

AGENDA



BERKELEY CITY COUNCIL MEETING

**Tuesday, December 3, 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, (510) 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. Recognition of Berkeley High School Girls Tennis
2. Recognition of NAACP Youth
3. Recognition of Starry Plough

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.

Consent Calendar

- 1. Amend BMC Chapter 14.52 Adding the North Shattuck Metered Parking Area to the goBerkeley Program**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,679-N.S. amending Berkeley Municipal Code (BMC) Chapter 14.52 to add the North Shattuck metered parking area to the goBerkeley parking program.
First Reading Vote: Ayes – Kesarwani, Davila, Bartlett, Hahn, Wengraf, Robinson, Droste, Arreguin; Noes – None; Abstain – None; Absent – Harrison (recused).
Financial Implications: See report
Contact: Phillip Harrington, Public Works, (510) 981-6300

Consent Calendar

- 2. Emergency Standby Officers for the Mayor and Councilmembers**
From: City Manager
Recommendation: Adopt a Resolution confirming the appointment of Standby Officers for the Mayor and each Councilmember to serve in the event the elected official is unavailable during an emergency, and rescinding Resolution No. 68,454-N.S.
Financial Implications: None
Contact: Mark Numainville, City Clerk, (510) 981-6900
- 3. Contract: Michael Arcega for San Pablo Park Measure T1 Public Art Commission**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract for an amount not to exceed \$210,000, and any amendments thereto, with Michael Arcega for a public art commission for San Pablo Park.
Financial Implications: Measure T1 Bond Fund - \$210,000
Contact: Jordan Klein, Economic Development, (510) 981-7530
- 4. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on December 3, 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 - \$2,871,500
Contact: Henry Oyekanmi, Finance, (510) 981-7300
- 5. Contract with Berkeley Food & Housing Project**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to execute a contract and any amendments with vendor Berkeley Food & Housing Project (BFHP) to provide administrative services for Berkeley Mental Health (BMH) Flexible Spending Programs and the Russell Street Residence through June 30, 2021 in an amount not to exceed \$357,000.
Financial Implications: See report
Contact: Kelly Wallace, Housing and Community Services, (510) 981-5400

Consent Calendar

- 6. Contract Amendment: Bay Area Hearing Voices Network for Hearing Voices Support Groups**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to execute a contract and any amendments with vendor Bay Area Hearing Voices Network (BAHVN) to provide Hearing Voices Support Groups through June 30, 2020 in an amount not to exceed \$68,442.
Financial Implications: See report
Contact: Kelly Wallace, Housing and Community Services, (510) 981-5400
- 7. Contract Amendment: Youth Spirit Artworks for Transition Age Youth (TAY) Case Management and Linkage Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to execute a contract and any amendments with vendor Youth Spirit Artworks (YSA) to provide Transition Age Youth (TAY) case management and linkage services through June 30, 2020 in an amount not to exceed \$100,000.
Financial Implications: \$100,000
Contact: Kelly Wallace, Housing and Community Services, (510) 981-5400
- 8. Contract: Trip Stop Sidewalk Repair, Inc. for FY2020 Sidewalk Inspection and Shaving Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract and any amendments, extensions or other change orders with Trip Stop Sidewalk Repair, Inc. for FY2020 Sidewalk Inspection and Shaving Services, Specification No. 20-11345-C; for an amount not to exceed \$450,000.
Financial Implications: See report
Contact: Phillip Harrington, Public Works, (510) 981-6300
- 9. Contract No. 31900082 Amendment: Silva Business Consulting Agreement for Provision of Real Property Management Consulting Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No. 31900082 with David L. Silva d.b.a. Silva Business Consulting for provision of various real property management services, increasing the contract by \$220,000 for a total not to exceed \$270,000. If approved, the amended contract will terminate January 31, 2022 or when funding limit is reached.
Financial Implications: See report
Contact: Phillip Harrington, Public Works, (510) 981-6300

Consent Calendar

- 10. Reimbursement Agreement with Wareham Development for Wareham's Construction of Public Facilities**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a reimbursement agreement (Attachment 1) and any amendments with Wareham Development for reimbursement of City's share of construction of a traffic signal at the intersection of San Pablo Avenue and Parker Street, and lane re-striping and associated signing and parking restrictions at the intersection of San Pablo Avenue and Dwight Street.
Financial Implications: See report
Contact: Phillip Harrington, Public Works, (510) 981-6300
- 11. Transfer Tax Refund for 1638 Stuart Street**
From: Housing Advisory Commission
Recommendation: The Commission recommends that the City Council authorize the City Manager to grant a transfer tax refund of an estimated \$10,260 to the Bay Area Community Land Trust (BACLT) refund in support of the renovation of 1638 Stuart Street and BACLT's operation of the property as affordable housing.
Financial Implications: See report
Contact: Amy Davidson, Commission Secretary, (510) 981-5400
- 12. Authorization for Additional Public Works Commission Meeting in 2019**
From: Public Works Commission
Recommendation: Adopt a Resolution authorizing one additional meeting of the Public Works Commission Meeting in 2019.
Financial Implications: None
Contact: Nisha Patel, Commission Secretary, (510) 981-6300

