

**ANNOTATED AGENDA**  
**BERKELEY CITY COUNCIL MEETING**  
**Tuesday, March 9, 2021**  
**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 Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, this meeting of the City Council will be conducted exclusively through teleconference and Zoom videoconference. Please be advised that pursuant to the Executive Order and the Shelter-in-Place Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, there will not be a physical meeting location 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/87992485568>. 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: **879 9248 5568**. If you wish to comment during the public comment portion of the agenda, Press \*9 and wait to be recognized by the Chair.*

*To submit an e-mail comment during the meeting to be read aloud during public comment, email [clerk@cityofberkeley.info](mailto:clerk@cityofberkeley.info) with the Subject Line in this format: "PUBLIC COMMENT ITEM ##." Please observe a 150 word limit. Time limits on public comments will apply. Written comments will be entered into the public record.*

*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.*

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

## Preliminary Matters

**Roll Call:** 6:05 p.m.

**Present:** Taplin, Harrison, Hahn, Wengraf, Robinson, Droste, Arreguin

**Absent:** Kesarwani, Bartlett

Councilmember Kesarwani present at 6:06 p.m.

Councilmember Bartlett present at 6:07 p.m.

### Ceremonial Matters:

1. Recognition of Troy Duster, Berkeley Academic and Artist
2. Adjourned in Memory of Barbara Brust, Unhoused Advocate
3. Adjourned in Memory of Helen Schneider, Berkeley Resident and Volunteer

### City Manager Comments:

The City Manager provided an updated on the Reimaging Public Safety process.

**Public Comment on Non-Agenda Matters:** 7 speakers.

## Consent Calendar

**Public Comment on Consent Calendar and Information Items Only:** 23 speakers.

**Action:** M/S/C (Arreguin/Robinson) to accept revised material from Councilmember Harrison on Item 20.

**Vote:** All Ayes.

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

**Vote:** All Ayes.

1. **Lease Agreement: Patpatia & Associates, Inc. for 125-127 University Ave. Office Space**  
**From:** City Manager  
**Recommendation:** Adopt second reading of Ordinance No. 7,754-N.S. executing a lease agreement with Patpatia & Associates, Inc. to lease 2nd floor office space located at 125-127 University Ave. The lease term is anticipated to begin May 1, 2021 and end April 30, 2024.  
**First Reading Vote:** All Ayes.  
**Financial Implications:** See report  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700  
**Action:** Adopted second reading of Ordinance No. 7,754–N.S.

## Consent Calendar

- 2. Stahlschmidt v. City of Berkeley, Case No. RG 20069713**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution approving the settlement of the action entitled Stahlschmidt v. City of Berkeley, Case No. RG 20069713.  
**Financial Implications:** Public Liability Fund - \$75,533  
Contact: Farimah Brown, City Attorney, (510) 981-6950  
**Action:** Adopted Resolution No. 69,738–N.S.
- 3. Referral Response: Commission Low-Income Stipend Reform**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution adjusting the qualifying annual household income to the Alameda County 50% Area Median Income (AMI) for a three-person household for stipend and reimbursement in lieu of expenses for members of certain Boards, Commissions, and Committees, increasing the stipend to \$100 per meeting with an annual Consumer Price Index (CPI) inflator, and rescinding Resolution No. 64,831-N.S.  
**Financial Implications:** See report  
Contact: Mark Numainville, City Clerk, (510) 981-6900  
**Action:** Adopted Resolution No. 69,739–N.S.
- 4. Confirming “At-Large” Appointments to the Reimagining Public Safety Task Force**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution confirming “At-Large” appointments to the Reimagining Public Safety Task Force.  
**Financial Implications:** None  
Contact: Dave White, City Manager's Office, (510) 981-7000  
**Action:** Adopted Resolution No. 69,740–N.S.
- 5. Referral Response: Deferral of Remaining Permit, Inspection, Connection, and Impact Fees for 2009 Addison Street and Referral to the City Manager to Develop a Limited-Term Citywide Fee Deferral Program**  
**From: City Manager**  
**Recommendation:** Consider Adopting a Resolution authorizing the City Manager to defer remaining building permit, inspection, connection, and impact fees estimated at \$676,464 for the Berkeley Repertory Theater’s project at 2009 Addison Street for a period of ten years. In addition, city staff is asking City Council to refer to the City Manager the development of a limited-term citywide fee deferral program.  
**Financial Implications:** See report  
Contact: Eleanor Hollander, Economic Development, (510) 981-7530  
**Action:** Adopted Resolution No. 69,741–N.S. as revised in Supplemental Communications Packet #1.

