

**BERKELEY CITY COUNCIL FACILITIES, INFRASTRUCTURE,
TRANSPORTATION, ENVIRONMENT & SUSTAINABILITY COMMITTEE
REGULAR MEETING MINUTES**

**Wednesday, November 1, 2023
2:00 PM**

2180 Milvia Street, 6th Floor - Redwood Room

Committee Members:

Councilmembers Terry Taplin, Kate Harrison, and Rigel Robinson
Alternate: Councilmember Mark Humbert

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/1606230651>. 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: **160 623 0651**. 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@berkeleyca.gov.

Written communications submitted by mail or e-mail to the Facilities, Infrastructure, Transportation, Environment & Sustainability 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: 2:05 p.m.

Present: Councilmembers Humbert (for Taplin), Robinson, and Harrison.

Public Comment on Non-Agenda Matters: 2 speakers.

Minutes for Approval

Draft minutes for the Committee's consideration and approval.

1. Minutes - July 19, 2023

Action: M/S/C (Robinson/Harrison) to approve the July 19, 2023 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. Building Emissions Saving Ordinance (BESO) - Time of Sale Energy Upgrades From: City Manager

Recommendation: Review proposed amendments to Berkeley's Building Emissions Saving Ordinance (BESO) to require energy upgrades for 1-4 unit residential buildings when they're sold.

Financial Implications: See report

Contact: Jordan Klein, Planning and Development, (510) 981-7400

Action: 4 speakers. Presentation made and discussion held. Committee feedback provided to staff as requested. No further action required by the Committee.

Committee Action Items

3. **Adopt an Ordinance Adding Chapter 12.39 to the Berkeley Municipal Code to Regulate Deconstruction and Construction Materials Management**

From: Councilmember Harrison (Author)

Referred: June 12, 2023

Due: November 27, 2023

Recommendation:

1. Adopt an ordinance adding Chapter 12.39 to the Berkeley Municipal Code to regulate management of deconstruction and construction materials.
2. Refer to the November 2023 Budget AAO Process \$[x] to administer and enforce the ordinance.

3. Refer to the City Attorney's Office to conduct a nexus fee study for a potential social cost of carbon fee applied to landfilled construction and demolition debris.

Financial Implications: See report

Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140

Action: 1 speaker. Presentation made and discussion held. M/S/C

(Robinson/Harrison) to refer the revised agenda material with a positive recommendation to Council with the following revisions to the recommendation:

1. Section C.3 to read as follows: "potentially implementing a social cost of carbon fee on construction and demolition debris".
2. Section D to read as follows: "Background survey on contents of existing building stock to get more data on intended impact and opportunities regarding new deconstruction requirements; vetting of existing service providers (certified salvage contractors and salvage material vendors), markets for salvage materials, a list of approved reuse/salvage facilities; and a plan for educating contractors on requirements; and an analysis of the costs of compliance with and implementation of any proposed regulations and analysis of any corresponding impacts on feasibility of new construction."

Vote: Ayes – Robinson, Harrison; Noes – None; Abstain – Humbert; Absent –None.

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. Adopt an Ordinance Adding a New Chapter 12.01 to the Berkeley Municipal Code Establishing Emergency Greenhouse Gas Limits, Process for Updated Climate Action Plan, Monitoring, Evaluation, Reporting and Regional Collaboration

From: Councilmember Harrison (Author), Councilmember Bartlett (Co-Sponsor) and Councilmember Hahn (Co-Sponsor)

Referred: November 15, 2021

Due: December 31, 2023

Recommendation:

1. Adopt an ordinance adding a new Chapter 12.01 to the Berkeley Municipal Code (BMC) establishing Emergency Greenhouse Gas Limits with an effective date of [], 2022.

2. Refer to the FY23-24 Budget Process \$[] consistent with implementing the requirements of Sections 12.01.040, 12.01.050, 12.01.060.

Financial Implications: See report

Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140

Items for Future Agendas

- None

Adjournment

Action: M/S/C (Robinson/Harrison) to adjourn the meeting.

Vote: All Ayes.

Adjourned at 3:42 p.m.

I hereby certify that the foregoing is a true and correct record of the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee meeting held on November 1, 2023.

Denise Burgara, 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@berkeleyca.gov.