

AGENDA



BERKELEY CITY COUNCIL MEETING

**Tuesday, January 18, 2022
6:00 PM**

JESSE ARREGUIN, MAYOR

Councilmembers:

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

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

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

Pursuant to Government Code Section 54953(e) and the state declared emergency, this meeting of the City Council will be conducted exclusively through teleconference and Zoom videoconference. The COVID-19 state of emergency continues to directly impact the ability of the members to meet safely in person and presents imminent risks to the health of attendees. Therefore, no physical meeting location will be available.

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

To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL <https://us02web.zoom.us/j/84056667405>. If you do not wish for your name to appear on the screen, then use the drop down menu and click on "rename" to rename yourself to be anonymous. To request to speak, use the "raise hand" icon by rolling over the bottom of the screen.

*To join by phone: Dial **1-669-900-9128** or **1-877-853-5257 (Toll Free)** and enter Meeting ID: **840 5666 7405**. If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Chair.*

Please be mindful that the teleconference will be recorded as any Council meeting is recorded, and all other rules of procedure and decorum will apply for Council meetings conducted by teleconference or videoconference.

To submit a written communication for the City Council's consideration and inclusion in the public record, email council@cityofberkeley.info.

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

Preliminary Matters

Roll Call:

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

1. Adjourn in memory of Aoife Beary, Berkeley Balcony Collapse Survivor

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

Public Comment on Non-Agenda Matters: *Persons will be selected to address matters not on the Council agenda. If five or fewer persons wish to speak, each person selected will be allotted two minutes each. If more than five persons wish to speak, up to ten persons will be selected to address matters not on the Council agenda and each person selected will be allotted one minute each. The remainder of the speakers wishing to address the Council on non-agenda items will be heard at the end of the agenda.*

Consent Calendar

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

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

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

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

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

Consent Calendar

- 1. Amendment: FY 2022 Annual Appropriations Ordinance**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,795-N.S. amending the FY 2022 Annual Appropriations Ordinance No. 7,779–N.S. for fiscal year 2022 based upon recommended re-appropriation of committed FY 2021 funding and other adjustments authorized since July 1, 2021, in the amount of \$177,309,914 (gross) and \$163,076,585 (net).
First Reading Vote: Ayes – Kesarwani, Taplin, Bartlett, Hahn, Wengraf, Robinson, Arreguin; Noes – None; Abstain – None; Absent – Harrison, Droste.
Financial Implications: See report.
Contact: Rama Murty, Budget Office, (510) 981-7000
- 2. Modifying the 2022 City Council Meeting Schedule**
From: City Manager
Recommendation: Adopt a Resolution modifying the City Council regular meeting schedule for 2022, with starting times of 6:00 p.m., to account for religious and cultural holidays as determined by Resolution No. 70,066-N.S.
Financial Implications: None
Contact: Mark Numainville, City Clerk, (510) 981-6900
- 3. Donation to the Animal Shelter from the Stephen and Mary Birch Foundation**
From: City Manager
Recommendation: Adopt a Resolution accepting a donation from the estate of Stephen and Mary Birch in the sum of \$10,000.00.
Financial Implications: See report.
Contact: Paul Buddenhagen, City Manager's Office, (510) 981-7000
- 4. Extension of Declaration of Homeless Shelter Crisis**
From: City Manager
Recommendation: Adopt a Resolution extending Resolution No. 69,189-N.S., Declaring a Homeless Shelter Crisis until January 19, 2024
Financial Implications: See report.
Contact: Peter Radu, City Manager's Office, (510) 981-7000
- 5. Contract No. 32000117 Amendment: Berkeley Food & Housing Project for Administrative Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to execute an amendment to Contract No. 32000117 with Berkeley Food & Housing Project (BFHP) to administer Flexible Spending Programs for Mental Health Division (BMH) programs and to provide rental subsidies for the Russell Street Residence through June 30, 2022 in an amount not to exceed \$2,824,024. This will extend the existing contract by one year and add \$916,731 in funding.
Financial Implications: See report.
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400

