

**ANNOTATED AGENDA**  
**BERKELEY CITY COUNCIL MEETING**  
**Tuesday, March 21, 2023**  
**6:00 PM**

SCHOOL DISTRICT BOARD ROOM - 1231 ADDISON STREET, BERKELEY, CA 94702

TELECONFERENCE LOCATION - 1404 LE ROY AVE, BERKELEY 94708

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI  
DISTRICT 2 – TERRY TAPLIN  
DISTRICT 3 – BEN BARTLETT  
DISTRICT 4 – KATE HARRISON

DISTRICT 5 – SOPHIE HAHN  
DISTRICT 6 – SUSAN WENGRAF  
DISTRICT 7 – RIGEL ROBINSON  
DISTRICT 8 – MARK HUMBERT

*This meeting will be conducted in a hybrid model with both in-person attendance and virtual participation. For in-person attendees, face coverings or masks that cover both the nose and the mouth are encouraged. If you are feeling sick, please do not attend the meeting in person.*

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*Remote participation by the public is available through Zoom. To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL <https://cityofberkeley-info.zoomgov.com/j/1604192052>. 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 by rolling over the bottom of the screen. To join by phone: Dial **1-669-254-5252** or **1-833-568-8864 (Toll Free)** and enter Meeting ID: **160 419 2052**. 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 and all rules of procedure and decorum apply for in-person attendees and those participating by teleconference or videoconference.*

*To submit a written communication for the City Council's consideration and inclusion in the public record, email [council@cityofberkeley.info](mailto:council@cityofberkeley.info).*

*This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953. Any member of the public may attend this meeting. Questions regarding this matter may be addressed to Mark Numainville, City Clerk, (510) 981-6900. The City Council may take action related to any subject listed on the Agenda. Meetings will adjourn at 11:00 p.m. - any items outstanding at that time will be carried over to a date/time to be specified.*

## Preliminary Matters

**Roll Call:** 6:37 p.m.

**Present:** Kesarwani, Bartlett, Harrison, Robinson, Humbert, Arreguin

**Absent:** Taplin, Hahn, Wengraf

Councilmember Wengraf present at 6:47 p.m.

Councilmember Taplin present at 6:51 p.m.

**Land Acknowledgement Statement:** *The City of Berkeley recognizes that the community we live in was built on the territory of xučyun (Huchiun (Hooch-yoon)), the ancestral and unceded land of the Chochochenyo (Cho-chen-yo)-speaking Ohlone (Oh-low-nee) people, the ancestors and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley's residents have and continue to benefit from the use and occupation of this unceded stolen land since the City of Berkeley's incorporation in 1878. As stewards of the laws regulating the City of Berkeley, it is not only vital that we recognize the history of this land, but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today. The City of Berkeley will continue to build relationships with the Lisjan Tribe and to create meaningful actions that uphold the intention of this land acknowledgement.*

### Ceremonial Matters:

1. Recognition of Martin Nicolas, Local Activist and Photographer
2. Recognition of Education and Sharing Day
3. Adjourned in Memory of Lillia Bartlow, Berkeley High School Student

**City Manager Comments:** None

**Public Comment on Non-Agenda Matters:** 10 speakers.

## Consent Calendar

**Public Comment on Consent Calendar and Information Items Only:** 24 speakers.

**Action:** M/S/C (Arreguin/Wengraf) to accept an urgency item from Mayor Arreguin and Councilmember Robinson to submit a letter to the California Supreme Court in support of judicial review in *Make UC a Good Neighbor v. The Regents of the University of California*.

**Vote:** Ayes – Kesarwani, Taplin, Bartlett, Wengraf, Robinson, Humbert, Arreguin; Noes – None; Abstain – Harrison; Absent – Hahn.

**Action:** M/S/C (Arreguin/Robinson) to adopt the Consent Calendar in one motion except as indicated.

**Vote:** Ayes – Kesarwani, Taplin, Bartlett, Harrison, Wengraf, Robinson, Wengraf, Humbert, Arreguin; Noes – None; Abstain – None; Absent – Hahn.

**Urgency Item: Authorizing the City Attorney to Submit a Letter in Support of the UC Regents Petition for Review in Make UC a Good Neighbor v. Regents of University of California**

**From: Mayor Jesse Arreguin (author); Councilmember Rigel Robinson (co-author)**

**Recommendation:** Adopt a Resolution Authorizing the City Attorney to submit a letter in support of the University of California Regents’ petition for review to the California State Supreme Court in Make UC a Good Neighbor v. The Regents of University of California.

