

BERKELEY CITY COUNCIL AGENDA & RULES COMMITTEE SPECIAL MEETING MINUTES

MONDAY, JANUARY 13, 2020

2:30 P.M.

2180 Milvia Street, 6th Floor, Berkeley, CA – Redwood Room

Committee Members:

Mayor Jesse Arreguin, Councilmembers Kate Harrison and Susan Wengraf

Roll Call: 2:32 p.m. All present.

Public Comment – 1 speaker

Review of Agendas

1. Approval of Minutes: January 6, 2020

Action: M/S/C (Harrison/Wengraf) to approve the minutes of 1/6/20.

Vote: All Ayes.

2. Review and Approve Draft Agendas:

a. 1/28/20 – 6:00 p.m. Regular City Council Meeting

Action: M/S/C (Wengraf/Harrison) to approve the agenda of the 1/28/20 meeting with the revisions noted below.

Vote: All Ayes.

- *Ceremonial Items: Young Musicians Choral Orchestra; John McNamara*
- *Item 8 Dorothy Day House (Davila) – revised item submitted*
- *Item 9 Bus Lane (Robinson) – Mayor Arreguin added as a co-sponsor*
- *Item 10 Bus Rapid Transit (Robinson) – referred to the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee*
- *Item 14 Source of Income (Homeless Commission) – Rescheduled to April 14 to allow time for a City Manager companion report*

Policy Committee Track Items

- *Item 15 Council Appointments (Arreguin) – scheduled for 1/28/20 Consent Calendar*
- *Item 16 New Border Vision (Arreguin) – Councilmembers Harrison, Hahn, and Robinson added as co-sponsors; scheduled for 1/28/20 Consent Calendar*
- *Item 17 RV Parking (Kesarwani) – Mayor Arreguin and Councilmember Harrison added as co-sponsors; scheduled for the 1/28/20 Action Calendar*
- *Item 19 Regional Leadership Goals (Arreguin) – removed from the agenda*

Order of Items on Action Calendar

Item 11 Cannabis Ordinance

Item 12 Surveillance Technology Report

Item 13 goBerkeley

Item 17 RV Parking

3. **Selection of Item for the Berkeley Considers Online Engagement Portal**
 - Selected Item 17 regarding RV Parking
4. **Adjournments In Memory – None**

Scheduling

5. **Council Worksessions Schedule**
 - Undergrounding Task Force presentation removed and rescheduled to a special meeting on March 24, 2020.
6. **Council Referrals to Agenda Committee for Scheduling – no action**
7. **Land Use Calendar – no action**

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: 3 speakers. M/S/C (Arreguin/Harrison) to approve the item with a Qualified Positive Recommendation, revised to recommend that the Rules of Procedure be amended to state that the use of digital communication such as e-mail and texting is discouraged by members of the Council during regular and

special meetings. In addition, the Rules will be amended to prohibit the use of any digital devices during closed session meetings except for the use of City-issued digital devices for the sole purpose of reviewing notes and agendas.

Vote: All Ayes.

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: 1 speaker. Revised item submitted. The item will remain in committee and be scheduled for the Council agenda when the Telecommunications Ordinance changes from the City Manager are scheduled for the Council agenda.

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: Moved to Unscheduled Calendar for the January 27, 2020 agenda. Presentation scheduled before Council on 2/25/20.

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

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 3:15 p.m.

I hereby certify that the foregoing is a true and correct record of the Agenda & Rules Committee meeting held on January 13, 2020

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.