



AGENDA

BERKELEY CITY COUNCIL MEETING

Tuesday, May 31, 2022

6:00 PM

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

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 – LORI DROSTE

PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED IN A HYBRID MODEL WITH BOTH IN-PERSON ATTENDANCE AND VIRTUAL PARTICIPATION

Proof of up-to-date COVID-19 vaccination or verified negative COVID-19 test is required for in-person attendance. In-person attendees are required to wear a mask that covers their nose and mouth for the duration of the meeting. If you are feeling sick, please do not attend in-person.

Live captioned broadcasts of Council Meetings are available on Cable B-TV (Channel 33) and via internet accessible video stream at http://berkeley.granicus.com/MediaPlayer.php?publish_id=1244.

To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL <https://us02web.zoom.us/j/88127787306>. 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 **1-669-900-9128** or **1-877-853-5257 (Toll Free)** and enter Meeting ID: **881 2778 7306**. 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.

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:

Ceremonial Matters: *In addition to those items listed on the agenda, the Mayor may add additional ceremonial matters.*

City Manager Comments: *The City Manager may make announcements or provide information to the City Council in the form of an oral report. The Council will not take action on such items but may request the City Manager place a report on a future agenda for discussion.*

Public Comment on Non-Agenda Matters: *Persons will be selected to address matters not on the Council agenda. If five or fewer persons wish to speak, each person selected will be allotted two minutes each. If more than five persons wish to speak, up to ten persons will be selected to address matters not on the Council agenda and each person selected will be allotted one minute each. Persons attending the meeting in-person and wishing to address the Council on matters not on the Council agenda during the initial ten-minute period for such comment, must submit a speaker card to the City Clerk in person at the meeting location and prior to commencement of that meeting. The remainder of the speakers wishing to address the Council on non-agenda items will be heard at the end of the agenda.*

Consent Calendar

The Council will first determine whether to move items on the agenda for "Action" or "Information" to the "Consent Calendar", or move "Consent Calendar" items to "Action." Three members of the City Council must agree to pull an item from the Consent Calendar for it to move to Action. Items that remain on the "Consent Calendar" are voted on in one motion as a group. "Information" items are not discussed or acted upon at the Council meeting unless they are moved to "Action" or "Consent".

No additional items can be moved onto the Consent Calendar once public comment has commenced. At any time during, or immediately after, public comment on Information and Consent items, any Councilmember may move any Information or Consent item to "Action." Following this, the Council will vote on the items remaining on the Consent Calendar in one motion.

For items moved to the Action Calendar from the Consent Calendar or Information Calendar, persons who spoke on the item during the Consent Calendar public comment period may speak again at the time the matter is taken up during the Action Calendar.

Public Comment on Consent Calendar and Information Items Only: *The Council will take public comment on any items that are either on the amended Consent Calendar or the Information Calendar. Speakers will be entitled to two minutes each to speak in opposition to or support of Consent Calendar and Information Items. A speaker may only speak once during the period for public comment on Consent Calendar and Information items.*

Additional information regarding public comment by City of Berkeley employees and interns: Employees and interns of the City of Berkeley, although not required, are encouraged to identify themselves as such, the department in which they work and state whether they are speaking as an individual or in their official capacity when addressing the Council in open session or workshops.

Consent Calendar

1. **Resolution Making Required Findings Pursuant to the Government Code and Directing City Legislative Bodies to Continue to Meet Via Videoconference and Teleconference**

From: City Manager

Recommendation: Adopt a Resolution making the required findings pursuant to Government Code Section 54953(e)(3) and determining that as a result of the continued threat to public health and safety posed by the spread of COVID-19, City legislative bodies shall continue to meet via videoconference and teleconference, initially ratified by the City Council on September 28, 2021, and subsequently reviewed and ratified on October 26, 2021, November 16, 2021, December 14, 2021, January 10, 2022, February 8, 2022, March 8, 2022, March 22, 2022, April 12, 2022, and May 10, 2022.