**Financial Implications:** See report

Contact: Jesse Arreguin, Mayor, (510) 981-7100

**Action:** Adopted Resolution No. 70,727-N.S. with the following amendments:

Amended to move the last Whereas clause to after the third Whereas clause, and to revise the wording in the fifth and seventh Whereas clauses to read:

*WHEREAS, the Court concluded that the noise impacts of the residents of a housing project must be studied and mitigated has the potential to delay or derail the construction of student housing off-campus in the city’s jurisdiction; and*

*WHEREAS, this decision could enable parties who oppose certain student housing, affordable housing or residential or commercial development to delay projects arguing that noisy occupants are an environmental impact; and*

**Vote:** Ayes – Kesarwani, Taplin, Bartlett, Wengraf, Robinson, Wengraf, Humbert, Arreguin; Noes – Harrison; Abstain – None; Absent – Hahn.

## **Consent Calendar – Continued Business**

**A. Amendments to COVID-19 Emergency Response Ordinance, BMC Chapter 13.110 (Continued from March 14, 2023)**

**From: Mayor Arreguin (Author), Councilmember Hahn (Author)**

**Recommendation:** Adopt second reading of Ordinance No. 7,855-N.S. amending Berkeley Municipal Code (BMC) Chapter 13.110, the COVID-19 Emergency Response Ordinance to suspend the application of the ordinance to commercial property, permit lawful owner move-in evictions, and establish a Transition Period during which time specified evictions would be prohibited.

**First Reading Vote:** All Ayes.

**Financial Implications:** None

Contact: Jesse Arreguin, Mayor, (510) 981-7100

**Action:** Adopted second reading of Ordinance No. 7,855–N.S.

## Consent Calendar – Continued Business

### B. Amendments to Berkeley Election Reform Act Cost of Living Adjustment Provisions *(Continued from March 14, 2023)*

**From:** Fair Campaign Practices Commission

**Recommendation:** Adopt second reading of Ordinance No. 7,857-N.S. amending the Berkeley Election Reform Act (BMC Chapter 2.12) to (1) clarify that cost of living adjustments for the \$250 campaign contribution limit to be performed in every odd-numbered year shall be rounded to the nearest ten dollars (\$10), and (2) providing that all cost of living adjustments required by BERA be performed by March instead of January of each odd-numbered year to coincide with the availability of necessary data.

**First Reading Vote:** All Ayes.

**Financial Implications:** None

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

**Action:** Adopted second reading of Ordinance No. 7,857–N.S.

## Consent Calendar

### 1. Resolution Reviewing and Ratifying the Proclamation of Local Emergency Due to the Spread of a Severe Acute Respiratory Illness Caused by a Novel (New) Coronavirus (COVID-19)

**From:** City Manager

**Recommendation:** Adopt a Resolution reviewing the need for continuing the local emergency due to the spread of a severe acute respiratory illness caused by a novel (new) coronavirus (COVID-19) and ratifying the Proclamation of Local Emergency issued by the Director of Emergency Services on March 3, 2020, initially ratified by the City Council on March 10, 2020, and subsequently reviewed and ratified by the Council on April 21, 2020, June 16, 2020, July 28, 2020, September 22, 2020, November 17, 2020, December 15, 2020, February 9, 2021, March 30, 2021, May 25, 2021, July 20, 2021, September 14, 2021, December 14, 2021, February 8, 2022, March 22, 2022, May 10, 2022, June 28, 2022, July 26, 2022, September 20, 2022, November 3, 2022, December 13, 2022, and January 31, 2023.

**Financial Implications:** To be determined.

Contact: Farimah Brown, City Attorney, (510) 981-6950

**Action:** Adopted Resolution No. 70,728–N.S. as revised in Supplemental Communications Packet #1 by the City Manager.

**Vote:** Ayes – Taplin, Bartlett, Harrison, Robinson, Arreguin; Noes – Kesarwani, Humbert; Abstain – Wengraf; Absent – Hahn.

### 2. Designate the Line of Succession for the Director of Emergency Services

**From:** City Manager

**Recommendation:** Adopt a Resolution approving the designated line of succession to the position of Director of Emergency Services in the event of an emergency, and rescinding Resolution No. 70,406-N.S.