Consent Calendar

- 6. Contract No. 32100026 Amendment: Resource Development Associates for Results Based Accountability Evaluation**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to amend Contract No. 32100026 with Resource Development Associates (RDA) to provide additional funding in the amount of \$220,800, and extend the time period for an evaluation of mental health programs across the division utilizing the Results Based Accountability (RBA) framework, for a total not to exceed amount of \$320,700 through June 30, 2024.
Financial Implications: See report.
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
- 7. Contract with Options Recovery for Substance Use Disorder Services Co-location**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to execute a contract and any amendments with Options Recovery Services (Options) for Substance Use Disorder services for a total contract limit of \$250,000 for the period beginning January 1, 2022 and ending June 30, 2023.
Financial Implications: See report.
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
- 8. Revenue Grant Agreement: Funding Support from the California Department of Public Health to Expand the Disease Intervention Specialist Workforce**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to accept grant funds from California Department of Public Health in the projected amount of \$465,736. This funding is to be utilized from July 1, 2021 through December 31, 2025 to expand the Disease Intervention Specialist (DIS) workforce to strengthen the public health capacity to mitigate the spread of sexually transmitted disease (STD), HIV, COVID-19 and other infections; and to execute the resultant revenue agreement, contract, and any amendments and extensions.
Financial Implications: See report.
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400

Consent Calendar

9. **Revenue Grant Agreement: Funding Support from State of California Department of Justice to Design and Conduct a Program Evaluation of Programs Funded by the Sugar-Sweetened Beverage Tax**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to submit a grant application to State of California, Department of Justice, to accept the grant, execute any resultant revenue agreement and amendment, and implement the projects and appropriation of funding for related expenses to conduct program evaluation activities for the State of California, Department of Justice in the projected amount of \$19,000 for July 1, 2021 to June 30, 2023.
Financial Implications: See report.
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
10. **Referral Response: Commission Reorganization for Post-COVID-19 Budget Recovery – Sugar Sweetened Beverage Product Panel of Experts Commission and Community Health Commission**
From: City Manager
Recommendation: Adopt first reading of an Ordinance:
1. Adding Section 7.72.095 to the Berkeley Municipal Code (BMC), incorporating additional membership criteria and health equity advisory responsibilities for the Sugar Sweetened Beverage Product Panel of Experts Commission (SSBPPE), and;
2. Repealing B.M.C. Sections 3.76.010-3.76.040 which established the Community Health Commission.
Financial Implications: See report.
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
11. **Classification and Salary: Establish Limited Term Emergency Medical Technician**
From: City Manager
Recommendation: Adopt a Resolution to establish the represented classification of Limited Term EMT with a monthly salary range of \$3,466.67 to \$5,026.67.
Financial Implications: See report.
Contact: Donald E. Ellison, Human Resources, (510) 981-6800
12. **Classification and Salary: Establish Single Function Paramedic**
From: City Manager
Recommendation: Adopt a Resolution to establish the represented classification of Single Function Paramedic with a monthly salary range of \$5,200 to \$7,800.
Financial Implications: See report.
Contact: Donald E. Ellison, Human Resources, (510) 981-6800