Financial Implications: To be determined

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

2. **Minutes for Approval**

From: City Manager

Recommendation: Approve the minutes for the Council meetings of April 12 (closed and regular), April 19, (closed and special), April 21 (special), April 26 (special and regular).

Financial Implications: None

Contact: Mark Numainville, City Clerk, (510) 981-6900

3. **Resolution Supporting the Sale of 3404 King Street and transfer of the Turning Point transitional housing program for homeless youth from Fred Finch Youth Center to Larkin Street Youth Services**

From: City Manager

Recommendation: Adopt a Resolution supporting the sale of the property at 3404 King Street, currently owned by Fred Finch Youth Center (FFYC), to Larkin Street Youth Services (LSYS) to continue operating the Turning Point transitional housing program for homeless transition-aged youth. The proposed resolution would: Immediately forgive in full an outstanding Housing Trust Fund loan on the property, with an outstanding balance of \$305,000, otherwise set to be forgiven in 2027; Authorize the City Manager to enter into contract and necessary amendments with LSYS and reallocate the balance of the funding currently committed to FFYC through the FY20-23 Community Agency Funding RFP process, in an amount not to exceed \$89,255 in FY23; Reallocate funding from contract with Covenant House California (Contract No. 31900239) when said contract terminates at the end of June 2022, in an amount not to exceed \$318,000 for FY23, to LSYS.

Financial Implications: See report

Contact: Peter Radu, City Manager's Office, (510) 981-7000

Consent Calendar

- 4. Commission Reorganization: Amendments to Berkeley Municipal Code Section 7.52.190 (Homeless Services Panel of Experts)**
From: City Manager
Recommendation:
1. Adopt first reading of an Ordinance amending Section 7.52.190 of the Berkeley Municipal Code, the enabling legislation for the Homeless Services Panel of Experts (HSPOE) to add the functions of the Homeless Commission as found in Resolution No. 60,647-N.S.
2. Adopt a Resolution rescinding Resolution No. 60,647-N.S. which established the Homeless Commission.
Financial Implications: See report
Contact: Peter Radu, City Manager's Office, (510) 981-7000
- 5. Assessments: Berkeley Tourism Business Improvement District**
From: City Manager
Recommendation: Adopt a Resolution approving the Annual Report of FY 2022 and preliminary budget for FY23 for the Berkeley Tourism Business Improvement District (BTBID) as recommended by the BTBID Owners' Association.
Financial Implications: See report
Contact: Eleanor Hollander, Economic Development, (510) 981-7530
- 6. Assessments: Downtown Berkeley Property Based Business Improvement District**
From: City Manager
Recommendation: Adopt a Resolution approving the Downtown Berkeley Property Based Business Improvement District (DPBID) Annual Report of Fiscal Year (FY) 2022 and proposed budget for FY 2023, and declaring Council's intention to levy an annual assessment for the DPBID for FY 2023.
Financial Implications: See report
Contact: Eleanor Hollander, Economic Development, (510) 981-7530
- 7. Assessments: North Shattuck Property Based Business Improvement District**
From: City Manager
Recommendation: Adopt a Resolution approving the North Shattuck Property Based Business Improvement District (NSBID) Annual Report of Fiscal Year (FY) 2022 and proposed budget for FY 2023, and declaring Council's intention to levy an annual assessment for the NSBID for FY 2023.
Financial Implications: See report
Contact: Eleanor Hollander, Economic Development, (510) 981-7530

