

BERKELEY CITY COUNCIL AGENDA & RULES COMMITTEE SPECIAL MEETING MINUTES

MONDAY, MAY 11, 2020

2:30 P.M.

Committee Members:

Mayor Jesse Arreguin, Councilmembers Sophie Hahn and Susan Wengraf

Alternate: Councilmember Ben Bartlett

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 Agenda & Rules 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/89665366733>. 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** and Enter Meeting ID: **896 6536 6733**. 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 Agenda & Rules 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.

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

Public Comment – 15 speakers

Review of Agendas

1. Approval of Minutes: April 27, 2020

Action: M/S/C (Wengraf/Hahn) to approve the Minutes of 4/27/20.

Vote: All Ayes.

2. Review and Approve Draft Agendas:

a. 5/26/20 – 6:00 p.m. Regular City Council Meeting

Action: M/S/C (/Hahn/Wengraf) to approve the agenda of the May 26 regular meeting with the amendments noted below.

- *Item Added: Fiscal Emergency Ordinance (City Manager)*
- *Item 21 Budget Update (City Manager) – May 26, 2020 item changed to Budget Discussion and Public Hearing #2 scheduled for June 2, 2020*
- *Item 22 Business Damage Fund (Arreguin) – Scheduled for May 26 Action Calendar*
- *Item 23 Global Ceasefire (Davila) – Scheduled for May 26 Action Calendar*
- *Item 24 Urgency Ordinance Updates (Harrison) – Councilmembers Davila and Bartlett added as a co-sponsor; revised item submitted; scheduled for May 26 Action Calendar*

Vote: All Ayes.

Order of Items on the Action Calendar

Item 20 Bike Share

Item 21 Budget

Item 22 Business Fund

Item 23 Global Ceasefire

Item 24 Urgency Ordinance

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

- None selected

4. Adjournments In Memory

- All Victims of COVID-19 Pandemic

Scheduling

5. Council Worksessions Schedule – received and filed

6. Council Referrals to Agenda Committee for Scheduling – received and filed

7. Land Use Calendar – updated schedule for next packet for appeal dates

Referred Items for Review

8. Discussion of Potential Revisions to the City Council Rules of Procedure and Order for Conduct of Business During a Declared Emergency

Action: 4 speakers. Discussion held. Requested information from staff on the Brown Act requirements for publishing items submitted pursuant to Section 54954.2(b). Item continued to May 19, 2020.

9. Discussion Regarding City Council Budget Referrals and Council Items

Action: Item continued to May 19, 2020.

10. Discussion Regarding Impact of COVID-19 (novel coronavirus) on Meetings of Legislative Bodies

Action: Item continued to May 19, 2020.

Referred Items for Review

11. Amendments to the Berkeley Election Reform Act to prohibit Officeholder Accounts; Amending BMC Chapter 2.12 (*Item contains supplemental material*)

From: Fair Campaign Practices Commission

Referred: February 4, 2020

Due: July 7, 2020

Recommendation: Conduct a public hearing and upon conclusion, adopt first reading of an ordinance amending the Berkeley Election Reform Act, Berkeley Municipal Code Chapter 2.12, to prohibit Officeholder Accounts (See Section 18531.62. Elected State Officeholder Bank Accounts, Regulations of the Fair Political Practices Commission).

Council Referral: To refer a discussion of Officeholder Accounts and Council District (D-13) accounts to the Agenda and Rules Committee, to consider a reasonable set of limitations and rules for such accounts and bring back recommendations to the full Council, for the Council to consider referring to the Fair Campaign Practices Committee.

Financial Implications: None

Contact: Samuel Harvey, Commission Secretary, (510) 981-6950

Action: Item moved to Unscheduled Items for the May 19, 2020 agenda.

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.

12. Referral: Compulsory Composting and Edible Food Recovery

From: Councilmembers Robinson and Hahn

Referred: November 25, 2019

Due: June 7, 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

Items for Future Agendas

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

Adjournment

Action: M/S/C (Hahn/Arreguin) to adjourn the meeting.

Vote: Ayes – Hahn, Arreguin; Noes – None; Abstain – None; Absent - Wengraf.

Councilmember Wengraf absent 3:59 p.m. – 4:04 p.m.

Adjourned at 4:04 p.m.

I hereby certify that the forgoing is a true and correct record of the Agenda & Rules Committee meeting held on May 11, 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.