Consent Calendar

- 13. Revise Classification and Salary: Emergency Medical Services Quality Improvement & Education Coordinator**
From: City Manager
Recommendation: Adopt a Resolution to revise the represented classification of Emergency Medical Services Quality Improvement & Education Coordinator with a monthly salary range of \$12,273.73 to \$14,000.13
Financial Implications: See report.
Contact: Donald E. Ellison, Human Resources, (510) 981-6800
- 14. Revise the Classification and Increase the Salary Schedule for Deputy Finance Director**
From: City Manager
Recommendation: Adopt a Resolution amending Resolution No. 69,967-N.S. (Classification and Salary Resolution for classifications in Executive and Confidential Management, Confidential Professional, Confidential Clerical) to increase the salary of the Deputy Finance Director from a maximum monthly salary of \$14,677.47 to \$16,120.00 per month effective January 1, 2022, to align it with other City of Berkeley Deputy Director classifications.
Financial Implications: See report.
Contact: Donald E. Ellison, Human Resources, (510) 981-6800
- 15. Recommendation to Increase the Salary Schedule for Director of Health, Housing & Community Services and Director of Parks, Recreation, & Waterfront**
From: City Manager
Recommendation: Adopt a Resolution amending Resolution No. 69,967-N.S., Classification and Salary Resolution for classifications in Executive and Confidential Management, Confidential Professional, Confidential Clerical, to increase the salary of the Director of Health, Housing & Community Services from a maximum monthly salary of \$20,151.73. to \$21,432.00, per month and amending Resolution No. 70,107-N.S., Salary Adjustment for the Department Heads of Finance, Human Resources, Information Technology, Parks, Recreation and Waterfront, Planning, Public Works and Fire Chief, to increase the salary of Director of Parks, Recreation and Waterfront from a maximum monthly salary of \$20,987.00 to \$21,432.00 to align it with other City of Berkeley Department Heads.
Financial Implications: See report.
Contact: Donald E. Ellison, Human Resources, (510) 981-6800

Consent Calendar

- 16. Commission Reorganization: Creating the Environment and Climate Commission**
From: City Manager
Recommendation:
1. Adopt an Ordinance repealing and re-enacting Berkeley Municipal Code Chapter 3.40 (formerly Zero Waste Commission) to create the Environment and Climate Commission (ECC).
 2. Adopt a Resolution rescinding Resolution No. 55,661-N.S., establishing the Berkeley Energy Commission, and Resolution 58,997-N.S., establishing the Community Environmental Advisory Commission.
- Financial Implications:** See report.
Contact: Jordan Klein, Planning and Development, (510) 981-7400

Council Consent Items

- 17. Referral to the City Manager to Establish a Marina Master Plan for Parking with a Consideration for Establishing a Waterfront Parking Benefits District**
From: Councilmember Kesarwani (Author), Mayor Arreguin (Co-Sponsor), Councilmember Taplin (Co-Sponsor), Councilmember Robinson (Co-Sponsor)
Recommendation: Refer to the City Manager to create a Berkeley Marina Master Plan for Parking with a goal of introducing demand-based paid parking in certain areas of the waterfront as appropriate. Further, refer consideration of a Parking Benefits District (PBD) at the waterfront as a means of reinvesting net parking revenues within this area to provide a dedicated funding source for the troubled Marina Fund.
- Considerations for a Marina Master Plan for Parking should include: Conducting robust outreach to marina stakeholders in order to: gather feedback about parking needs, communicating benefits of establishing a Parking Benefits District to maintaining and upgrading marina infrastructure, and other issues as appropriate; Preparing a preliminary fiscal analysis for possible implementation, including projected revenues and expenditures; and Determining types of pay stations most appropriate for this area in addition to payment schedules, such as hourly, day passes, and/or frequent user/employee permits.
- Financial Implications:** See report.
Contact: Rashi Kesarwani, Councilmember, District 1, (510) 981-7110

Council Consent Items

18. Refer to the City Manager to Establish a Framework for Parking Benefits Districts in the Gilman and Lorin Commercial Districts

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

Recommendation: Refer to the City Manager to create a basic framework for establishing a Parking Benefits District (PBD) in the Gilman and Lorin Commercial Districts. This framework should include:

