



Office of the City Manager

CONSENT CALENDAR
April 11, 2023

To: Honorable Mayor and Members of the City Council
From: Dee Williams-Ridley, City Manager
Submitted by: Mark Numainville, City Clerk
Subject: Minutes for Approval

RECOMMENDATION

Approve the minutes for the Council meetings of February 14 (regular), February 21 (special), February 27 (closed and special), February 28 (special and regular), March 13 (closed), March 14 (special and regular), March 20 (special) and March 21 (special and regular).

CONTACT PERSON

Mark Numainville, City Clerk, 981-6900

Attachments:

1. February 14, 2023 - Regular Council Meeting
2. February 21, 2023 - Special Council Meeting
3. February 27, 2023 – Special Closed Council Meeting
4. February 27, 2023 - Special Council Meeting
5. February 28, 2023 - Special Council Meeting
6. February 28, 2023 - Regular Council Meeting
7. March 13, 2023 – Special Closed Meeting
8. March 14, 2023 – Special Council Meeting
9. March 14, 2023 – Regular Council Meeting
10. March 20, 2023 – Special Council Meeting
11. March 21, 2023 - Special Council Meeting
12. March 21, 2023 -Regular City Council Meeting

MINUTES
BERKELEY CITY COUNCIL MEETING
Tuesday, February 14, 2023
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 – MARK HUMBERT

PUBLIC ADVISORY: 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 required. Physically distanced seating will be available. If you are feeling sick, please do not attend the meeting in person.

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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/1617057994>. 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: 161 705 7994. 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: 6:04 p.m.

Present: Kesarwani, Taplin, Harrison, Hahn, Wengraf, Robinson, Humbert, Arreguin

Absent: Bartlett

Councilmember Bartlett present at 6:08 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. Adjourned in memory of Chimey Lee, Community Activist
2. Adjourned in memory of Mel Martynn, Community Activist
3. Adjourned in memory of Richard Valle, Alameda County Supervisor, District 2
4. Adjourned in memory of Susan Felix, Arts and Affordable Housing Advocate

City Manager Comments: None.

Public Comment on Non-Agenda Matters: 10 speakers.

Action: M/S/C (Arreguin/Robinson) to accept an urgency item from Councilmember Robinson pursuant to Government Code Section 54954.2(b)(2) entitled Letter to Senator Nancy Skinner and Assemblymember Phil Ting in Support of Public Transit Funding in FY 2023-24 State Budget.

Vote: All Ayes.

Action: M/S/C (Arreguin/Harrison) to accept an urgency item from Councilmember Bartlett pursuant to Government Code Section 54954.2(b)(2) entitled Black History Month Awards by the Berkeley Public Schools Fund: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds.

Vote: All Ayes.

Consent Calendar

Public Comment on Consent Calendar and Information Items Only: 8 speakers.

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

Vote: All Ayes.

Urgent Item: Letter to Senator Nancy Skinner and Assemblymember Phil Ting in Support of Public Transit Funding in FY 2023-24 State Budget

From: Councilmember Robinson (Author), Mayor Arreguin (Co-Sponsor)

Recommendation: Send a letter to Senate Budget and Fiscal Review Committee Chair Nancy Skinner and Assembly Committee on Budget Chair Phil Ting to urge them to prioritize funding in the FY 2023-24 budget to avoid the impending fiscal cliff faced by transit agencies in the wake of COVID-19.

Financial Implications: None

Contact: Rigel Robinson, Councilmember, District 7, (510) 981-7170

Action: Councilmember Hahn added as a co-sponsor. Approved recommendation.

Urgent Item: Black History Month Awards by the Berkeley Public Schools Fund: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds

From: Councilmember Bartlett (Author), Mayor Arreguin (Co-Sponsor), Councilmember Taplin (Co-Sponsor)

Recommendation: Adopt a Resolution approving the expenditure of funds, including \$3000 from the discretionary Council office budget of Vice Mayor Ben Bartlett, to the Berkeley Public School Fund for the Black History Month Awards. The funds will be relinquished to the City's General Fund from the discretionary council office budget of Councilmember Ben Bartlett and the discretionary council office budgets of any other Councilmembers who would like to contribute.

Financial Implications: See report

Contact: Ben Bartlett, Councilmember, District 3, (510) 981-7130

Action: Adopted Resolution No. 70,688–N.S. revised to include contributions from the following Councilmembers up to the amounts listed: Councilmember Hahn - \$200; Councilmember Wengraf - \$250; Councilmember Robinson - \$200; Councilmember Kesarwani - \$100; Councilmember Humbert - \$200; Mayor Arreguin - \$250; Councilmember Taplin - \$1,000, Councilmember Harrison - \$200.

Consent Calendar

- 1. Parking/Towing Fines & Fees Reform** *(Reviewed by the Health, Life Enrichment, Equity & Community Committee)*
From: Councilmember Robinson (Author), Councilmember Harrison (Co-Sponsor), Councilmember Bartlett (Co-Sponsor), Councilmember Hahn (Co-Sponsor)
Recommendation: Adopt second reading of Ordinance No. 7,854-N.S. amending BMC 14.72.080 to allow individuals who are eligible for Residential Preferential Parking (RPP) permits and also for parking citation Indigent Payment Plans to purchase Residential Parking Permits even if they have outstanding parking tickets older than 21 days.
First Reading Vote: Ayes – Taplin, Bartlett, Harrison, Hahn, Wengraf, Robinson, Humbert, Arreguin; Noes – None; Abstain – Kesarwani; Absent – None.
Financial Implications: See report
Contact: Rigel Robinson, Councilmember, District 7, (510) 981-7170
Action: Adopted second reading of Ordinance No. 7,854–N.S.
Vote: Ayes – Taplin, Bartlett, Harrison, Hahn, Wengraf, Robinson, Humbert, Arreguin; Noes – None; Abstain – Kesarwani; Absent – None.
- 2. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on February 14, 2023**
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 - \$2,124,000
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Approved recommendation.
- 3. Contract: Public Consulting Group for Professional Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to enter into a contract with Public Consulting Group (PCG) for professional services related to the Ground Emergency Medical Transport (GEMT), Quality Assurance Fee (QAF), Intergovernmental Transfer (IGT), and Public Provider Ground Emergency Medical Transport (PP-GEMT) programs using the General Services Agency’s (GSA) contract No. 47QTCA20D004Y for an amount not to exceed \$200,000 in the base term from March 1, 2023 through January 22, 2025 and not to exceed \$300,000 in total with one two (2) year extension to January 22, 2027 if the GSA contract is extended.
Financial Implications: See report
Contact: David Sprague, Fire, (510) 981-3473
Action: Adopted Resolution No. 70,689–N.S.

Consent Calendar

- 4. Contract: Forster & Kroeger Landscape Maintenance for Chipping Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract and any amendments, with Forster & Kroeger Landscape Maintenance to provide Chipping Services for two years from May 1, 2023 until April 30, 2025 in the amount not to exceed \$700,000.
Financial Implications: Various Funds - \$700,000
Contact: David Sprague, Fire, (510) 981-3473
Action: Adopted Resolution No. 70,690–N.S.
- 5. Revenue Contract: 2023 Community Services Block Grant**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to accept the Community Services Block Grant (CSBG) Contract Number 23F-4001 in the amount of \$293,705 to provide services for low-income people for the period January 1, 2023 to May 31, 2024.
Financial Implications: See report
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 70,691–N.S. and accepted revised material in Supplemental Communications Packet #2 from the Health, Housing, and Community Services Department.
- 6. Inclement Weather Shelter Program Funding Request and Contract No. 31900284 Amendment- Dorothy Day House (DDH) to Operate an Inclement Weather Shelter**
From: City Manager
Recommendation: Adopt a Resolution allocating an additional \$292,185 from Measure P to the Inclement Weather Shelter Program for a total allocation of \$412,185, and authorizing the City Manager or her designee to execute an amendment to Contract No. 31900284 with Dorothy Day House (DDH) to add \$190,260 to operate an inclement weather shelter for up to 127 nights from December 3, 2022 through April 15, 2023 for a total contract amount not to exceed \$4,211,173.
Financial Implications: See report
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 70,692–N.S.

Consent Calendar

- 7. Contract: Resources for Community Development for Martin Luther King Jr. House – Mental Health Services Act Operating Support**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract with Resources for Community Development (RCD) for Martin Luther King Jr. (MLK) House in the amount of \$107,890, to support hiring additional on-site staff to monitor the 12-room, transitional Single-Room Occupancy housing development.
Financial Implications: Mental Health Services Act Fund - \$107,890
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 70,693–N.S.
- 8. Mills Act Contract – 2523 Piedmont Avenue**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to enter into a Mills Act contract with Wilson Wong and Christian Kwan for the City Structure of Merit property at 2523 Piedmont Avenue.
Financial Implications: See report
Contact: Jordan Klein, Planning and Development, (510) 981-7400
Action: Adopted Resolution No. 70,694–N.S.
- 9. Mills Act Contract – 2119 Marin Avenue**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to enter into a Mills Act contract with Anne and Michael Ray for the City Landmark property at 2119 Marin Avenue.
Financial Implications: See report
Contact: Jordan Klein, Planning and Development, (510) 981-7400
Action: Adopted Resolution No. 70,695–N.S.
- 10. Authorize a Funding Agreement with AC Transit to Supplement the Quick-Build Durant Transit Lane Project**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to negotiate and enter into a funding agreement between the City of Berkeley and AC Transit providing \$648,000 in additional City funding to supplement the Quick-Build Durant Transit Lane Project.
Financial Implications: See report
Contact: Liam Garland, Public Works, (510) 981-6300
Action: Adopted Resolution No. 70,696–N.S. as revised in the revised material in Supplemental Communications Packet #1 from the Public Works Department.

Council Consent Items

11. **Berkeley Rotary Endowment: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Fund**
From: Mayor Arreguin (Author)
Recommendation: Adopt a Resolution approving the expenditure of an amount not to exceed \$250 per Councilmember including \$250 from Mayor Arreguin, to the Berkeley Rotary Endowment, 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. 70,697–N.S. revised to include contributions from the following Councilmembers up to the amounts listed: Mayor Arreguin - \$250; Councilmember Hahn - \$200; Councilmember Wengraf - \$250; Councilmember Bartlett - \$250; Councilmember Robinson - \$200; Councilmember Taplin - \$250; Councilmember Harrison - \$250; Councilmember Kesarwani - \$100; Councilmember Humbert - \$200.
12. **Referral: Southside Impact Fee Nexus Study**
From: Councilmember Robinson (Author), Councilmember Bartlett (Co-Sponsor), Councilmember Harrison (Co-Sponsor), Councilmember Humbert (Co-Sponsor)
Recommendation:
1. Refer to the City Manager to establish a development impact fee for projects within the Southside Plan boundary for the purpose of funding Southside public realm improvements. Staff should complete all necessary actions, including preparation of a Nexus Study pursuant to the Mitigation Fee Act.
2. Refer \$250,000 to the FY 2023 budget process for a consultant to be engaged over a two-year process, starting in 2024, to assist with the vision, capital list, nexus study, fee schedule, and other requirements.
Financial Implications: See report
Contact: Rigel Robinson, Councilmember, District 7, (510) 981-7170
Action: Approved recommendation.

Recess 8:33 p.m. – 8:43 p.m.

