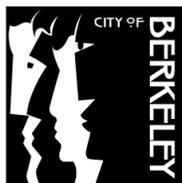


# AGENDA



## BERKELEY CITY COUNCIL MEETING

**Tuesday, September 10, 2019  
6:00 PM**

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

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI  
DISTRICT 2 – CHERYL DAVILA  
DISTRICT 3 – BEN BARTLETT  
DISTRICT 4 – KATE HARRISON

DISTRICT 5 – SOPHIE HAHN  
DISTRICT 6 – SUSAN WENGRAF  
DISTRICT 7 – RIGEL ROBINSON  
DISTRICT 8 – LORI DROSTE

*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, 981-6900.*

*The City Council may take action related to any subject listed on the Agenda. The Mayor may exercise a two minute speaking limitation to comments from Councilmembers. Meetings will adjourn at 11:00 p.m. - any items outstanding at that time will be carried over to a date/time to be specified.*

## Preliminary Matters

### Roll Call:

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

1. Pledge of Allegiance to the Flag
2. Recognition of Dr. Rev. Robert L. McKnight Sr.
3. Recognition of the Berkeley Film Foundation
4. Adjourn in Memory of Bill Wilkins, Executive Director of Berkeley Housing Authority
5. Adjourn in Memory of Nicki Spillane, Former City Employee

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

**Public Comment on Non-Agenda Matters:** *Persons will be selected by lottery to address matters not on the Council agenda. If five or fewer persons submit speaker cards for the lottery, each person selected will be allotted two minutes each. If more than five persons submit speaker cards for the lottery, up to ten persons will be selected to address matters not on the Council agenda and each person*

*selected will be allotted one minute each. Persons wishing to address the Council on matters not on the Council agenda during the initial ten-minute period for such comment, must submit a speaker card to the City Clerk in person at the meeting location and prior to commencement of that meeting. The remainder of the speakers wishing to address the Council on non-agenda items will be heard at the end of the agenda. Speaker cards are not required for this second round of public comment on non-agenda matters.*

## **Consent Calendar**

*The Council will first determine whether to move items on the agenda for “Action” or “Information” to the “Consent Calendar”, or move “Consent Calendar” items to “Action.” Items that remain on the “Consent Calendar” are voted on in one motion as a group. “Information” items are not discussed or acted upon at the Council meeting unless they are moved to “Action” or “Consent”.*

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

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

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

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

## **Recess Items**

- 1. Recess Item: Reject All Bids and Negotiate in the Open Market for the John Hinkel Park Improvement Project, Specification No. 19-11321-C**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution ratifying the action taken by the City Manager during recess to reject all bids and direct staff to negotiate in the open market for the work associated with the John Hinkel Park Improvement Project, Specification No. 19-11321-C.  
**Financial Implications:** See report  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700

## Consent Calendar

- 2. Referral Response: Short-term referral to City Manager to amend Berkeley Municipal Code 7,441-N.S. to expand the control of flavored tobacco across the City of Berkeley toward preventing youth and young adult tobacco use**  
**From: City Manager**  
**Recommendation:** Adopt second reading of Ordinance No. 7,673-N.S. amending Berkeley Municipal Code sections 9.80.020 and 9.80.035, and adding sections 9.80.031 and 9.80.032 to prohibit the sale of flavored tobacco products, to require a minimum package size for cigars and little cigars, and to require a minimum price for certain tobacco products sold in the City.  
**First Reading Vote:** All Ayes.  
**Financial Implications:** See report  
Contact: Farimah Brown, City Attorney, (510) 981-6950; Kelly Wallace, Housing and Community Services, (510) 981-5400
- 3. Amendments to the Berkeley Election Reform Act; Amending BMC Chapter 2.12**  
**From: Fair Campaign Practices Commission**  
**Recommendation:** Adopt second reading of Ordinance No. 7,674-N.S. amending the Berkeley Elections Reform Act, Berkeley Municipal Code Chapter 2.12, regarding the public financing program.  
**First Reading Vote:** All Ayes.  
**Financial Implications:** None  
Contact: Emma Soichet, Commission Secretary, (510) 981-6950
- 4. Minutes for Approval**  
**From: City Manager**  
**Recommendation:** Approve the minutes for the Council meetings of July 9, 2019 (special closed and regular), July 16, 2019 (special closed and regular) and July 23, 2019 (special closed and regular).  
**Financial Implications:** None  
Contact: Mark Numainville, City Clerk, (510) 981-6900
- 5. Contract No. 9754 Amendment: Konica Minolta Business Solutions, Inc. for Electronic Content Management System and Agenda Management and Workflow System**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 9754 with Konica Minolta Business Solutions, Inc. for software maintenance, and related services for OnBase, an Electronic Content Management System (ECMS) and agenda management and workflow system, to increase the not-to-exceed amount by \$175,000 for a total not to exceed amount of \$541,004 to pay for regular annual maintenance costs and version updates, and authorize annual renewals for maintenance services through September 18, 2024.  
**Financial Implications:** General Fund - \$175,000  
Contact: Mark Numainville, City Clerk, (510) 981-6900

## Consent Calendar

### 6. **2019 Updated Commissioners' Manual**

**From: City Manager**

**Recommendation:** Adopt a Resolution approving the updated 2019 edition of the Commissioners' Manual to include the Council direction to enhance the requirements for the public availability of written materials distributed to the commission after the agenda packet is published, making additional clarifying, non-substantive corrections, and rescinding Resolution No. 68,487-N.S.

**Financial Implications:** None

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

### 7. **On-Call Graphic Design Services Contracts**

**From: City Manager**

**Recommendation:** Adopt eight Resolutions authorizing the City Manager to approve contracts and any amendments with the following firms for on-call graphic design and/or illustration services for a total contract period of three years:

1. Bess Design in an amount not to exceed \$75,000; and
2. Celery Design Collaborative in an amount not to exceed \$75,000; and
3. Finley Digital in an amount not to exceed \$75,000; and
4. Identafire in an amount not to exceed \$75,000; and
5. Kate Saker in an amount not to exceed \$75,000; and
6. lowercase productions in an amount not to exceed \$75,000; and
7. Pushcart Design in an amount not to exceed \$75,000; and
8. Uptown Studios in an amount not to exceed \$75,000.

**Financial Implications:** See report

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

### 8. **Resolution Recognizing the Importance of the 2020 Census**

**From: City Manager**

**Recommendation:** Adopt a Resolution supporting Census 2020 and encouraging residents of the City of Berkeley to promote and complete the Census to ensure a fair and complete count.

