

BERKELEY CITY COUNCIL AGENDA & RULES COMMITTEE SPECIAL MEETING MINUTES

MONDAY, JANUARY 6, 2020

2:30 P.M.

2180 Milvia Street, 6th Floor, Berkeley, CA – Redwood Room
TELECONFERENCE LOCATION - 701 West Baristo Road, Palm Springs, CA
TELECONFERENCE LOCATION – 2043 Lincoln Street, Berkeley, CA

Committee Members:

Mayor Jesse Arreguin, Councilmembers Kate Harrison and Susan Wengraf

Roll Call: 2:30 p.m. All present.

Public Comment – 4 speakers

Review of Agendas

1. Approval of Minutes: November 25, 2019

Action: M/S/C (Wengraf/Harrison) to approve the Minutes of 11/25/19.

Vote: All Ayes.

2. Review and Approve Draft Agendas:

a. 1/21/20 – 6:00 p.m. Regular City Council Meeting

Action: M/S/C (Wengraf/Arreguin) to approve the agenda of the 1/21/20 meeting with the revisions noted below.

Vote: All Ayes.

- *Item Added: No War with Iran (Robinson) – Councilmember Davila added as a co-sponsor*
- *Item 30 YMCA (Arreguin) – Councilmember Bartlett added as a co-sponsor*
- *Item 31 BYA (Davila) – Councilmember Bartlett added as a co-sponsor*
- *Item 32 Referral to City Manager (Davila) – Councilmember Bartlett added as a co-sponsor*
- *Item 33 Zero Waste (Hahn) – Councilmember Bartlett added as a co-sponsor*
- *Item 34 Census Town Hall (Wengraf) – Councilmember Bartlett added as a co-sponsor*
- *Item 38 BERA Amendments (FCPC) – scheduled to 2/4/20 special meeting*
- *Item 39 BERA Amendments (FCPC) – scheduled to 2/4/20 special meeting*
- *Item 43 Cannabis (Homeless Commission) – scheduled to 2/4/20 special meeting*
- *Item 44 Council Rules (OGC) – scheduled to 2/4/20 special meeting*
- *Item 45 Council Rules (OGC) – scheduled to 2/4/20 special meeting*
- *Item 49 Receivership (HLEEC) – moved to Consent Calendar*

Policy Committee Track Items

- *Item 50 Measure P (Arreguin) – Moved to 1/21/20 Action Calendar*
- *Item 51 Budget Referral (Harrison) – Moved to 1/21/20 Consent Calendar*
- *Item 52 Small Business (Hahn) – Moved to 1/21/20 Consent Calendar*
- *Item 53 Roe v. Wade (Wengraf) – Councilmembers Hahn and Davila added as co-sponsors; Moved to 1/21/20 Consent Calendar*

Order of Items on Action Calendar

Item 36 RPP

Item 37 ADU Urgency Ordinance

Item 42a/b Paving Plan

Item 48 Outdoor Shelter

Item 50 Measure P

Item 41 Vehicle Purchase

Item 47 Kitchen Hood Exhaust

Item 40 Rules of Procedure

Item 46a/b Sugar-Sweetened Beverages

3. Selection of Item for the Berkeley Considers Online Engagement Portal

- Selected Draft Item 48 Outdoor Shelter

4. Adjournments In Memory – None

Scheduling

5. Council Worksessions Schedule

Action: Moved Vision 2050 to unscheduled list; added goBerkeley to 1/14/20

6. Council Referrals to Agenda Committee for Scheduling – No action

7. Land Use Calendar

Action: 1581 LeRoy scheduled for February 25, 2020

Referred Items for Review

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.

8. Prohibiting the Use of Cell Phones, Email, Texting, Instant Messaging, and Social Media by City Councilmembers during Official City Meetings

From: Councilmember Davila

Referred: November 25, 2019

Due: May 24, 2020

Recommendation:

Adopt a Resolution Prohibiting the Use of Cell Phones, Email, Texting, Instant Messaging, and

Social Media by City Councilmembers during Official City Meetings. The Brown Act prohibits a majority of members of a legislative body from communicating outside of a public meeting on a matter on the agenda for their consideration.

In order to ensure the full attention of the Council to the public and each other, the use of cell phones with access to email, text-messaging, instant messaging, and social media should be prohibited during all City Council meetings. The use of digital technologies outside of the provided City tablets, upon which Agenda Items and notes can be stored, is distracting, disrespectful, and jeopardizing to democratic process.

The Council Rules of Procedure and Order should be amended to include a moratorium on the use of cell phones by Councilmembers on the dais during open and closed session council meetings.

Financial Implications: None

Contact: Cheryl Davila, Councilmember, District 2, (510) 981-7120

Action: 5 speakers. Discussion held. Item continued to January 13, 2020.

9. Updating Berkeley Telecom Ordinances and BMC codes

From: Councilmember Davila

Referred: November 25, 2019

Due: May 24, 2020

Recommendation: Direct the City Manager to adopt a resolution 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: Item continued to January 13, 2020.

Referred Items for Review

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

Action: Item continued to January 13, 2020. Presentation scheduled for February 25, 2020.

11. Discussion of Potential Revisions to the City Council Rules of Procedure and Order

Action: No action taken.

Items for Future Agendas

- **Discussion of items to be added to future agendas - None**

Adjournment

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

Vote: All Ayes.

Adjourned at 3:45 p.m.

I hereby certify that the foregoing is a true and correct record of the Agenda & Rules Committee meeting held on January 6, 2019.

Mark Numainville, 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.