

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

**Wednesday, January 20, 2021
2:30 PM**

Committee Members:

Councilmembers Terry Taplin, Rigel Robinson, and Kate Harrison
Alternate: Councilmember Sophie Hahn

**PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED EXCLUSIVELY THROUGH
VIDEOCONFERENCE AND TELECONFERENCE**

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, this meeting of the City Council Facilities, Infrastructure, Transportation, Environment & Sustainability Policy Committee will be conducted exclusively through teleconference and Zoom videoconference. Please be advised that pursuant to the Executive Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, there will not be a physical meeting location available.

To access the meeting remotely using the internet: Join from a PC, Mac, iPad, iPhone, or Android device: Use URL <https://us02web.zoom.us/j/88069076724>. 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 **1-669-900-9128 or 1-877-853-5257 (Toll Free)** and Enter Meeting ID: **880 6907 6724**. If you wish to comment during the public comment portion of the agenda, press *9 and wait to be recognized by the Chair.

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. City offices are currently closed and cannot accept written communications in person.

MINUTES

Roll Call: 2:30 pm. All present.

Public Comment on Non-Agenda Matters: No speakers

Election of Chair

Action: M/S/C (Robinson/Taplin) to nominate Councilmember Harrison as Chair.

Vote: All Ayes

Minutes for Approval

Draft minutes for the Committee's consideration and approval.

1. Minutes - November 23, 2020

Action: M/S/C (Robinson/Harrison) to approve the November 23, 2020 minutes as presented.

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. Adopt an Ordinance Adding a Chapter 11.62 to the Berkeley Municipal Code to Regulate Plastic Bags at Retail and Food Service Establishments

From: Councilmembers Harrison and Hahn

Referred: November 25, 2019

Due: January 20, 2021

Recommendation: Adopt an ordinance adding a Chapter 11.62 to the Berkeley Municipal Code to regulate plastic bags at retail and food service establishments.

Financial Implications: See report

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

Action: The item was extended to July 31, 2021, at the request of the author.

Committee Action Items

- 3. Prohibition on the Sale of Gasoline, Diesel, and Other Carbon-Based Transportation Fuels by 2045**
From: Community Environmental Advisory Commission
Referred: March 30, 2020
Due: January 22, 2021
Recommendation: Review and refer to the City Attorney for finalization the attached ordinance prohibiting the sale of gasoline, diesel, and other carbon-based transportation fuels effective January 1st, 2045.
Financial Implications: See report
Contact: Viviana Garcia, Commission Secretary, (510) 981-7460

Action: 1 speaker. Discussion held. M/S/C (Harrison/Robinson) to send the item with a positive recommendation for Council to take no action on the item but to provide the item to staff as background for consideration, particularly as the Federal landscape changes under the new administration and to explore whether the City has the legal authority to pursue.
Vote: All Ayes
- 4. Prohibition on the Use of City Streets for Operating, Parking, or Idling Combustion Vehicles by 2045**
From: Community Environmental Advisory Commission
Referred: March 30, 2020
Due: January 22, 2021
Recommendation: Review and refer to the City Attorney for finalization the attached ordinance prohibiting the use of City-owned streets for the operation, parking, or idling of combustion vehicles beginning in 2045, and establishing an offset-driven fee-based enforcement mechanism.
Financial Implications: See report
Contact: Viviana Garcia, Commission Secretary, (510) 981-7460

Action: No speakers. Discussion held. M/S/C (Harrison/Robinson) to send the item with a positive recommendation for Council to take no action on the item but to provide the item to staff as background for consideration, particularly as the Federal landscape changes under the new administration and to explore whether the City has the legal authority to pursue.
Vote: All Ayes

Committee Action Items

5. **Referral Response: Ordinance Amending Berkeley Municipal Code Chapter 7.52, Reducing Tax Imposed for Qualifying Electrification, Energy Efficiency and Water Conservation Retrofits**
From: City Manager
Referred: July 21, 2020
Due: February 7, 2021
Recommendation: 1. Delay adoption of the first reading of an ordinance amending the Berkeley Municipal Code (BMC) Chapter 7.52 to expand the Seismic Transfer Tax Rebate Program to include qualifying sustainability and resilience measures, and any associated budget requests, until FYE 2022 when more information on budget due to COVID-19 response and recovery is available; and
2. Refer to the City Manager the design of a companion Resilient Homes Equity Pilot Program that would provide funding for home retrofit improvements to low-income residents.
Financial Implications: See report
Contact: Jordan Klein, Planning and Development, (510) 981-7400
Action: The item was extended to September 30, 2021, at the request of staff.
6. **Initiate a Citywide, Regional and International Just Transition to a Regenerative Economy to Address the Climate Emergency** (*Revised Material Received*)
From: Councilmember Davila (Author)
Referred: July 13, 2020
Due: January 30, 2021
Recommendation: Adopt a resolution to initiate a citywide, regional and international Just Transition to a Regenerative Economy to address the Climate Emergency, and taking the following actions: 1. The City of Berkeley recognizes sustainability is not enough to protect residents from cumulative impacts of centuries of environmental and social degradation and instead will reorient its city planning, policy, and resource allocation to be socially and environmentally positive and will invest in a regenerative whole city infrastructure, policy, development and design process. 2. The City of Berkeley following the lead of Amsterdam and other cities will join in an attempt to embrace Doughnut Economics, which, by definition, recognizes the necessity of meeting the needs of residents within the carrying capacity of our planet Earth and the greater Bay Area bioregion. 3. The City of Berkeley will accelerate the transition to a zero-waste cradle to cradle, circular economy by a developing a series of ordinances ensuring only earth friendly products are sold within city limits by 2025. 4. All City of Berkeley commissions shall propose city policies, procedures and programs to enact a just transition that is socially, economically and ecologically regenerative by securing racial justice, bioregional restoration and sustainability, maximally reduces greenhouse gas emissions, increases public health, increases disaster preparedness and community resilience and reverses inequality and wealth extraction from Berkeley and Bay Area residents. 5. The City of Berkeley will create a city commission responsible for planning and implementing a Just Transition to a Regenerative Economy that is anti-racist, provides reparations and transformative support for those who are black, Indigenous, people of color, low income, and those struggling with mental health challenges, is