**Financial Implications:** See report

Contact: Dave White, City Manager's Office, (510) 981-7000

### 9. **Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on September 10, 2019**

**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 - \$12,590,000

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

## Consent Calendar

**10. Purchase Order Agreements: Aramark Uniform Rental and Laundry Service  
From: City Manager**

**Recommendation:** Adopt a Resolution authorizing the City Manager to piggyback on the City of Fresno's competitively bid contract with Aramark Uniform Services for the provision to provide rental and laundering of uniforms, walk-off mats, towels, and miscellaneous items for various departments. Expenditures are projected to amount to \$64,178 in Year 1 (September 1, 2019 through December 31, 2019) and \$198,735 in Year 2 and \$205,134 in Year 3 through January 4, 2022 for a total not to exceed amount of \$468,047 during this 28 month period, subject to the City's annual budget appropriation process.

**Financial Implications:** Various Funds - \$186,530

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

**11. Toshiba Managed Printed Services – Participation in Cooperative Contract:  
Region 4 Education Service Center/Omnia Partners  
From: City Manager**

**Recommendation:** Adopt a Resolution authorizing the City Manager to piggyback off Region 4 Education Service Center Contract No. R171405 (hereinafter Region 4 Contract) and enter into annual Purchase Order agreements and any amendments with Toshiba Business Solutions Inc. (TBS) for the provision of citywide managed print and copy services. Expenditures are projected to amount to \$267,938 in FY2020, \$275,976 in FY2021, and \$284,255 in FY2022, for a total not to exceed amount of \$828,170 for three (3) years coverage, subject to the City's annual budget appropriation process.

**Financial Implications:** See report

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

**12. Contract No. 010561 Amendment: Alameda County Network of Mental Health  
Clients / Berkeley Drop-In Center (BDIC) to Operate a Secure Storage Program  
From: City Manager**

**Recommendation:** Adopt a Resolution authorizing the City Manager to amend Contract No. 010561 with the Alameda County Network of Mental Health Clients / Berkeley Drop-In Center, adding \$50,000 in state Homeless Emergency Aid Program (HEAP) funding for a homeless storage locker program. This addition of \$50,000 will support eligible program-related activities for the period of one year and will increase the total not-to-exceed (NTE) amount of the existing contract to a revised amount of \$85,721.

**Financial Implications:** HEAP Funds - \$50,000

Contact: Kelly Wallace, Housing and Community Services, (510) 981-5400

## Consent Calendar

- 13. Contract: Alameda County Public Health Department, Office of Dental Health to Provide Dental Services to the Berkeley Unified School District**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee to execute a contract and any amendments or extensions with Alameda County in an amount not to exceed \$159,000 to provide dental services in Berkeley Unified School District for the period of July 1, 2019 through June 30, 2022.  
**Financial Implications:** General Fund - \$53,000  
Contact: Kelly Wallace, Housing and Community Services, (510) 981-5400
- 14. Authorization to Execute a Revised Programmatic Agreement with the California State Historic Preservation Officer (SHPO)**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a revised Programmatic Agreement (PA) with the California State Historic Preservation Officer (SHPO) to clarify which rehabilitation activities would not require SHPO's review.  
**Financial Implications:** See report  
Contact: Kelly Wallace, Housing and Community Services, (510) 981-5400
- 15. Authorization to use Measure E Reserves to Procure Consulting Services for Easy Does It**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee to use Measure E reserve funds to procure a consultant and enter into any agreements to provide Easy Does It (EDI) with operational, management, and organizational culture consulting services for an amount not to exceed \$100,000 to ensure initial and sustained implementation of audit findings.  
**Financial Implications:** See report  
Contact: Kelly Wallace, Housing and Community Services, (510) 981-5400
- 16. State Minimum Wage Increases: Camps' Classification Salaries State Minimum Wage Increase – July 1, 2019 through June 30, 2022**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution approving salary increases for certain Unrepresented Camp Classification salaries in Unit X1, for the period July 1, 2019 through December 31, 2020 pursuant to State of California Minimum Wage Order (MW-2019), and amending Resolution No. 68,534-N.S. (Salary).  
**Financial Implications:** See report  
Contact: LaTanya Bellow, Human Resources, (510) 981-6800

## Consent Calendar

- 17. Berkeley Minimum Wage Increases: Salary Adjustments in accordance with Berkeley Minimum Wage Ordinance – July 1, 2019 through June 30, 2021**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution approving salary increases for certain Unrepresented Classification salaries in Unit X1, for the period July 1, 2019 through June 30, 2020 pursuant to Berkeley Minimum Wage Ordinance, adopt future CPI-W increases through June 30, 2021 pursuant to Berkeley Minimum Wage Ordinance B.M.C. 13.99, and amending Resolution No. 68,534-N.S. (Salary).  
**Financial Implications:** See report  
Contact: LaTanya Bellow, Human Resources, (510) 981-6800
- 18. Presidio Networked Solutions Group, LLC: Using National Association of State Procurement Officials (NASPO) ValuePoint Cooperative Purchasing Agreement for Computer Hardware and Software Purchase Orders**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to increase spending authority with Presidio Networked Solutions Group, LLC (“Presidio”) for the purchase of networking equipment hardware and software, utilizing pricing and contracts, amendments, and extensions from the National Association of State Procurement Officials (NASPO) ValuePoint for the period beginning September 10, 2019 to June 30, 2020 for an amount not-to-exceed (NTE) \$200,000.  
**Financial Implications:** See report  
Contact: Savita Chaudhary, Information Technology, (510) 981-6500
- 19. Contract No. 10414A Amendment: Geographic Technologies Group (GTG) for Geographic Information System (GIS) Master Plan**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to amend Contract No. 10414A with Geographic Technologies Group (GTG) for Geographic Information System (GIS) Master Plan, for a total not to exceed \$99,700 and for a total contract value of \$303,960 from September 14, 2016 to June 30, 2021.  
**Financial Implications:** General Fund - \$99,700  
Contact: Savita Chaudhary, Information Technology, (510) 981-6500
- 20. Donation: Memorial Bench at Cesar Chavez Park in memory of Robert J. and Charlotte C. Coomber**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution accepting a cash donation in the amount of \$3,400 for a memorial bench to be placed at Cesar Chavez Park at the Berkeley Marina in memory of Robert J. and Charlotte C. Coomber.  
**Financial Implications:** See report  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700