## Consent Calendar

6. **Revenue Contract: East Bay Community Energy FY2021- Kitchen Electrification for Aging Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee to execute a contract and any resultant revenue agreements and amendments with East Bay Community Energy to provide funding for upgraded, energy-efficient kitchen appliances at both the North Berkeley and South Berkeley senior centers, in the amount of \$48,994, through the East Bay Community Energy's Kitchen Electrification Grant.  
**Financial Implications:** See report  
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400  
**Action:** Adopted Resolution No. 69,742–N.S.
7. **Contract No. 32000063 Amendment: United Site Service, Inc. for Additional Rental and Servicing of Portable Toilets and Sinks**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32000063 with United Site Services of California, Inc. for rental and service of portable toilet and handwashing units, increasing the current contract amount of \$360,000 by \$270,000, for a total not to exceed amount of \$630,000 for a period of two years, with an option to extend for three 12-month periods, for a total amount not to exceed \$1,200,000.  
**Financial Implications:** Various Funds - \$1,200,000  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700  
**Action:** Adopted Resolution No. 69,743–N.S.
8. **Contracts: On-Call Waterfront Project Management and Construction Management Services for Capital Improvement Projects at the Berkeley Waterfront**  
**From: City Manager**  
**Recommendation:** Adopt two Resolutions authorizing the City Manager to execute contracts and any amendments with the following firms for on-call waterfront project management services for capital improvement projects at the Berkeley Waterfront, for contract periods of April 1, 2021 through June 30, 2024:  
1. AnchorCM, for an amount not to exceed \$1,000,000.  
2. Park Engineering, Inc., for an amount not to exceed \$1,000,000.  
**Financial Implications:** See report  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700  
**Action:** Adopted Resolution No. 69,744–N.S. (AnchorCM); and Resolution No. 69,745–N.S. (Park Engineering).

## Consent Calendar

- 9. Loan Application: Dock Replacement at the Berkeley Marina**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee to sign a loan agreement with the California Department of Boating and Waterways and to accept the funds for a loan not to exceed \$5,500,000 for replacement of D & E docks at the Berkeley Marina.  
**Financial Implications:** See report  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700  
**Action:** Adopted Resolution No. 69,746–N.S.
- 10. Grant Application: Environmental Enhancement and Mitigation Project (EEMP) Proposal**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to submit an Environmental Enhancement and Mitigation (EEM) grant application to plant urban forest trees in the amount up to \$500,000; to accept the grant; to execute any resultant revenue agreements and amendments; and authorizing the implementation of the project and appropriation of funding for related expenses, subject to securing the grant.  
**Financial Implications:** Revenue - \$500,000  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700  
**Action:** Adopted Resolution No. 69,747–N.S.
- 11. Amendments to the Berkeley Election Reform Act (BERA) to Regulate Officeholder Accounts and Proposed Changes to City Council Office Budget Expenditure and Reimbursement Policies (Resolution 67,992-N.S.)** *(Reviewed by the Agenda & Rules Committee) (Item contains Supplemental Material)*  
**From: Fair Campaign Practices Commission**  
**Recommendation:** Form a joint subcommittee of members of the City Council and members of the Fair Campaign Practices and Open Government Commissions to (1) prepare an ordinance amending the Berkeley Election Reform Act (BMC Chapter 2.12) to prohibit or regulate officeholder accounts and (2) prepare a change in City Council Expenditure and Reimbursement policies (Resolution 67,992-N.S.) to have donations to nonprofit organizations made in the name of the entire Berkeley City Council on behalf of the citizens of Berkeley rather than from individual Council members.  
*(On February 8, 2021, the Agenda & Rules Committee made a positive recommendation to the City Council on part two of the Commission recommendation to prepare a change in City Council Expenditure and Reimbursement policies (Resolution 67,992-N.S.) to have donations to nonprofit organizations made in the name of the entire Berkeley City Council on behalf of the citizens of Berkeley rather than from individual Council members.)*  
**Financial Implications:** None  
Contact: Sam Harvey, Commission Secretary, (510) 981-6950  
**Action:** Approved the recommendation of the Agenda & Rules Committee revised to change the word “citizens” to “residents.”