Consent Calendar

- 8. Assessments: Telegraph Property Based Business Improvement District**
From: City Manager
Recommendation: Adopt a Resolution approving the Telegraph Property Based Business Improvement District (TBID) Annual Report of FY 2022 and proposed budget for FY 2023, and declaring Council's intention to levy an annual assessment for the TBID for FY 2023.
Financial Implications: See Report
Contact: Eleanor Hollander, Economic Development, (510) 981-7530
- 9. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on May 31, 2022**
From: City Manager
Recommendation: Approve the request for proposals or invitation for bids (attached to staff report) that will be, or are planned to be, issued upon final approval by the requesting department or division. All contracts over the City Manager's threshold will be returned to Council for final approval.
Financial Implications: Various Funds - \$535,000
Contact: Henry Oyekanmi, Finance, (510) 981-7300
- 10. Notice of Appropriations Limit for Fiscal Year 2023**
From: City Manager
Recommendation: Adopt a Resolution providing notice that: 1) Council will adopt an appropriations limit for Fiscal Year 2023 at its meeting of June 28, 2022; and 2) the amount of the limit and the background material used in its calculation will be available for public review in the City Clerk's Office on or before June 13, 2022.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
- 11. Revenue Grant Agreements: Funding Support from Alameda County to Conduct Public Health Services**
From: City Manager
Recommendation: Adopt four Resolutions authorizing the City Manager or her designee to submit grant agreements to Alameda County, to accept the grants, and execute any resultant revenue agreements and amendments to conduct public health promotion, protection, and prevention services for the following five revenue agreements:
1. Foster Care Program in the projected amount of \$93,187 for FY 2023.
2. Berkeley High School and Berkeley Technology Academy Health Center Programs in the projected amount of \$181,208 for FY 2023.
3. School Linked Health Services Program (Measure A Funding) in the projected amount of \$200,011 for FY 2023.
4. Tobacco Prevention Program in the projected amount of \$78,960 for FY 2023.
Financial Implications: See report
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400

Consent Calendar

12. Revenue Grant: Funding Support from Alameda County to Public Health Infrastructure Program

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager or her designee to submit grant agreements to Alameda County, to accept the grant, and execute any resultant revenue agreements and amendments to conduct public health promotion, protection, and prevention services for the Public Health Infrastructure Program in the projected amount of \$32,080 for FY 2023.

Financial Implications: See report

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

13. Revenue Grant Agreements: Funding Support from Essential Access Health to Conduct Public Health Services

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager or her designee to submit a grant application to Essential Access Health, to accept the grant, execute any resultant revenue agreement and amendment, and implement the projects and appropriation of funding for related expenses to conduct public health promotion, protection, and prevention services for the Essential Access Health revenue agreement in the projected amount of \$120,000 for April 1, 2022 to March 30, 2023.

Financial Implications: See report

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

14. Revenue Grant Agreements: Funding Support from the State of California to Conduct Public Health Services

From: City Manager

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

1. Child Health and Disability Prevention (CHDP) Program, which includes Early Periodic Screening, Diagnosis and Treatment (EPSDT) and Health Care Program for Children in Foster Care (HCPCFC), in the projected amount of \$358,309 for FY 2023.

2. Maternal, Child and Adolescent Health (MCAH) Program, in the projected amount of \$381,147 for FY 2023.

3. Tobacco Trust Fund in the projected amount of \$300,000 in FY 2023.

4. Immunization Program: In the projected amount of \$1,185,901 for FY 2023.

5. Public Health Emergency Preparedness (PHEP)/Pandemic Flu/Cities Readiness Initiative (CRI) Program in the projected allocation of \$265,000 for FY 2023.

Financial Implications: See report.