Action Calendar – Public Hearings

13a. Citywide Affordable Housing Requirements

From: City Manager

Recommendation: Conduct a public hearing and upon conclusion:

1. Adopt first reading of an Ordinance amending the Berkeley Municipal Code Chapter 23.328, updating the citywide Affordable Housing Requirements in the Zoning Ordinance, repealing existing administration and zoning code sections that refer to affordable housing requirements, BMC Section 22.20.065, and Section 23.312.040(A)(6), and updating references to BMC Chapter 23.328 throughout the Berkeley Municipal Code, to become effective on April 1, 2023.

2. Adopt a Resolution establishing regulations for a voucher program and establishing an in-lieu fee pursuant to BMC Chapter 23.328 upon the effective date of contemporaneously adopted amendments to BMC Section 23.328, and rescind Resolution No. 70,668-N.S. related to fees, exemptions, and administration of inclusionary affordable housing and in-lieu programs upon the effective date of contemporaneously adopted amendments to BMC Chapter 23.328.

Financial Implications: See report

Contact: Jordan Klein, Planning and Development, (510) 981-7400, Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400

13b. Citywide Affordable Housing Requirements

From: Councilmember Harrison (Author)

Recommendation:

1. Amend Ordinance No. 7,853–N.S. to: a. replace exemption for fewer than five units with less than 3,000 square feet of Gross Floor Area as defined in BMC 23.106.030.

2. Rescind and replace Resolution No. 70,668–N.S. to: a. remove the in-lieu fee discount applied to projects of 12,000 or fewer residential square feet and include an analysis in the upcoming feasibility study of whether and at what size (based on residential square footage) projects should receive a discount in the level of affordable housing mitigation fees. Apply the standard \$45 per square foot fee on projects of between 3,000 and 12,000 residential square feet; and b. utilize square footage instead of unit numbers in studying likely impacts on smaller projects.

Expedite the completion of the next feasibility study of the application of in-lieu fees on smaller projects of 3,000 square feet or less (equivalent to four to five units) to determine the level at which in-lieu fees for smaller projects are financially feasible.

Financial Implications: See report

Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140

Public Testimony: The Mayor opened the public hearing. 21 speakers.

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

Vote: All Ayes.

Action: M/S/C (Kesarwani/Humbert) to adopt the City Manager’s recommendation in Item 13a to:

1. Adopt first reading of Ordinance No. 7,853-N.S. as revised for Section 23.328.050.F.2 to read as follows:

Action Calendar – Public Hearings

A Housing Development Project with 5,000 square feet or less of Residential Unit Floor Area, unless it is part of a larger Housing Development Project. This exemption shall expire on April 1, 2025 or at such time as the City Council modifies or repeals this exemption, whichever date is sooner.

Second reading scheduled for February 28, 2023.

2. Adopt Resolution No. 70,698–N.S. with a modified sliding scale for fees to be consistent with the language in Section 23.328.050.F.2 of the Ordinance.

3. The City Council will consider the adoption of a new sliding scale for fees following completion of the feasibility study, by April 2025 or sooner if feasible.

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

Information Reports

14. Referral Response: Home Share Program

From: City Manager

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

Action: Received and filed.

15. LPO NOD: 1767-1771 Alcatraz Avenue/#LMSAP2022-0010

From: City Manager

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

Action: Received and filed.

Public Comment – Items Not Listed on the Agenda - None.

Adjournment

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

Vote: All Ayes.

Adjourned at 10:17 p.m.

I hereby certify that the foregoing is a true and correct record of the regular session meeting held on February 14, 2023.

Rose Thomsen, Deputy City Clerk

Communications

Hopkins Corridor Plan

1. Michael Marletta
2. Constance Milligan

3. Ceara Brencic
4. Linda Franklin
5. Gabriele Weitzel
6. Warren Pottebaum
7. Miriam Kasin
8. Carol Hirth
9. Melissa Short
10. David Johnson
11. Richard Boubelik
12. Karen Olson
13. Diana Bohn
14. Phoebe Sorgen
15. Susan Griffin
16. Jane Stillwater
17. Stefano
18. Rocky Offner
19. Tony Corman
20. Sigurd Wilbanks
21. Ken Stein
22. Anne Boersma
23. Kirsten Rose
24. Gabi Klausner
25. Kori Kody
26. Richard Hirsch
27. Oded Hilu
28. Chris McKee
29. John Rice
30. Deb Trillia
31. Mary Staats
32. Carol Hirth
33. Maris Arnold
34. Mike Lubby
35. Malu Paradise
36. Lorna Byrne
37. Karen Dabrusin
38. Meredith Stout
39. David Shere
40. Lisa Bruce
41. Kenny Yip (2)
42. Simon Hochberg
43. Joel Myerson
44. Stephen Wood (2)
45. Grace Munakata
46. Todd Andrew (2)
47. Lisa Oglesby
48. Soleil Taylor

49. Carol Hirth
50. Matthew Dimond
51. Richard Neese
52. Marcello Barbero
53. Michael Tompkins
54. Carol Lesh
55. Lenore Dolin
56. Carol Hirth
57. Laurence LePaule
58. Patrick Gordis
59. Lois Yuen
60. Todd Andrews
61. Sandra Smith
62. Kelly Haberer
63. steidtmann@
64. Gabriela Kipnis
65. Patricia Kipnis
66. Laura Fujii
67. Barbara
68. Clifford Fred
69. Rachel Gold
70. Leslie Roussan
71. Wahid Bhimji
72. Jonah Busch
73. Amrando Chenyek
74. Tobey Wiebe
75. Sally Nelson
76. Nathan McPhail
77. Juli Dickey
78. Richard Tamm
79. Jack Kurzeil
80. Charles Siegel
81. Todd Andrew
82. Friends of Hopkins Street
83. Kenny Yip
84. Len Kamp
85. Stephen Wood
86. Charles Steidtmann
87. Janice Murota
88. Marguerite Lee
89. Nimrod Pitsker Elias
90. Andrea Traber
91. Dawn Howard
92. Stephanie Mackley
93. Stuart Hellman
94. Howard Goldberg

- 95. Cindi Goldberg
- 96. Carolyn Weil
- 97. Zipporah Collins
- 98. Jeanne Marguerite Brenna
- 99. Lee Bishop
- 100. Bianca Walser
- 101. Suzi Krebs
- 102. Summer Brenner
- 103. Ross Bernet
- 104. Robin Harley
- 105. Matthew Lewis
- 106. David Mendelsohn
- 107. Thomas Buckey
- 108. Diana Bohn
- 109. Gael Alcock
- 110. Joanne Cooke
- 111. Christopher Ardalan
- 112. Peggy Judge
- 113. Phyllis Orrick (3)
- 114. Tom Lent
- 115. Peggy Scott
- 116. Susan McKearnan
- 117. Toby Pohl
- 118. Kathy Kemp
- 119. Jenn Bejaka

Crime in Berkeley

- 120. Tiffany Fyans
- 121. Carla and Dolph Rempp
- 122. Rachel De La Montanya

Homelessness

- 123. David Freeling
- 124. Lynn Bradley

Equitable Housing

- 125. Elisa Mikiten
- 126. Diana Bohn (2)
- 127. Sara Sebahar

Youth Seat on Environmental and Climate Commission

- 128. Laura Galligan
- 129. Matthew Lovell
- 130. Franziska Raedeker
- 131. Helen Marcus
- 132. Ibmason

Berkeley Police Matters

133. Jennifer Louis, Interim Chief of Police

Grocery Stores Destruction

134. David Lerman

UA Theater on Shattuck

135. Constance Rivemale

136. Francie Maguire

137. Anne Herrick

African Americans Civil Rights

138. Wade Nobles

Budget Matters

139. Eric Friedman

Reimagining Berkeley

140. Diana Bohn

Measure P

141. Eric Friedman

Telegraph Redesign

142. Mike Wilson

Berkeley's Missing Restaurant Reports

143. David Lerman

Urgent Care

144. Fred Tabsharani

Mental Health First Aid Certification

145. Elana Auerbach

Climate Change – Rising Sea Levels

146. Fred Dodsworth

Public Bank of the East Bay

147. Bhima Sheridan

Pathway STAIR Center

148. Friends of the Adeline

Bike Lane Study – Dwight and Bonar

149. Farid Javandel, on behalf of the Transportation Division

150. Laurel and Ben Kuchinsky

Proclamation Request for the Kiwanis

151. Jeffrey Egeberg, on behalf of the Kiwanis Club of Berkeley

San Pablo Avenue Improvement Plan

152. Laura Riggs

City of Berkeley Pension Liabilities

153. Barbara Gilbert

Pedestrian Safety

154. Brooke Elmgren

Youth Drug Use/Mental Health

155. Barbara Gilbert

North Berkeley BART Plans

156. Kenmotsu Junko

Solar Panel Adoption

157. Peter Schultze-Allen

Commissioners Conflict of Interest

158. Laura Fujii

RV's Parked Around West Berkeley Area

159. Regina Kenney

Sexual Assault at the Hope Center

160. Eric Friedman

Residential Parking Permits

161. Lanay Thomas

Here/There Encampment

162. Stephanie Thomas

163. Debbie Perkins

164. Judy ann Alberti

165. Margaret Hurlbert

166. Toby Blome

167. Nora Ultreya

168. Diana Bohn (2)

Support West Berkeley Seniors and Youth in Budget

169. Carol Perez

SEIU 1021 Legislative Aides

170. Julio Corral, on behalf of SEIU 1021

URL's Only

171. Vivian Warkentin (2)

Supplemental Communications and Reports 1

Item #10: Authorize a Funding Agreement with AC Transit to Supplement the Quick Build Durant Transit Lane Project

172. Revised material, submitted by Public Works

Item #13b: Citywide Affordable Housing Requirement

173. Supplemental material, submitted by Councilmember Taplin

174. Revised material, submitted by Councilmember Harrison

Supplemental Communications and Reports 2

Item #5: Revenue Contract: 2023 Community Services Block Grant

175. Revised material, submitted by Health, Housing and Community Services

Item #13a: Citywide Affordable Housing Requirement

176. Berkeley Neighborhood Council

Item #13b: Citywide Affordable Housing Requirement

177. Sheila Jordan

178. Bruce Bagnell

179. Patrick Kehoe (2)

180. Liz Ozol

181. Rosie Cohan

182. Summer Brenner

183. Eric Johnson

184. Teresa Clarke

185. Melanie Lawrence and John Small

186. Ned Resnikoff

187. Lee Bishop

188. Verna Winters

189. Gregory Lemieux

190. Virginia Warheit

191. Sally Nelson

192. Selene Ballonoff

193. Elana Auerbach (2)

194. Michael Brown

195. Renee Smith

196. Robin Rattan

197. Jonathan Lowe

198. Bill Bogert (2)

199. Erika Shore

200. Judy MacLean (2)

- 201. Gregory Kalkanis
- 202. Judy Grether
- 203. Ms. Fowles
- 204. Sylvia
- 205. Lisa Bullwinkel
- 206. Alan Thomsen
- 207. Diana Bohn (2)
- 208. Vanessa Warheit
- 209. Anne McClintock (2)
- 210. Elania Nanopoulos (2)

Item #14: Referral Response: Home Share Program

- 211. Cary Sweeney
- 212. Luke Barnesmoore
- 213. Tracy Powell

Supplemental Communications and Reports 3

Item #13a: Citywide Affordable Housing Requirement

- 214. Presentation, submitted by Planning and Development

Item #13b: Citywide Affordable Housing Requirement

- 215. Cora Johnson-Grau
- 216. Kim Pham
- 217. Jane Fink (2)
- 218. Charlene Woodcock
- 219. Moni Law (2)
- 220. Oren Cheyette
- 221. Preston Mui
- 222. Brian MacDonald

Urgent Items

Letter to Senator Nancy Skinner and Assemblymember Phil Ting in Support of Public Transit Funding in FY 2023-24 State Budget

- 223. Submitted by Councilmember Robinson

Black History Month Awards by the Berkeley Public Schools Fund: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds

- 224. Submitted by Councilmember Bartlett

Miscellaneous

- 225. Eids Message to Mayor, Council and City

**MINUTES
SPECIAL MEETING OF THE
BERKELEY CITY COUNCIL**

**Tuesday, February 21, 2023
6:00 PM**

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

JESSE ARREGUIN, MAYOR

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*To join by phone: Dial **1-669-254-5252** or **1-833-568-8864 (Toll Free)** and enter Meeting ID: **161 851 0002**. If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Chair.*

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Preliminary Matters

Roll Call: 6:05 p.m.