Council Consent Items

- 13. Reaffirming the Arctic National Wildlife Refuge Resolution**
From: Mayor Arreguin and Councilmembers Hahn, Wengraf, and Davila
Recommendation: Adopt a Resolution reaffirming Berkeley's position as supporting the preservation of the Arctic National Wildlife Refuge and refrain the City from conducting business with companies that purchases, leases, or develops oil fields within the Refuge.
Financial Implications: None
Contact: Jesse Arreguin, Mayor, (510) 981-7100

Council Consent Items

- 14. Reappointment of Dr. P. Robert Beatty to the Alameda County Mosquito Abatement District Board of Trustees**
From: Mayor Arreguin
Recommendation: Adopt a Resolution reappointing Dr. P. Robert Beatty to the Board of Trustees of the Alameda County Mosquito Abatement District for a two-year term ending on January 1, 2022.
Financial Implications: None
Contact: Jesse Arreguin, Mayor, (510) 981-7100
- 15. Oppose the Transportation and Handling of Coal and Petcoke in Our Communities**
From: Councilmembers Davila, Hahn, and Harrison
Recommendation: Adopt a resolution opposing the transportation of coal through our community and send a Letter to the Richmond and Oakland City Councils, including California State Assemblymember Buffy Wicks and State Senator Nancy Skinner, in support of their efforts for a No Coal ordinance.
Financial Implications: None
Contact: Cheryl Davila, Councilmember, District 2, (510) 981-7120
- 16. Adopt an Ordinance adding a new Chapter 9.50 to the Berkeley Municipal Code Requiring Legal Rights for Legal Tender** *(Reviewed by the Land Use, Housing & Economic Development Policy Committee)*
From: Councilmembers Harrison, Hahn, Davila, and Bartlett
Recommendation: Adopt an ordinance adding a new Chapter 9.50 to the Berkeley Municipal Code requiring legal rights for legal tender, requiring that all covered businesses accept cash.
Financial Implications: See report
Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140
- 17. Berkeley Public Library Foundation 18th Annual Authors Dinner: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds**
From: Councilmembers Hahn, Wengraf, Davila, and Mayor Arreguin
Recommendation: Adopt a resolution approving the expenditure of an amount not to exceed \$600 per Councilmember, including \$100 from Councilmember Hahn, to the Berkeley Public Library Foundation's 18th Annual Authors Dinner 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. The Berkeley Public Library Foundation raises funds to support and enhance facilities, programs and services of the Berkeley Public Library. Proceeds from this event will subsidize library programs and fulfill the municipal public purpose of the library.
Financial Implications: See report
Contact: Sophie Hahn, Councilmember, District 5, (510) 981-7150

Council Consent Items

18. Urging the CPUC to Address Its Failure of Oversight and to Transform PG&E Into A Mutual Benefit Corporation

From: Councilmembers Robinson, Harrison, Bartlett and Mayor Arreguin

Recommendation: Adopt a resolution urging the California Public Utilities

Commission to address past failures of oversight and transform PG&E into a mutual benefit corporation with the long-term goal of public ownership.

Financial Implications: None

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

Action Calendar

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

The Presiding Officer will request that persons wishing to speak line up at the podium 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.

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

Action Calendar – Public Hearings

19. Adoption of the 2019 California Fire Code with Local Amendments – Second Reading

From: City Manager

Recommendation: Conduct a public hearing and upon conclusion adopt the second reading of Ordinance No.7,680-N.S. repealing and reenacting the Berkeley Fire Code, including amendments to the California Fire Code as outlined in the proposed ordinance, plus Appendix Chapters B (as amended by BMC 19.48.020, Amendments to the California Fire Code), D, E, F, L (as amended by BMC 19.48.020, Amendments to the California Fire Code) and O published by the International Code Council not included in the California Building Standards Code, as Berkeley Municipal Code Chapter 19.48.

First Reading Vote: All Ayes.

