



Community Health
Commission

Community Health Commission
Thursday, February 23rd, 2023, 6:30 – 9:00pm

Virtual Meeting (Zoom):

[https://cityofberkeley-
info.zoomgov.com/j/1616383982?pwd=TFZWb0x3MnlUdVRyWUpBWk1
Yak13Zz09](https://cityofberkeley-info.zoomgov.com/j/1616383982?pwd=TFZWb0x3MnlUdVRyWUpBWk1Yak13Zz09)

Meeting ID: 161 638 3982

Passcode: 695502

AGENDA

(Note: Meetings will continue on Zoom until further notice)

Preliminary Matters

1. Roll Call
2. Announcements & Introductions of any new members
3. Approval of Draft Minutes from 1/26/2023 meeting – **Attachment 1**
4. Confirm note taker
5. Public Comment

The public may comment virtually about any item **not** on the agenda. Public comments are limited to two minutes per speaker. Public comments regarding agenda items will be heard while the Commission is discussing the item.

Subcommittee Reports

1. Basic Needs Subcommittee
2. Chronic Disease Prevention Subcommittee
3. Entheogenic Subcommittee
4. Health Equity Subcommittee
5. Health Facilities Subcommittee
6. Policy Tracking Subcommittee

Discussion and Action Items

Public comments regarding agenda items will be heard while the Commission is discussing the item. Public comments are limited to two minutes per speaker.

1. Updates from Janice Chin and Dr. Lisa Hernandez (Katz)
2. Approval of 2023 Commission Work Plan (Katz) – **Attachment 3**
3. February 2023 Officer Elections (Katz)
4. City Council Referral – Regulations on the sales of miniature bottles of alcohol (Katz) – **Attachment 7**
5. Add/Remove Subcommittees/ Members (Katz) – **Attachment 4**

A Vibrant and Healthy Berkeley for All

1947 Center Street, 2nd Floor, Berkeley, CA 94704 Tel: 510.981.5300 TDD: 510.981.6903 Fax: 510.981.5395
E-mail: publichealth@ci.berkeley.ca.us - <http://www.cityofberkeley.info/health/>

Attachments

1. Draft minutes from January 26th, 2023 CHC special meeting
2. Approved minutes from November 29th, 2022 CHC regular meeting
3. CHC Work Plan
4. CHC Subcommittee Roster 2022
5. CHC Meeting Calendar 2023
6. City Council and Community Health Commission Timeline 2022
7. Referral – Regulations on the sale of miniature bottles of alcohol.

The next meeting of the Community Health Commission will be held on March 23rd, 2023. Dates are subject to change. Please contact the Commission Secretary to confirm.

CONFLICT OF INTEREST INFORMATION: City commissioners, pursuant to Government Code section 1090, are responsible for recusing themselves from all commission discussions and actions in which they may have a conflict of interest. If your affiliation, paid or unpaid, with other agencies has changed since the last meeting of this commission, your ability to participate in commission activities may have changed. Individual guidance is available from the City Attorney's Office (CAO). Commissioners are encouraged to consult with the CAO if they have questions, concerns, or would like clarification about matters related to potential conflicts of interest.

The CAO may be reached at:

Email: attorney@cityofberkeley.info
TEL: (510) 981-6950 TDD: (510) 981-6903, FAX: (510) 981-6960
2180 Milvia Street 4th Floor, Berkeley, CA 94704 - Office Hours: Mon-Fri, 8am-5pm

AMERICAN DISABILITIES ACT DISCLAIMER: This meeting is being held in a wheelchair accessible location. To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6418 (V) or 981-6347 (TDD) at least three business days before the meeting date. Please refrain from wearing scented products to this meeting.

SB 343 DISCLAIMER:

Any writings or documents provided to a majority of the commission regarding any item on this agenda will be made available for public inspection at the Public Health Division located on 1947 Center Street, Berkeley, CA 94704.

COMMUNICATION DISCLAIMER:

Communications to Berkeley boards, commissions or committees are public record and will become part of the City's electronic records, which are accessible through the City's website. Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to a City board, commission or committee, will become part of the public record. If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the secretary of the relevant board, commission or committee. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the commission secretary for further information.