**Financial Implications:** None

Contact: Dee Williams-Ridley, City Manager, (510) 981-7000

**Action:** Adopted Resolution No. 70,729–N.S.

## Consent Calendar

**3. Grant Application: Funding from the Federal Emergency Management Agency (FEMA) to expand a NFPA 1582/1583 compliant employee Wellness, Fitness and Human Performance Program**

**From: City Manager**

**Recommendation:** Adopt a Resolution authorizing the City Manager to apply for and accept a grant, and any amendments, from the Federal Emergency Management Agency (FEMA) for up to \$840,000 with a 10% or \$84,000 in matching city funds to expand a National Fire Protection Association (NFPA) 1582/1583 compliant employee Wellness, Fitness and Human Performance Program.

**Financial Implications:** See report

Contact: David Sprague, Fire, (510) 981-3473

**Action:** Adopted Resolution No. 70,730–N.S.

**4. Contract No. 32200156 Amendment: Options Recovery Services for Community Crisis Response Services**

**From: City Manager**

**Recommendation:** Adopt a Resolution authorizing the City Manager to amend Contract No. 32200156 with Options Recovery Services (Options) to add \$561,917.11 and extend the term of the Community Crisis Response Services to December 31, 2023 with a not to exceed amount of \$1,201,917.11.

**Financial Implications:** See report

Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400

**Action:** Adopted Resolution No. 70,731–N.S.

**5. Contract No. 32200147 Amendment: Women’s Daytime Drop-In Center for Community Crisis Response Services**

**From: City Manager**

**Recommendation:** Adopt a Resolution authorizing the City Manager to amend Contract No. 32200147 with Women’s Daytime Drop-In Center (WDDC) to add \$75,600 and extend the term of the Community Crisis Response Services to December 31, 2023 with a not to exceed amount of \$195,600.

**Financial Implications:** See report

Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400

**Action:** Adopted Resolution No. 70,732–N.S.

## Consent Calendar

**6. Contract No. 32300025 Amendment: Non-Profit Intelligence Partners for Flexible Funding program services**

**From: City Manager**

**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee to execute an amendment to Contract No. 32300025 with Non-Profit Intelligence Partners (NPI) to provide Flexible Funding program services through June 30, 2024 in an amount not to exceed \$350,000. This will extend the existing contract by one year and add \$300,000 in funding.

**Financial Implications:** See report

Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400

**Action:** Adopted Resolution No. 70,733–N.S.

**7. Revenue Agreements: California Department of Public Health Childhood Lead Poisoning Prevention and CalFresh Grants**

**From: City Manager**

**Recommendation:** Adopt two Resolutions authorizing the City Manager or her designee to submit grant agreements to the State of California, California Department of Public Health (CDPH), to accept the grants, and execute any resultant revenue agreements and amendments to conduct public health promotion, protection, and prevention services for the following two revenue agreements:

1. CDPH: Childhood Lead Poisoning Prevention Program (CLPPP), in the projected total 3-year amount of \$383,455 for FY 2024, FY 2025, and FY 2026.

2. CDPH: CalFresh Healthy Living Program (CalFresh), in the projected amount of \$162,390 each year in FFY 2024, FFY 2025, FFY 2026, for a projected total 3-year amount of \$487,170.

**Financial Implications:** See report

Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400

**Action:** Adopted Resolution No. 70,734–N.S. (Lead); and Resolution No. 70,735–N.S. (CalFresh).

## Consent Calendar

### 8. Funding Recommendation and Joint Homekey Application for the University Inn at 1461 University

**From: City Manager**

**Recommendation:** Adopt three resolutions approving the following actions in support of a Homekey program funding allocation by:

1. Reserving up to \$8,500,000 in General Funds received pursuant to Measure P for the University Inn permanent supportive housing project at 1461 University Avenue as proposed by a partnership between Memar Properties (Memar) and Housing Consortium of the East Bay (HCEB).
2. Reserving up to \$1,000,000 in General Funds received pursuant to Measure P for Memar and HCEB to operate the University Inn as an emergency shelter prior to permanent housing conversion.
3. Authorizing the City Manager or her designee to prepare and submit a joint application together with Memar and HCEB for the State of California Housing and Community Development (HCD) Department's Homekey program for the University Inn permanent supportive housing project. And, further authorizing the City Manager or her designee to include the issuance date of the Notice of Funding Availability, once available, in the resolution.
4. Authorizing the City Manager or her designee to take actions needed for the City's participation in HCD's Homekey program, including entering into HCD's Standard Agreement and any amendments.
5. Authorizing the City Manager or her designee to execute all original or amended documents or agreements to effectuate these actions.