## Consent Calendar

### 12a. **Amending Source of Income Discrimination Ordinance to Establish Administrative Enforcement Procedure** *(Reviewed by the Land Use, Housing, & Economic Development Committee)*

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

**Recommendation:** The Homeless Commission recommends that BMC 13.31 be amended to provide for an administrative procedure to enforce the anti-discrimination property rental ordinance as to source of income. Such procedure should involve establishing a complaints procedure under an existing City of Berkeley department such as the Department of Planning or Rent Stabilization Board, where a complaint could be filed by a prospective tenant, or tenant, alleging that they have been discriminated against by a landlord, property owner or authorized agent or employee when seeking rental housing or in any other context currently covered under BMC 13.31. Stage 1 of enforcement in the complaints procedure shall involve the taking of the complaint which shall be investigated by the designated department expeditiously, within a reasonable period of time no longer than ten days. Upon completion of the investigation, a finding shall be made of substantial evidence of discrimination or no evidence of discrimination. In the process of the investigation, the investigator shall concurrently, while identifying the facts, attempt to resolve the complaint by seeking to bring the parties to agreement that the complaining party be permitted to rent the premises in question or alternatively, if the premises has otherwise been rented prior to the investigation, be provided the first option for the next available vacancy at the premises. Where the complaint has not otherwise been resolved through this procedure, and there is a finding of substantial evidence, the complaining party shall be offered the opportunity to have its complaint heard by an administrative hearing officer mirroring a procedure or similar to a procedure afforded by BMC 1.28. If the complainant files for such an administrative hearing, and the rental property remains available, the filing for an administrative hearing, shall constitute a stay of the property being otherwise rented to another applicant. If at the administrative hearing, the administrative law judge, or hearing officer, finds in favor of the complainant, the administrative hearing officer can order that housing be provided to the complainant and/or direct a fine of no more than five thousand dollars (\$5,000) to be paid to the complainant with an additional penalty to the City of Berkeley for the costs of the administrative appeal. This procedure will be a final administrative decision subject to litigation to be brought in a court of law by a complainant through any legal entity, private or public as the complainant can identify. The Homeless Commission further recommends that any person seeking housing, with a voucher or any subsidy to pay their rent, be considered for the rental in the order which their rental application is received and be entitled to the rental as the first applicant of right. Insufficient credit or poor credit shall not be a fact considered for rental as to the totality of the rent to be paid if the rent is to be otherwise paid through the voucher or subsidy source.

*(On February 4, 2021, the Land Use, Housing, & Economic Development Policy Committee made a qualified positive recommendation to refer to the City Manager to: 1) Draft amendments to the Source of Income Discrimination Ordinance to provide for an administrative procedure to enforce the anti-discrimination property*

## Consent Calendar

*rental ordinance as to source of income, parallel to the Fair Chance Ordinance; 2) Submit to Council in 2022 a report reviewing the effectiveness of the source of income discrimination ordinance in its first five years; and 3) Update and improve information on the City website and elsewhere about legal services for low income residents; and 4) Refer to the 4x4 Committee discussion of feasibility of enforcement of source of income discrimination alongside the fair chance ordinance, and discussion of Homeless Commission's first-in-time standard recommendations.)*

**Financial Implications:** See report

Contact: Brittany Carnegie, Commission Secretary, (510) 981-5400

**Action:** See action for Item 12b.

**12b. Companion Report: Amending Source of Income Discrimination Ordinance to Establish Administrative Enforcement Procedure** *(Reviewed by the Land Use, Housing, & Economic Development Committee)*

**From: City Manager**

**Recommendation:** The City Manager thanks the Homeless Commission for their concern regarding potential discrimination against residents trying to utilize rental assistance vouchers in Berkeley. She recommends, however, taking no action on the Homeless Commission recommendation since the City already funds legal assistance for low-income residents that may be used to obtain relief under BMC 13.31.

*(On February 4, 2021, the Land Use, Housing, & Economic Development Policy Committee made a qualified positive recommendation to refer to the City Manager to: 1) Draft amendments to the Source of Income Discrimination Ordinance to provide for an administrative procedure to enforce the anti-discrimination property rental ordinance as to source of income, parallel to the Fair Chance Ordinance; 2) Submit to Council in 2022 a report reviewing the effectiveness of the source of income discrimination ordinance in its first five years; and 3) Update and improve information on the City website and elsewhere about legal services for low income residents; and 4) Refer to the 4x4 Committee discussion of feasibility of enforcement of source of income discrimination alongside the fair chance ordinance, and discussion of Homeless Commission's first-in-time standard recommendations.)*

**Financial Implications:** None

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

**Action:** Approved the recommendation of the Land Use, Housing, & Economic Development Policy Committee revised to add an additional referral to recommendation as noted below.