Financial Implications: See report

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

20. Adoption of Berkeley Building Codes, including Local Amendments to California Building Standards Code

From: City Manager

Recommendation: Conduct a public hearing, and upon conclusion adopt the second reading of Ordinance No. 7,678-N.S. repealing and reenacting the Berkeley Building, Residential, Electrical, Mechanical, Plumbing, Energy and Green Building Standards Codes in BMC Chapters 19.28, 19.29, 19.30, 19.32, 19.34, 19.36 and 19.37, and adopting related procedural and stricter provisions.

First Reading Vote: All Ayes.

Financial Implications: See report

Contact: Timothy Burroughs, Planning and Development, (510) 981-7400

21. Milvia Bikeway Project Conceptual Design

From: City Manager

Recommendation: Conduct a public hearing and upon conclusion, adopt a Resolution approving the conceptual design of the Milvia Bikeway Project, including installation of a protected bikeway and the removal or modification of traffic lanes and on-street parking, and specified changes from two-way to one-way traffic operations, as necessary, and directing the City Manager to direct staff to proceed with the detailed engineering design of the project.

Financial Implications: None

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

Action Calendar – Old Business

22. **Surveillance Technology Report, Surveillance Acquisition Report, and Surveillance Use Policy for Automatic License Plate Readers, GPS Trackers, and Body Worn Cameras** *(Item continued from November 12, 2019)*
From: City Manager
Recommendation: Adopt a Resolution accepting the Surveillance Technology Report, Surveillance Acquisition Report, and Surveillance Use Policy for Automatic License Plate Readers, GPS Trackers, and Body Worn Cameras submitted pursuant to Chapter 2.99 of the Berkeley Municipal Code.
Financial Implications: None
Contact: Andrew Greenwood, Police, (510) 981-5900; Dave White, City Manager's Office, (510) 981-7000
23. **City Council Rules of Procedure and Order Revisions** *(Reviewed by the Agenda & Rules Committee. Continued from November 19, 2019. Item contains revised and supplemental material.)*
From: City Manager
Recommendation: Adopt a Resolution revising the City Council Rules of Procedure and Order to integrate the previously adopted regulations for policy committees and make associated changes to other sections; update outdated references and practices; conform to the Open Government Ordinance; make other technical corrections; and rescinding any preceding amendatory resolutions.
Financial Implications: None
Contact: Mark Numainville, City Clerk, (510) 981-6900
24. **FY 2019 Year-End Results and FY 2020 First Quarter Budget Update** *(Continued from November 19, 2019)*
From: City Manager
Recommendation: Discuss and determine funding allocations for FY 2020 based on the FY 2019 General Fund Excess Equity and Excess Property Transfer Tax for the following: 1) the General Fund Reserves 2) the Mayor's June 25, 2019, Supplemental Budget Recommendations approved by the Council and 3) the Council's Budget Referrals approved during FY 2020 to be considered in November 2019.
Financial Implications: See report
Contact: Teresa Berkeley-Simmons, Budget Manager, (510) 981-7000

Action Calendar – Old Business

- 25. Amendment: FY 2020 Annual Appropriations Ordinance** *(Continued from November 19, 2019)*
From: City Manager
Recommendation: Adopt first reading of an Ordinance amending the FY 2020 Annual Appropriations Ordinance No. 7,669–N.S. for fiscal year 2020 based upon recommended re-appropriation of committed FY 2019 funding and other adjustments authorized since July 1, 2019, in the amount of \$136,730,924 (gross) and \$130,267,144 (net).
Financial Implications: See report
Contact: Teresa Berkeley-Simmons, Budget Manager, (510) 981-7000
- 26. goBerkeley Residential Shared Parking Pilot Project Update** *(Continued from November 19, 2019)*
From: City Manager
Recommendation: Receive a presentation providing an update on the Residential Shared Parking Pilot project, and offer any comments to staff on the implementation of the project.
Financial Implications: None
Contact: Phillip Harrington, Public Works, (510) 981-6300
- 27a. Recommendations for Allocation of FY19/20 Measure P Funds** *(Continued from November 19, 2019)*
From: Homeless Services Panel of Experts
Recommendation: Approve recommendations for the allocation of FY19/20 General Funds at least commensurate with resources accrued to date from the passage of Measure P. Refer to the City Manager to produce data regarding the percentage of those transported with County Emergency Mental Health Transport who are homeless, and other sources that could be used to cover this cost.
Financial Implications: See report
Contact: Peter Radu, Commission Secretary, (510) 981-5400

Action Calendar – Old Business

27b. **Companion Report: Recommendations for Allocation of FY19/20 Measure P Funds** *(Continued from November 19, 2019)*