## Consent Calendar

21. **Contract: United Site Services of California, Inc. for Portable Toilet Rental and Service**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with United Site Services of California, Inc. in an amount not to exceed \$360,000 for a period of two years, with an option to extend for three 12-month periods for a total amount not to exceed \$900,000 to provide portable toilet services for rental and service of portable toilet units for the period October 1, 2019 through September 30, 2024.  
**Financial Implications:** Various Funds - \$900,000  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
22. **Contract: Rincon Consultants, Inc. for Southside Initial Study and Environmental Impact Report**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with Rincon Consultants, Inc. to prepare an Initial Study/Environmental Impact Report (IS/EIR) for Zoning Ordinance changes in the Southside area for an amount not to exceed \$192,000 for a period of 18 months.  
**Financial Implications:** See report  
Contact: Timothy Burroughs, Planning and Development, (510) 981-7400
23. **Approval of match commitment letter for FEMA Hazard Mitigation Grant**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to submit a letter of commitment of matching funds for a Hazard Mitigation Grant application for the Retrofit Grants program to the Federal Emergency Management Agency (FEMA), and subject to its award, to accept the grant and execute any resultant revenue agreements and amendments including any additional funding allocations from the Hazard Mitigation Grant Program.  
**Financial Implications:** See report.  
Contact: Timothy Burroughs, Planning and Development, (510) 981-7400
24. **Contract: DC Electric Group, Inc., for On-Call Electronic Traffic Calming Devices Maintenance Project**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with DC Electric Group, Inc., for the on-call general maintenance of electronic traffic calming devices for the period October 16, 2019 to June 30, 2024, with an option of up to three one-year extensions, for an amount not-to-exceed \$250,000.  
**Financial Implications:** State Transportation Tax Fund - \$250,000  
Contact: Phillip Harrington, Public Works, (510) 981-6300

## Consent Calendar

- 25. Contract No. 10298 Amendment: C. Overaa & Co. for the Center Street Parking Garage**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to amend Contract No. 10298 with C. Overaa & Co. for the Center Street Parking Garage Project, increasing the contract amount by \$473,835 for a total amount not to exceed \$38,944,818.  
**Financial Implications:** Off Street Parking Fund - \$473,835  
Contact: Phillip Harrington, Public Works, (510) 981-6300
- 26. Contract No. 9082C Amendment: Northgate Environmental Management, Inc. for On-Call Environmental Consulting Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to amend Contract No. 9082C with Northgate Environmental Management, Inc. for on-call environmental consulting services, increasing the current contract by \$50,000 for a total contract amount not to exceed \$234,500.  
**Financial Implications:** Various Funds - \$50,000  
Contact: Phillip Harrington, Public Works, (510) 981-6300
- 27. Correction to Resolution No. 68,901-N.S. to Authorize Enhanced Fine Tow Zones on UC Berkeley Football Game Days**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution re-establishing new parking restrictions on UC Berkeley football game days, correcting the inadvertent omission of Enhanced Fine tow zones in Resolution No. 68,901-N.S., and rescinding Resolution No. 68,901-N.S.  
**Financial Implications:** None  
Contact: Phillip Harrington, Public Works, (510) 981-6300
- 28. Agreement with East Bay Regional Park District for Drainage, Slope, and Maintenance Access Easements in Tilden Regional Park**  
**From: City Manager**  
**Recommendation:** Adopt first reading of an Ordinance authorizing the City Manager to execute an agreement with the East Bay Regional Park District (EBRPD) for Drainage, Slope and Maintenance Access Easements at Tilden Regional Park.  
**Financial Implications:** See report  
Contact: Phillip Harrington, Public Works, (510) 981-6300

## Consent Calendar

**29. Green Infrastructure Plan Adoption**

**From: City Manager**

**Recommendation:** Adopt a Resolution adopting the City of Berkeley Green Infrastructure Plan, July 2019, submit the Plan to the SF Bay Regional Water Quality Control Board, and authorize the City Manager to amend the Green Infrastructure Plan as needed to adjust for changes in technologies, or changes in City priorities.

**Financial Implications:** See report

Contact: Phillip Harrington, Public Works, (510) 981-6300

**30. Referral Response: Proposed New BMC Ordinance Adding Chapter 9.26 Live Animal Sales – Disclosure Requirements**

**From: Animal Care Commission**

**Recommendation:** In lieu of approving the ordinance, encourage Berkeley live animal retailers to provide purchasers with information regarding the sourcing of their animals by utilizing one or two of the following designations describing the sourcing of the particular animal: 'captive bred;' 'hobby breeder' or 'licensed breeder;' 'rescue;' 'wild caught;' or 'imported.'

**Financial Implications:** None

Contact: Amelia Funghi, Commission Secretary, (510) 981-6600

**31. Providing Wheelchair Charging Opportunities for Homeless Individuals**

**From: Commission on Disability**

**Recommendation:** Adopt a resolution directing appropriate city staff to develop policies which will provide accessible, reliable opportunities for homeless individuals with disabilities to charge power wheelchairs. Staff is directed to research existing conditions of homeless individuals with disabilities; barriers to charging power wheelchairs; related consequences; and potential City actions to provide accessible, reliable wheelchair charging. Request that staff assemble a policy to be reviewed and implemented.

**Financial Implications:** See report

Contact: Dominika Bednarska, Commission Secretary, (510) 981-6300

**32. Calling for State Action on Parking Enforcement Vehicle Emissions**

**From: Community Environmental Advisory Commission**

**Recommendation:** Refer to the City Manager to send the letter attached to the report, calling for the State of California to require 100% all-electric parking enforcement vehicles by 2030 or earlier, to Berkeley's elected State-level representatives and the Chair of the California Air Resources Board.

**Financial Implications:** See report

Contact: Viviana Garcia, Commission Secretary, (510) 981-7460

## Consent Calendar

**33. Commission Referral: Recommendation to Install an Outdoor Public Warning System (Sirens) and Incorporate It Into a Holistic Emergency Alerting Plan**  
*(Reviewed by the Public Safety Committee)*

**From: Disaster and Fire Safety Commission**

**Recommendation:** We recommend that City of Berkeley immediately begin the process to purchase, install, and maintain an outdoor public warning system (sirens) as a supplement to other alert and warning technologies within our boundaries and coordinated with abutting jurisdictions and Alameda County. This installation should be accompanied by the following: -ongoing outreach and education so that the public will understand the meaning of the sirens and what to do when they hear a siren; - development of a holistic alert protocol, incorporating sirens as an additional option among the available suite of alerting methods; -staff training and drills on alerting procedures; -development of a testing and maintenance plan that will ensure the system is fully operational while avoiding unnecessary or excessive noise pollution in the City; -outreach to deaf and hard of hearing residents to encourage them to opt-in for alerting that meets their communication needs. This may include distributing weather radios or other in-home devices with accessibility options for people with disabilities.

This recommendation does not specify the number, type, or location of sirens; City staff should determine the most cost-effective system that achieves the goals described in this recommendation. This may include either mobile or fixed-location sirens.

**Financial Implications:** See report

Contact: Keith May, Commission Secretary, (510) 981-3473

**34. Reinstating October, 2019 Homeless Commission Meeting**

**From: Homeless Commission**

**Recommendation:** The Homeless Commission recommends that Council reinstate the October, 2019 Homeless Commission meeting earlier relinquished in order to hold an additional meeting in February, 2019 to address community funding allocations.