**Financial Implications:** See report.

Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400

**Action:** Adopted Resolution No. 70,736–N.S. (Funding Reservation) as revised in Supplemental Communications Packet #2 by the City Manager;

Adopted Resolution No. 70,737–N.S. (Joint Application) with an amended Resolved clause to read:

*NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that Council approves \$8,500,000 in funding reservations from General Funds received pursuant to Measure P Allocation for the University Inn Homekey project. The project would include a preference for homeless individuals in Berkeley to the extent allowable under the coordinated entry system and all other applicable laws and regulations.*

Adopted Resolution No. 70,738–N.S. (Authorizing Joint Application) with an amended Resolved clause to read:

*NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that it approves the submission of a joint application with HCEB and Memar or their affiliate for the Homekey application for University Inn Homekey project, with a preference for homeless individuals in Berkeley to the extent allowable under the coordinated entry system and all other applicable laws and regulations.*

## Consent Calendar

**9. Amending the Program Year 2021 (PY2021) Annual Action Plan to Accept HOME-American Rescue Plan Funds**

**From: City Manager**

**Recommendation:** Adopt a Resolution:

1. Amending the PY2021 Annual Action Plan to expend HUD's allocation of HOME Investment Partnerships Program – American Rescue Plan (HOME-ARP) funds to the City of Berkeley, totaling \$2,735,696, upon HUD's acceptance of the City's Allocation Plan.
2. Allocating up to the allowable 15% (\$410,354) of the HOME-ARP funds for administration and planning, up to the allowable 5% (\$136,785) for nonprofit capacity building, and the remaining 80% (\$2,188,557) to supportive services for the qualifying populations. If the HOME-ARP award amount is modified, the same formulas will be applied for allocating funds.
3. Authorizing the City Manager or her designee to submit the approved PY2021 Annual Action Plan Substantial Amendment to HUD, and accept any resulting agreements, and amendments thereto with HUD.

**Financial Implications:** See report.

Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400

**Action:** Adopted Resolution No. 70,739–N.S.

**10. Salary Range Adjustments: Senior Behavioral Health Clinician, Mental Health Clinical Supervisor, Mental Health Program Supervisor, Assistant Manager of Mental Health Division, and Manager of Mental Health Division**

**From: City Manager**

**Recommendation:** Adopt a Resolution amending Resolution No. 69,997-N.S.

Salary Resolution for Public Employees Union – Local 1 to increase the top step salary of the Senior Behavioral Health Clinician by 0.83%; Mental Health Clinical Supervisor by 4.18%; Mental Health Program Supervisor by 7.33%; Assistant Manager of Mental Health Division by 7.33%; and Manager of Mental Health Division by 1.20%, effective January 14, 2023.

**Financial Implications:** See report

Contact: Aram Kouyoumdjian, Human Resources, (510) 981-6800

**Action:** Adopted Resolution No. 70,740–N.S.

## Consent Calendar

### 11. **Salary Range Adjustments: Deputy City Manager and Employee Relations Manager Classifications**

**From: City Manager**

**Recommendation:** Adopt a Resolution to amend Resolution No. 69,998-N.S. Classification and Salary Resolution for classifications in Representation Unit Z-1 (Confidential and Executive Management Employees) to increase the top step salary of the Deputy City Manager classification from \$277,840.99 to \$291,733.04, and the Employee Relations Manager classification from \$175,026.38 to \$180,065.60 effective January 14, 2023.

This Resolution follows Council consideration of this item in Closed Session on December 12, 2022.

**Financial Implications:** See report

Contact: Aram Kouyoumdjian, Human Resources, (510) 981-6800

**Action:** Adopted Resolution No. 70,741–N.S.

### 12. **Contract: TEROCONS INC. for Aquatic Park Paddling and Rowing Club Parking Lot Improvements Project**

**From: City Manager**

**Recommendation:** Adopt a Resolution:

1. Approving the plans and specifications for the Aquatic Park Paddling and Rowing Club Parking Lot Improvements Project; and
2. Accepting the bid of the lowest responsive and responsible bidder, TEROCONS INC.; and
3. Authorizing the City Manager to execute a contract and any amendments, extensions or other change orders until completion of the project in accordance with the approved plans and specifications, with TEROCONS INC., for the Aquatic Park Paddling and Rowing Club Parking Lot Improvements Project at 2851 West Bolivar Drive, Berkeley, CA 94710, in an amount not to exceed \$260,312.50 which includes a contract amount of \$208,250.00 and a 25% contingency in the amount of \$52,062.50.