Community Health Commission

Community Health Commission

Draft MINUTES

Regular Meeting, Thursday, January 26th, 2022

The meeting convened at 6:40p.m. with Commission Chair Katz presiding.

ROLL CALL

Present: Commissioner Webber, Bechtolsheim (8:07), Nightingale, Smart (6:44), Spigner, Adams, Katz.

Absent: Commissioner Rosales.

Excused: None.

Staff present: Roberto Terrones, Lisa Hernandez.

Community Members: 1.

COMMENTS FROM THE PUBLIC: 1.

ACTION ITEM

1. M/S/C (Adams/Webber): Motion to adopt minutes from the November 29th, 2022, meeting with approved edits.

Ayes: Commissioner Webber, Bechtolsheim, Nightingale, Smart, Spigner, Adams, Katz.

Noes: None.

Abstain: None.

Absent from vote: Commissioner Rosales.

Excused: None.

Motion Passed.

2. M/S/C (Webber/Smart): Motion to extend the meeting by five (5) minutes.

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Ayes: Commissioner Webber, Bechtolsheim, Smart, Spigner, Adams, Katz.

Noes: None.

Abstain: None.

Absent from vote: Commissioner Rosales, Nightingale.

Excused: None.

Motion Passed.

3. M/S/C (Webber/Smart): Motion to appoint Commissioner Adams and Smart as representatives of the Commission for upcoming meetings related to Responsible Psychedelic Drug Policy Reform in Berkeley.

Ayes: Commissioner Webber, Bechtolsheim, Smart, Spigner, Adams, Katz.

Noes: None.

Abstain: None.

Absent from vote: Commissioner Rosales, Nightingale.

Excused: None.

Motion Passed.

4. M/S/C (Webber/Smart): Add Commissioner Bechtolsheim to the Chronic Disease Prevention Subcommittee.

Ayes: Commissioner Webber, Bechtolsheim, Smart, Spigner, Adams, Katz.

Noes: None.

Abstain: None.

Absent from vote: Commissioner Rosales, Nightingale.

Excused: None.

Motion Passed.

This meeting adjourned at 9:10 p.m.

Respectfully submitted, Roberto Terrones, Commission Secretary.
Minutes will be approved at the February 23rd, 2023, meeting.



Community Health Commission

Community Health Commission

APPROVED MINUTES Special Meeting, Tuesday, November 29th, 2022

The meeting convened at 6:30p.m. with Commission Chair Katz presiding.

ROLL CALL

Present: Commissioner Webber, Bechtolsheim, Smart, Spigner, Adams, Katz.

Absent: Commissioner Nightingale.

Excused: Commissioner Rosales.

Staff present: Roberto Terrones.

Community Members: 3.

COMMENTS FROM THE PUBLIC: 3.

ACTION ITEM

1. M/S/C (Adams/Webber): Motion to adopt minutes from the October 27th, 2022, CHC regular meeting.

Ayes: Commissioner Webber, Bechtolsheim, Smart, Adams, Katz.

Noes: None.

Abstain: Commissioner Spigner.

Absent from vote: None.

Excused: Commissioner Rosales.

Motion Passed.

2. M/S/C (Smart/Spigner): Motion to approve the Commission recommendation (Responsible Psychedelic Drug Policy Reform in Berkeley) for City Council referral on Entheogenic Plants.

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Ayes: Commissioner Webber, Bechtolsheim, Smart, Adams, Katz, Spigner.

Noes: None.

Abstain: None.

Absent from vote: None.

Excused: Commissioner Rosales.

Motion Passed.

3. M/S/C (Smart/Adams): Motion to extend Commission meeting to 9:15p.m.

Ayes: Commissioner Webber, Bechtolsheim, Smart, Adams, Katz, Spigner.

Noes: None.

Abstain: None.

Absent from vote: None.

Excused: Commissioner Rosales.

Motion Passed.

4. M/S/C (Adams/Webber): Motion to approve CHC 2023 meeting dates as every fourth Thursday of the month with the exception of August and December.