From: City Manager

Recommendation: The City Manager recommends that Council:

1. Approve the Homeless Services Panel of Experts' recommendation for the allocation of FY20 General Funds (Measure P) in the following investment areas: a. Immediate Street conditions & Hygiene; b. Flexible Housing Subsidies; and c. Infrastructure. For any allocation of "Flexible Housing Subsidies" to families, limit eligibility to those who are imminently at-risk of homelessness, and allow the City Manager to sole-source contracts for the implementation of these subsidies.
2. Refer discussion of the recommendations pertaining to the following areas to the Council Budget & Finance Policy Committee: a. Permanent Housing, b. Shelter & Temporary Accommodations, and c. Supportive Services. The City Manager recommends that the Policy Committee consider the following pertaining to these funding areas: - Allow the "permanent subsidies" allocation to fund tenancy sustaining services, and dedicate 10% of total funding to homeless families. - Allow the "Shelter and temporary accommodations" allocation to fund the creation of new programs (including for new RV parking programs) or maintenance of existing shelter programs funded by HEAP, when that funding is exhausted. - Authorize the City Manager to award any funding for shelter expansion and tenancy sustaining services to agencies that have already responded to the FY20-23 Community Agency Request for Proposals (RFP). - Authorize the City Manager to release one or more RFPs for an RV parking program that would require a non-profit operator and for any supportive services including street medicine, substance abuse treatment or mental health outreach.

Financial Implications: See report

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

Action Calendar – New Business

28. **Recommendation to Immediately Fund and Implement the Safe Passages Program and Additional Actions to Ensure Emergency Equipment Access to All Parts of the City**

From: Disaster and Fire Safety Commission

Recommendation: The recommendation as stated above from the Disaster and Fire Safety Commission (DFSC) to the Council includes the following seven components:

1. Allocate full funding of the Fire Department's Safe Passages Program;
2. Initiate immediate action;
3. Recognize that parking restrictions are necessary on some streets for the health and well-being of Berkeley residents;
4. Establish priorities for enacting parking restrictions;
5. Develop a departmental coordinated team effort;
6. Inform the public; and
7. Document and distribute the extent of the access and egress problem.

Financial Implications: See report

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

Action Calendar – New Business

- 29a. Taxi scripts to be provided to residents of Pathways/the STAIR Center**
From: Homeless Commission
Recommendation: The Homeless Commission recommends that taxi scripts be provided to persons referred to Pathways/ the STAIR Center and that continued taxi scripts be provided to Pathways/STAIR residents, during their stay, in order to insure safe, accessible transport.
Alternatively, the Commission recommends that transportation arrangements be made with ride share services such as Lyft or Uber, or a public shuttle system coordinated by the City of Berkeley and Alameda County.
Financial Implications: See report
Contact: Peter Radu, Commission Secretary, (510) 981-5400
- 29b. Companion Report: Taxi scripts to be provided to residents of Pathways/the STAIR Center**
From: City Manager
Recommendation: The City Manager will ensure that STAIR Center staff are incorporating applications and access to existing community transportation programs, such as East Bay Paratransit and Berkeley Rides for Seniors and the Disabled, into routine provision of services to mobility-impaired STAIR guests.
Financial Implications: Staff time
Contact: Kelly Wallace, Housing and Community Services, (510) 981-5400
- 30a. Public Works Commission Recommendation for the Five-Year Paving Plan**
From: Public Works Commission
Recommendation: Adopt a resolution that recommends approval of the Five-Year Paving Plan for FY2020 to FY2024 as proposed by Staff and recommends the creation of a Long-Term Paving Master Plan.
Financial Implications: See report.
Contact: Nisha Patel, Commission Secretary, (510) 981-6300
- 30b. Companion Report: Public Works Commission Recommendation for the Five-Year Street Rehabilitation Plan**
From: City Manager
Recommendation: Adopt a Resolution updating the City's Five-Year Street Rehabilitation Plan for FY 2020 to FY 2024 and refer to the City Manager consideration of a Long-Term Paving Master Plan to be started after the completion of the public process of T1 Phase 2. The City Council may consider the information put forth by the Public Works Commission relevant to adoption of the recommended plan.
Financial Implications: See report
Contact: Phillip Harrington, Public Works, (510) 981-6300