**Financial Implications:** Parks Tax Fund - \$260,312.50

Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700

**Action:** Adopted Resolution No. 70,742–N.S.

### 13. **Grant Funding Application for SolarAPP+ integration**

**From: City Manager**

**Recommendation:** Adopt a Resolution authorizing the City Manager or their designee to submit a grant application in the amount of \$80,000 to The California Energy Commission, to receive technical assistance to integrate the SolarAPP+ web software to the City of Berkeley Permit Service Center operations, and to accept grant funds and execute a resulting grant agreement.

**Financial Implications:** See report.

Contact: Jordan Klein, Planning and Development, (510) 981-7400

**Action:** Adopted Resolution No. 70,743–N.S.

## Consent Calendar

- 14. Contract No. 32100192 Amendment: California Constructores for Sidewalk Repairs FY 2020 Project**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to amend Contract No. 32100192 with California Constructores, increasing the contract amount by \$200,000 for a total not-to-exceed amount of \$2,375,900.  
**Financial Implications:** See report.  
Contact: Liam Garland, Public Works, (510) 981-6300  
**Action:** Adopted Resolution No. 70,744–N.S.
- 15. Contract: JV Lucas Paving, Inc. for Street Rehabilitation FY 2023 Project**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution: 1) approving plans and specifications for the Street Rehabilitation FY 2023 Project, Specification No. 23-11558-C; and 2) accepting the bid of the lowest responsive and responsible bidder, JV Lucas Paving, Inc. and 3) authorizing the City Manager to execute a contract and any amendments, extensions or other change orders until completion of the project, in accordance with the approved plans and specifications in an amount not to exceed \$10,203,711.  
**Financial Implications:** See report.  
Contact: Liam Garland, Public Works, (510) 981-6300  
**Action:** Adopted Resolution No. 70,745–N.S.
- 16. Purchase Order: Pape Machinery, Inc. for One John Deere 320P Backhoe Loader**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution satisfying requirements of City Charter Article XI Section 67.2 allowing the City Manager to participate in Sourcwell bid procedures and authorizing the City Manager to execute a purchase order for one (1) 2023 John Deere 320P Backhoe Loader with Pape Machinery, Inc. in an amount not to exceed \$215,000.  
**Financial Implications:** See report  
Contact: Liam Garland, Public Works, (510) 981-6300  
**Action:** Adopted Resolution No. 70,746–N.S.
- 17. Purchase Order: Nicholas K Corp dba the Ford Store San Leandro for Eight Ford Interceptor Hybrid Utility Vehicles**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution satisfying requirements of City Charter Article XI Section 67.2 allowing the City Manager to participate in Alameda County bid procedures and authorize the City Manager to execute a purchase order for eight (8) Ford Interceptor Utility Hybrid vehicles with Nicholas K Corp dba the Ford Store San Leandro in an amount not to exceed \$496,454.  
**Financial Implications:** See report.  
Contact: Liam Garland, Public Works, (510) 981-6300  
**Action:** Adopted Resolution No. 70,747–N.S.

## Consent Calendar

**18. Referral Response: Grant Program for Retaining and Improving Creative Spaces**

**From: Civic Arts Commission**

**Recommendation:** Referral to the FY 2024 Budget Process an annual allocation of \$300,000 for funding the Civic Arts program to administer an annual Capital Projects Grant Program for Berkeley-based nonprofit arts and cultural organizations in order to retain and sustain the vitality of Berkeley's arts sector through real estate and capital project support.

**Financial Implications:** See report

Contact: Jennifer Lovvorn, Commission Secretary, (510) 981-7530

**Action:** Approved recommendation.

## Council Consent Items

**19. Budget Referral: Post COVID-19 Rental Assistance/Anti-Displacement**  
**From: Mayor Arreguin (Author), Councilmember Hahn (Co-Sponsor), Councilmember Harrison (Co-Sponsor), Councilmember Robinson (Co-Sponsor)**

**Recommendation:** Refer \$2,000,000 to the FY 2024/June Budget Process to augment the Housing Retention Program, (administered by the Eviction Defense Center, EDC) as part of the City's anti-displacement programs (launched in 2017), for the purpose of providing rental assistance to tenants due to the COVID-19 eviction moratorium expiration and rent debt due to inflation and rental increases. The proposed funding source is FY 2023-2024 Measure P tax receipts.

**Financial Implications:** See report

Contact: Jesse Arreguin, Mayor, (510) 981-7100

**Action:** Approved recommendation.

**20. City Co-Sponsorship of Bioneers Conference and Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Fund**  
**From: Mayor Arreguin (Author), Councilmember Hahn (Co-Sponsor), Councilmember Wengraf (Co-Sponsor)**

**Recommendation:** Adopt a resolution memorializing City of Berkeley co-sponsorship of the non-profit Bioneers Conference, to be held April 6-8, 2023 and approving the expenditure of an amount not to exceed \$250 per Councilmember including \$250 from Mayor Arreguin, to the Berkeley Chamber of Commerce to offset permit costs, with funds relinquished to the City's general fund for this purpose from the discretionary Council Office Budgets of Mayor Arreguin and any other Councilmembers who would like to contribute.