Ayes: Commissioner Webber, Bechtolsheim, Smart, Adams, Katz, Spigner.

Noes: None.

Abstain: None.

Absent from vote: None.

Excused: Commissioner Rosales.

Motion Passed.

This meeting adjourned at 9:17 p.m.

Respectfully submitted, Roberto Terrones, Commission Secretary.
Minutes were approved at the January 26th, 2023, meeting.



Office of the City Manager

Community Health Commission 2021 Work Plan

Guiding Philosophy: To look at health through the lens of equity, and to address, ameliorate, and abolish health inequities in Berkeley through our work while advancing other public health efforts.

Mission/Purpose:

1. Collaborate with the community and the Berkeley Public Health Division, and City of Berkeley to eliminate health inequity by:
 - a. Advocating for good policy to council that has the potential to improve the health of Berkeley residents that can be implemented, monitored, and evaluated.
 - b. Representing the community through the diversity of this commission
 - c. Increasing the public education/social marketing efforts, understanding, and awareness of issues
 - d. Advocating together with the residents of Berkeley most affected by institutional, social, organizational inequities/disparities
 - e. Providing a public forum for all community members to share concerns, ideas
2. Achieve general public health progress by being responsive to community needs and facilitating general health and safety.

Overall goals, issues & priorities: All issues can be addressed through a health equity lens.

- Include a focus on the impact of covid-19 and the city's response to it
- Increase healthy food security
- Advocate for the expansion of affordable housing
- Continue to urge that Alta Bates Berkeley Medical Campus remain open while also helping to suggest actions to address consequences of planned closure
- Be responsive in potential recommendations to help Berkeley residents, and care providers and clinics cope with potential federal disruption in healthcare policy and federal spending cuts
- Further address more social determinants of health
- Continue to be a community advocate to City Council to address structural, institutional, and health inequities impacting all underserved populations

- Work to have community health data measures documented in a timely manner and to promptly evaluate and act on novel data such as the Health Status Report
- Work to support policies and initiatives that advance UHC such as Medicare for all
- Advise the City Council as the Public Health Department develop their strategic plan

General steps and actions needed to meet priorities:

1. Better follow up with council implementations
2. Conduct outreach to encourage the Berkeley community to engage with the CHC
3. Collaborate with other commissions to share resources and support recommendations
4. Focused/specialized ad-hoc subcommittees
5. Keep track of local, state, and federal policy and data flow

Specific steps and actions needed to meet priorities: Subcommittees

- **Strategic Planning subcommittee**
 - Serve as point of contact with Public Health Division for city's strategic plan and facilitate deliberation between full commission and division.
 - Recommend structure of portion of agenda to educate commission on strategic plan development
- **Acute Services for Berkeley**
 - Continue to recommend actions to keep Alta Bates open
 - Consider ways to increase emergency care access in Berkeley
- **Basic Needs Security**

Focus on healthy food security and affordable/accessible housing

 - In terms of healthy food security:
 - Identify food recovery donation systems
 - Connect communities with healthy food resources (awareness)
 - Advocate for policies to mitigate unhealthy food consumption
 - Advocate for affordability and accessibility of healthy foods
 - in supporting programs like the Berkeley Food Institute, etc.,
 - In terms of accessible/affordable housing:
 - Identify areas of stark homelessness
 - Connect homeless communities with resources (awareness)
 - Advocate for affordable housing
 - Advocate for increased rent control