(a) A map establishing the boundaries of the Gilman District PBD. Suggested borders of the district should include: (1) on the west, the east side of Eastshore Highway from Page Street to the Albany border; (2) on the north, the Albany border from Eastshore Highway to the east side of San Pablo Avenue; (3) on the east, the east side of San Pablo Avenue from the Albany border to Gilman Street, both sides of Gilman Street from San Pablo Avenue to Kains, and the east side of San Pablo Avenue to the north side of Page Street; and (4) on the south, the west side of San Pablo Avenue from Page Street to Camelia Street, the north side of Camelia Street from San Pablo Avenue to Sixth Street; the west side of Sixth Street from Camelia to Page; the north side of Page Street from Sixth Street to Eastshore Highway. See map in Attachment 1. (b) A map establishing the boundaries of the Lorin District PBD. Suggested borders of the district should include: (1) on the east, both sides of Shattuck Avenue from Carleton southward to Alcatraz Avenue; (2) on the south, the north side of Alcatraz Avenue from Shattuck Avenue to Martin Luther King Jr. Way; Martin Luther King Jr. Way southward to 62nd Street; 62nd Street to King Street; (3) on the west, King street to Russell Street; (4) on the north, Russell Street to Grant Street; Grant Street north to Carleton Street; and Carleton Street to Shattuck Avenue. See map in Attachment 1. (c) Consideration of expanding the goBerkeley parking program to include installation of paid parking within a subsection of the defined Gilman and Lorin Parking Benefit Districts only where warranted based on parking demand using a demand-based pricing model. (d) Consideration of amending the goBerkeley program to allow net parking revenues to be reinvested within the Gilman and Lorin Parking Benefits Districts where the revenue is generated for the purpose of funding improvements, such as trash removal, sidewalk cleaning, enhanced lighting, signage, beautification like landscaping or other improvements based on input from an advisory board of stakeholders—in alignment with policy requirements of PBDs. (e) Consideration of transportation-related amenities targeted to employees that may include: annual transportation passes to incentivize public transit use, annual memberships in shared electric micro-mobility programs, special employee parking permits, etc. (f) A strategy for conducting outreach to Gilman and Lorin Commercial District stakeholders prior to implementation, including outreach to property and business owners and employees.

Financial Implications: See report

Contact: Rashi Kesarwani, Councilmember, District 1, (510) 981-7110

Council Consent Items

- 19. Budget Referral: Allocate Projected Revenues from Voter-approved Transportation Network Company User Tax to Support Priority Mobility Infrastructure, Including Tier 1 Protected Bicycle Lanes and Crossings, Pedestrian Street Crossings, and Quick-build Public Transit Projects**
From: Councilmember Harrison (Author)

Recommendation:

1. Refer to the June FY 23-24 budget process approximately \$1.4 to \$1.8 million in projected Transportation Network Company (TNC) User Tax General Fund revenue for FY 23 and FY 24, and the actual FY 2022 TNC Tax revenues (projected at \$576,786), toward the construction and maintenance of: i. Tier 1 protected bicycle lanes and crossings identified in the 2017 Bicycle Plan, including but not limited to quick-build projects; and ii. Priority pedestrian street crossings identified in the 2020 pedestrian plan, including but not limited to quick-build projects; and iii. Priority quick-build public transit projects under the Street Repair Program.
2. Refer to the Public Works and Transportation Commissions (or Successor Commission) in consultation with City staff to provide recommendations to the Facilities, Infrastructure, Transportation, Environment, and Sustainability and Budget and Finance Policy Committees by the end of March 2022 as to the specific allocation among the priorities in Recommendation 1 to equitably maximize transportation emissions reductions and to enhance mobility and public safety.

Financial Implications: See report.

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

- 20. Resolution Reaffirming the City of Berkeley's Commitment to Roe v. Wade**
From: Councilmember Wengraf (Author), Councilmember Harrison (Co-Sponsor), Councilmember Hahn (Co-Sponsor)

Recommendation: Adopt a Resolution reaffirming the City of Berkeley's commitment to Roe v. Wade, honoring the 49th anniversary of its passage and reiterating Berkeley's resolve to be a safe harbor for women asserting their constitutional right to access reproductive health and safe abortion services. It is essential that the City of Berkeley be a model for other cities and re-state their support for women to be able to exercise their constitutional rights and continue to have access to critical health care services, including abortion.