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

Consent Calendar

- 15. Revenue Grant: Funding Support from the State of California for the Tuberculosis Control Program**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to submit grant agreements to the State of California, to accept the grant, and execute any resultant revenue agreements and amendments to conduct public health promotion, protection, and prevention services for the Tuberculosis Control Program in the projected amount of \$14,000 for FY 2023.
Financial Implications: See report.
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
- 16. Contract: Interior Motions for Health, Housing, and Community Services Public Health Division Furniture**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to execute a contract and any amendments or extensions with Interior Motions for new furniture for the Public Health Division offices. The contract will be in an amount not to exceed \$135,000 for the period April 1, 2022 through December 30, 2022.
Financial Implications: See report
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
- 17. Expenditure Contract: California Mental Health Student Services Act Grant Funds for Berkeley Unified School District for Coordination and Provision of Mental Health Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to execute a contract with Berkeley Unified School District (BUSD) to transfer grant funds in the amount of \$2,267,355 requested for BUSD and received from the Mental Health Services Accountability and Oversight Commission (MHSAOC). These funds will be used by BUSD to coordinate and provide mental health staffing and services in BUSD in Fiscal Years 2022 through 2027.
Financial Implications: See report
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
- 18. Approving Proposed Projects Anticipated to be paid for by the State's Road Maintenance and Rehabilitation Account (RMRA) Funds for FY2023**
From: City Manager
Recommendation: Adopt a Resolution approving a proposed list of projects that will utilize funding from the State of California's Road Maintenance and Rehabilitation Account, and authorize the City Manager to submit the proposed list to the California Transportation Commission.
Financial Implications: See report
Contact: Liam Garland, Public Works, (510) 981-6300

Consent Calendar

- 19. Berkeley Strategic Transportation Plan Update and Grant Application Opportunities**
From: City Manager
Recommendation:
1. Adopt two Resolutions authorizing the City Manager to submit grant applications to the California Active Transportation Program, accept the grants awarded, and execute any resultant agreements and amendments.
2. Adopt a Resolution: a. Approving the Berkeley Strategic Transportation Plan Third Addendum. b. Authorizing the City Manager to submit unfunded Five-Year Priority Projects from the Berkeley Strategic Transportation Plan Third Addendum to the Alameda County Transportation Commission for funding through the County's Fiscal Year (FY) 2024 – FY 2028 Comprehensive Investment Plan. c. Authorizing the City Manager to execute agreements as needed for accepting the awarded grant funds.
Financial Implications: See report
Contact: Liam Garland, Public Works, (510) 981-6300
- 20. Declaration of Intent – Fiscal Year 2023 Street Lighting Assessments**
From: City Manager
Recommendation: Adopt two Resolutions granting the City Manager the authority to approve the Engineer's Reports; set a public hearing to be held before the Council of the City of Berkeley at its June 28, 2022 meeting; and authorize the City Clerk to publish a Notice of the Public Hearing for Fiscal Year 2023 Levy of Assessments for Berkeley Street Lighting Assessment District No. 1982-1 and Street Lighting Assessment District 2018.
Financial Implications: See report
Contact: Liam Garland, Public Works, (510) 981-6300
- 21. Contract: Nema Construction for FY 2022 Street Light Maintenance Project**
From: City Manager
Recommendation: Adopt a Resolution approving plans and specifications for the Street Rehabilitation FY 2022 Project, Specification No. 22-11506-C; accepting the bid of the lowest responsive and responsible bidder, Nema Construction; and 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 \$428,950.
Financial Implications: Street Light Assessment Fund - \$428,950
Contact: Liam Garland, Public Works, (510) 981-6300