- Investigate how Covid-19 has exposed and increased the impact of inequities on basic needs of Berkeley residents
- Connect with the community based organizations and appropriate city of Berkeley departments to acquire information about available resources for Berkeley residents.
- Work with community based organizations to disseminate resources to Berkeley residents around basic needs, including housing, food, healthcare, and public health care
- **Policy tracking**
 - Track City Council minutes, state, and national legislative actions
 - Priority areas:
 - Affordable housing throughout the city of Berkeley
 - Homeless encampments: ensure they are receiving necessary care and resources
 - Covid-19 related policies
 - Access to education due to remote learning
- **Health Equity Subcommittee**
 - Engage Stakeholders on LGBT health equity issues to help complement findings of the Health Status Report
 - Follow up on status of the African American Holistic Resource Center
 - Work on cultural competency for health care providers
 - Review the Health Status Report- dialogues with staff and community to investigate the data and inequities, and recommend program interventions for the City Public Health Division
 - Implement efforts to improve immigrant access to health care
 - Investigate community access to telehealth and other technologies to improve healthcare equity
 - Meet with the public health officer to be informed and updated regarding the city's response to Covid-19, including the vaccination program, and ensure the consideration of health equity to include at risk populations based on emerging literature
- **Chronic Disease Prevention**
 - Recommend presenters that can educate the commission on innovative approaches to chronic disease prevention
 - Consider the use of high profile figures in media campaigns to educate the community about chronic disease prevention.
 - Recommend interventions to address diabetes, obesity, heart diseases, and other chronic conditions highlighted by the Berkeley health status report.

- Recommend interventions to respond to deferred preventative care due to covid-19

➤ **Cannabis**

- Advocating for holistic education of cannabis use throughout the community
- Assessing holistically the risks and benefits of cannabis use in terms of community health
- Assessing holistically how cannabis should be integrated within the local economy while maintaining the health of the community .i.e. nurseries, dispensaries, etc.
- Prioritizing community health following the legalization of cannabis with emphasis on holistically understanding the risk and benefits of cannabis

District	Last	First	Community Health Commission Subcommittees 2022				
			Health Facilities	Health Equity	Basic Needs Security	Chronic Disease Prevention	Entheoge nic
1	Webber	Sara			X		
2	Bechtolsheim	Benjamin				X	
3	Nightingale	Jamila				X	
4	Smart	Karma		X	X		X
5	Spigner	Tora		X			
6	Adams	Joseph					X
7	Vacant	Vacant					
8	Rosales	Ces	X	X			
M	Katz	Andy	X				
			2	3	2	2	2

2023 Commission Meeting Dates

Name of Commission: Community Health Commission

Commission Secretary: Roberto Terrones

Please Note the Commission Meeting Dates for 2023 Below

Please fill in meeting date below. If no meeting for the month is scheduled please note as "No Meeting."

Example

Month	Meeting Day and Date	Time
February 2022	Wednesday 2/10/2022	7:00 pm

Month	Meeting Day and Date	Time
July 2022	No Meeting	

2023 Meeting Dates

Month	Meeting Day and Date	Time
January 2023	Thursday 1/26/2023	6:30 pm
February 2023	Thursday 2/23/2023	6:30 pm
March 2023	Thursday 3/23/2023	6:30 pm
April 2023	Thursday 4/27/2023	6:30 pm
May 2023	Thursday 5/25/2023	6:30 pm
June 2023	Thursday 6/22/2023	6:30 pm

Month	Meeting Day and Date	Time
July 2023	Thursday 7/27/2023	6:30 pm
August 2023	CHC Does not meet in August 2023	
September 2023	Thursday 9/28/2023	6:30 pm
October 2023	Thursday 10/26/2023	6:30 pm
November 2023	Thursday 11/23/2023	6:30 pm
December 2023	CHC does not meet in December 2023	

commission@cityofberkeley.info

City Clerk Department

Please contact our office at (510) 981-6908 with any questions.