Financial Implications: None

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

Council Consent Items

21. **OPPOSE Net Energy Metering 3.0 Proposed Decision of the CPUC and SUPPORT Net Energy Metering Policy that Continues the Growth of Local and Rooftop Solar**
From: Councilmember Wengraf (Author), Councilmember Hahn (Co-Sponsor)
Recommendation: Send the attached Resolution in opposition to the Net Energy Metering 3.0 Proposed Decision of the CPUC and supporting a Net Energy Metering Policy that continues to support the growth of local and rooftop solar to: Governor Gavin Newsom, State Senator Nancy Skinner, Assemblymember Buffy Wicks, and members of the California Public Utilities Commission Board (CPUC). The Net Energy Metering (NEM) 3.0 decision issued by the CPUC on December 13, 2021 threatens access to net energy metering and rooftop-scale solar and storage by homeowners and tenants alike, interfering with Berkeley's and California's climate action and equity goals.
Financial Implications: See report
Contact: Susan Wengraf, Councilmember, District 6, (510) 981-7160

Action Calendar

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

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

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

Action Calendar – 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 use the "raise hand" function 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. 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

- 22. Selected Recreation and Camps Program Fee Increases**
From: City Manager
Recommendation: Conduct a public hearing and upon conclusion:
1. Adopt a Resolution approving new fees and increasing current fees for select Recreation Division programs and rescinding Resolution No. 69,892-N.S. and all amendatory resolutions.
2. Adopt a Resolution approving revised Policies and Procedures for Parks & Recreation Programs and Facilities, and rescinding Resolution No. 67,581-N.S. and all amendatory resolutions.
Financial Implications: See report.
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
- 23. Response to City Council Action on October 26, 2021 regarding Short Term Referral for Amendments to Accessory Dwelling Unit (ADU) Ordinance**
(Continued from December 14, 2021. Item contains supplemental material)
From: City Manager
Recommendation: Conduct a public hearing and upon conclusion, adopt first reading of a local Accessory Dwelling Unit (ADU) Ordinance [Berkeley Municipal Code (BMC) Chapter 23.306] and amendments to relevant Defined Terms [BMC Chapter 23.502.020] in the Zoning Ordinance.
Financial Implications: None
Contact: Jordan Klein, Planning and Development, (510) 981-7400
- 24. Response to City Council Action on October 26, 2021 regarding Short Term Referral for Amendments to Accessory Dwelling Unit (ADU) Ordinance to Address Public Safety Concerns**
(Continued from December 14, 2021. Item contains supplemental material)
From: City Manager
Recommendation: Conduct a public hearing and upon conclusion, adopt first reading of a local ordinance enacting Chapter 12.99 (Accessory Dwelling Units in Wildfire Hazard Areas) and amending Chapter 23.306.
Financial Implications: None
Contact: Jordan Klein, Planning and Development, (510) 981-7400

Action Calendar – New Business

- 25a. Street Maintenance and Rehabilitation Policy and Five-Year Paving Plan**
From: City Manager
Recommendation: Adopt a Resolution updating the Street Maintenance and Rehabilitation Policy and Five-Year Paving Plan.
Financial Implications: See report.
Contact: Liam Garland, Public Works, (510) 981-6300

Action Calendar – New Business

25b. 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 version 12A (“Arterial Alternative”) for FY2023 to FY2027.

Financial Implications: See report.

Contact: Joe Enke, Commission Secretary, (510) 981-6300

25c. Adopt a Resolution Updating City of Berkeley Street Maintenance and Rehabilitation Policy *(Reviewed by the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee. Continued from the July 13, 2021 meeting. Item contains supplemental material)*

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

Recommendation:

1. Adopt a Resolution updating the City’s Street Maintenance and Rehabilitation Policy dated June 1, 2021.

2. Refer the exploration of potential bonding and funding opportunities for improving the Paving Condition Index (PCI) of streets and creating a Paving Master Plan back to the Facilities, Infrastructure, Transportation, Environment & Sustainability (FITES) Committee for further review.