**Financial Implications:** Staff time

Contact: Peter Radu, Commission Secretary, (510) 981-5400

**35. 1281 University Avenue Request for Proposals**

**From: Housing Advisory Commission**

**Recommendation:** Direct the City Manager to issue a Request for Proposals (RFP) for residential development at the City-owned site at 1281 University Avenue with a requirement that at least 50% of the on-site units to be restricted to 50% AMI or below households, with consideration given to accommodations that serve unhoused or homeless households, including nontraditional living arrangements such as tiny homes and that Council consider interim use for the site for housing purposes.

**Financial Implications:** See report

Contact: Mike Uberti, Commission Secretary, (510) 981-7400

## Consent Calendar

- 36. Spring 2019 Bi-Annual Report on Funding for Housing Programs**  
**From: Housing Advisory Commission**  
**Recommendation:** Accept the Housing Advisory Commission's (HAC) recommendations for the allocation of U1 General Fund revenues to increase the supply of affordable housing and protect residents of Berkeley from homelessness.  
**Financial Implications:** See report  
Contact: Mike Uberti, Commission Secretary, (510) 981-7400
- 37. Appointment of Andrea Pritchett to the Mental Health Commission**  
**From: Mental Health Commission**  
**Recommendation:** Adopt a Resolution approving the appointment of Andrea Pritchett to the Mental Health Commission, as a representative of the general public interest category, for a three year term beginning September 11, 2019 and ending September 10, 2022.  
**Financial Implications:** None  
Contact: Jamie Works-Wright, Commission Secretary, (510) 981-5400
- 38. Resolution: Oppose U.S. Withdrawal from INF Treaty**  
**From: Peace and Justice Commission**  
**Recommendation:** Adopt a resolution that calls on President Trump to rescind the U.S. notice of withdrawal from the Intermediate-Range Nuclear Forces Treaty (INF Treaty) and to continue to comply with and re-enter into the Treaty, calls on Congress to oppose U.S. withdrawal from the Treaty and to support resolution of U.S.-Russian disputes through mechanisms established by the Treaty, and calls on Representative Barbara Lee to support H.R. 1249, the INF Treaty Compliance Act of 2019.  
**Financial Implications:** None  
Contact: Bre Slimick, Commission Secretary, (510) 981-7000

## Council Consent Items

- 39. Support of AB 18 – Firearms Excise Tax**  
**From: Mayor Arreguin and Councilmembers Wengraf, Harrison, and Robinson**  
**Recommendation:** Adopt a Resolution in support of Assembly Bill (AB) 18, which would place a \$25 excise tax on the sale of firearms. Send a copy of the Resolution to Governor Gavin Newsom, State Senator Nancy Skinner, and Assemblymembers Buffy Wicks and Marc Levine.  
**Financial Implications:** None  
Contact: Jesse Arreguin, Mayor, (510) 981-7100

## Council Consent Items

- 40. Sierra Club San Francisco Bay Chapter: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds  
From: Mayor Arreguin and Councilmember Hahn**  
**Recommendation:** Adopt a Resolution approving the expenditure of an amount not to exceed \$1,000 per Councilmember including \$1,000 from Mayor Arreguin to the Sierra Club San Francisco Bay Chapter for sponsorship of the 2019 David Brower Dinner, a 501(c)(3) tax-deductible non-profit corporation. Funds would be 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:** Mayor's Discretionary Funds - \$1,000  
Contact: Jesse Arreguin, Mayor, (510) 981-7100
- 41. Approval of One-Time Reimbursement for Sister City Visit to Gongju, Republic of Korea  
From: Mayor Arreguin and Councilmember Robinson**  
**Recommendation:** Adopt a Resolution approving the reimbursement of travel expenses at up to \$6,000 from the discretionary Council Office Budgets of Mayor Arreguin and Councilmember Robinson for the purpose of visiting Berkeley's sister city, Gongju, Republic of Korea to officially commemorate the establishment of sister city relations.  
Council approval of this one-time reimbursement is required under the Council Expense Reimbursement Policy (Resolution No. 67,992-N.S.) as the policy does not expressly allow reimbursement for international travel relating to city business.  
**Financial Implications:** Mayor and Councilmember Discretionary Funds - \$6,000  
Contact: Jesse Arreguin, Mayor, (510) 981-7100
- 42. Berkeley Community Fund Annual Gala and Benefit Event: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds  
From: Councilmember Davila**  
**Recommendation:** Adopt a Resolution approving the expenditure of an amount not to exceed \$250 per Councilmember including \$250 from Councilmember Cheryl Davila, to support the Berkeley Community Fund Annual Gala and Benefit Event on September 28, 2019, with funds relinquished to the City's general fund for this purpose from the discretionary Council Office Budgets of Councilmember Davila, the Mayor and any other Councilmembers who would like to contribute.  
**Financial Implications:** Councilmember's Discretionary Fund - \$250  
Contact: Cheryl Davila, Councilmember, District 2, (510) 981-7120

## Council Consent Items

- 43. Berkeley Youth Alternatives 1st Golf Tournament Supporting Education and Sports Activities: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds**  
**From: Councilmember Davila**  
**Recommendation:** Adopt a Resolution approving the expenditure of an amount not to exceed \$250 per Councilmember including \$250 from Councilmember Cheryl Davila, to support the Berkeley Youth Alternatives 1st Golf Tournament Supporting Education and Sports Activities on September 30, 2019, with funds relinquished to the City's general fund for this purpose from the discretionary Council Office Budgets of Councilmember Davila, the Mayor and any other Councilmembers who would like to contribute.  
**Financial Implications:** Councilmember's Discretionary Funds - \$250  
Contact: Cheryl Davila, Councilmember, District 2, (510) 981-7120
- 44. Pavement of Derby Street and Ward Street between Telegraph Ave and Shattuck Ave**  
**From: Councilmember Bartlett**  
**Recommendation:** That the Council refers consideration of the paving of Derby St. and Ward St. between Shattuck Ave and Telegraph Ave to the Public Works Commission in order to repair these deteriorating streets that serve as a part of a major commuter corridor which both individual drivers and buses use in their daily commute.  
**Financial Implications:** See report  
Contact: Ben Bartlett, Councilmember, District 3, (510) 981-7130
- 45. Funding the Construction of a Pedestrian Signal at Ashby Street and Fulton Street**  
**From: Councilmember Bartlett**  
**Recommendation:** That the Council refers to the November Budget Annual Appropriations Ordinance to fund the construction of a pedestrian crossing signal at the intersection of Ashby and Fulton Street in order to address inadequate traffic control and stopping, reduce traffic accidents, and further safeguard the community.  
**Financial Implications:** See report  
Contact: Ben Bartlett, Councilmember, District 3, (510) 981-7130
- 46. Funding for Pedestrian Crossing Signal at the intersection of Shattuck and Prince**  
**From: Councilmember Bartlett**  
**Recommendation:** That the Council refers to the November Budget Annual Appropriations Ordinance to fund pedestrian crossing signals on all directions of the Shattuck Avenue and Prince Street intersection in order to address inadequate traffic control and ensure the safety of travelers along these streets.  
**Financial Implications:** See report  
Contact: Ben Bartlett, Councilmember, District 3, (510) 981-7130