2023			Thursday 12:00 PM	Thursday 12:00 PM	Monday 2:30 PM	Wednesday 11:00 AM	Thursday 5:00 PM
COUNCIL MEETING DATE	Reports Due to Dept. Director	Reports Due to CAO	Dept. Reports Due to Clerk Day 33	Agenda Committee Packet to Print Day 19	Agenda Committee Meeting Day 15	Final Agenda Meeting - (Print Agenda on wed.) Day 13	Council Agenda Delivery Day 12
Winter Recess [December 14, 2022 through January 16, 2023]							
Jan 17	12/1	12/1	12/15	12/29	1/4	1/4	1/5
Jan 31	12/9	12/9	12/29	1/12	1/16	1/18	1/19
Feb 14	12/29	12/29	1/12	1/26	1/30	2/1	2/2
Feb 28	1/12	1/12	1/26	2/9	2/8 (Tues)	2/15	2/10
Mar 14	1/26	1/26	2/9	2/23	2/22 (Tues)	3/1	3/2
Mar 21	2/2	2/2	2/16	3/2	3/6	3/8	3/9
Spring Recess [March 22 through April 10, 2023]							
Apr 11	2/23	2/23	3/9	3/23	3/27	3/29	3/30
Apr 25	3/9	3/9	3/23	4/6	4/10	4/12	4/13
May 9	3/23	3/23	4/6	4/20	4/24	4/26	4/27
May 23	4/6	4/6	4/20	5/4	5/8	5/10	5/11
May 30	4/13	4/13	4/27	5/11	5/15	5/17	5/18
Jun 6	4/20	4/20	5/4	5/18	5/31 (Tues)	5/24	5/25
Jun 13	4/27	4/27	5/11	5/25	5/29	5/31	6/1
Jun 27	5/11	5/11	5/25	6/8	6/12	6/14	6/15
Jul 11	5/25	5/25	6/8	6/22	6/26	6/28	6/29
Jul 25	6/8	6/8	6/22	7/6	7/10	7/12	7/13
Summer Recess [July 26 through September 11, 2023]							
Sep 12	7/27	7/27	8/10	8/24	8/28	8/30	8/31
Sep 19	8/3	8/3	8/17	8/31	9/6 (Tues)	9/6	9/7
Oct 3	8/11	8/11	8/25	9/8	9/12	9/14	9/15
Oct 10	8/25	8/25	9/8	9/22	9/28 (Wed)	9/28	9/29
Nov 7	9/15	9/15	9/29	10/13	10/19 (Wed)	10/19	10/20
Nov 14	9/28	9/28	10/12	10/26	10/30	11/1	11/2
Nov 28	10/12	10/12	10/26	11/10	11/13	11/15	11/16
Dec 5	10/19	10/19	11/2	11/17	11/20	11/22	11/23 (Wed)
Dec 12	10/27	10/27	11/9	11/23 (Wed)	11/27	11/29	11/30
Winter Recess [December 13, 2023 through January 15, 2024]							

Revised 09/29/2022

VTO Affected Dates

Holiday Affected Dates

Religious Holiday Affected
Date


BEN BARTLETT

CITY COUNCILMEMBER, DISTRICT 3

CONSENT CALENDAR

December 13, 2022

To: Honorable Mayor and Members of the City Council
 From: Councilmember Ben Bartlett
 Subject: Referral to the Health Commission to Regulate the Sale of Miniature Bottles of Alcohol "Airplane Bottles"

RECOMMENDATION

Direct the Health Commission and the Environmental Commission to propose regulations on the sale of miniature bottles of alcohol ("Airplane Bottles") in the City of Berkeley.

BACKGROUND/CURRENT SITUATION

As a community, the City of Berkeley ("Berkeley" or the "City") has continuously made efforts to improve the well-being of community members and the environment. As reported by the California Health Care Foundation, the alcohol epidemic is on the rise and is particularly acute among many members of the unhoused community.¹ The small size and low unit price of Airplane Bottles, combined with the problematic placement of liquor stores, conspire to make hard liquor overly accessible to people in crisis. Additionally, Airplane Bottles contribute to the City's litter problem, concentrating debris in neighborhoods adjacent to liquor stores. To address impacts on health, safety, and environmental harm, the City must address the consumption and sale of miniature bottles of alcohol.

Impact on Homeless and Rehabilitation Centers: According to a 2019 survey from the Substance Abuse and Mental Health Services Administration of the US Department of Health and Human Services, 38% of homeless individuals are alcohol dependent, demonstrating the pervasiveness of alcohol in homeless communities, and highlights the difficulty of achieving sobriety.² Homeless individuals who abuse alcohol are reported to remain homeless for longer amounts of time as compared to sober homeless individuals.³

The City of Berkeley has experienced an increase in alcohol consumption in its unhoused population. According to the 2017 Berkeley Homeless Census and Survey, 24 percent of the 972 unhoused individuals suffer from drug or alcohol abuse, emphasizing the prevalence of these substances among the homeless population.⁴ The September 2016 report by the Bureau of Alcohol and Beverage Control and the Berkeley Police Department has found that there have been 551 alcohol-related incidents, which is a 30% increase from 2015.⁵

¹ "2022 Edition - Substance Use in California." California Health Care Foundation, 3 Feb. 2022, <https://www.chcf.org/publication/2022-edition-substance-use-california/#related-links-and-downloads>.