Consent Calendar

- 22. Contract: Zanker Recycling for Construction and Demolition Materials Hauling, Sorting and Marketing Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with Zanker Recycling LLC to provide construction and demolition materials hauling, sorting and marketing services for an initial five-year term commencing on July 1, 2022. The contract includes an option to extend for one five (5) year period for a maximum ten (10) year contract term and a total amount not to exceed \$21,551,718.
Financial Implications: Zero Waste Fund - \$21,551,718
Contact: Liam Garland, Public Works, (510) 981-6300
- 23. Contract No. 102498-1 Amendment: TK Elevator for Elevator Maintenance and Repair Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an Amendment to Contract No. 102498-1 with TK Elevator (formerly Thyssenkrupp Elevator) to increase the contract amount by \$500,000 for a total contract amount not to exceed \$1,640,000 and to extend the contract term through June 30, 2025.
Financial Implications: Various Funds - \$500,000
Contact: Liam Garland, Public Works, (510) 981-6300
- 24. Contract No. 108037-1 Amendment: MSR Mechanical, LLC for on-call heating, ventilation and air conditioning services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an Amendment to Contract No. 108037-1, with MSR Mechanical LLC: to increase the contract amount by \$50,000 for a total contract amount not to exceed \$130,000; and to extend the contract term through June 30, 2024.
Financial Implications: Various Funds - \$50,000
Contact: Liam Garland, Public Works, (510) 981-6300
- 25. Contract No. 31900031 Amendment: Downtown Streets Team for Expanded Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or designee to amend Contract No. 31900031 with Downtown Streets Team (DST) to: 1. Increase the contract by \$400,000 for a new not to exceed amount of \$1,675,304 and extend the contract term through December 31, 2023; and 2. Expand DST services to include the cleanup of litter and illegally dumped materials at encampment sites and adjacent neighborhoods throughout the City of Berkeley as needed; and 3. Negotiate new pricing, contract terms, and scope of services in support of the Clean Cities Program for the continuation of leaf and litter removal, graffiti abatement, and poster removal services for various commercial districts in Fiscal Year 2024.
Financial Implications: Various Funds - \$400,000
Contact: Liam Garland, Public Works, (510) 981-6300

Consent Calendar

- 26. Contract No. 32000246 Amendment: CF Contracting, Inc. for Sacramento Complete Streets Improvements Project**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32000246 with CF Contracting, Inc. for work on the Sacramento Complete Streets Improvement Project (“Project”), Specification No.20-11379-C, increasing the contract amount by \$250,000 for an amended total not to exceed \$2,725,200.
Financial Implications: Measure BB Fund - \$250,000
Contact: Liam Garland, Public Works, (510) 981-6300
- 27. Purchase Order: Papé Machinery, Inc. for the completed rebuild and repair of Zero Waste Division’s John Deere Wheel Loader, Unit No. 6505**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a purchase order with Papé Machinery, Inc. for the completed rebuild, major component replacement and repair of Zero Waste Division’s John Deere Wheel Loader, Unit No. 6505, in an amount not to exceed \$345,188.
Financial Implications: Equipment Maintenance Fund - \$345,188
Contact: Liam Garland, Public Works, (510) 981-6300
- 28. Authorization for Additional Civic Arts Commission Meeting in 2022**
From: Civic Arts Commission
Recommendation: Adopt a Resolution for one additional meeting of the Civic Arts Commission in 2022.
Financial Implications: None
Contact: Jennifer Lovvorn, Commission Secretary, (510) 981-7530
- 29. Arts Commission Budget Referral: Festival Grants Budget Allocation**
From: Civic Arts Commission
Recommendation: Refer to the City’s Budget Process for Fiscal Year 2023 an increased budget allocation of \$41,685 for Festival Grants to bring the allocation for these grants to \$200,000 annually beginning in Fiscal Year 2023.
Financial Implications: See Report
Contact: Jennifer Lovvorn, Commission Secretary, (510) 981-7530