## Council Consent Items

- 47. Funding Streetlight Near South East Corner of Otis Street**  
**From: Councilmember Bartlett**  
**Recommendation:** That the Council refers to the City Manager to fund construction of a streetlight on the corner of Otis near Ashby.  
**Financial Implications:** See report  
Contact: Ben Bartlett, Councilmember, District 3, (510) 981-7130
- 48. Request for Information Regarding Current Status and Progress on Traffic Mitigations at Dwight Way and California Street**  
**From: Councilmembers Bartlett and Harrison**  
**Recommendation:** Refer to the City Manager a request for information regarding the current status and progress on traffic mitigations and pedestrian safety improvements at the intersection of Dwight Way and California Street.  
**Financial Implications:** See report  
Contact: Ben Bartlett, Councilmember, District 3, (510) 981-7130
- 49. Resolution in Support of Congresswoman Barbara Lee's Resolution (H. Res. 429): Affirming the Right of All Renters to a Safe, Affordable, and Decent Home**  
**From: Councilmembers Harrison, Bartlett, Hahn, and Robinson**  
**Recommendation:** Adopt a resolution in support of H. Res. 429, a resolution introduced by Congresswoman Barbara Lee. Send a letter of support to Congresswoman Lee.  
**Financial Implications:** None  
Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140
- 50. Resolution Endorsing the United Nations Convention on the Rights of the Child**  
**From: Councilmembers Harrison and Bartlett**  
**Recommendation:**  
1. Adopt a resolution endorsing the United Nations Convention on the Rights of the Child.  
2. Send a letter of support to Acting U.S. Ambassador to the United Nations, Jonathan Cohen.  
**Financial Implications:** None  
Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140

## Council Consent Items

**51. Co-Sponsorship of 2019 East Bay Community Emergency Prep Fair and Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds**

**From: Councilmember Hahn**

**Recommendation:** Adopt a resolution approving the co-sponsorship by the City of Berkeley of the 2019 East Bay Community Emergency Prep Fair (“Emergency Prep Fair”) to be held at James Kenney Park on Saturday, October 12, 2019, and approving the expenditure of an amount not to exceed \$500 per councilmember, including \$300 from Councilmember Hahn, to the Berkeley Disaster Preparedness Neighborhood Network (BDPNN), a 501(c)(3) non-profit organization, for administrative fees, event production, and advertising in support of the Emergency Prep Fair, with funds relinquished to the City’s general fund for this purpose from the discretionary Council office budget of Councilmember Hahn, and any other Councilmembers who would like to contribute.

**Financial Implications:** None

Contact: Sophie Hahn, Councilmember, District 5, (510) 981-7150

**52. Letter of Support for HR-3001 (Meng)**

**From: Councilmember Wengraf**

**Recommendation:** Send a letter of support for HR-3001, “The Quiet Communities Act of 2019,” to Representative Grace Meng, with copies to Representative Barbara Lee, and Senators Dianne Feinstein and Kamala Harris.

HR-3001 will reinstate the Federal Office of Noise Abatement and Control, tasked with developing State and Local noise control programs and carrying out research on airport, airplane and vehicular noise.

**Financial Implications:** None

Contact: Susan Wengraf, Councilmember, District 6, (510) 981-7160

**53. Voluntary Time Off on Statewide Election Days for City Employees** *(Reviewed by the Budget and Finance Committee)*

**From: Councilmembers Robinson, Davila, Hahn, and Droste**

**Recommendation:** Refer to the City Manager to designate Statewide Election Days as VTO days, and refer to the 2x2 Committee to discuss coordinating City and District policy on holidays, in particular Election Day.

**Financial Implications:** See report

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

## Council Consent Items

- 54. Decriminalizing Entheogenic Plants** *(Reviewed by the Public Safety Committee)*  
**From: Councilmembers Robinson and Davila**  
**Recommendation:** Refer to the Community Health Commission for feedback regarding the adoption of a Resolution decriminalizing Entheogenic Plants and Fungi such as mushrooms, cacti, iboga containing plants, and/or extracted combinations of plants similar to Ayahuasca; and limited to those containing the following types of compounds: indole amines, tryptamines, phenethylamines, by restricting any city funds or resources to assist in the enforcement of laws imposing criminal penalties for the use and possession of Entheogenic Plants by adults age 21 and over.  
**Financial Implications:** See report  
Contact: Rigel Robinson, Councilmember, District 7, (510) 981-7170
- 55. Game Day Parking - Minor Update to include RPP area K**  
**From: Councilmember Droste and Mayor Arreguin**  
**Recommendation:** Refer to the City Manager the modification of parking restrictions in specified RPP Zones on UC Berkeley home football game days as follows: establish "Enhanced Fine Areas" to prohibit parking without a valid RPP permit to include RPP Zone K; and install new RPP signs in zone K to clearly indicate UC Berkeley home football game day parking prohibitions.  
**Financial Implications:** Staff time and signage  
Contact: Lori Droste, Councilmember, District 8, (510) 981-7180

## Action Calendar

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

*The Presiding Officer will request that persons wishing to speak line up at the podium to determine the number of persons interested in speaking at that time. Up to ten (10) speakers may speak for two minutes. If there are more than ten persons interested in speaking, the Presiding Officer may limit the public comment for all speakers to one minute per speaker. Speakers are permitted to yield their time to one other speaker, however no one speaker shall have more than four minutes. The Presiding Officer may, with the consent of persons representing both sides of an issue, allocate a block of time to each side to present their issue.*

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

## Action Calendar – Public Hearings

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

*Up to ten (10) speakers may speak for two minutes. If there are more than ten persons interested in speaking, the Presiding Officer may limit the public comment for all speakers to one minute per speaker. Speakers are permitted to yield their time to one other speaker, however no one speaker shall have more than four minutes. The Presiding Officer may with the consent of persons representing both sides of an issue allocate a block of time to each side to present their issue.*

## Action Calendar – Public Hearings

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

### **56. Public Hearing and Approval of California Municipal Finance Authority Bond Financing for Berkeley Way Affordable Housing**

**From: City Manager**

**Recommendation:**

1. Conduct the public hearing under the requirements of the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) and the Internal Revenue Code of 1986, as amended; and
2. Adopt a Resolution approving the issuance of the Bonds by the California Municipal Finance Authority (CMFA) for the benefit of BRIDGE Berkeley Way LP, a California limited partnership (the “Borrower”), to provide for the financing of the Project, such adoption is solely for the purposes of satisfying the requirements of TEFRA, the Internal Revenue Code and the California Government Code Section 6500 (and following).