² "Homelessness and Addiction - Addiction Center." Addiction Center, <https://www.addictioncenter.com/addiction/homelessness/>.

³ "Homeless Alcoholism." *Alcohol Rehab Guide*, 24 Feb. 2022, <https://www.alcoholrehabguide.org/resources/homeless-alcoholism/>.

⁴ Hernandez, Lisa B, et al. City of Berkeley Health Status Report 2018. City of Berkeley, City of Berkeley Health Status Report 2018, https://www.cityofberkeley.info/uploadedFiles/Health_Human_Services/Level_3_-_Public_Health/2018-health-status-report-berkeley.pdf.

⁵ Cherney, Max. "First Responders, Students Question Stats Showing Rise in Alcohol Abuse at UC Berkeley." *Berkeleyside*, Berkeleyside, 29 Sept. 2016, <https://www.berkeleyside.com/2016/09/29/first-responders-students-question-stats-showing-rise-in-alcohol-abuse-at-uc-berkeley>.

The low cost of Airplane Bottles presents an inordinately accessible source of alcohol, worsening the public health crisis. Consistent alcohol abuse increases the rate of cardiovascular disease, immune suppression, and mental health disorders.⁶ An additional concern is the inexplicable proximity of liquor stores to rehabilitation centers. In Berkeley, the easy accessibility to “Airplane Bottles” is especially pronounced near abuse recovery centers.⁷ City maps clearly show addiction treatment centers cited disturbingly close to liquor stores, often less than a block away. Berkeley’s most vulnerable populations have been set up to fail. This predatory “trap” amounts to an institutional barrier to wellness.

Impact on the Environment: Airplane Bottles use single-use beverage packaging, which is a major source of litter in our streets, plastic in landfills, pollution in waterways and oceans, greenhouse gas emissions, and harm to wildlife. In many cities, including Berkeley, it is common to find Airplane Bottles around the streets because these miniature items are forgettable small bottles that can slip out of one’s pocket or be “thrown out of a window.”⁸ An example of a similarly harmful product being eliminated through regulation is plastic bags. The regulation of plastic bags has reduced the pollution seen around cities, and some grocery stores have completely eliminated them⁹. The ban on plastic bags, combined with the cost to consumers of purchasing them, incentivizes individuals to use reusable bags instead. The reduced waste has even created less pollution in various public spaces such as parks, rivers, and city streets. Banning plastic straws has made a similar impact. Limiting the use of single-use plastic items has been effective in reducing their abundance in wastelands. Similarly, banning Airplane Bottles might further reduce this type of waste in Berkeley.

Other Jurisdictions Provide Precedent: In order to address the social and environmental impacts associated with Airplane Bottles, numerous jurisdictions have banned alcoholic beverages in containers 100 milliliters or less.¹⁰

In Massachusetts, the cities of Chelsea, Mashpee, Falmouth, Wareham, and Newton have all enacted ordinances regulating the sale of Airplane Bottles.

The City of San Bernardino approved an ordinance banning the sale of beer and malt liquor in containers that are less than 40 ounces.¹¹ It also includes hard liquor sold in small bottles. San Bernardino’s stated intent was to address public health by not facilitating substance abuse among people in crisis on the streets.

⁶ “Behind the Numbers: Alcohol is Killing More People Than the Opioid Epidemic. Why Aren’t We Talking About It?” <https://www.caron.org/blog/alcohol-is-killing-more-people-than-the-opioid-epidemic>

⁷ “Images of Liquor Stores and Rehabilitation Centers in the City of Berkeley.” Google Docs, Google, https://docs.google.com/document/d/1LftM41TmMSRNa4-Ujz-Ofo2vogz9dxzdWLBu_tSUY9M/edit?usp=sharing.

