

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

**Wednesday, July 20, 2022  
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 Government Code Section 54953(e) and the state declared emergency, this meeting of the City Council Facilities, Infrastructure, Transportation, Environment & Sustainability Committee will be conducted exclusively through teleconference and Zoom videoconference. The COVID-19 state of emergency continues to directly impact the ability of the members to meet safely in person and presents imminent risks to the health of attendees. Therefore, no physical meeting location will be available.

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/1605318273>. 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: **160 531 8273**. 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.

# MINUTES

**Roll Call:** 2:32 pm.

**Present:** Taplin, Robinson, Harrison

**Public Comment on Non-Agenda Matters:** 0 speakers.

## Minutes for Approval

*Draft minutes for the Committee's consideration and approval.*

### 1. Minutes – July 6, 2022

**Action:** M/S/C (Robinson/Taplin) to approve the July 6, 2022 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. Regulation of Autonomous Vehicles *(Item contains revised material)*

**From:** Councilmember Taplin (Author)

**Referred:** May 9, 2022

**Due:** October 24, 2022

**Recommendation:** Refer to the City Attorney the assessment of the legal abilities and opportunities for the City Council to regulate the operation, sale, and testing of autonomous vehicles (AVs) within the City of Berkeley and report to the Facilities, Infrastructure, Transportation, Environment and Sustainability Committee (FITES) on all findings.

**Financial Implications:** Staff time

Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120

**Action:** 0 speakers. Discussion held. M/S/C (Robinson/Harrison) to approve the item with a positive recommendation.

**Vote:** All Ayes.

## Committee Action Items

**3. 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: July 31, 2022**

**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

**Action:** 0 speakers. No discussion held. 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.*

**4. Refer to the City Manager to Prioritize Establishment of Impact/Mitigation Fees to Address Disproportionate Private and Public Utility Impact to the Public Right of Way**

**From: Councilmember Harrison (Author)**

**Referred: February 22, 2021**

**Due: September 30, 2022**

**Recommendation:** In order to ensure equitable support of the public right of way by private and public entities that use City facilities, refer to the City Manager and City Attorney to prioritize the following in consultation with the Facilities, Infrastructure, Transportation, Environment, & Sustainability Committee:

1. establish impact and/or mitigation fees to address disproportionate private impacts to the public right of way, such as our roads and utility poles; and
2. establish transfers between sewer, waste, or other utilities as appropriate to address impacts to the public right of way.

**Financial Implications:** See report

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

## Unscheduled Items

5. **Adopt an Ordinance Adding a Chapter 11.62 to the Berkeley Municipal Code to Regulate Plastic Bags at Retail and Food Service Establishments** (*Item contains revised material*)  
**From: Councilmembers Harrison and Hahn**  
**Referred: November 25, 2019**  
**Due: September 30, 2022**  
**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
  
6. **Referral Response: Community Outreach and Education Events on Proposed Regulations for the Use of Carryout and Pre-checkout Bags**  
**From: Energy Commission**  
**Referred: March 28, 2022**  
**Due: September 3, 2022**  
**Recommendation:** The Energy Commission recommends that the City Council refer this matter to the forthcoming Commission on Climate and the Environment Commission, once it is established. The Energy Commission also recommends that the City Council first allocate and appropriate funding for City staff and local community partners to conduct due diligence and analysis regarding the proposed ordinance, and consider funding a pilot project with a large grocery venue.  
**Financial Implications:** See report  
Contact: Billi Romain, Commission Secretary, (510) 981-7400

## Items for Future Agendas

- None

## Adjournment

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

**Vote:** All Ayes.

Adjourned at 2:45 p.m.

I hereby certify that this is a true and correct record of the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee meeting held on July 20, 2022.

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Sarah K. Bunting, 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](mailto:policycommittee@cityofberkeley.info).