Committee Action Items

community-driven and democratically-funded, environmentally-regenerative, and prioritizes local and independent businesses. 6. The City of Berkeley commits to suspend any and all projects and policies that are incompatible with protecting the Earth and people from further environmental degradation, social inequality, public health risks, and global warming and urges all neighboring agencies, statewide, national, and international, to do the same. 7. The City of Berkeley will create a regional and statewide collaborative to ensure the maximal climate mitigation and adaptation scenarios to begin as soon as possible and formally requests all regional agencies, cities, and counties to a shared table to devise and execute a Just Transition plan to the Regenerative Economy here in the greater Bay Area through a regional Green New Deal. 8. The City of Berkeley calls on governments who have declared a climate emergency and who broadly recognize the immense challenge facing humanity to form a transnational task force to be sustained until 2050 to co-execute a shared transitional peace effort in moving their immediate societies and economies toward ethical and regenerative trajectories. 9. The City of Berkeley within the first 90 days will invite all the cities, counties, and institutions such as the UC system to form a regional and statewide task force to oversee a justice-oriented evidence-based transition to a regenerative economy to be sustained until 2050; 10. The City of Berkeley identifies our current economy with its focus on near-term perpetual growth requiring resource extraction and wealth enclosure as defunct and incompatible with the needs of sustainability, human thriving, and dignity, and calls for a new economic system which in its design meets human needs within planetary and local environmental and social boundaries, focuses on human and ecological flourishing, furthers a regenerative human presence on earth, achieves equitable distribution of resources throughout the planet, and fosters an immediate transition to avert climate catastrophe in the near and long term. 11. The City of Berkeley endorses the intention and vision behind a global Green New Deal that reverses centuries of colonization, and post-colonial imbalances of power, health, wealth, sovereignty, addresses the climate emergency at the speed and scale necessary, and protects the world from impending climate impacts. 12. The City of Berkeley recognizes the importance of indigenous leadership in designing and implementing a Regenerative Economy in Berkeley, the greater Bay Area, and the world, and shall invite delegates from indigenous communities to all stages of the planning and implementation process.

Financial Implications: See report

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

Action: 1 speaker. Discussion held. M/S/C (Harrison/Robinson) to send the item with a positive recommendation that Council take no action on the item.

Vote: All Ayes

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.

- 7. Recognize the Rights of Nature**
From: Councilmember Davila (Author)
Referred: October 13, 2020
Due: March 16, 2021
Recommendation: Adopt a resolution to recognize that the natural living world has a right to exist, thrive, regenerate and evolve its life cycles; to protect the ecosystems upon which our own vitality depends; and to transform our human relationship with nature from a property-based to a legal rights-bearing entity.
Financial Implications: See report
Contact: Cheryl Davila, Councilmember, District 2, (510) 981-7120
- 8. Potential Bonding and Funding Opportunities for Improving the PCI of Residential Streets, and Creating a Paving Master Plan**
From: Councilmember Harrison (Author), Councilmember Kesarwani (Co-Sponsor), Councilmember Bartlett (Co-Sponsor)
Referred: December 15, 2020
Due: May 18, 2021
Recommendation: Refer to the to the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee (FITES) to continue working with the Public Works Department and the Commission to explore potential bonding and funding opportunities for improving the PCI of residential streets, create a paving master plan, and consider the Public Works Commission Paving Policy, once complete.
(On November 18, 2020 the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee made a positive recommendation to send the item to the City Council requesting that the item be referred back to the Facilities committee for further consideration and to request that Council refer the Paving Plan from the Public Works Commission to the committee when the item comes before Council in January. On December 15, 2020, Council approved the recommendation as adopted by the policy committee.)
Financial Implications: See report
Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140

Items for Future Agendas

- Request for a presentation from Public Works staff on the conversion of the City's passenger fleet vehicles for the February 17th regular meeting.

Adjournment: 3:05 pm

I hereby certify that this is a true and correct record of the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee meeting held on January 20, 2021.

Michael MacDonald, 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@cityofberkeley.info.