Policy Committee Recommendation: To move the Public Works supplemental item “City of Berkeley Street Maintenance and Rehabilitation Policy to Council” with a positive recommendation including amendments made during the meeting today, and ask Council to refer the exploration of potential bonding and funding opportunities for improving the PCI of streets and creating a Paving Master Plan back to the FITES Committee for further review.

Financial Implications: Staff time

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

Action Calendar – New Business

26a. Adopt-a-Spot Program Development Recommendations

From: Public Works Commission and Parks and Waterfront Commission

Recommendation: That Council adopt a Resolution to support and fund two new full-time dedicated Volunteer Coordinators to run an expanded Adopt-a-Spot program and coordinate new programs for youth volunteers, and funding for operational expenses should be included.

The programs shall promote participation and civic pride by providing a unified portal for all programs across all departments, and incorporate many of the Program Elements outlined below. The Coordinators shall build on recent efforts by Public Works staff to fortify the existing programs for storm drains and traffic circles and incorporate existing programs from the Parks & Rec department. In addition, the Adopt-a-Spot program shall be expanded and improved upon to support additional community engagement opportunities that can include, but are not limited to, restoring native habitat to promote biodiversity (including a Bee City USA liaison), litter removal, vegetation maintenance, graffiti removal, tree planting/watering/monitoring, monitoring sidewalk conditions, adoption of homeless encampments, coordinating volunteers for emergency situations, beautification efforts, and other ideas that the Berkeley community may wish to support and organize around.

Some features of the program are beyond the scope of our Commissions' visibility and will need to be finalized by Council and Staff. However, the following recommendations are offered:

Budget Commitment - to ensure success, the two new positions must be dedicated to volunteer coordination. Sharing of responsibilities across staff or financing only a single or half-time position should be avoided as it likely wouldn't meet the needs of the community. If at least one dedicated position cannot be supported the role of Volunteer Coordinator should be given to a third-party or community non-profit group.

Program Design - the Volunteer Coordinators may work with interns and the community to define program features and details of implementation, which could include a phased approach (alternatively, the City could hire a consultant to outline the program),

Reporting Structure - options include Parks Rec & Waterfront, Public Works, Office of Sustainability, or the City Manager's office (alternatively, the position could be shared across departments)

Supporting Tools - begin with the fewest but most necessary initial features. For example, policies and waivers, outreach tools such as a robust city webpage presence including dynamic maps and signage to recruit, volunteer reporting mechanisms to ensure compliance and track activity, volunteer appreciation events to build community, etc.

Financial Implications: See report.

Contact: Roger Miller, Commission Secretary, (510) 981-6700, Joe Enke, Commission Secretary, (510) 981-6300

Action Calendar – New Business

26b. Companion Report: Adopt A Spot Program Development Recommendations From: City Manager

Recommendation: Staff appreciates the thoughtful and important Parks and Waterfront and Public Works Commissions (Joint Commission Report) Adopt-a-Spot recommendation and recommends referring it to the FY2023-FY2024 budget process for consideration with other worthy requests.

Financial Implications: See report.

Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700, Liam Garland, Public Works, (510) 981-6300

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 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 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>

COMMUNICATION ACCESS INFORMATION:

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.



Captioning services are provided at the meeting, on B-TV, and on the Internet.