**Financial Implications:** See report

Contact: Kelly Wallace, Housing and Community Services, (510) 981-5400

### **57. Public Hearing and Approval of California Municipal Finance Authority Bond Financing for Berkeley Way HOPE Center**

**From: City Manager**

**Recommendation:**

1. Conduct the public hearing under the requirements of the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) and the Internal Revenue Code of 1986, as amended.
2. Adopt a Resolution approving the issuance of bonds by the California Municipal Finance Authority for the benefit of BFHP Hope Center LP, a California limited partnership (the “Borrower”), to provide for the financing of the Project, such adoption is solely for the purposes of satisfying the requirements of TEFRA, the Internal Revenue Code and the California Government Code Section 6500 (and following).

**Financial Implications:** See report

Contact: Kelly Wallace, Housing and Community Services, (510) 981-5400

### **58. Implement Residential Preferential Parking (RPP) Program on Sections of McGee Street and Rose Street**

**From: City Manager**

**Recommendation:** Conduct a public hearing and upon its conclusion, adopt a Resolution amending Resolution No. 56,508-N.S. Sections 25E and 25N by adding subsections to implement Residential Preferential Parking (RPP) on portions of two city streets.

**Financial Implications:** See report

Contact: Phillip Harrington, Public Works, (510) 981-6300

## Action Calendar – Old Business

**59. Residential Preferential Parking (RPP) Program: Summer 2019 Update**

*(Continued from July 23, 2019)*

**From: City Manager**

**Recommendation:** Direct staff to conduct analysis of Fiscal Year (FY) 2020 Residential Preferential Parking (RPP) Program costs and revenues and return to Council early 2020 with updated fee increase proposal(s) to be effective April 1, 2020 for the FY 2021 permit year for Program enhancement and expansion.

**Financial Implications:** See report

Contact: Phillip Harrington, Public Works, (510) 981-6300

## Action Calendar – New Business

**60. Funding for Street Rehabilitation Capital Improvement Program in Berkeley**

**From: City Manager**

**Recommendation:** In response to Council comments at the December 11, 2018 Council Meeting, this report provides information on current and future funding sources for street rehabilitation. Staff is requesting feedback on the funding available, including current expenditures, projected expenses, and plans, for the City's current and future Street Rehabilitation Capital Improvement Program (CIP).

**Financial Implications:** See report

Contact: Phillip Harrington, Public Works, 981-6300

## Action Calendar – New Business

### 61a. Health Study to be Conducted by Division of Public Health to Gather Data on Health Conditions, Health Disparities and Mortality Rates of Berkeley's Homeless

#### **From: Homeless Commission**

**Recommendation:** The Homeless Commission recommends that Council direct that the City Division of Public Health conduct a study gathering data on health conditions, health disparities and mortality rates of Berkeley's homeless for the last five years.

Such recommendation includes compiling information on Berkeley's homeless including persons living in shelters, in vehicles, on the streets, and any other location not intended for human habitation and who move between these settings. Such study shall include data on specific health conditions and make a comparative analysis between the homeless and Berkeley's general population and shall include demographics such as race, age, gender and known disability. Such study shall include how long the homeless person has lived on the streets and/or in shelters and attempt to track back the nature of their various residences for five years as is feasible.

Data for mortality rates among Berkeley's homeless shall also be gathered for the last five years. The mortality rates shall be examined for persons living in shelters, in vehicles, on the streets and any other location not intended for human habitation. The cause of death shall be identified and demographics such as race, age, gender and known disability compiled. Tracking the housing status of the persons, for the last five years, shall be identified as is feasible. If feasible, the length of residence in Berkeley shall be identified.

A comparative analysis with the general population shall be made. To the extent feasible and within legal constraints, whether or not the deceased individual was under the care of a medical provider shall be identified. All personal information should be redacted so as to comply with federal, state and local laws.

Recommendations shall be made to improve the health conditions of the homeless and decrease the mortality rates of homeless persons. Recommendations, within the City Division of Public Health's purview shall be made initially by them and return to Council where further recommendations can be made. Council shall provide the opportunity for the Homeless Commission, any other relevant commission, and the public to weigh in on recommendations following the release of the data/study.

**Financial Implications:** See report

Contact: Peter Radu, Commission Secretary, (510) 981-5400

## Action Calendar – New Business

**61b. Companion Report: Health Study to be Conducted by the Public Health Division to Gather Data on Health Conditions, Health Disparities and Mortality Rates of Berkeley's homeless**

**From: City Manager**

**Recommendation:** The Homeless Commission's recommendation to conduct a study on the health conditions, disparities, and mortality rates of Berkeley's homeless population addresses important issues within the City. Staff greatly appreciate the Commission's continued advocacy for the unhoused and their suggestions to gather as much relevant information as possible. Therefore, staff recommend asking Alameda County to explore the feasibility of recording homelessness as a data point in death records and/or making investments to begin tracking this information locally.

**Financial Implications:** None

Contact: Kelly Wallace, Housing and Community Services, (510) 981-5400

**62a. Conducting an Analysis of Increasing Inclusionary Housing over Affordable Housing Mitigation Fee**

**From: Homeless Commission**

**Recommendation:** The Homeless Commission recommends that Council direct or refer to the City Manager, as Council sees fit, to conduct an analysis of the current inclusionary housing/affordable housing mitigation fee structure and return to Council with the benefits/detriments of the following options:

1. Requiring inclusionary housing over the affordable housing mitigation fee;
2. Requiring an increased number of inclusionary units when the inclusionary option is utilized;
3. Providing incentives to developers to elect the inclusionary unit option over the affordable housing mitigation fee option;
4. Identifying designated geographical boundaries or Council districts which would require only inclusionary housing in new developments and not permit the affordable housing mitigation fee in those geographical boundaries or Council districts; and
5. As to all options, strengthening the ordinance for inclusionary units so as to mitigate homelessness by insuring access to units for extremely low-income persons and persons experiencing homelessness.

The Homeless Commission recommends that an analysis include updated data on the number of developments initiated in the last three years showing the number of inclusionary units added and the amount of affordable housing mitigation fees paid and to the extent feasible, a ten year projection of the numbers of planned developments and an analysis of the potential number of inclusionary units or amount of affordable housing mitigation fees anticipated. An analysis of various options should also consider a sunset clause so that amendments to current law would require revisiting the impact of any changes.