**Financial Implications:** See report

Contact: Jesse Arreguin, Mayor, (510) 981-7100

**Action:** Adopted Resolution No. 70,748–N.S. amended to include contributions from the following Councilmembers up to the amounts listed: Mayor Arreguin - \$250; Councilmember Wengraf - \$250; Councilmember Robinson - \$200.

## Council Consent Items

- 21. Budget Referral - Speed Feedback Signs for Arlington Avenue**  
**From: Councilmember Hahn (Author), Councilmember Taplin (Co-Sponsor), Councilmember Wengraf (Co-Sponsor)**  
**Recommendation:** In support of the City's Vision Zero Action Plan and Pedestrian Plan goals, refer to the Fiscal Year 2024 Budget Process an allocation of \$40,000 for two Speed Feedback Signs on Arlington Avenue between The Circle and Mendocino Avenue, to encourage slower speeds on a stretch with numerous hidden and mid-block crosswalks.  
**Financial Implications:** See report  
Contact: Sophie Hahn, Councilmember, District 5, (510) 981-7150  
**Action:** Approved recommendation.
- 22. Pedestrian Safety Upgrades for Arlington Avenue**  
**From: Councilmember Hahn (Author), Councilmember Taplin (Co-Sponsor), Councilmember Wengraf (Co-Sponsor)**  
**Recommendation:** In support of the City's Vision Zero Action Plan and Pedestrian Plan goals, refer to the Fiscal Year 2024 Budget Process an allocation of \$35,000 for traffic control measures on Arlington Avenue from The Circle to Mendocino Avenue, to enhance pedestrian safety at hidden crosswalks and where paths cross mid-block, and refresh painted markings that narrow lanes and encourage reduced speeds.  
**Financial Implications:** See report  
Contact: Sophie Hahn, Councilmember, District 5, (510) 981-7150  
**Action:** Approved recommendation.
- 23. 2023 Virtual Holocaust Remembrance Day Program: Relinquishment of Council Office Budget Funds from General Funds and Grant of Such Funds**  
**From: Councilmember Wengraf (Author), Councilmember Hahn (Author)**  
**Recommendation:** Adopt a Resolution approving the expenditure of an amount not to exceed \$500 per Councilmember, including \$500 each from Councilmember Wengraf and Councilmember Hahn, to support the City's Annual Holocaust Remembrance Day program with funds relinquished to the City's general fund. The relinquishment of funds from Councilmember Wengraf's and Hahn's discretionary Council Office Budgets and all other Councilmembers who would like to contribute, allows the City of Berkeley to invite the community to the City's 20th Annual Holocaust Remembrance Day virtual program, created by the community with City Council support. This year's program will be held virtually on April 16th, 2023 from 2:00 – 3:00 PM. Register via Eventbrite to attend.  
**Financial Implications:** See report  
Contact: Susan Wengraf, Councilmember, District 6, (510) 981-7160  
**Action:** Councilmember Taplin added as a co-sponsor. Adopted Resolution No. 70,749–N.S. amended to include contributions from the following Councilmembers up to the amounts listed: Mayor Arreguin - \$500; Councilmember Kesarwani - \$200; Councilmember Humbert – \$500; Councilmember Harrison – \$250; Councilmember Bartlett – \$250; Councilmember Taplin – \$500; Councilmember Robinson – \$200.