Council Consent Items

- 30. Budget Referral: Small Business Rental and Legal Support**
From: Mayor Arreguin (Author), Councilmember Robinson (Co-Sponsor), Councilmember Hahn (Co-Sponsor), Councilmember Harrison (Co-Sponsor)
Recommendation: Refer to the Fiscal Year 2023 Budget Process and the City Manager, \$1,000,000 from American Rescue Plan Act (ARPA) funding to launch a needs-based grant program for Berkeley-based small businesses (under 50 employees) to provide supplemental assistance to cover outstanding commercial rent debt and to fund legal assistance to small businesses. The City Manager shall create the criteria and formula to distribute the funds as described in the report.
Financial Implications: American Rescue Plan Act - \$1,000,000
Contact: Jesse Arreguin, Mayor, (510) 981-7100
- 31. Budget Referral: Ceasefire Program Staffing**
From: Councilmember Taplin (Author)
Recommendation: Refer \$1,000,000 (\$1M) to the budget process to provide full staffing for a Berkeley Ceasefire program.
Financial Implications: General Fund - \$1,000,000
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120
- 32. Budget Referral: Fund Mental Health Wellness Support and Services Coordinator at the Berkeley High School Health Center**
From: Councilmember Harrison (Author), Councilmember Hahn (Co-Sponsor)
Recommendation: Refer to the FY 23 and FY 24 Annual Budget Process \$350,000 to provide a coordinator position to deliver mental health wellness support and services to the City-run Berkeley High School (BHS) Mental Health Center, and to expand services and training as appropriate, consistent with the May 5, 2022 Council action to reimagine public safety. This includes: 1. Counseling services for students experiencing depression, anxiety, self-harm, suicidal ideations, etc.; 2. Teacher training for mental health awareness; 3. Facilitator/support resources to assist with coordination and scheduling of services.
Financial Implications: General Fund - \$350,000
Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140
- 33. Budget Referral: Fund Additional HHCS Community Development Project Coordinator Position to Assist with Workforce Standards and Enforcement**
From: Councilmember Harrison (Author)
Recommendation: Refer to the FY 23 and FY 24 Annual Budget Process approximately \$104,863 in General Funds with additional benefits to hire another Community Development Project Coordinator in the Health, Housing and Community Services (HHCS) Department to assist with enforcement of existing and prospective labor laws and regulations.
Financial Implications: General Fund - \$104,863
Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140

Council Consent Items

- 34. Support for SB-1076 Lead-based paint (Archuleta)**
From: Councilmember Wengraf (Author), Councilmember Taplin (Co-Sponsor), Councilmember Hahn (Co-Sponsor)
Recommendation: Send a letter of support to Senator Archuleta for his proposed legislation: SB-1076 Lead-based paint, with a copy to Nancy Skinner.
Financial Implications: Staff time
Contact: Susan Wengraf, Councilmember, District 6, (510) 981-7160
- 35. Budget Referral: Purchase of Electric Bicycles for City Use**
From: Councilmember Robinson (Author), Councilmember Harrison (Co-Sponsor), Councilmember Hahn (Co-Sponsor)
Recommendation: Refer \$25,000 to the FY 2023-2024 budget process to purchase electric bicycles, electric cargo bicycles, and any related safety, storage, or security equipment for use by employees on City business.
Financial Implications: General Fund - \$25,000
Contact: Rigel Robinson, Councilmember, District 7, (510) 981-7170

Action Calendar

The public may comment on each item listed on the agenda for action as the item is taken up. For items moved to the Action Calendar from the Consent Calendar or Information Calendar, persons who spoke on the item during the Consent Calendar public comment period may speak again at the time the matter is taken up during the Action Calendar.

The Presiding Officer will request that persons wishing to speak line up at the podium, or use the "raise hand" function in Zoom, to determine the number of persons interested in speaking at that time. Up to ten (10) speakers may speak for two minutes. If there are more than ten persons interested in speaking, the Presiding Officer 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. The Presiding Officer may, with the consent of persons representing both sides of an issue, allocate a block of time to each side to present their issue.

Action items may be reordered at the discretion of the Chair with the consent of Council.

Action Calendar – Public Hearings

Staff shall introduce the public hearing item and present their comments. This is followed by five-minute presentations each by the appellant and applicant. The Presiding Officer will request that persons wishing to speak line up at the podium, or use the "raise hand" function in Zoom, to be recognized and to determine the number of persons interested in speaking at that time.