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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 January 6, 2022.*

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 through [Records Online](#).*

### **2021 Local Cannabis Policy Scorecard**

1. Getting it Right from the Start

### **BART Draft Environmental Impact Report**

2. David Brandon (2)
3. Leslie Valas
4. Claudia Valas
5. Rashi Kesarwani

### **Brown Act Cure and Correct Demand Letter**

6. Berkeley Progressive Alliance

### **Budget Review**

7. Marc Sapir

### **Climate Equity Fund pilot RFP**

8. Candace Hyde-Wang

### **Code Red Climate Event**

9. Lauren Weston

### **COVID-19**

10. Gary Hicks
11. David Lerman (2)
12. Blair Beekman
13. Navarre Oaks

### **Crime Suppression Unit**

14. Cheryl Davila

15. Brian Witt

**Elmwood Parking**

16. Ron Kelly

17. Fern Burch

**Emergency Shelter**

18. Elana Auerbach

19. Cheryl Davila

**Ferry Service**

20. Terry Mandel

21. Mz Suzanne Joi

**Golden Bear Inn**

22. Beth Gerstein (4)

23. Lee Bishop

**Gun Violence Crisis**

24. Moni Law

**Habitot Children's Museum**

25. Marjorie Tichenor

**HMIS Case Manager Assignments**

26. Omowale Fowles (2)

**Homeless Shelter Concerns**

27. quBit.ch@protonmail.com (3)

**Hopkins Corridor Project**

28. Donna DeDiemar

29. Garry Parrish

30. Jeffrey Kaplan (2)

**Infrastructure Survey**

31. Bob Flasher

**Interview Request**

32. Rebecca Smith

**Letters**

33. Blair Beekman

**Marin Avenue Traffic Safety**

34. Diana Damonte



- 35. Gina Rieger
- 36. Berkeley Path Wanderers Association
- 37. Farid Javandel
- 38. Janet Byron (2)
- 39. Susan Shimm
- 40. LJ Cranmer
- 41. LaTanya Bellow

### **Mosquitos**

- 42. Josh Beth

### **Newsletters**

- 43. Eden I&R (2)
- 44. Alameda County Mosquito Abatement District
- 45. Downtown Berkeley Association

### **Nilang Gor**

- 46. Karen Rubio

### **Parking (Spaces, Citations, Fees)**

- 47. Miriam Kasin
- 48. Danielle Adams
- 49. Dorothea Dorenz

### **Pedestrian Push Buttons**

- 50. Walk Bike Berkeley

### **Pedestrian Safety**

- 51. Margery Eriksson

### **Plant-Based Food Purchase Plan**

- 52. Nancy Min Ji

### **Plastic Bag Ordinance**

- 53. Similarly-worded form letters (91)

### **Police**

- 54. John Lindsay-Poland
- 55. Mike Swenson
- 56. Blair Beekman

### **Prop 68 Technical Assistance Program**

- 57. Jane Gray

### **Recent City Council Agenda Items**

- 58. Blair Beekman

**Robert's Rules**

59. Kitt Saginor

**RV Parking**

60. Jeff Vincent

61. Claire Heinzelman

62. Charlene Washington

**Secure Justice Sues Berkeley, Again**

63. Jack Kurzweil

**Security Cameras**

64. Geoff Lomax

**SF Bay Area Crime**

65. Blair Beekman (3)

**Smoking Noncompliance**

66. Carol Denney

**Social Housing Pilot Study**

67. Ryan Andresen

**Solar Energy**

68. Igor Tregub

69. Blair Beekman

**State Housing Bills**

70. Margot Smith

**Support for Budget Referrals**

71. Sierra Club

**Surveillance State**

72. Steve Martinot

**Traffic Enforcement**

73. David Lerman

74. Elisa Mikiten

**Transient Occupancy Tax**

75. Charles Koppelman

**Tree Removal**

76. Jenny Franco

77. Urban Forestry Staff

### **Upcoming Meetings**

78. East Bay Community Energy (2)

### **URLs Only**

79. Vivian Warkentin (3)

### **Vision Zero in West Berkeley**

80. Similarly-worded form letters (3)

### **Violation of Sanctuary Contracting Ordinance**

81. Elana Auerbach

### **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.