Present: Kesarwani, Hahn, Wengraf, Robinson, Humbert, Arreguin

Absent: Taplin, Bartlett, Harrison

Councilmember Taplin present at 6:18 p.m.

Councilmember Bartlett present at 6:20 p.m.

Worksession

- 1. COVID-19 Response 2022 Summary Report**
From: City Manager
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
Action: 6 speakers. Presentation made and discussion held.
- 2. Referral Response: Affordable Housing Preference Policy for Rental Housing Created Through the Below Market Rate and Housing Trust Fund Programs**
From: City Manager
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
Action: 13 speakers. Presentation made and discussion held.

Recess 8:14 p.m. – 8:24 p.m.

Adjournment

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

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

Adjourned at 9:49 p.m.

I hereby certify that the foregoing is a true and correct record of the special session meeting held on February 21, 2023.

Rose Thomsen, Deputy City Clerk

Communications

- None

Supplemental Communications and Reports 1

- None

Supplemental Communications and Reports 2

- None

Supplemental Communications and Reports 3

Item #1: COVID-19 Response 2022 Summary Report

1. Presentation, submitted by Health, Housing, and Community Services

Item #2: Referral Response: Affordable Housing Preference Policy for Rental Housing Created Through the Below Market Rate and Housing Trust Fund Programs

2. Presentation, submitted by Health, Housing, and Community Services
3. Presentation, submitted by Healthy Black Families

**MINUTES
SPECIAL MEETING OF THE
BERKELEY CITY COUNCIL**

MONDAY, FEBRUARY 27, 2023

4:30 P.M.

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

PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED EXCLUSIVELY THROUGH VIDEOCONFERENCE AND TELECONFERENCE

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Preliminary Matters

Roll Call: 4:36 p.m.

Present: Taplin, Bartlett, Harrison, Hahn, Wengraf, Robinson, Humbert, Arreguin

Absent: Kesarwani

Public Comment - Limited to items on this agenda only: 0 speakers

CLOSED SESSION:

The City Council will convene in closed session to meet concerning the following:

1. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION PURSUANT TO GOVERNMENT CODE SECTIONS 54956.9(a) and 54956.9(d)(1)

a. Cantin v. City of Berkeley, Alameda County Superior Court Case No. 22CV009896

Action: M/S/C (Wengraf/Hahn) to discuss the matter of Cantin v. City of Berkeley, Alameda County Superior Court Case No. 22CV009896, and approved a settlement of that matter in the amount of \$250,000 in exchange for a release of all claims against the City.

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

b. Government Claim of Gregory H. McCormick

Action: M/S/C (Arreguin/Harrison) to approved payment the claim of Gregory H. McCormick in the amount of \$23,160 in satisfaction of his claim against the City and conditioned upon execution of a release.

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

2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property address:	1619 University Avenue, Berkeley, California
Agency Negotiators:	Dee Williams-Ridley, City Manager; LaTanya Bellow, Deputy City Manager; Anne Cardwell, Deputy City Manager; Peter Radu, Assistant to the City Manager; Lisa Warhuus, Director of Health, Housing & Community Services
Negotiating parties:	City of Berkeley; Campus Motel, LLC
Property owner:	Campus Motel, LLC
Under negotiation:	Price and terms

Action: No reportable action taken.

3. CONFERENCE WITH LABOR NEGOTIATORS; GOVERNMENT CODE SECTION 54957.6

Negotiators: Dee Williams-Ridley, City Manager, Anne Cardwell, Deputy City Manager, LaTanya Bellow, Deputy City Manager, Aram Kouyoumdjian, Human Resources Director.

Employee Organizations: Berkeley Fire Fighters Association Local 1227

Action: No reportable action taken.

Councilmember Harrison absent at 5:54 p.m.

OPEN SESSION:

The City Council met in closed session to discuss the matter of Cantin v. City of Berkeley, Alameda County Superior Court Case No. 22CV009896, and approved a settlement of that matter in the amount of \$250,000 in exchange for a release of all claims against the City.

The City Council also met in closed session discuss the Government Claim of Gregory H. McCormick, and approved payment of that claim in the amount of \$23,160 in satisfaction of his claim against the City and conditioned upon execution of a release.

Adjournment

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

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

Adjourned at 5:55 p.m.

I hereby certify that the foregoing is a true and correct record of the closed session meeting held on February 27, 2023.

Sarah Bunting, Assistant City Clerk

Communications

- None

Supplemental Communications and Reports 1

- None

Supplemental Communications and Reports 2

- None

Supplemental Communications and Reports 3

- None

**MINUTES
SPECIAL MEETING OF THE
BERKELEY CITY COUNCIL**

**Monday, February 27, 2023
6:30 PM**

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

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Preliminary Matters

Roll Call: 6:33 p.m.

Present: Kesarwani, Taplin, Harrison, Hahn, Wengraf, Robinson, Arreguin

Absent: Bartlett, Humbert

Councilmember Bartlett present at 6:36 p.m.

Councilmember Humbert present at 6:39 p.m.

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 use the "raise hand" function 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 – New Business

- 1. Resolution Extending the Covered Period of the COVID-19 Emergency Response Ordinance (Chapter 13.110)**
From: Mayor Arreguin (Author)
Recommendation: Adopt a Resolution extending the Covered Period of the COVID-19 Emergency Response Ordinance for 60-days beyond the eventual expiration of the Local Emergency.
Financial Implications: To be determined
Contact: Jesse Arreguin, Mayor, (510) 981-7100

Action: 40 speakers. M/S/C (Arreguin/Robinson) to adopt Resolution No 70,699-N.S. extending the Covered Period of the COVID-19 Emergency Response Ordinance for 60-days beyond the eventual expiration of the Local Emergency.
Vote: All Ayes.

Recess: 8:17 p.m. – 8:27 p.m.

Action Calendar – New Business

2. Amendments to COVID-19 Emergency Response Ordinance, BMC Chapter 13.110

From: Mayor Arreguin (Author)

Recommendation: Adopt the first reading of an Ordinance 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.

Financial Implications: None

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

Recess 10:09 p.m. – 10:15 p.m.

Action: 25 speakers. M/S/C (Arreguin/Harrison) to adopt first reading of Ordinance No. 7,855-N.S. as amended in Supplemental Communications Packet #2 by Mayor Arreguin and Councilmember Harrison and further amended in 13.110.030.B. regarding the definition of the Transition Period. Second reading scheduled for March 14, 2023.

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

Adjournment

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

Vote: All Ayes.

Adjourned at 10:19 p.m.

I hereby certify that the foregoing is a true and correct record of the special session meeting held on February 27, 2023.

Mark Numainville, City Clerk

Communications

- None

Supplemental Communications and Reports 1

- None

Supplemental Communications and Reports 2

Item #1: Resolution Extending the Covered Period of the COVID-19 Emergency Response Ordinance (Chapter 13.110)

1. Pamela Webster
2. Erin Chalmers
3. Bhima Sheridan

4. Carol Curtis
5. Marion Hunt
6. Robert Bahme
7. Berkeley Property Owners Association
8. Louie Escobar
9. Dan Lieberman

Item #2: Amendments to COVID-19 Emergency Response Ordinance, BMC Chapter 13.110

10. Revised material, submitted by Mayor Arreguin

Supplemental Communications and Reports 3

Item #1: Resolution Extending the Covered Period of the COVID-19 Emergency Response Ordinance (Chapter 13.110)

11. Leor Beary
12. Barbara Jameson-Bellow
13. Sukhdeep Kapoor
14. Natasha Kapoor-Acuna
15. Diana Bohn
16. Renee Bott
17. Huan Liu
18. Virginia Hollins-Davidson
19. Chris Baker
20. Stan Momtchev
21. Paul Tuleja
22. Dan Dolan
23. Chris Moore
24. Christina Redse
25. Dorian Stull
26. Sarah Davis
27. Stefano DeZerega
28. Zachary Greenwood
29. Jenny Johnston
30. Andrew Jeffries
31. Noemi Ruelas
32. Jeannie Sides
33. Paul Mileck
34. Sandra Clement
35. Torsten Galley
36. Kenny & Sharon Yu
37. Susan Payne
38. Vicki Fall
39. Olga Louchakova-Schwartz
40. Gail Martin
41. Alan Curtis
42. Alison Simon
43. Samm Hickey
44. Jonathan Wishnev
45. Elan Ben-Oni
46. Summer Brenner
47. Yoo Park

48. Karen Williams Null & Daniel Null
49. Aaron Reuter
50. Kathleen Crandall
51. Shira Cion
52. Anne Mileck
53. Roger Hallsten
54. Will Flynn
55. Shua Chai
56. Vanessa Babot
57. Christine Schwartz
58. Ronald Edwards
59. Evan and Erika Mills
60. Lisa Reutter
61. Robert Flores
62. Julie Truong
63. Dave Ahlberg, on behalf of Regent House
64. Abdul Mahrat
65. Chris Toll
66. Marion Hunt
67. Daisy
68. Cynthia, on behalf of Jones Berkeley
69. Shua Chai
70. Aman Kataria
71. Debbie Woods
72. Sasha Futran
73. Celia Karian
74. Lorraine Osmundson
75. Igor Tregub

**MINUTES
SPECIAL MEETING OF THE
BERKELEY CITY COUNCIL**

**Tuesday, February 28, 2023
4:00 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 – MARK HUMBERT

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

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Preliminary Matters

Roll Call: 4:04 p.m.

Present: Kesarwani, Taplin, Bartlett, Hahn, Wengraf, Robinson, Humbert

Absent: Harrison, Arreguin

Councilmember Harrison arrived at 4:07 p.m.

Mayor Arreguin arrived at 4:56 p.m.

Action Calendar – New Business

1. Five Year Zero Waste Rate Schedule

From: City Manager

Recommendation: Provide input on proposed Five Year Zero Waste Rate Schedule.

Financial Implications: See report

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

Action: 7 speakers. Presentation made and discussion held.

Adjournment

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

Vote:

Adjourned at 6:12 p.m.

I hereby certify that the foregoing is a true and correct record of the special session meeting held on February 28, 2023.

Mark Numainville, City Clerk

Communications

- None

Supplemental Communications and Reports 1

- None

Supplemental Communications and Reports 2

Item #1: Five Year Zero Waste Rate Schedule

1. Rachel Doughty

Supplemental Communications and Reports 3

Item #1: Five Year Zero Waste Rate Schedule

2. Steven Sherman, Vice-Chair Zero Waste Commission
3. Presentation, submitted by the Zero Waste Division

MINUTES
BERKELEY CITY COUNCIL MEETING
Tuesday, February 28, 2023
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 – MARK HUMBERT

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Preliminary Matters

Roll Call: 6:27 p.m.