Council Action Items

31. **Considering Multi-year Bidding Processes for Street Paving** *(Reviewed by the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee)*
From: Mayor Arreguin, Councilmembers Hahn, Harrison, and Davila
Recommendation: 1. Restate the recommendation approved at the December 11, 2018 Council meeting to create a two-year bidding process for street paving to realize savings by (a) reducing by 50% City staff time devoted to bidding and contracting processes over each two year period and (b) benefitting from reduced pricing which may be available for larger contracts that offer greater economies of scale and reduce contractors' bidding and contracting costs.
2. Short-term referral to the City Manager to explore the possibility, feasibility, costs, and benefits of bidding in increments of up to 5 years to encompass entire 5-year paving plans, or other ideas to more rationally and cost-effectively align the paving plan with budget cycles and reduce costs associated with frequent bid cycles for relatively small contracts.
Financial Implications: See report
Contact: Jesse Arreguin, Mayor, (510) 981-7100

Information Reports

32. **Condominium Conversion Program – Annual Report**
From: City Manager
Contact: Kelly Wallace, Housing and Community Services, (510) 981-5400
33. **Small Sites Program Update**
From: City Manager
Contact: Kelly Wallace, Housing and Community Services, (510) 981-5400
34. **Equal Pay: Classification and Compensation Process City Employees**
From: City Manager
Contact: LaTanya Bellow, Human Resources, (510) 981-6800
35. **LPO NOD: 1581 Le Roy/#LMSAP2019-0004**
From: City Manager
Contact: Timothy Burroughs, Planning and Development, (510) 981-7400
36. **LPO NOD: 2234 Haste Street/#LMSAP2016-0002**
From: City Manager
Contact: Timothy Burroughs, Planning and Development, (510) 981-7400

Public Comment – Items Not Listed on the Agenda

Adjournment

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

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

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

COMMUNICATION ACCESS INFORMATION:

This meeting is being held in a wheelchair accessible location.

To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at (510) 981-6418 (V) or (510) 981-6347 (TDD) at least three business days before the meeting date.

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



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

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***I hereby certify that the agenda for this meeting of the Berkeley City Council was posted at the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way, as well as on the City's website, on November 21, 2019.***



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](#).*

### **Item 21: Recommendation to Immediately Fund and Implement the Safe Passages Program and Additional Actions to Ensure Emergency Equipment Access to All Parts of the City**

1. David Levy

#### **Healthy Checkout**

2. Katrina Peters, on behalf of the Alameda-Contra Costa Medical Association
3. Janus Norman, on behalf of the California Medical Association

#### **PG&E Public Safety Power Shutoff**

4. Maxina Ventura

#### **Fair Housing Measure**

5. Joel Gerwein

#### **Cal Student Safety**

6. Karen Thornton
7. Elise Wing
8. Qiang Lu
9. Ningyan Fang
10. Seema Varma
11. Alisa Bunnapradist
12. Yan Ye
13. Charleson Liu & Vicky Li
14. Mbaporia@
15. Sue-z Lopez

#### **Police Review Commission Charter**

16. Marc Staton

17. Rani Cochran

**Honesty at ZAB Meetings**

18. Janis Ching (2)

**Indigenous Peoples Festival Grant**

19. Indigenous Peoples Day Committee

**#WhereDoWeGoBerk**

20. Margy Wilkinson

**Cashless Businesses**

21. Carol Denney

**Collision at Shattuck and Woolsey**

22. Sallie Hannarhyne

23. Audrey Ichinose

**Homelessness, Encampments and RV's**

24. Summi Kaipa

25. 311 Customer Service

26. Sage Linda Spatz

27. Carole Kennerly

28. Isabelle Gaston

**5G and Wireless**

29. Meaveen O'Connor

30. Phoebe Anne Sorgen (2)

31. Arthur Stopes III

32. Brent Green

**Community Choice Electricity**

33. Thomas Lord

**Game Day Parking**

34. Sam Nickelsen

**Harriet Tubman Terrace Safety**

35. Harriet Tubman Tenant Council Steering Committee

36. Councilmember Bartlett

**Telegraph Avenue Restroom**

37. Gabriel Brugger

**Housing Framework**

38. Katharine Bierce

39. Josh Daniels, Chair, Measure O Bond Oversight Commission

**Greenway Vision Plan**

40. Pam Speich (2)

**Criminal Checks on Rental Forms**

41. Pam Speich

42. Bryce Nesbitt

**ZAB – Bachesso Property**

43. Esther Lerman

**Fossil Fuel Free Berkeley**

44. Ben Paulos

**Funding for the Arts**

45. Janice Murota

**E-Bikes**

46. Tom Lent

**Codornices Creek Fence**

47. Susan Schwartz, on behalf of Friends of Five Creeks

**Bicyclist Policy**

48. George Saksa

**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.