Up to ten (10) speakers may speak for two minutes. If there are more than ten persons interested in speaking, the Presiding Officer 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. The Presiding Officer may with the consent of persons representing both sides of an issue allocate a block of time to each side to present their issue.

Each member of the City Council shall verbally disclose all ex parte contacts concerning the subject of the hearing. Councilmembers shall also submit a report of such contacts in writing prior to the commencement of the hearing. Written reports shall be available for public review in the office of the City Clerk.

Action Calendar – Public Hearings

36. **Updating Published Charges: Mental Health Clinical Services**
From: City Manager
Recommendation: Conduct a Public Hearing and, upon conclusion, adopt a Resolution establishing Published Charges for Mental Health Clinical Services for Fiscal Year 2022. Published Charges are effective July 1, 2021.
Financial Implications: See report.
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400

Action Calendar – New Business

37. **Discussion and Direction Regarding Vision 2050 Program Plan and Potential Ballot Measures for the November 8, 2022 General Municipal Election**
From: City Manager
Recommendation: Discuss the results of the recent community survey; provide direction to the City Manager on whether to continue working towards placing measure(s) on the November ballot, and, if so, the type of and dollar amounts for revenue measures; and provide input on the Vision 2050 Program Plan.
Financial Implications: See report
Contact: Paul Buddenhagen, City Manager's Office, (510) 981-7000
38. **City Council Comments on the FY 2023 and FY 2024 Proposed Biennial Budget and Capital Improvement Program**
From: City Manager
Recommendation: Provide comments on the FY 2023 and FY 2024 Proposed Biennial Budget and Capital Improvement Program.
Financial Implications: See report
Contact: Sharon Friedrichsen, Budget Manager, (510) 981-7000

Council Action Items

- 39. Referral to the Facilities, Infrastructure, Transportation, Environment & Sustainability Policy Committee Policy Committee to Consider Strategies and Make Recommendations to Council and Staff to Ensure Potential Infrastructure Bond Expenditure Is Consistent With Climate Action Goals and Other Environmental Policies** *(Reviewed by the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee)*
From: Councilmember Harrison (Author)
Recommendation: Refer to the Facilities, Infrastructure, Transportation, Environment & Sustainability (FITES) Policy Committee Policy Committee to consider strategies and make recommendations to the Council and staff to ensure that potential infrastructure bond is consistent with Climate Action goals and other environmental policies.
Policy Committee Recommendation: Send the enclosed non-binding recommendations to Council with a qualified positive recommendation and support for Staff's ongoing work to establish public-facing metrics to measure projected and actual outcomes around potential bond projects that support Climate Action goals and other environmental policies.
Financial Implications: See report
Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140

Information Reports

- 40. Referral Response: Further Supporting Worker Cooperatives**
From: City Manager
Contact: Eleanor Hollander, Economic Development, (510) 981-7530
- 41. On-Call Energy Efficiency Services Contracts through On-Bill Financing**
From: City Manager
Contact: Alene Pearson, Planning and Development, (510) 981-7400

Public Comment – Items Not Listed on the Agenda

Adjournment

NOTICE CONCERNING YOUR LEGAL RIGHTS: *If you object to a decision by the City Council to approve or deny a use permit or variance for a project the following requirements and restrictions apply: 1) No lawsuit challenging a City decision to deny (Code Civ. Proc. §1094.6(b)) or approve (Gov. Code 65009(c)(5)) a use permit or variance may be filed more than 90 days after the date the Notice of Decision of the action of the City Council is mailed. Any lawsuit not filed within that 90-day period will be barred. 2) In any lawsuit that may be filed against a City Council decision to approve or deny a use permit or variance, the issues and evidence will be limited to those raised by you or someone else, orally or in writing, at a public hearing or prior to the close of the last public hearing on the project.*

Archived indexed video streams are available at:

<https://berkeleyca.gov/your-government/city-council/city-council-agendas>.

Channel 33 rebroadcasts the following Wednesday at 9:00 a.m. and Sunday at 9:00 a.m.