Present: Kesarwani, Taplin, Bartlett, Harrison, Hahn, Wengraf, Robinson, Humbert, Arreguin

Absent: None

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 Chochenyo (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. Adjourned in Memory of Beatrice Barrigher, South Berkeley resident and community leader
2. Adjourned in Memory of David Lance Goines, Local Artist
3. Adjourned in Memory of Pat DeVito, Co-Founder of Berkeley Path Wanderers

City Manager Comments: None

Public Comment on Non-Agenda Matters: 10 speakers.

Action: M/S/C (Arreguin/Robinson) to accept an urgency item for the Consent Calendar from Mayor Arreguin pursuant to Government Code Section 54954.2(b)(2) titled Increase Funding to Housing Retention Program Contract.

Vote: All Ayes.

Consent Calendar

Public Comment on Consent Calendar and Information Items Only: 15 speakers.

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

Vote: All Ayes.

Urgent Item: Increase Funding to Housing Retention Program Contract
From: Mayor Arreguin (Author)

Consent Calendar

Recommendation: Adopt a Resolution authorizing the City Manager or her designee to: 1. Allocate an additional \$300,000 to the Housing Retention Program from General Fund salary savings or U1 HRP funds; and 2. Amend the current contract with the Eviction Defense Center (EDC) (No. 32100023) by \$300,000 for rent debt or other expenses that would enable applicants to retain housing.

Financial Implications: See report

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

Action: Councilmembers Hahn, Harrison, and Wengraf added as co-sponsors. Adopted Resolution No. 70,700–N.S.

1. Citywide Affordable Housing Requirements

From: City Manager

Recommendation: Adopt second reading of Ordinance No. 7,853-N.S. amending the Berkeley Municipal Code Chapter 23.328, updating the citywide Affordable Housing Requirements in the Zoning Ordinance, repealing existing administration and zoning code sections that refer to affordable housing requirements, BMC Section 22.20.065, and Section 23.312.040(A)(6), and updating references to BMC Chapter 23.328 throughout the Berkeley Municipal Code, to become effective on April 1, 2023.

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

Financial Implications: See report

Contact: Jordan Klein, Planning and Development, (510) 981-7400, Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400

Action: Adopted second reading of Ordinance No. 7,853–N.S.

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

2. Minutes for Approval

From: City Manager

Recommendation: Approve the minutes for the Council meetings of January 10 (special), January 17 (regular), January 18 (special), January 30 (closed) and January 31 (special and regular).

Financial Implications: None

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

Action: Approved the minutes as submitted.

3. Donation to the Animal Shelter from the Stephen and Mary Birch Foundation

From: City Manager

Recommendation: Adopt a Resolution accepting a donation from the estate of Stephen and Mary Birch in the sum of \$5,000.

Financial Implications: Donation - \$5,000

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

Action: Adopted Resolution No. 70,701–N.S.

Consent Calendar

4. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on February 28, 2023

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 - \$2,220,000

Contact: Henry Oyekanmi, Finance, (510) 981-7300

Action: Approved recommendation.

5. Contract: Street Level Advisors and Strategic Economics for Housing Preference Policy Fair Housing Analysis Consultant

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with Street Level Advisors (Contractor), with Strategic Economics as a subcontractor, to provide Fair Housing Analysis services for a Housing Preference Policy for the Department of Health, Housing and Community Services (HHCS) from April 1, 2023 to April 1, 2024 in an amount not to exceed \$60,055.

Financial Implications: General Fund - \$60,055

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

Action: Adopted Resolution No. 70,702–N.S.

6. Increase Wage Ranges of Seasonal Camp Staff Classifications

From: City Manager

Recommendation: Adopt a Resolution approving wage increases for certain Unrepresented Camp Classification rates in Unit X1, effective March 1, 2023, and amending Resolution No. 69,998-N.S.

Financial Implications: See report

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

Action: Adopted Resolution No. 70,703–N.S.

7. Final Map of Tract 8573: 2628 Shattuck Avenue

From: City Manager

Recommendation: Adopt a Resolution approving the final map of Tract Map 8573 for an 81-unit condominium project consisting of 78 residential units and 3 commercial units at 2628 Shattuck Avenue.

Financial Implications: See report

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

Action: Adopted Resolution No. 70,704–N.S.

Consent Calendar

- 8. Final Map of Tract 8626: 2023-2025 Kala Bagai Way**
From: City Manager
Recommendation: Adopt a Resolution approving the final map of Tract Map 8626 for a 49-unit condominium project consisting of 48 residential units and one commercial unit at 2023-2025 Kala Bagai Way.
Financial Implications: See report
Contact: Liam Garland, Public Works, (510) 981-6300
Action: Adopted Resolution No. 70,705–N.S.
- 9. Final Map of Tract 8490: 739 Channing Way**
From: City Manager
Recommendation: Adopt a Resolution approving the final map of Tract Map 8490 for a 15-unit condominium project consisting of 10 residential units, 4 live/work units, and one commercial unit and to merge 2 existing parcels at 739 Channing Way.
Financial Implications: See report
Contact: Liam Garland, Public Works, (510) 981-6300
Action: Adopted Resolution No. 70,706–N.S.
- 10. Bauman Lease Termination and Settlement of Balance Due**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a lease termination agreement with Bauman Wellness (“Bauman”) for its tenancy at 1007 University Ave., including a bill of sale transferring all of Bauman’s assets remaining in the leased premises to City ownership, and a mutual waiver of claims.
Financial Implications: See report
Contact: Liam Garland, Public Works, (510) 981-6300, Farimah Brown, City Attorney, (510) 981-6950
Action: Adopted Resolution No. 70,707–N.S.
- 11. Support for AB-309: Social Housing**
From: Councilmember Taplin (Author), Councilmember Hahn (Co-Sponsor)
Recommendation: Send a letter in support of Assembly Bill 309 to the state legislature.
Financial Implications: Staff time
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120
Action: Councilmembers Robinson and Humbert added as co-sponsors. Approved recommendation.

Council Consent Items

- 12. Resolution Condemning a Pattern of Attacks Targeting Black Political and Community Leaders**
From: Councilmember Taplin (Author), Councilmember Bartlett (Co-Sponsor), Councilmember Kesarwani (Co-Sponsor), Mayor Arreguin (Co-Sponsor)
Recommendation: Adopt a Resolution Condemning a Pattern of Attacks Targeting Black Political and Community Leaders
Financial Implications: None
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120
Action: Adopted Resolution No. 70,708–N.S.
- 13. Resolution in Support of HR 8040: the People Over the Pentagon Act**
From: Councilmember Harrison (Author)
Recommendation: Adopt resolution and send letters of support for reintroduction and passage of HR 8040: the People Over the Pentagon Act to California’s congressional delegation accompanied by provisions for a just transition for workers in militarized industries. HR 8040 calls for reducing the bloated military budget by \$100 billion.
Financial Implications: See report
Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140
Action: Adopted Resolution No. 70,709–N.S.
Vote: Ayes – Kesarwani, Taplin, Bartlett, Harrison, Hahn, Wengraf, Robinson, Arreguin; Noes – None; Abstain – Humbert.
- 14. Referral: Creation of an Intersection Daylighting Policy**
From: Councilmember Robinson (Author), Councilmember Humbert (Co-Sponsor), Councilmember Hahn (Co-Sponsor), Councilmember Harrison (Co-Sponsor)
Recommendation: Refer to the City Manager to develop a comprehensive intersection daylighting policy and make recommendations about the implementation of a citywide intersection daylighting program. Staff should consider criteria for identifying priority areas for daylighting such as high-injury streets, streets and intersections with especially high pedestrian traffic, commercial districts, and streets near schools and colleges. Staff should seek input and feedback on the development of such a policy and program from the Transportation & Infrastructure Commission, and other relevant commissions.
Financial Implications: See report
Contact: Rigel Robinson, Councilmember, District 7, (510) 981-7170
Action: Approved recommendation as revised in Supplemental Communications Packet #2 by Councilmember Robinson.

Council Consent Items

Action Calendar – Public Hearings

**15. ZAB Appeal: 1262 Francisco Street, Administrative Use Permit #ZP2021-0006
From: City Manager**

Recommendation: Conduct a public hearing and, upon conclusion, adopt a Resolution affirming the decision of the Zoning Adjustments Board to approve Administrative Use Permit ZP#2021-0006, to modify Administrative Use Permit ZP#2020-0122, to add 40 square feet on the first floor and a balcony on the second floor of an existing single-family dwelling unit.

Financial Implications: None

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

Public Testimony: The Mayor opened the public hearing. 3 speakers. M/S/C (Arreguin/Hahn) to close the public hearing.

Vote: All Ayes.

Action: M/S/C (Hahn/Harrison) to adopt Resolution No. 70,710–N.S. affirming the decision of the Zoning Adjustments Board to approve Administrative Use Permit ZP#2021-0006, to modify Administrative Use Permit ZP#2020-0122, to add 40 square feet on the first floor and a balcony on the second floor of an existing single-family dwelling unit.

Vote: All Ayes.

Recess 8:08 p.m. – 8:23 p.m.

**16. The City of Berkeley Employer of Choice Initiative
From: City Manager**

Recommendation: Adopt a resolution to support and endorse the City Manager's workplan to implement the City of Berkeley's Employer of Choice initiative. The workplan provides actionable recommendations by Municipal Resource Group (MRG), an independent consultant firm specializing in providing cities, counties, and government agencies with professional strategic services.

Consistent with MRG's 90-day Action Plan recommendations, the City Manager is currently requesting authorization to 1) hire two Associate HR Analysts and one Assistant HR Analyst, 2) contract with a branding and marketing agency in an amount not to exceed \$250,000 to help attract, outreach and recruit talent for the City workforce in support of the Human Resources Department; and 3) enhance communications and social media content planning and strategy including support for department communications in a combined amount not to exceed \$200,000.

Financial Implications: See report

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

Action: 6 speakers. M/S/C (Arreguin/Hahn) to adopt Resolution No. 70,711–N.S.

Vote: All Ayes.

Action Calendar – New Business

17. **Resolution Terminating the Proclamation of Local Emergency Issued Due to the Spread of a Severe Acute Respiratory Illness Caused by a Novel (New) Coronavirus (COVID-19); and Discussion and Possible Action on the City’s Eviction Moratorium**
From: City Manager
Recommendation: Adopt a Resolution terminating the proclamation of local emergency issued due to the spread of a severe acute respiratory illness caused by a novel (new) coronavirus (COVID-19); and discuss and take possible action regarding the City’s eviction moratorium.
Financial Implications: See report
Contact: Dee Williams-Ridley, City Manager, (510) 981-7000
Action: 7 speakers. M/S/C (Arreguin/Hahn) to take no action on Item 17 and direct the City Manager to bring an item to the Council to extend the local emergency prior to the expiration of the current declaration. Refer the City Manager to evaluate economic recovery considerations for potential future action.
Vote: Ayes – Taplin, Bartlett, Harrison, Hahn, Robinson, Arreguin; Noes – Kesarwani, Humbert; Abstain – Wengraf.
- 18a. **Adding a Youth Member to the Environment and Climate Commission**
(Reviewed by the Agenda & Rules Committee)
From: Youth Commission
Recommendation: That Council adds a seat on the Environment and Climate Commission for a person under 18 years of age; and that Student Director on the Berkeley Unified School Board nominates the new youth commissioner and that the full board confirms the appointment.
Policy Committee Recommendation: To send the items from the Youth Commission, Environment and Climate Commission, and Councilmember Harrison to the City Council with a qualified positive recommendation that the item proposed by Councilmember Harrison be adopted as revised to state that the full City Council will appoint the members to the two youth seats on the Environment and Climate Commission, and that the Berkeley Unified School District Board of Directors will provide recommendations to the City Council on candidates for the youth seats.
Financial Implications: None
Contact: Ginsi Bryant, Commission Secretary, (510) 981-6700
Action: See action for Item 18c.

