

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

**Wednesday, November 15, 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. 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/1604033673>. 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: **160 403 3673**. If you wish to comment during the public comment portion of the agenda, press *9 and wait to be recognized by the Chair. Please be mindful that the meeting will be recorded.

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.

Pursuant to the City Council Rules of Procedure and State Law, the presiding officer may remove, or cause the removal of, an individual for disrupting the meeting. Prior to removing an individual, the presiding officer shall warn the individual that their behavior is disrupting the meeting and that their failure to cease their behavior may result in their removal. The presiding officer may then remove the individual if they do not promptly cease their disruptive behavior. “Disrupting” means engaging in behavior during a meeting of a legislative body that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting and includes, but is not limited to, a failure to comply with reasonable and lawful regulations adopted by a legislative body, or engaging in behavior that constitutes use of force or a true threat of force.

MINUTES

Roll Call: 2:10 p.m.

Present: Councilmembers 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 - November 1, 2023

Action: M/S/C (Robinson/Taplin) to approve the November 1, 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.

Committee Action Items

2. Modernizing and updating outdated & unnecessary language in the BMC related to transportation

From: Councilmember Robinson (Author)

Referred Date: October 23, 2023

Due Date: April 21, 2024

Recommendation: Refer to the City Manager to modernize and update outdated and unnecessary language in the BMC related to transportation to align with new state laws and promote a more equitable transportation system. Proposed amendments should be brought to the Transportation & Infrastructure Commission, Disability Commission, and Commission on Aging for review and feedback. Staff should consider the following draft amendments to BMC Chapters 6.32, 14.32, and 14.68:

1. Rescind outdated or unnecessary regulations pertaining to jaywalking, skateboarding, bicycle licenses, and bicycle establishment requirements;
2. Allow 24/7 use of public paths by pedestrians and bicyclists for the purpose of transportation;
3. Allow bicyclists on non-electric bicycles to ride on the sidewalk while exercising due care and yielding right-of-way to pedestrians when no Class I, Class II, or Class IV bicycle facility is available;
4. Align the penalty for bicycle violations with other moving violations by amending it from a misdemeanor to an infraction; 5. Update definitions of bicycles and scooters to align with definitions in the California Vehicle Code.

Financial Implications: See report

Contact: Rigel Robinson, Councilmember, District 7, (510) 981-7170

Action: 5 speakers. Presentation made and discussion held. Item continued to a future meeting.

3. Discussion Item: Calm Traffic in West Berkeley to Protect Children

From: Councilmember Harrison (Author)

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

Action: 6 speakers. Discussion held. Item continued to a future meeting.

4. Discussion Item: Progress on the Bike and Pedestrian Plans

From: Councilmember Harrison (Author)

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

Action: Item continued to a future meeting.

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.

5. **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 (Taplin/Robinson) to adjourn the meeting.

Vote: All Ayes.

Adjourned at 4:22 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 15, 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