**Financial Implications:** See report

Contact: Peter Radu, Commission Secretary, (510) 981-5400

## Action Calendar – New Business

**62b. Companion Report: Conducting an Analysis of Increasing Inclusionary Housing over Affordable Housing Mitigation Fee**

**From: City Manager**

**Recommendation:** Refer to the City Manager to conduct a feasibility analysis for the recommendations by the Homeless Commission as part of the existing referral to examine potential reforms to the Affordable Housing Mitigation Fee.

**Financial Implications:** See report

Contact: Kelly Wallace, Housing and Community Services, (510) 981-5400

**63a. Utilization of City-Owned Property at 1281 University Avenue to House up to 8-10 RV Dwellers**

**From: Homeless Commission**

**Recommendation:** The Homeless Commission recommends that the currently unused City-owned property at 1281 University Avenue be used to house, on an interim basis, up to 8-10 RV dwellers, or as many as the property can safely accommodate, selected by the City of Berkeley. The RV dwellers would be selected by the City of Berkeley based on the strength of their ties to the community such as employment in Berkeley, attending school in Berkeley and families with children in Berkeley schools.

**Financial Implications:** See report

Contact: Peter Radu, Commission Secretary, (510) 981-5400

**63b. Companion Report: Utilization of City-Owned Property at 1281 University Avenue to House up to 8 - 10 RV Dwellers**

**From: City Manager**

**Recommendation:** Refer to the City Manager to conduct a feasibility analysis of 1281 University Avenue as an interim site to host Recreational Vehicle (RV) dwellers.

**Financial Implications:** See report

Contact: Kelly Wallace, Housing and Community Services, (510) 981-5400

**64a. Expansion of Adeline Corridor Plan to Include Housing in Private Component for Extremely low-Income Persons**

**From: Homeless Commission**

**Recommendation:** The Homeless Commission recommends that the City Council identify a means to expand housing within the private housing component of inclusionary housing to include a set-aside for extremely low-income persons. The Commission recommends that be done either through retaining a consultant to conduct a nexus study to include extremely low-income housing in inclusionary housing, as to the Adeline Corridor, or by staff internally conducting that study so that inclusionary housing, within the Adeline Corridor, can be expanded to include a set-aside for extremely low-income persons.

**Financial Implications:** See report

Contact: Peter Radu, Commission Secretary, (510) 981-5400

## Action Calendar – New Business

**64b. Companion Report: Expansion of Adeline Corridor Plan to Include Housing in Private Component for Extremely low-Income Persons**

**From: City Manager**

**Recommendation:** If Council believes it is needed, refer to the FY20 November budget process the Homeless Commission's recommendation to hire a consultant for a nexus study to include extremely low-income housing in the Adeline Corridor Plan's inclusionary housing requirements. A cost estimate will be provided at the time of referral.

**Financial Implications:** None

Contact: Kelly Wallace, Housing and Community Services, (510) 981-5400

## Council Action Items

**65. Open Doors Initiative: City Worker and First Time Affordable Homebuyer Program** *(Reviewed by the Land Use, Housing & Economic Development Committee)*

**From: Councilmembers Bartlett, Robinson, and Mayor Arreguin**

**Recommendation:** That the City Council refer the City Manager and Housing Advisory Committee to explore mechanisms to support homeownership by City of Berkeley First-Responders and other critical safety staff and further refer to City Manager to prepare a report detailing available first-time homeownership and low-income homeowner programs that might be available for implementation in the City of Berkeley (Qualified Positive Recommendation from the Land Use, Housing & Economic Development Committee).

**Financial Implications:** See report

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

## Action Calendar – New Business

**66. Referral Response: Lava Mae Mobile Shower and Hygiene Services**

**From: City Manager**

Contact: Kelly Wallace, Housing and Community Services, (510) 981-5400

## Action Calendar – Old Business

**67. Repealing and Reenacting BMC Chapter 13.104, Wage Theft Prevention** *(Continued from July 23, 2019)*

**From: Mayor Arreguin and Councilmember Harrison**

**Recommendation:** Adopt second reading of Ordinance No. 7,668-N.S. repealing and reenacting BMC Chapter 13.104, Wage Theft Prevention to improve enforcement of the ordinance by requiring a signed acknowledgement of ordinance requirements and signed attestation at completion of the project.

First Reading Vote: All Ayes.

**Financial Implications:** Staff time

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

## Information Reports

68. **Recommendations Status: Easy Does It City Grant Funding Audit**  
**From: City Manager**  
Contact: Kelly Wallace, Housing and Community Services, (510) 981-5400
69. **LPC NOD: 2526 Hawthorne Terrace/#LMIN2019-0002**  
**From: City Manager**  
Contact: Timothy Burroughs, Planning and Development, (510) 981-7400
70. **LPC NOD: 1911 Fourth Street/#LMSAP2019-0005**  
**From: City Manager**  
Contact: Timothy Burroughs, Planning and Development, (510) 981-7400
71. **Commission on Labor 2020-2021 Work Plan**  
**From: Commission on Labor**  
Contact: Delfina Geiken, Commission Secretary, (510) 981-5400
72. **LPC Annual Report to City Council for the period May 2018 to May 2019**  
**From: Landmarks Preservation Commission**  
Contact: Fatema Crane, Commission Secretary, (510) 981-7400
73. **Parks and Waterfront Commission 2019 Work Plan**  
**From: Parks and Waterfront Commission**  
Contact: Roger Miller, Commission Secretary, (510) 981-6700
74. **Police Review Commission Work Plan for 2019-2020**  
**From: Police Review Commission**  
Contact: Katherine Lee, Commission Secretary, (510) 981-4950
75. **Update on Assembly Bill 101 and Local Government Planning Support Grants**  
**From: Mayor Arreguin**  
Contact: Jesse Arreguin, Mayor, (510) 981-7100

## Public Comment – Items Not Listed on the Agenda

### Adjournment

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

Live captioned broadcasts of Council Meetings are available on Cable B-TV (Channel 33), via internet accessible video stream at <http://www.cityofberkeley.info/CalendarEventWebcastMain.aspx> and KPFB Radio 89.3.

Archived indexed video streams are available at <http://www.cityofberkeley.info/citycouncil>. Channel 33 rebroadcasts the following Wednesday at 9:00 a.m. and Sunday at 9:00 a.m.

Communications to the City Council are public record and will become part of the City's electronic records, which are accessible through the City's website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to the City Council, will become part of the public record.** If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the City Clerk Department at 2180 Milvia Street. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the City Clerk Department for further information.