Action Calendar – New Business

18b. Support for Youth Appointee to Environment and Climate Commission

(Reviewed by the Agenda & Rules Committee)

From: Environment and Climate Commission

Recommendation: Refer to the City Manager to evaluate the feasibility of, and subsequently prepare draft legal language to enable, a tenth voting Environment & Climate Commission (ECC) member, representing youth, nominated by a suitable body or individual and confirmed by a suitable board of elected officials. If feasible, the ECC recommends that a youth representative be nominated by the BUSD Student Director and confirmed by the full BUSD Board of Directors, in alignment with the recommendation passed by the Youth Commission.

Policy Committee Recommendation: To send the items from the Youth Commission, Environment and Climate Commission, and Councilmember Harrison to the City Council with a qualified positive recommendation that the item proposed by Councilmember Harrison be adopted as revised to state that the full City Council will appoint the members to the two youth seats on the Environment and Climate Commission, and that the Berkeley Unified School District Board of Directors will provide recommendations to the City Council on candidates for the youth seats.

Financial Implications: See report

Contact: Billi Romain, Commission Secretary, (510) 981-7400

Action: See action for Item 18c.

18c. Adopt an Ordinance Amending Berkeley Municipal Code Chapter 3.82 Modifying Membership and Appointment Procedures for the Environment and Climate Commission *(Reviewed by the Agenda & Rules Committee)*

From: Councilmember Harrison (Author)

Recommendation: Adopt an Ordinance Amending Berkeley Municipal Code Chapter 3.82 Modifying Membership and Appointment Procedures for the Environment and Climate Commission.

Policy Committee Recommendation: To send the items from the Youth Commission, Environment and Climate Commission, and Councilmember Harrison to the City Council with a qualified positive recommendation that the item proposed by Councilmember Harrison be adopted as revised to state that the full City Council will appoint the members to the two youth seats on the Environment and Climate Commission, and that the Berkeley Unified School District Board of Directors will provide recommendations to the City Council on candidates for the youth seats.

Financial Implications: See report

Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140

Action: Moved to Consent Calendar to adopt the recommendation from the policy committee. Adopted first reading of Ordinance No. 7,856-N.S. Second reading scheduled for March 14, 2023.

Council Action Items

Council Action Items

19. **Reforms to Public Comment Procedures at meetings of the Berkeley City Council** (*Reviewed by the Agenda & Rules Committee*)
From: Councilmember Droste (Author)
Recommendation: Adopt a Resolution revising the City Council Rules of Procedure and Order: Section IV. Conduct of the Meeting and Appendix C Temporary Rules for The Conduct of City Council Meetings Through Video Conference During The Covid-19 Emergency to: 1. Consolidate non-agenda public comment, public comment on the Consent Calendar, and public comment on Action Items into a single public comment period toward the start of the Council meeting (consistent with the Berkeley Unified School District's public comment procedure), and continue to provide for additional time for public comment at the end of meetings; 2. Adopt reasonable limits on the overall number of public speakers (consistent with rulings from the Second District Court of Appeal) with a mechanism for the City Council to extend public comment; and 3. Rescind Resolution No. 70,091– N.S.
Policy Committee Recommendation: To send the item to the City Council with a negative recommendation that no action be taken on the item.
Financial Implications: See report
Contact: Lori Droste, Councilmember, District 8, (510) 981-7180
Action: M/S/C (Arreguin/Robinson) to continue Item 19, including the Supplemental Materials from Councilmember Robinson, to March 14, 2023 and agendize the item as the first item on the Action Calendar.
Vote: All Ayes.

Information Reports

20. **FY 2023 First Quarter Investment Report: Ended September 30, 2022**
From: City Manager
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Received and filed.

Public Comment – Items Not Listed on the Agenda - 0 speakers.

Adjournment

Action: M/S/C (Arreguin/Robinson) to adjourn the meeting.
Vote: All Ayes.

Adjourned at 10:53 p.m.

I hereby certify that the foregoing is a true and correct record of the regular session meeting held on February 28, 2023.

Mark Numainville, City Clerk

Communications

Item # 18c: Adopt an Ordinance Amending Berkeley Municipal Code Chapter 3.82 Modifying Membership and Appointment Procedures for the Environment and Climate Commission

1. John Malamut

Crime in Berkeley

2. Kathy Krebs
3. Peter Rinzler
4. Melanie Lawrence
5. Barbara Gilbert

Housing Element

6. Sandra Smith
7. Diana Bohn

Drugs and Encampment at Civic Center Park

8. Anna Weinstein

Bike Lane at Dwight and Bonar

9. Laurel Hunter
10. Farid Javandel, Deputy Director of Public Works

Tenant-Centered Legislative Process

11. The Berkeley Tenants Union Steering Committee

IKE Kiosks

12. Vivian Warkentin

Proclamation for the Kiwanis Club

13. Jeffrey Egeberg, Secretary, Kiwanis Club of Berkeley

Berkeley Police Department Matters

14. Berkeley Progressive Alliance (2)
15. Berkeley Police Association
16. Diana Bohn

UA Theater on Shattuck

17. Dale Sophiea

Asphalt Plant in Berkeley

- 18. Meryl Siegal (2)
- 19. Pear Michaels

Black History Month

- 20. Moni Law

Support Daylight at Strawberry Creek

- 21. Jennifer Ware
- 22. Janet Byron
- 23. Stacie Degeneffe
- 24. Stefen
- 25. Diana Bohn
- 26. Kathleen Giustino
- 27. Miranda Ewell

City Jobs

- 28. Walter Wood

Earthquakes

- 29. Fred Dodsworth

Housing for Displaced Individuals/Families + Homelessness

- 30. Charisse
- 31. Mary Behm Steinberg
- 32. Carol Corradi

Hillside Fire Safety Group is no FireSafe Berkeley

- 33. Henry DeNero

Hopkins Corridor

- 34. Elizabeth Horowitz
- 35. Carol Hirth
- 36. Peggy Mendelson
- 37. Sandy Emerson
- 38. Helen Toy
- 39. Diane Mintz
- 40. Susan McAllister
- 41. Mary Lee Noonan
- 42. Lina Lamirande
- 43. Sandy Steinman
- 44. Celia Ronis
- 45. Laura Fujiii
- 46. Rebecca Mirvish
- 47. Anne Lai

- 48. Diane Mintz
- 49. Terry Nicol

Berkeley BART Development

- 50. Peggy Mendelson
- 51. Jack Kurzeil (3)
- 52. Kelly Hammargren
- 53. Maris Arnold
- 54. Diana Bohn
- 55. Margaret Pritt

Berkeley's Horrendous Street Conditions

- 56. Joan Finnie

Continued Toll-Free Access to City Meetings

- 57. Elizabeth Starr

Heavy Equipment Around San Pablo and Dwight

- 58. Martha Stassinis

Japanese Day of Remembrance

- 59. Grace Morizawa

Tibetan National Uprising Day Proclamation

- 60. Jinpa Tharchin, on behalf of the Tibetan Association of Northern California

City of Berkeley Holidays

- 61. Murthy Sama

Supplemental Communications and Reports 1

Item #17: Resolution Terminating the Proclamation of Local Emergency Issued Due to the Spread of a Severe Acute Respiratory Illness Caused by a Novel (New) Coronavirus (COVID-19); and Discussion and Possible Action on the City's Eviction Moratorium

- 62. Krista Gulbransen, on behalf of Berkeley Property Owners Association

Item #19: Reform to Public Comment Procedures at Meetings of the Berkeley City Council

- 63. Supplemental material, submitted by Councilmember Robinson

Urgent Item: Increase Funding to Housing Retention Program Contract

- 64. Urgent item, submitted by Mayor Arreguin

Supplemental Communications and Reports 2

Item #14: Referral: Creation of an Intersection Daylighting Policy

- 65. Supplemental material, submitted by Councilmember Robinson

Item #15: ZAB Appeal: 1262 Francisco Street, Administrative Use Permit #ZP2021-0006

- 66. Grant Reading
- 67. John Vinopal
- 68. Jason Yow
- 69. Adam Love
- 70. Laurence Fishbein

Item #18c: Adopt an Ordinance Amending Berkeley Municipal Code Chapter 3.82 Modifying Membership and Appointment Procedures for the Environment and Climate Commission

- 71. Anthony Maes
- 72. Stevie Kaplan
- 73. Samuel Kaplan Pettus (2)

Item #19: Reform to Public Comment Procedures at Meetings of the Berkeley City Council

- 74. David Fielder
- 75. Judy Grether
- 76. Bill Hickman
- 77. Bernard Marszalek
- 78. Brian Hofer
- 79. Jean Tepperman
- 80. Vanessa Warheit
- 81. Martin Nicolaus
- 82. Richard Warren
- 83. Marc Janowitz
- 84. Christopher McKee
- 85. Leni Siegel
- 86. Janic Schroeder
- 87. Miranda Ewell
- 88. Holly Scheider
- 89. Tom Graly
- 90. Summer Brenner
- 91. Cindy Shamban
- 92. Nancy Rader
- 93. Nancy Schimmel
- 94. Jinky Gardner
- 95. Juli Dickey
- 96. Jill Korte
- 97. Helga Recke
- 98. Howard Goldberg
- 99. Erin Diehm
- 100. Kelly Hammargren
- 101. Virginia Warheit
- 102. Terry Fletcher

- 103. Aimee Baldwin
- 104. Isabelle Gaston
- 105. Jane Fink
- 106. Cecilia Lunaparra
- 107. Sally Nelson
- 108. Phil Allen
- 109. Julia Cato
- 110. Gary Parsons
- 111. Eric Friedman
- 112. Carol Leonard
- 113. Vicki Sommer

Supplemental Communications and Reports 3

Item #15: ZAB Appeal: 1262 Francisco Street, Administrative Use Permit #ZP2021-0006

- 114. Vika Teicher
- 115. Eric Price

Item #16: The City of Berkeley Employer of Choice Initiative

- 116. Presentation, submitted by the City Manager's Office

Item #17: Resolution Terminating the Proclamation of Local Emergency Issued Due to the Spread of a Severe Acute Respiratory Illness Caused by a Novel (New) Coronavirus (COVID-19); and Discussion and Possible Action on the City's Eviction Moratorium

- 117. Andrea Mullarkey
- 118. Barbara Gilbert
- 119. Kristie Lavelle

Item #18c: Adopt an Ordinance Amending Berkeley Municipal Code Chapter 3.82 Modifying Membership and Appointment Procedures for the Environment and Climate Commission

- 120. Freyja Knapp
- 121. Antonia Mou
- 122. Emma Kittredge
- 123. Gabriel Yetnikoff

Item #19: Reform to Public Comment Procedures at Meetings of the Berkeley City Council

- 124. Paul Kealoha Blake
- 125. Tom Lent (2)
- 126. Berkeley Neighborhoods Council
- 127. Catherine Betts
- 128. Melanie Lawrence
- 129. Linda Wood
- 130. Maris Arnold

131. Sanjani Varkey
132. Sheryl Rose
133. David Mayer
134. Kitt Saginor
135. Rachel Bradley
136. Janet Levenson
137. Mariana Almeida
138. Lois Yuen
139. Stephanie Thomas
140. Eileen Adams
141. Donna DeDiemar
142. Ellen Leuenberger
143. Adam Rogers
144. Laurel and Ben Kuchinsky
145. Eric Johnson
146. Peggy Radel
147. John Robin
148. Sarah Bell
149. Bob Flasher
150. Mary Lee Noonan
151. Kenny Yip
152. Frances Feldon
153. Phoebe Thomas Sorgen
154. Bill Bogert
155. steidtmann@
156. Jonathan Wieder
157. Andrea Traber
158. Kori Kody
159. Cece Littlepage
160. Phyllis Orrick
161. Erin Diehm
162. Ana Noles
163. Myriam Misrach
164. Lynn Cooper
165. Susie Wallenstein
166. Diana Bohn
167. Diane Garcia
168. Leni Siegel
169. Carla Woodworth
170. David Brandon
171. James Mattson
172. Joel Myerson
173. Diane Ross-Leech
174. Donna Allman
175. Pamela Zelnik
176. Ellen Pasternack

177. Trarie Kottkamp
178. Anne McClintock
179. Janet Stromberg
180. Theresa Malki
181. Dahlia Armon
182. Richard Tamm
183. Ann Campbell
184. Libby Lee-Egan
185. Jim Offel
186. Elana Auerbach
187. Laura Fujii
188. Kevin Casey
189. Dawn Howard
190. Charlene Woodcock
191. Judy Ann Alberti
192. Jeanne Schuman and William Pollock
193. Todd Darling
194. Armando Chenyek
195. DJ
196. Vivian Warkentin
197. Richard Koenig
198. Lisa Bullwinkel
199. Vince Sugrue

Miscellaneous

Not Made in the USA

200. Eid

BERKELEY CITY COUNCIL SPECIAL MEETING MINUTES

MONDAY, MARCH 13, 2023

3:00 P.M.

