



**BERKELEY CITY COUNCIL LAND USE, HOUSING, & ECONOMIC
DEVELOPMENT COMMITTEE
REGULAR MEETING MINUTES**

**Monday, July 1, 2024
10:00 AM**

2180 Milvia Street, 6th Floor - Redwood Room

Committee Members:

Councilmembers Susan Wengraf, Cecilia Lunaparra, and Mark Humbert
Alternate: Councilmember Igor Tregub

This meeting will be conducted in a hybrid model with both in-person attendance and virtual participation. If you are feeling sick, please do not attend the meeting in person.

Remote participation by the public is available through Zoom. 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/1619681411>. 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: **161 968 1411**. If you wish to comment during the public comment portion of the agenda, press *9 and wait to be recognized by the Chair. Please be mindful that the meeting will be recorded.

To submit a written communication for the Committee’s consideration and inclusion in the public record, email policycommittee@berkeleyca.gov.

Written communications submitted by mail or e-mail to the Land Use, Housing, & Economic Development 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.

Pursuant to the City Council Rules of Procedure and State Law, the presiding officer may remove, or cause the removal of, an individual for disrupting the meeting. Prior to removing an individual, the presiding officer shall warn the individual that their behavior is disrupting the meeting and that their failure to cease their behavior may result in their removal. The presiding officer may then remove the individual if they do not promptly cease their disruptive behavior. “Disrupting” means engaging in behavior during a meeting of a legislative body that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting and includes, but is not limited to, a failure to comply with reasonable and lawful regulations adopted by a legislative body, or engaging in behavior that constitutes use of force or a true threat of force.

MINUTES

Roll Call: 10:00 a.m.

Present: Wengraf, Lunaparra, Humbert

Public Comment on Non-Agenda Matters: 0 speakers

Minutes for Approval

Draft minutes for the Committee's consideration and approval.

- Minutes - June 3, 2024**
Action: M/S/C (Wengraf/Lunaparra) to approve the June 3, 2024 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.

- Adopt Berkeley Municipal Code Chapter 13.89: Community/Tenant Opportunity to Purchase Act** (*Item contains revised material*)
From: Councilmember Harrison (Author)
Referred: November 13, 2023
Due: September 9, 2024
Recommendation: Adopt Berkeley Municipal Code Chapter 13.89: The Community/Tenant Opportunity to Purchase Act (COPA/TOPA).
Financial Implications: See report
Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140
Action: 9 speakers. M/S/C (Humbert/Wengraf) to forward the item to Council with a negative recommendation that the City Council not approve the item.
Vote: Ayes – Humbert, Wengraf; Noes – Lunaparra.

Committee Action Items

3. **Affordable Housing for Artists: AB-812 Implementation and Cultural District Statutory Standardization**

From: Councilmember Taplin (Author), Councilmember Hahn (Co-Sponsor)

Referred: May 21, 2024

Due: October 26, 2024

Recommendation: Pursuant to California Government Code Section 65914.8, refer to the City Manager, City Attorney, and Planning Commission:

1. To study and develop an Ordinance and implementation plan for Assembly Bill 812 (2023) to reserve for artists up to 10 percent of Below Market Rate units under Berkeley Municipal Code 23.328 (Inclusionary Housing) within a half-mile of a state-designated cultural district or within any similar locally designated cultural district, with consideration for consistency with existing Affordable Housing Preference Policy;
2. Consider common standards for locally designated cultural districts, including but not limited to Overlay Zones, and implementation of cultural district designation within the boundaries of Area Specific Plans, including but not limited to the Adeline Corridor and San Pablo Corridor Specific Plans;
3. Pursuant to California Government Code Section 8758, consider solicitation of state designation for cultural districts in the City of Berkeley.

Financial Implications: Staff time

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

Action: Item continued to a future meeting.

Committee Action Items

4. **Berkeley Green New Deal: Just Transition Framework for the General Plan's Environmental Justice Element** *(Item contains revised material)*
From: Councilmember Taplin (Author), Councilmember Bartlett (Co-Sponsor), Councilmember Kesarwani (Co-Sponsor)
Referred Date: October 23, 2023
Due Date: July 4, 2024
Recommendation: Refer consideration of the following concepts to the Land Use, Housing, and Economic Development (LUHED) Policy Committee; City Manager; Planning Commission; and Environment and Climate Commission for inclusion in General Plan amendments pursuant to California Government Code Section 65302(h) to advance the city's environmental justice goals under a Just Transition Framework:
- Just Transition principles adopted by City Council in Resolution No. 70,171–N.S. “Resolution Committing the City of Berkeley to a Just Transition from Fossil Fuels and the Creation of a West Berkeley and South Berkeley Green New Deal”;
 - EcoDistricts Protocol and possible EcoDistricts certification incorporated into a Community Engagement Plan;
 - Climate Resilience Hubs;
 - Transportation Demand Management (TDM) planning to reduce Vehicle Miles Traveled (VMT) per capita by at least 25% by 2030;
 - The development of a workforce development board to increase equitable access to green jobs and accelerate the fossil-free economy.
- Financial Implications:** See report
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120
Action: 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.

5. **Proposed Amendments to the Building Emissions Saving Ordinance (BESO)** *(Item contains supplemental material)*
From: City Manager
Referred: February 13, 2024
Deadline: October 9, 2024
Recommendation: Adopt first reading of an Ordinance amending the Building Emissions Saving Ordinance (BESO), Chapter 19.81 of the Berkeley Municipal Code, to establish a flexible resilience standard for small residential buildings containing up to four units.
Financial Implications: See report
Contact: Jordan Klein, Planning and Development, (510) 981-7400

Items for Future Agendas

- None

Adjournment

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

Vote: All Ayes.

Adjourned at 10:37 a.m.

I hereby certify that the foregoing is a true and correct record of the Land Use, Housing & Economic Development Committee meeting held on July 1, 2024.

Keith Nesbit, 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@berkeleyca.gov.