981-6950

**Action:** Continued to next meeting and moved to Referred Items for Review.

## Items for Future Agendas

- **Discussion of items to be added to future agendas**

## Adjournment

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

**Vote:** All Ayes.

Adjourned at 3:31 p.m.

I hereby certify that the forgoing is a true and correct record of the Agenda & Rules Committee meeting held on February 24, 2020

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Rose Thomsen  
Deputy 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.*