REDWOOD ROOM – 2180 MILVIA STREET, BERKELEY, CA 94704

TELECONFERENCE LOCATION – 1404 LE ROY AVE, BERKELEY, CA 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.

*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/1612575025>. 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: **161 257 5025**. 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 and applicable Executive Orders as issued by the Governor that are currently in effect. 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.

Preliminary Matters

Roll Call: 3:03 p.m.

Present: Taplin, Harrison, Hahn, Wengraf, Robinson, Humbert, Arreguin

Absent: Kesarwani, Bartlett

Councilmember Kesarwani present at 3:12 p.m.

Councilmember Bartlett present at 3:14 p.m.

Public Comment - Limited to items on this agenda only – 2 speakers

CLOSED SESSION:

The City Council will convene in closed session to meet concerning the following:

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(3):

- a. Significant exposure to litigation pursuant to Section 54956.9(d)(3); see letter from California Department of Housing and Community Development, attached as required by *Fowler v. City of Lafayette*, 46 Cal. App. 5th 360 (2020)

Action: No reportable action taken.

2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(1):

- a. *Mena v. Bradd, et al.*, Alameda County Superior Court Case No. RG21101938

Action: No reportable action taken.

- b. *Cohen v. City of Berkeley*, Alameda County Superior Court Case No. 22CV018148

Action: M/S/C (Arreguin/Robinson) to authorize a settlement in the amount of \$43,000.

Vote: All Ayes.

3. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(2):

- a. WCAB Case Numbers: ADJ12170910 and ADJ11544202.

Action: M/S/C (Arreguin/Wengraf) to provide direction to outside counsel and approve a settlement by Compromise and Release, as to workers' compensation matter WCAB Case Numbers: ADJ12170910 and ADJ11544202.

Vote: All Ayes.

OPEN SESSION:

City Council met in closed session on March 13, 2023, Pursuant to Government Code Section 54956.9(d)(2) and provided direction to outside counsel and approved a settlement by Compromise and Release, as to workers' compensation matter WCAB Case Numbers: ADJ12170910 and ADJ11544202.

City Council met in closed session on March 13, 2023, Pursuant to Government Code 54956.9(d)(1) and authorized a settlement in the amount of \$43,000 in the matter of Cohen v. City of Berkeley, Alameda County Superior Court Case No. 22CV018148.

Adjournment

Action: (Arreguin/Harrison) to adjourn the meeting.

Vote: All Ayes.

Adjourned at 4:54 p.m.

I hereby certify that the forgoing is a true and correct record of the closed session meeting held on March 13, 2023.

Mark Numainville, City Clerk

Communications

- None

Supplemental Communications and Reports 1

- None

Supplemental Communications and Reports 2

- None

Supplemental Communications and Reports 3

Item #1: Conference with Legal Counsel – Anticipated Litigations Pursuant to Government Code Section 54956.9(d)(3)

1. Kelly Hammargren

**MINUTES
SPECIAL MEETING OF THE
BERKELEY CITY COUNCIL**

**Tuesday, March 14, 2023
4:00 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

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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.

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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 and applicable Executive Orders as issued by the Governor that are currently in effect. 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: 4:03 p.m.

Present: Kesarwani, Taplin, Harrison, Hahn, Wengraf, Robinson, Humbert, Arreguin

Absent: Bartlett

Councilmember Bartlett present at 4:20 p.m.

Worksession

1. **Berkeley Police Department Annual Report, 2022 Year End Data Reports** **From: City Manager**

Contact: Jennifer Louis, Police, (510) 981-5900

Action: 12 speakers. Presentation made and discussion held.

Councilmember Bartlett absent 6:36 p.m. – 6:43 p.m.

Councilmember Kesarwani absent 6:38 p.m. – 6:43 p.m.

Adjournment

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

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

Adjourned at 6:43 p.m.

I hereby certify that the foregoing is a true and correct record of the special meeting held on March 14, 2023.

Rose Thomsen, Deputy City Clerk

Communications

- None

Supplemental Communications and Reports 1

- None

Supplemental Communications and Reports 2

- None

Supplemental Communications and Reports 3

Item #1: Berkeley Police Department Annual Report, 2022 Year End Data Reports

1. Presentation, submitted by the Police Department
2. George Lippman
3. Todd Andrew

MINUTES
BERKELEY CITY COUNCIL MEETING
Tuesday, March 14, 2023
6:00 PM

SCHOOL DISTRICT BOARD ROOM - 1231 ADDISON STREET, BERKELEY, CA 94702
 TELECONFERENCE LOCATION – 1404 LE ROY AVENUE, BERKELEY, CA 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.

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.

*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/1600955724>. 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: **160 095 5724**. 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 and applicable Executive Orders as issued by the Governor that are currently in effect. 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: 7:01 p.m.

Present: Kesarwani, Taplin, Bartlett, Harrison, Hahn, Wengraf, Robinson, Humbert, Arreguin

Absent: None

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 Chochenyo (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 the 60th Anniversary of KALX, UC Berkeley's student and community radio station
2. Recognition of Cazadero Family Camp
3. Adjourned in memory of Ben Casillas Jr., Community Member and victim of the fire at Bayer's West Berkeley campus
4. Adjourned in memory of Victor Garlin, Berkeley Resident, Community Leader, and Professor of Economics
5. Adjourned in memory of Judy Heumann, Disability Rights Activist

City Manager Comments: None

Public Comment on Non-Agenda Matters: 10 speakers.

Consent Calendar

Public Comment on Consent Calendar and Information Items Only: 13 speakers.

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

Vote: All Ayes.

Consent Calendar

- 1. Amendments to COVID-19 Emergency Response Ordinance, BMC Chapter 13.110**
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: Ayes – Taplin, Bartlett, Harrison, Hahn, Robinson, Arreguin; Noes – Wengraf; Abstain – Kesarwani, Humbert.
Financial Implications: None
Contact: Jesse Arreguin, Mayor, (510) 981-7100
Action: Adopted first reading of Ordinance No. 7,855–N.S. as revised in the Supplemental Communications Packet #2 from Mayor Arreguin and with further revision to Section 13.110.030.A to read as follows: *“Covered Period” means the period of time beginning with March 17, 2020 and concluding at the end of April 30, 2023.* Second reading scheduled for March 21, 2023.
- 2. Adopt an Ordinance Amending Berkeley Municipal Code Chapter 3.82 Modifying Membership and Appointment Procedures for the Environment and Climate Commission**
From: Councilmember Harrison (Author)
Recommendation: Adopt second reading of Ordinance No. 7,856-N.S., amending Berkeley Municipal Code Chapter 3.82 Modifying Membership and Appointment Procedures for the Environment and Climate Commission.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140
Action: Adopted second reading of Ordinance No. 7,856–N.S.
- 3. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on March 14, 2023**
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: Mental Health Services Act - \$2,802,400
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Approved recommendation.

Consent Calendar

- 4. Contract: KLD Engineering, P.C. for Evacuation and Response Time Modeling**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to piggyback on the County of Santa Barbara contract and execute a contract and any amendments with KLD Engineering, P.C., for Evacuation and Response Time Modeling from April 1, 2023 through June 30, 2024 in the amount not to exceed \$400,000 with an option to extend for an additional two years not to exceed an additional \$100,000 if the piggyback contract is extended.
Financial Implications: See report
Contact: David Sprague, Fire, (510) 981-3473
Action: Adopted Resolution No. 70,712–N.S.
- 5. Contract: GoGo Technologies, Inc. for Transportation Services for Seniors and the Disabled**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager, or her designee, to execute a contract and any amendments with GoGo Technologies, Inc. in the amount of \$350,000 for the period of April 1, 2023 through June 30, 2026 for the provision of a 24/7 call center to arrange rides with Uber and Lyft for customers of the Aging Services Division’s Berkeley Rides for Seniors and the Disabled program.
Financial Implications: Measure BB Fund - \$350,000
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 70,713–N.S.
- 6. Contract: mySidewalk, Inc. for HHCS Web-Based Population Health Data Platform**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with mySidewalk, Inc. to provide a web-based population health data platform to access, compile, and share Community Health Assessment (CHA) data, and priority issues and strategies for the Community Health Improvement Plan (CHIP) for the Department of Health, Housing and Community Services (HHCS) from March 15, 2023 to March 14, 2026, in an amount not to exceed \$128,315.
Financial Implications: Various Funds - \$128,315
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 70,714–N.S.

Consent Calendar

- 7. Contract No. 32000225 Amendment: Its Personnel Consulting for Recruitment, Hiring, and Independent Workplace Investigation**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32000225 with Its Personnel Consulting for recruitment, hiring and independent workplace investigation services, increasing the amount by \$149,000 for total amount not to exceed \$349,000 and extending the term of the contract through June 30, 2024.
Financial Implications: General Fund - \$149,000
Contact: Aram Kouyoumdjian, Human Resources, (510) 981-6800
Action: Adopted Resolution No. 70,715–N.S.
- 8. Contract No. 32100046 Amendment: HR Acuity, LLC for Case Management and Employee Relations Software**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32100046 with HR Acuity, LLC for case management and employee relations software, increasing the amount by \$139,000 for a total amount not to exceed \$189,000, and extending the contract term to June 30, 2025.
Financial Implications: General Fund - \$139,000
Contact: Aram Kouyoumdjian, Human Resources, 510-981-6800
Action: Adopted Resolution No. 70,716–N.S.
- 9. Purchase Orders: Glassdoor to Provide Search Engine Optimization (SEO) and Ad Work**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute purchase orders with Glassdoor to provide search engine optimization (SEO) and ad work for two years from April 1, 2023 until March 31, 2025 in an amount not to exceed \$150,000.
Financial Implications: Various Funds - \$150,000
Contact: Aram Kouyoumdjian, Human Resources, (510) 981-6800
Action: Adopted Resolution No. 70,717–N.S.
- 10. Purchase Orders: Indeed to Provide Search Engine Optimization (SEO) and Ad Work**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute purchase orders with Indeed to provide search engine optimization (SEO) and ad work for two years from April 1, 2023 until March 31, 2025 in an amount not to exceed \$150,000.
Financial Implications: Various Funds - \$150,000
Contact: Aram Kouyoumdjian, Human Resources, (510) 981-6800
Action: Adopted Resolution No. 70,718–N.S.