⁸ Barnes, Jennette. “A Nip of Trouble: Are Tiny Liquor Bottles on Cape Roadsides More than Just Litter?” CAI, CAI, 13 Mar. 2020, <https://www.capeandislands.org/news/2020-03-12/a-nip-of-trouble-are-tiny-liquor-bottles-on-cape-roadsides-more-than-just-litter>.

⁹ “Why Bag Laws Work: A Summary of Plastic Bag Law Effectiveness.” Surfrider Foundation, <https://www.surfrider.org/coastal-blog/entry/why-bag-bans-work-a-summary-of-plastic-bag-law-effectiveness>.

¹⁰ “More Towns Banning Nips & Miniatures in Liquor Stores.” *Liquor Store Broker & Liquor License Advisor*, 4 May 2022, <https://liquorlicenseadvisor.com/2022/05/04/more-towns-banning-nips-miniatures-in-liquor-stores/>.

¹¹ Brayton, Julie. “Single-Bottle Booze Banned in San Bernardino.” *NBC Los Angeles*, NBC Southern California, 5 May 2010, <https://www.nbclosangeles.com/news/local/single-bottle-booze-banned-in-san-bernardino/1918405/>.

New Mexico also implemented a liquor law in July 2022 that bans the sale of these miniature liquor bottles.¹² These bans were both in an effort to address the growing number of these bottles piling up on curbs, in public spaces, and for the prevention of waterway pollution, which ultimately creates a hazard for community members.

Likewise, the regulation of Airplane Bottles can be expected to enhance public health outcomes, and reduce litter in Berkeley.

ENVIRONMENTAL SUSTAINABILITY

The regulation of Airplane Bottles is expected to reduce litter in Berkeley. Reducing such litter cleans up waterways, allows miniature urban environments to thrive, and improves the City's aesthetic.

REVIEW OF EXISTING PLANS, PROGRAMS, POLICIES, AND LAWS

Currently, California and the City of Berkeley have no policies prohibiting the sale of any alcoholic beverages more than 300 feet from schools, churches, hospitals, etc.¹³

FISCAL IMPACTS OF RECOMMENDATION

Potential factors being fiscally implicated are: businesses regarding alcohol sales, individuals' health with medicine and doctors, the city's enforcement of the code, and the city's costs related to crime reduction are to be determined in a further study. This recommendation is being referred to the Health Commission for further research into the fiscal impacts of this proposal.

RATIONALE FOR RECOMMENDATION

This proposal would combat the harm that small liquor bottles inflict on public health and the environment. Due to their compact size, these bottles are easier to transport and conceal. Additionally, students and unhoused individuals may be more attracted to purchase and carry more bottles under the illusion from the small size that there is less alcohol yet the percentage of alcohol contained within is what causes the harm. This ban on Airplane Bottles would signify less access to concealable alcohol for the overall population, especially the homeless.

OUTCOMES AND EVALUATION

It is expected that the City Council will refer this ban on Airplane Bottles to the Health Commission, which will then enact a cost-effective and efficient way of removing existing bottles and preventing the sale of future ones.

CONTACT PERSON

Councilmember Ben Bartlett	bbartlett@cityofberkeley.info
Kimberly Woo	510-981-7131
Reequanza McBride	510-981-7135
Wenxin (Nina) Li	510-981-7130
Dafne Cruz Rodriguez	510-981-7130

¹² Chacón@sfnewmexican.com, Daniel J., and Luis Sánchez Saturno/The New Mexican. "New Liquor Law to Ban Most Mini Sales in New Mexico." *Santa Fe New Mexican*, 28 Apr. 2022, https://www.santafenewmexican.com/news/local_news/new-liquor-law-to-ban-most-mini-sales-in-new-mexico/article_454d11d8-8bec-11eb-91e7-3797d461bcff.html.

¹³ "§ 111.03 Sale of Alcoholic Beverages Prohibited near Public Schools, Private Schools, Churches and Public Hospitals." American Legal Publishing Corporation, https://codelibrary.amlegal.com/codes/mtpleasanttx/latest/mtpleasant_tx/0-0-0-123.