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

Agendas and agenda reports may be accessed via the Internet at <http://www.cityofberkeley.info/citycouncil> and may be read at reference desks at the following locations:

City Clerk Department  
2180 Milvia Street  
Tel: 510-981-6900  
TDD: 510-981-6903  
Fax: 510-981-6901  
Email: [clerk@cityofberkeley.info](mailto:clerk@cityofberkeley.info)

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

**COMMUNICATION ACCESS INFORMATION:**

This meeting is being held in a wheelchair accessible location.

To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6418 (V) or 981-6347 (TDD) at least three business days before the meeting date.

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



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

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***I hereby certify that the agenda for this meeting of the Berkeley City Council was posted at the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way, as well as on the City's website, on August 29, 2019.***

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

Mark Numainville, City Clerk

## Communications

*Council rules limit action on Communications to referral to the City Manager and/or Boards and Commissions for investigation and/or recommendations. All communications submitted to Council are public record. Copies of individual communications are available for viewing at the City Clerk Department and through Records Online.*

### **Vivian Warkentin URL's**

1. Vivian Warkentin (3)

### **Item #54: Decriminalizing Entheogenic Plants**

2. Lydia La Roux

### **Item #64b: Companion Report: Expansion of Adeline Corridor Plan to Include Housing in Private Component of Extremely low-income persons**

3. Steering Committee for South Berkeley NOW
4. Friends of Adeline
5. Teresa Clarke
6. Larisa Cummings
7. Julia Cato

### **Traffic Circle**

8. Emily Modde

### **Crime is the #1 Issue**

9. Wende Micco

### **5G**

10. Phoebe Anne Sorgen
11. Jill Jones

### **Natural Gas**

12. John Jones
13. League of Women Voters
14. Joel Goodman
15. H. Wayne Snavelly
16. James Haley

### **Gun Control**

17. Tom Lent
18. David Danello

### **Spit Masks**

19. Maris Arnold
20. Christine Schwartz

### **BART**

21. Sara Fain
22. Talia Falk

## **Communications**

### **Compostable Packaging**

- 23. Pureco Products
- 24. Todd Gasparik
- 25. Brian Dow (2)

### **Gender Neutral**

- 26. George Losoncy
- 27. Randy Hoff
- 28. Arejayel@ (3)
- 29. Richard Ward
- 30. Carlisle Johnson
- 31. Mathewskillingsagain77@

### **Homelessness**

- 32. Margot Smith
- 33. Jessica Behrman
- 34. Mike Lee
- 35. Jennifer Hamilton
- 36. Genevieve Wilson
- 37. Bryce Nesbitt

### **Climate Change**

- 38. David Lerman
- 39. Berkeley Citizens Action
- 40. Thomas Lord

### **Christine Schwartz**

- 41. Liz Wiener
- 42. Marcia Poole
- 43. Christine Schwartz

### **RV's**

- 44. Charles Bullett
- 45. Alyson Mitchell
- 46. Erwan Illian (2)
- 47. Alfred Manning
- 48. Barbara Rydlander
- 49. John Palmer
- 50. Tricia Paulson
- 51. Pam Speich (3)
- 52. Genevieve Wilson
- 53. Daniel Jurnove
- 54. Dan McDunn (3)
- 55. Councilmember Kesarwani
- 56. David Lerman
- 57. Barbara

## **Communications**

### **Pool**

- 58. Rebecca Burke
- 59. Parks, Recreation and Waterfront Department
- 60. Linda Worthman (2)
- 61. Lynn Jones-Finn
- 62. Lorraine Gunther
- 63. Diane Tomkins
- 64. Barbara Rylander

### **Berkeley Considers Issues**

- 65. Barbara Gilbert (3)
- 66. Tony Benado
- 67. Matthai Chakko

### **Worst City of Berkeley**

- 68. Margot Smith
- 69. Barbara Gilbert
- 70. Jessica Behrman

### **Trash Truck Fire and Creek Damage**

- 71. Nicholas Dominguez, on behalf of the Public Works Commission
- 72. Susan Schwartz, on behalf of Friends of Five Creeks

### **Use of Surveillance Technology - Security Cameras**

- 73. Brian Hofer, on behalf of Secure Justice (2)

### **Bicycle and Pedestrian Accidents**

- 74. Michael and Denise Harland

### **Street Rehab and Plan Include Bicycles**

- 75. Ben Gerhardstein

### **“13 Reasons” Movie Shoot**

- 76. Adrian Kierman

### **Dangerous Conditions – Street Lights**

- 77. David Lerman

### **Evaluation of the City Manager**

- 78. Linda Franklin

### **Rent Increase for Commercial Buildings**

- 79. Lucinda Olney

### **Scooters Safety Risk**

## **Communications**

80. Moni Law

### **East Bay Seniors**

81. Joann Sullivan

### **Street Sweeping Reminder**

82. David Lerman

83. Melanie McLean, on behalf of the City Manager's Office

### **Lawrence Berkeley National Laboratory**

84. bcitizen@

### **Gabriela Costello-Kramer Complaint**

85. Margaret Fine (2)

86. Gabriela Kramer

### **Dumb Cities**

87. Margy Wilkinson

### **Opportunity Zones**

88. Barbara Gilbert

### **Hilldale Avenue and Bonnie Lane Infrastructure**

89. Max Blanchet

90. I-Kuna Lin

### **Sherriff Audit**

91. Richard Vale, President, Board of Supervisors

### **Weeds/Trash at the Public Safety Building**

92. Kathi Pugh

### **Hotel Construction at University and Sacramento**

93. Jesse Goldberg

### **Amazon and ICE**

94. Mimi Main

### **Outdoor Public Warning Siren System**

95. Gradiva Couzin, on behalf of the Disaster and Fire Safety Commission

### **Homeless Tombstones**

96. Barbara Brust

### **Library Complaint**

97. Barbara Gilbert

## **Communications**

98. Councilmember Hahn

### **Wild Urban Interface**

99. Bob Flasher

### **Kids On The Line**

100. Chimney5@

### **IKE Kiosks**

101. Stuart Baker, on behalf of the Telegraph Business Improvement District

### **Berkeley Big People**

102. Karen Eichler

103. Richard Whitlock

104. Catherine Bathrick

105. Liz Hoadley

106. Scott Donahue

107. Marsha Gale

### **Berkeley Property Taxes**

108. Jessica Behrman

### **Public Safety Issue at University and Shattuck**

109. Gary Simons

### **Berkeley Parking Tickets**

110. David Lerman

### **Habitat for Humanity**

111. Lori Pottinger

### **1444 Fifth Street Project**

112. Law Offices of Holland & Knight

### **Cashless Businesses in Berkeley**

113. Cassia Stepak

## Communications

### **Supplemental Communications and Reports**

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

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