Consent Calendar

11. **Contract No. 31900187 Amendment: LV.NET (formerly Towerstream) for Secondary Internet for Redundancy and Load Balancing**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to amend the contract with LV.NET (formerly Towerstream, Inc.) for redundant secondary internet services, increasing the contract amount by \$106,000 for a total not-to-exceed amount of \$278,000 from October 3, 2017 to June 30, 2024.
Financial Implications: Information Technology Communications Services Fund - \$106,000
Contact: Kevin Fong, Information Technology, (510) 981-6500
Action: Adopted Resolution No. 70,719–N.S.

Council Consent Items

12. **Opposition to Initiative #1935**
From: Mayor Arreguin (Author), Councilmember Hahn (Co-Sponsor), Councilmember Harrison (Co-Sponsor), Councilmember Wengraf (Co-Sponsor)
Recommendation: Adopt a Resolution to oppose Initiative #1935, the deceptively named “Taxpayer Protection and Government Accountability Act”.
Financial Implications: See report
Contact: Jesse Arreguin, Mayor, (510) 981-7100
Action: Adopted Resolution No. 70,720–N.S.
13. **Resolution to Support SB 50**
From: Mayor Arreguin (Author), Councilmember Robinson (Co-Sponsor), Councilmember Hahn (Co-Sponsor)
Recommendation: Adopt a Resolution in support of Senate Bill 50 with amendments, introduced by Senator Steven Bradford. Send a copy of the Resolution to Governor Gavin Newsom, State Senators Nancy Skinner and Scott Weiner, and Assemblymember Buffy Wicks.
Financial Implications: None
Contact: Jesse Arreguin, Mayor, (510) 981-7100
Action: Adopted Resolution No. 70,721–N.S.
14. **Support SB 252 – State Divestment from Fossil Fuels**
From: Mayor Arreguin (Author), Councilmember Hahn (Co-Sponsor), Councilmember Harrison (Co-Sponsor), Councilmember Wengraf (Co-Sponsor)
Recommendation: Adopt a Resolution in support of SB 252 (Gonzalez), which would prohibit the Public Employees’ Retirement System (CalPERS) and the State Teachers’ Retirement System (CalSTRS) from investing in fossil fuel companies. Send a copy of the Resolution to Assemblymember Buffy Wicks, State Senators Nancy Skinner and Lena Gonzalez, Governor Gavin Newsom, CalPERS, and CalSTRS.
Financial Implications: None
Contact: Jesse Arreguin, Mayor, (510) 981-7100
Action: Adopted Resolution No. 70,722–N.S.

Council Consent Items

15. **Budget Referral: Vision 2050 Complete Streets Parcel Tax Community Engagement and Program Plan**
From: Councilmember Taplin (Author), Councilmember Harrison (Co-Sponsor), Councilmember Robinson (Co-Sponsor)
Recommendation: Refer \$400,000 to the June 2023 mid-year budget update to conduct community engagement, public information campaign, and program plan development for potential 2024 complete streets and climate-resilient infrastructure revenue measures.
Financial Implications: See report
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120
Action: Councilmember Bartlett added as a co-sponsor. Approved recommendation.
16. **Resolution Supporting Unionization Efforts by Urban Ore workers**
From: Councilmember Taplin (Author), Councilmember Robinson (Co-Sponsor)
Recommendation: Adopt a Resolution in support of workers at Urban Ore unionizing under representation by the Industrial Workers of the World (IWW) Union 670.
Financial Implications: None
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120
Action: Councilmember Bartlett added as a co-sponsor. Adopted Resolution No. 70,723–N.S.
17. **Support for SB-58: Controlled Substances**
From: Councilmember Taplin (Author), Councilmember Robinson (Co-Sponsor)
Recommendation: Send a letter of support for Sen. Wiener’s Senate Bill 58, which would decriminalize psilocybin, psilocyn, MDMA, DMT, ketamine, mescaline, and ibogaine; expunge criminal records for use and possession of these substances; and establish a commission to provide recommendations to the state legislature on therapeutic uses.
Financial Implications: None
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120
Action: Councilmembers Bartlett and Humbert added as co-sponsors. Approved recommendation as revised in Supplemental Communications Packet #1 from Councilmember Taplin.
Vote: Ayes – Kesarwani, Taplin, Bartlett, Harrison, Wengraf, Robinson, Humbert, Arreguin; Noes – None; Abstain – Hahn; Absent – None.

Council Consent Items

18. **Letter in Support of SB 466**
From: Councilmember Robinson (Author), Mayor Arreguin (Co-Sponsor), Councilmember Hahn (Co-Sponsor), Councilmember Harrison (Co-Sponsor)
Recommendation: Send a letter to Senator Aisha Wahab (cc: Governor Gavin Newsom, Senator Nancy Skinner, Assemblymember Buffy Wicks) in support of SB 466, which would reform the Costa-Hawkins Rental Housing Act.
Financial Implications: None
Contact: Rigel Robinson, Councilmember, District 7, (510) 981-7170
Action: Approved recommendation.
Vote: Ayes – Kesarwani, Taplin, Bartlett, Harrison, Hahn, Wengraf, Robinson, Arreguin; Noes – None; Abstain – Humbert; Absent – None.
19. **Resolution and Letter in Support of H.R. 852, the Investing in Safer Traffic Stops Act of 2023**
From: Councilmember Robinson (Author), Councilmember Hahn (Co-Sponsor)
Recommendation: Adopt a Resolution in support of H.R. 852, the Investing in Safer Traffic Stops Act of 2023, and send a letter of support to Representative Ritchie Torres, Representative Barbara Lee, Senator Alex Padilla, and Senator Dianne Feinstein.
Financial Implications: None
Contact: Rigel Robinson, Councilmember, District 7, (510) 981-7170
Action: Councilmember Bartlett added as a co-sponsor. Adopted Resolution No. 70,724–N.S.

Action Calendar – Old Business

20. **Reforms to Public Comment Procedures at meetings of the Berkeley City Council** (*Reviewed by the Agenda & Rules Committee. Continued from February 28, 2023. Item contains supplemental materials.*)

From: Councilmember Droste (Author)

Recommendation: Adopt a Resolution revising the City Council Rules of Procedure and Order: Section IV. Conduct of the Meeting and Appendix C Temporary Rules for The Conduct of City Council Meetings Through Video Conference During The Covid-19 Emergency to: 1. Consolidate non-agenda public comment, public comment on the Consent Calendar, and public comment on Action Items into a single public comment period toward the start of the Council meeting (consistent with the Berkeley Unified School District's public comment procedure), and continue to provide for additional time for public comment at the end of meetings; 2. Adopt reasonable limits on the overall number of public speakers (consistent with rulings from the Second District Court of Appeal) with a mechanism for the City Council to extend public comment; and 3. Rescind Resolution No. 70,091– N.S.

Policy Committee Recommendation: To send the item to the City Council with a negative recommendation that no action be taken on the item.

Financial Implications: See report

Contact: Lori Droste, Councilmember, District 8, (510) 981-7180

Action: M/S/C (Arreguin/Harrison) to suspend the rules and extend the meeting to 11:30 p.m.

Vote: All Ayes.

Action: 44 speakers. M/S/C (Hahn/Arreguin) to:

1. Adopt Resolution No. 70,725–N.S. as revised in Option 2 of the supplemental material in Supplemental Communications Packet #2 from Councilmember Robinson and further revised to provide for public comment on the Action Calendar at the onset of the Action Calendar, and as the Action Calendar items are taken up, with exceptions. The changes to the procedures are effective April 11, 2023.

2. Refer the suggestions regarding improvements to the meeting process to the Agenda & Rules Committee and the Open Government Commission for consideration.

Vote: All Ayes.

Action Calendar – Public Hearings

21. Ambulance User Fee Increase

From: City Manager

Recommendation: Conduct a public hearing and upon conclusion, adopt a Resolution: 1) Adjusting the Ambulance User Fee Schedule to match Alameda County's approved ambulance user fee schedule, made effective July 1, 2022, for the Cities of Alameda, Albany, Berkeley, and Piedmont; 2) Making the new Ambulance User Fee Schedule effective April 1, 2023; 3) Authorizing the City Manager to execute an amendment to Contract No. 31900182 with Alameda County for ambulance transport services to incorporate the fee increase; and 4) Rescinding Resolution No. 68,897–N.S., effective April 1, 2023.

Financial Implications: See Report

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

Public Testimony: The Mayor opened the public hearing. 1 speaker.
M/S/C (Arreguin/Bartlett) to close the public hearing.

Vote: All Ayes.

Action: M/S/C (Arreguin/Harrison) to adopt Resolution No. 70,726–N.S.

Vote: All Ayes.

22. Amendments to Berkeley Election Reform Act Cost of Living Adjustment Provisions

From: Fair Campaign Practices Commission

Recommendation: Conduct a public hearing and, upon conclusion, adopt first reading of an ordinance 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.

Financial Implications: None

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

Public Testimony: The Mayor opened the public hearing. 1 speaker.
M/S/C (Arreguin/Harrison) to close the public hearing.

Vote: All Ayes.

Action: M/S/C (Arreguin/Robinson) to adopt first reading of Ordinance No. 7,857–N.S. Second reading scheduled for March 21, 2023.

Vote: All Ayes.

Action Calendar – Old Business

23. Climate Action Plan and Resilience Update *(Continued from November 29, 2022)*

From: City Manager

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

Action: See action for Item 24.

Action Calendar – New Business

24. Berkeley Economic Dashboards Update

From: City Manager

Contact: Eleanor Hollander, Economic Development, (510) 981-7530

Action: M/S/C (Arreguin/Wengraf) to refer Item 23 and Item 24 to the Agenda & Rules Committee for future scheduling.

Vote: All Ayes.

Council Action Items

25. Bureaucratic Effectiveness and Referral Improvement and Prioritization Effort (BE RIPE) *(Reviewed by the Agenda & Rules Committee)*

From: Councilmember Droste (Author)

Recommendation:

In order to ensure that the City focuses on high-priority issues, projects, and goals and affords them the resources and funding such civic efforts deserve, the City Council should consult with the City Manager's Office to develop and adopt a suite of revisions to the City Council Rules of Procedure and Order that would implement the following provisions:

1. Beginning in 2023, Councilmembers shall submit no more than one major legislative proposal or set of amendments to any existing ordinance per year, with the Mayor permitted to submit two major proposals, for a maximum of ten major Council items per year.
2. In 2023 and all future years, Councilmembers shall be required to submit major items before an established deadline. Council shall then prioritize any new legislative items as well as any incomplete major items from the previous year using the Reweighted Range Voting (RRV) process. This will help establish clear priorities for staff time, funding, and scheduling Council work sessions and meetings. For 2023 alone, the RRV process should include outstanding/incomplete Council items from all previous years. In 2024 and thereafter, the RRV process should only incorporate outstanding/incomplete major items from the prior year. However, Councilmembers may choose to renominate an incomplete major policy item from an earlier year as their single major item.
3. During deliberations at a special worksession, Council retreat, and/or departmental budget presentations, Council and the City Manager should develop a work plan that establishes reasonable expectations about what can be accomplished by staff given the list of priorities as ranked by RRV. Council should also consult with the City Manager and department heads, particularly the City Attorney's office, Planning Department, and Public Works Department on workload challenges (mandates outside Council priorities, etc.), impacts, reasonable staff output expectations, and potential corrective actions to ensure that mandated deadlines are met, basic services are provided, and policy proposals are effectively implemented.
4. Budget referrals and allocations from City Council must be explicitly related to a previously established or passed policy/program, planning/strategy document, and/or an external funding opportunity related to one of these. As a good government practice, councilmembers and the Mayor may not submit budget referrals which direct funds to a specific organization or event. Organizations which receive City

Action Calendar – New Business

funding must submit at least annually an application detailing, at a minimum: the civic goal(s)/purpose(s) for which City funds are used, the amount of City funding received for each of the preceding five years, and quantitative or qualitative accounting of the results/outcomes for the projects that made use of those City funds. Organizations receiving more than \$20,000 in City funds should be required to provide quantitative data regarding the number of individuals served and other outcomes.