Communications to the City Council 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 the City Council, 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 to the City Clerk Department at 2180 Milvia Street. 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 City Clerk Department for further information.

Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at the public counter at the City Clerk Department located on the first floor of City Hall located at 2180 Milvia Street as well as posted on the City's website at <https://berkeleyca.gov/>.

Agendas and agenda reports may be accessed via the Internet at:
<https://berkeleyca.gov/your-government/city-council/city-council-agendas>
and may be read at reference desks at the following locations:

City Clerk Department - 2180 Milvia Street, First Floor
Tel: 510-981-6900, TDD: 510-981-6903, Fax: 510-981-6901
Email: clerk@cityofberkeley.info

Libraries: Main – 2090 Kittredge Street,
Claremont Branch – 2940 Benvenue, West Branch – 1125 University,
North Branch – 1170 The Alameda, South Branch – 1901 Russell

COMMUNICATION ACCESS INFORMATION:

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 (510) 981-6418 (V) or (510) 981-6347 (TDD) at least three business days before the meeting date.

Attendees at public meetings are reminded that other attendees may be sensitive to various scents, whether natural or manufactured, in products and materials. Please help the City respect these needs.



Captioning services are provided at the meeting, on B-TV, and on the Internet. In addition, assisted listening devices for the hearing impaired are available from the City Clerk prior to the meeting, and are to be returned before the end of the meeting.

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***I hereby certify that the agenda for this meeting of the Berkeley City Council was posted at the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way, as well as on the City's website, on May 19, 2022.***

A handwritten signature in black ink that reads "Mark Numainville".

Mark Numainville, City Clerk

## Communications

*Council rules limit action on Communications to referral to the City Manager and/or Boards and Commissions for investigation and/or recommendations. All communications submitted to Council are*

public record. Copies of individual communications are available for viewing at the City Clerk Department and through [Records Online](#).

**Soft-Story Seismic Retrofit**

1. Todd Andrew

**Revitalizing Downtown Berkeley**

2. Steven Schuyler

**Unfreeze Vacant Positions at the Berkeley Police Department**

3. Kaht Dorward and Edward Cohen
4. Rachel Bradley
5. Tom Miller

**Hopkins Corridor**

6. S. Omowale Fowles
7. Octavia
8. Margot Smith
9. Kaellyn Moss
10. Sally Nelson

**May is Mental Health Awareness Month**

11. Mental Health Commission

**Brown Act Complaint**

12. Thomas Lord (2)

**ADA vs. Council Practice**

13. Thomas Lord

**City Code Regarding Tenants Rights**

14. Jay Shawl

**Decriminalize Entheogenic Plants**

15. Shannon Lavelle

**Tenant Opportunity to Purchase Act (TOPA)**

16. Lynda Winslow

**Rodeway Inn (Adobe Services)**

17. Sylvia

**People's Park**

18. Rin Lopez
19. Chimey Lee



## **Mountain Biking Destroying Wildlife Habitat**

20. Mike Vandeman

## **Homelessness and Encampments**

21. Jahlee Arakaki (2)

22. S. Omowale Fowles

## **COVID-19**

23. Todd Andrew

## **Chavez Park**

24. Michele Bernal

## **California Theatre**

25. Alexa Wilkie

## **Conflict of Interest Reports**

26. Margot Smith

## **Train Horns**

27. Lauren Parsons

## **Supplemental Communications and Reports**

*Items received by the deadlines for submission will be compiled and distributed as follows. If no items are received by the deadline, no supplemental packet will be compiled for said deadline.*

- **Supplemental Communications and Reports 1**  
Available by 5:00 p.m. five days prior to the meeting.
- **Supplemental Communications and Reports 2**  
Available by 5:00 p.m. the day before the meeting.
- **Supplemental Communications and Reports 3**  
Available by 5:00 p.m. two days following the meeting.