## Council Consent Items

- 24. Proclamation in Honor of City of Berkeley Holocaust Remembrance Day**  
**From: Councilmember Wengraf (Author), Councilmember Hahn (Author), Mayor Arreguin (Co-Sponsor), Councilmember Bartlett (Co-Sponsor)**  
**Recommendation:** Adopt the Holocaust Remembrance Day Proclamation for the City of Berkeley's 20th Annual Holocaust Remembrance Day. The program will take place virtually on Sunday, April 16th from 2:00 - 3:00 PM.  
**Financial Implications:** See report  
Contact: Susan Wengraf, Councilmember, District 6, (510) 981-7160  
**Action:** Adopted proclamation.
- 25. Referral: On-Street Secure Bike Storage**  
**From: Councilmember Robinson (Author), Councilmember Hahn (Co-Sponsor), Councilmember Harrison (Co-Sponsor), Councilmember Taplin (Co-Sponsor)**  
**Recommendation:** Refer to the City Manager to develop and return to Council with a plan to create on-street secure bike parking in multi-family residential and commercial districts across the City in parking spots previously reserved for car storage. Take associated actions, including:
1. Determining recommended locations for installation that take into consideration factors such as equity priority neighborhoods; transit connections; bicycle network connections; areas with high percentages of tenants; access to destinations such as schools, community centers, employment centers, and businesses; and public input.
  2. Developing and issuing a Request for Proposal for an operator to install and maintain on-street bike lockers, including lockers that can accommodate bikes of varying shapes and sizes.
  3. Pursuing available grant opportunities to fund initial costs and ongoing maintenance.
- Financial Implications:** See report  
Contact: Rigel Robinson, Councilmember, District 7, (510) 981-7170  
**Action:** Approved recommendation.

## Action Calendar – Public Hearings

### 26. Implement Residential Preferential Parking (RPP) Program on the 1600 Block of Fifth Street

**From: City Manager**

**Recommendation:** Conduct a public hearing and upon its conclusion, adopt a Resolution amending Resolution No. 56,508-N.S. Section 25P by adding a subsection to implement Residential Preferential Parking (RPP) on the east side of the 1600 block of Fifth Street in Area P.

**Financial Implications:** See report.

Contact: Liam Garland, Public Works, (510) 981-6300

**Public Testimony:** The Mayor opened the public hearing. 1 speaker.

M/S/C (Arreguin/Robinson) to close the public hearing.

**Vote:** Ayes – Kesarwani, Taplin, Bartlett, Harrison, Wengraf, Robinson, Wengraf, Humbert, Arreguin; Noes – None; Abstain – None; Absent – Hahn.

**Action:** M/S/C (Arreguin/Robinson) to adopt Resolution No. 70,750–N.S. with revised materials in Supplemental Communications Packet #1 from the City Manager.

**Vote:** Ayes – Kesarwani, Taplin, Bartlett, Harrison, Robinson, Wengraf, Humbert, Arreguin; Noes – None; Abstain – None; Absent – Hahn, Wengraf.

## Action Calendar – New Business

### 27. Berkeley Transit-First Policy Implementation Plan

**From: City Manager**

**Recommendation:** 1. Adopt a Resolution approving the Berkeley Transit-First Policy Implementation Plan and authorizing the City Manager to pursue implementation of the Plan as funding and staffing permit; and  
2. Appoint two members and one alternate to serve on the Inter-Agency Liaison Committee (ILC) between the City of Berkeley and AC Transit to discuss transit-related matters on a quarterly schedule.

**Financial Implications:** See report

Contact: Liam Garland, Public Works, (510) 981-6300

**Action:** Moved to Consent Calendar.

1. Adopted Resolution No. 70,751–N.S.

2. Appointed Councilmembers Robinson, Taplin, and Harrison to the ILC.

## Council Action Items

28. **Adopt Ordinance Adding Chapter 2.102 to the Berkeley Municipal Code to Establish a Labor Peace Policy Minimizing Labor/Management Conflict in Berkeley Marina Zone**  
**From: Councilmember Harrison (Author), Mayor Arreguin (Co-Sponsor), Councilmember Taplin (Co-Sponsor), Councilmember Bartlett (Co-Sponsor)**  
**Recommendation:** Adopt Ordinance Adding Chapter 2.102 to the Berkeley Municipal Code (BMC) to Establish a Labor Peace Policy minimizing labor/management conflict in Berkeley Marina Zone.  
**Financial Implications:** See report  
Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140  
**Action:** Item 28 held over to April 11, 2023.

## Information Reports

29. **Fiscal Year 2023 Mid-Year Budget Update**  
**From: City Manager**  
Contact: Sharon Friedrichsen, Budget Manager, (510) 981-7000; Henry Oyekanmi, Finance, (510) 981-7300  
**Action:** Received and filed.
30. **LPO NOD: 1581 Le Roy Avenue/#LMSAP2022-0009**  
**From: City Manager**  
Contact: Jordan Klein, Planning and Development, (510) 981-7400  
**Action:** Received and filed.
31. **LPO NOD: 1325 Arch Street/#LMSAP2022-0013**  
**From: City Manager**  
Contact: Jordan Klein, Planning and Development, (510) 981-7400  
**Action:** Received and filed.
32. **LPO NOD: 1911 Fourth Street /#LMSAP2022-0014**  
**From: City Manager**  
Contact: Jordan Klein, Planning and Development, (510) 981-7400  
**Action:** Received and filed.
33. **2022 Disaster and Fire Safety Commission Work Plan**  
**From: Disaster and Fire Safety Commission**  
Contact: Keith May, Commission Secretary, (510) 981-3473  
**Action:** Received and filed.