5. Ensuring that any exceptions to these provisions are designed to ensure flexibility in the face of an emergency, disaster, or urgent legal issue/liability and narrowly tailored to be consistent with the goals of enhanced efficiency, effectiveness, fairness, and focus.

Policy Committee Recommendation: To send the item to the City Council with a Qualified Positive Recommendation to refer the relevant concepts of the original item to the Agenda & Rules Committee for consideration under the existing committee agenda item regarding enhancements to the City's legislative process.

Financial Implications: See report

Contact: Lori Droste, Councilmember, District 8, (510) 981-7180

Action: Moved to Consent Calendar to adopt the recommendation from the policy committee.

Public Comment – Items Not Listed on the Agenda - 3 speakers.

Adjournment

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

Vote: All Ayes.

Adjourned at 11:03 p.m.

I hereby certify that the foregoing is a true and correct record of the regular meeting held on March 14, 2023.

Rose Thomsen, Deputy 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.

Hopkins Corridor

1. Alex Benn
2. Phyllis Orrick
3. Khin Chin, on behalf of Disaster and Fire Safety Commission (2)
4. Andrew Graham
5. Mimi Morgan

6. Grayson Savoie
7. Eric Taylor
8. Laila Hamidi
9. Charan Samudrala
10. Walter Wood
11. Joel Myerson (2)
12. William Stringfellow
13. Becca Schonberg
14. Carol Hirth
15. Sally Nelson
16. Diana Bohn
17. Gerry Tierney
18. Mary B
19. Katherine Silver
20. Susan Ashley
21. Sean Co
22. Friends of Hopkins Street
23. Judy Dater
24. Meg Holm
25. Will Gioia
26. Melissa Short
27. Susan DeMersseman
28. Janet Jacobson-Weiss
29. Friends of Five Creeks

BART Development at Ashby and/or North Berkeley

30. Jack Kurzweil (2)
31. Helga Recke

Stuart Street and MLK Danger Zone

32. Claire Fitzgerald
33. Ian Bronswick, Associate Civil Engineer

Ukraine Flag Raising

34. Igor Tregub

Crime in Berkeley

35. John McMonagle
36. Eric Friedman
37. Andres Talero
38. Taline Kazandjian
39. Lisa Mirkovic

Housing Element

40. Corey Smith

Berkeley Unified School District Milvia Garage

41. Liza Lutzker

Legislative Assistants Compensation

42. Khin Chin, VP of SEIU 1021 CSU PTRLA

43. Anne Cardwell, Deputy City Manager

Dead Animals in Aquatic Park

44. Cassandra Turgman

COVID-19

45. Kelly Hammargren

Affordable Commercial Space

46. Sylvia

Public Transit Fiscal Cliff

47. Thomas Yamaguchi

Deaths at Golden Gate Fields

48. Tweed Conrad

Housing Demolition and Unfinished Business

49. Michai Freeman

Railroad Safety

50. Sarah Freedman

2190 Shattuck Avenue, View from the Campanile

51. Anne Burns

WARN Notice

52. Anne Del Rosario Birnbaum, for Chipper Cash

Infrastructure Need to Protect Codornices Creek Along Hopkins Corridor

53. Friends of Five Creeks

54. Liam Garland, Director of Public Works

Proposed Bike Lane from Bonar Street to Mabel Street along Dwight Way

55. Laurel and Ben Kuchinsky

North Berkeley Senior Center

56. Sara Paredes

57. Chris Gilmore

58. Chiara Juster

High Cost of Food for Cal Students

59. Olga Jimenez

Day of Hate on Jews – February 25

60. Dorothea Dorenz

Elder Abuse at Harriet Tubman Terrance

61. Darinxoso Oyamasela

Alameda County Information for City Stakeholders

62. Corey Williams on behalf of the U.S. Small Business Administration

E-Bike Lottery

63. Anne-Lise Francois

ADA Bypass

64. Carl Bass

Berkeley Asphalt Operations

65. Pear Michaels

Bus Rapid Transit from University to Telegraph

66. Zach Franklin

67. Bailey Schweitzer

910 Indian Rock Avenue

68. Leila Moncharsh, on behalf of The Berkeley Architectural Heritage Assoc.

PAB Recommendations – Unmanned Aerial System

69. Jen Louis, Interim Chief of Police

URLs Only

70. Vivian Warkentin (3)

71. Fred Dodsworth

72. Michai Freeman

Supplemental Communications and Reports 1

Item #17: Support for SB 58: Controlled Substances

73. Revised material, submitted by Councilmember Taplin

Item #20: Reforms to Public Comment Procedures at Meetings of the City Council

74. Berkeley Neighborhood Council (2)

75. Linda Franklin

76. Lisa Bruce

77. Diana Bohn

78. Tarek Rached

79. Natasha Robinson

80. Tony Corman

- 81. Larisa Cummings
- 82. James Mattson
- 83. Mary Behm-Steinberg

Supplemental Communications and Reports 2

Item #1: Amendments to COVID-19 Emergency Response Ordinance, BMC Chapter 13.110

- 84. Revised material, submitted by Mayor Arreguin
- 85. Supplemental material, submitted by Councilmember Kesarwani

Item #20: Reforms to Public Comment Procedures at Meetings of the City Council

- 86. Supplemental material, submitted by Councilmember Robinson
- 87. Shirley Dean
- 88. Zipporah Collins
- 89. Irene Rosenthal
- 90. Sally Nelson
- 91. Diana Bohn
- 92. Rose Monahan
- 93. Carol Denney
- 94. Leah Redwood
- 95. Tammy Stellanova
- 96. Juli Dickey
- 97. David Fielder
- 98. Peggy Radel
- 99. Aimee Baldwin
- 100. Summer Brenner
- 101. MaryAnn Furda
- 102. Anandamayi Arnold

Supplemental Communications and Reports 3

Item #1: Amendments to COVID-19 Emergency Response Ordinance, BMC Chapter 13.110

- 103. Isabelle Gaston

Item #14: Support SB 252 – State Divestment from Fossil Fuels

- 104. Peace and Justice Commission

Item #15: Budget Referral: Vision 2050 Complete Streets Parcel Tax Community Engagement and Program Plan

- 105. Berkeleyans for Better Planning

Item #20: Reforms to Public Comment Procedures at Meetings of the City Council

- 106. Jonathan Wieder
- 107. Hali Hammer
- 108. Molly Baskette
- 109. Kelly Hammargren
- 110. John Bean

111. Michael Weber
112. Gael Alcock
113. Abderazak Mehdhkour
114. Elaine Bloom
115. Irene Rosenthal
116. Judith White
117. George Lippman
118. Igor Tregub
119. Mati Teiblum
120. Sonya Karabel
121. Barbara Gilbert
122. Derethia DuVal
123. Libby Sayre
124. Jack Kurzweil
125. Sheila Jordan
126. Alice Rosenthal
127. Isis Feral
128. Emma Martin, on behalf of The Center for Independent Living

Item #25: Bureaucratic Effectiveness and Referral Improvement and Prioritization Effort (BE RIPE)

129. Nancy Schimmel

Miscellaneous Communications

130. Mr. Eid

**MINUTES
SPECIAL MEETING OF THE
BERKELEY CITY COUNCIL**

**Monday, March 20, 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

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Preliminary Matters

Roll Call: 6:07 p.m.

Present: Taplin, Harrison, Wengraf, Robinson, Humbert, Arreguin

Absent: Kesarwani, Bartlett, Hahn

Councilmember Kesarwani present at 6:20 p.m.

Worksession

1. Update on the Waterfront Specific Plan for the City of Berkeley Public Tidelands Area

From: City Manager

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

Action: 13 speakers. Presentation made and discussion held.

Adjournment

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

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

Adjourned at 8:31 p.m.

I hereby certify that the foregoing is a true and correct record of the special session meeting held on March 20, 2023.

Rose Thomsen, Deputy 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](#).

Item #1: Update on the Waterfront Specific Plan for the City of Berkeley Public Tidelands Area

1. Claudia Kawczynska

Supplemental Communications and Reports 1

- None

Supplemental Communications and Reports 2

Item #1: Update on the Waterfront Specific Plan for the City of Berkeley Public Tidelands Area

2. Peter Kuhn
3. James McGrath

Supplemental Communications and Reports 3

Item #1: Update on the Waterfront Specific Plan for the City of Berkeley Public Tidelands Area

4. Presentation, submitted by Parks, Recreation and Waterfront
5. Robert Ofsevit

**MINUTES
SPECIAL MEETING OF THE
BERKELEY CITY COUNCIL**

**Tuesday, March 21, 2023
4:00 PM**

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

TELECONFERENCE LOCATION - 1404 LE ROY AVE, BERKELEY 94708

JESSE ARREGUIN, MAYOR

Councilmembers:

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Preliminary Matters

Roll Call: 4:08 p.m.

Present: Bartlett, Wengraf, Robinson, Humbert, Arreguin

Absent: Kesarwani, Taplin, Harrison, Hahn

Councilmember Harrison present at 5:26 p.m.

Councilmember Kesarwani present at 6:07 p.m.

Worksession

- 1. Civic Arts Grants Program – Improved Practices & Community Impact**
From: City Manager
Contact: Eleanor Hollander, Economic Development, (510) 981-7530
Action: 8 speakers. Presentation made and discussion held.
- 2. Civic Center Plan Phase II – Design Concept**
From: City Manager
Contact: Liam Garland, Public Works, (510) 981-6300
Action: 15 speakers. Presentation made and discussion held.

Adjournment

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

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

Councilmember Wengraf absent 5:47 p.m. – 6:36 p.m.

Adjourned at 6:36 p.m.

I hereby certify that the foregoing is a true and correct record of the special session meeting held on March 21, 2023.

Mark Numainville, City Clerk

Communications

Item #2: Civic Center Plan Phase II – Design Concept

1. Wendy Alfsen
2. Peter Schultze-Allen
3. Todd Jersey
4. Janet Byron

5. John Caner, Convener, Community for a Cultural Civic Center

Supplemental Communications and Reports 1

- None

Supplemental Communications and Reports 2

Item #2: Civic Center Plan Phase II – Design Concept

6. Gillian Irwin
7. Stefen
8. Diana Bohn
9. Rachel Katz

Supplemental Communications and Reports 3

Item #1: Civic Arts Grants Program – Improved Practices & Community Impacts

10. Presentation, submitted by the City Manager's Office

Item #2: Civic Center Plan Phase II – Design Concept

11. Presentation, submitted by the City Manager's Office
12. Karl Wanaselja
13. Kelly Hammargren

MINUTES
BERKELEY CITY COUNCIL MEETING
Tuesday, March 21, 2023
6:00 PM

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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.

I hereby certify that the foregoing is a true and correct record of the regular meeting held on March 21, 2023.

Mark Numainville, City Clerk

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

3rd 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