**Public Comment – Items Not Listed on the Agenda - 1 speaker.**

## **Adjournment**

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

**Vote:** Ayes – Kesarwani, Taplin, Bartlett, Harrison, Wengraf, Robinson, Humbert, Arreguin;  
Noes – None; Abstain – None; Absent – Hahn.

Adjourned at 9:07 p.m.

## **Communications**

### **Hopkins Corridor**

1. Jim Offel
2. Dan Leaverton
3. Wilbur Ressler
4. Anna Muessig
5. Susan Brooks
6. Bob Flasher

### **BART Development**

7. Jack Kurzweil
8. Dan Leaverton
9. Heath Maddox
10. Carol Gross
11. Phyllis Orrick
12. Mary Dorst
13. Kok Loong Lye
14. Kim Klein

### **Eviction Moratorium**

15. Teri Gerritz
16. Rose Hughes

### **Crime**

17. Seema Burke
18. Kimberly Damer
19. Taline T
20. Klara Budai

### **910 Indian Rock**

21. Berkeley Architectural Heritage Association

### **Bird Safe Ordinance**

22. Jan Ruchlis
23. Kelly Hammargren
24. Juliet Lamont
25. Sally Nelson

**Civic Center Vision Plan**

26. Wendy Alfsen

27. Lorraine and Jack Scanlin

**Berkeley Asphalt Operations**

28. Pear Michaels

**Council Meetings – Hybrid and In-Person**

29. generalmint@

**Viewpoint of City Manager**

30. Diana Bohn

**Disabilities**

31. Gregory Kalkanis

**3<sup>rd</sup> Party Delivery System**

32. Terri Nevins

33. Eric Wright

**Golden Bear Housing Safety Assessment**

34. Meryl Siegal

**Harriet Tubman Apartment Issues**

35. Darinxoso Oyamasela

36. Brandi Hutchinson

37. Cassandra Palanza

**Homelessness/Encampments/Winter Shelter**

38. Paul Eriksen

39. Moni Law

40. Paul Kealoha Blake

41. Carol Corradi

42. City Manager Dee Williams-Ridley

**COVID/Masking**

43. Moni Law

44. Ms. Omowale Fowles

45. Eric Friedman

46. Isabell Gaston

**In Memory of Judy Heumann**

47. Michai Freeman

48. Councilmember Bartlett

### **Turtle Island Monument**

- 49. John Caner, Convener for Community for a Cultural Civic Center
- 50. George Petty

### **URL's Only**

- 51. Vivian Warkentin (2)

## **Supplemental Communications and Reports 1**

### **Item #1: Resolution Reviewing and Ratifying the Proclamation of Local Emergency Due to the Spread of a Severe Acute Respiratory Illness Caused by a Novel (New) Coronavirus (COVID-19)**

- 52. Revised material, submitted by the City Manager's Office

### **Item #26: Implement Residential Preferential Parking (RPP) Program on the 1600 Block of Fifth Street**

- 53. Revised material, submitted by Public Works

## **Supplemental Communications and Reports 2**

### **Item #8: Funding Recommendations and Joint Homekey Applications for the University Inn at 1461 University**

- 54. Revised material, submitted by Health, Housing and Community Services

### **Item #18: Referral Response: Grant Program for Retaining and Improving Creative Spaces**

- 55. John-Mario Sevilla, on behalf of Luna Dance Institute

## **Supplemental Communications and Reports 3**

### **Item #13: Grant Funding Application for SolarAPP+ Integration**

- 56. Igor Tregub

### **Item #26: Implement Residential Preferential Parking (RPP) Program on the 1600 Block of Fifth Street**

- 57. Presentation, submitted by Public Works

### **Item #27: Berkeley Transit-First Policy Implementation Plan**

- 58. Presentation, submitted by Public Works

### **Urgency Item**

### **Authorizing the City Attorney to Submit a Letter in Support of the UC Regents Petition for Review in *Make UC a Good Neighbor v. Regents of University of California***

- 59. Urgent item, submitted by Mayor Arreguin and Councilmember Robinson
- 60. Becky O'Malley
- 61. Michael Fullerton
- 62. Erika Shore
- 63. Max Ventura

64. Diana Bohn