*5) Refer to the City Manager to provide an estimate for the costs associated with the staffing and implementation, as an add-on to existing programs and services, to the Budget & Finance Committee for consideration in the FY 2022 budget process.*

## Council Consent Items

**13. HelpBerkeley: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Fund**

**From: Mayor Arreguin (Author), Councilmember Wengraf (Co-Sponsor), Councilmember Hahn (Co-Sponsor)**

**Recommendation:** Adopt a Resolution approving the expenditure of an amount not to exceed \$250 per Councilmember including \$250 from Mayor Arreguin, to HelpBerkeley with funds relinquished to the City's general fund for this purpose from the discretionary Council Office Budgets of Mayor Arreguin and any other Councilmembers who would like to contribute.

**Financial Implications:** Mayor's Discretionary Funds - \$250

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

**Action:** Adopted Resolution No. 69,748–N.S. revised to add contributions from the following Councilmembers up to the amounts listed: Mayor Arreguin - \$250; Councilmember Wengraf - \$250; Councilmember Taplin - \$250; Councilmember Hahn - \$250; Councilmember Robinson - \$100; Councilmember Kesarwani - \$100; Councilmember Harrison - \$100; Councilmember Bartlett - \$100.

**14. Declaring the 2021 Cesar Chavez-Dolores Huerta Commemorative Period**

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

**Recommendation:** Adopt a Resolution declaring the period of March 21, 2021 to April 10, 2021 as the Cesar Chavez/Dolores Huerta Commemorative Period in the City of Berkeley.

**Financial Implications:** None

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

**Action:** Adopted Resolution No. 69,749–N.S. revised to add the Whereas clause noted below.

*WHEREAS, in 2013, the Governor approved Assembly Bill 123 which amends Section 51008 of the Education Code to ensure that the state curriculum and framework, where appropriate, include instruction on Cesar Chavez and the history of the farm labor movement in the United States, and the role of immigrants, including Filipino Americans, in that movement, and that the state criteria for selecting textbooks include information to guide the selection of textbooks that contain sections that highlight the life and contributions of Cesar Chavez, the history of the farm labor movement in the United States, and the role of immigrants, including Filipino Americans, in that movement; and*

## Council Consent Items

15. **Budget Referral: Funding Rectangular Rapid Flashing Beacons (RRFB) at Sixth Street and Addison Street**  
**From: Councilmember Taplin (Author)**  
**Recommendation:** That the City Council refers to the budget process the funding of Rectangular Rapid Flashing Beacons (RRFB) at the south end of the intersection of Sixth Street and Addison Street.  
**Financial Implications:** See report  
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120  
**Action:** Approved recommendation.
16. **Budget Referral: George Florence Park Traffic Calming (Tenth Street between University Avenue and Allston Way)**  
**From: Councilmember Taplin (Author), Mayor Arreguin (Co-Sponsor)**  
**Recommendation:** That the City Council refers to the budget process the funding of traffic calming measures on Tenth Street between University Avenue and Allston Way including but not limited to: 1. The addition of “SLOW CHILDREN AT PLAY” signs approaching George Florence Park and the West Berkeley YMCA. 2. Two speed tables on Tenth Street between Addison and Allston approaching George Florence Park, another speed table in front of the West Berkeley YMCA, and another at the south end of the intersection of Tenth and Allston. 3. Repainting of crosswalks along this section of Tenth Street. 4. Bulb outs at each corner of Tenth Street and Addison Street.  
**Financial Implications:** See report  
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120  
**Action:** Approved recommendation as revised in Supplemental Communications Packet #2 from Councilmember Taplin.
17. **Resolution Supporting HR 25, Calling for Federal Investigation on Sedition at U.S. Capitol and Expulsion of Complicit Members of Congress**  
**From: Councilmember Taplin (Author), Mayor Arreguin (Co-Sponsor), Councilmember Wengraf (Co-Sponsor), Councilmember Hahn (Co-Sponsor)**  
**Recommendation:** Adopt a resolution condemning the violent attack on the U.S. Capitol on January 6, 2021 by a seditious mob intent on preventing the certification of the 2020 Presidential Election, in support of House Resolution 25, calling for a federal investigation on the attack and the expulsion of Members of Congress found complicit in incitement of insurrection.  
**Financial Implications:** None  
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120  
**Action:** Adopted Resolution No. 69,750–N.S.

## Council Consent Items

### 18. Support for SB 260

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

**Recommendation:** Send a letter of endorsement for SB 260, the Climate Corporate Accountability Act, to Senator Scott Wiener and the Senate Standing Committee on Environmental Quality, and urge the CA Senate to lead the nation in pursuing real emissions reductions and holding corporations accountable.

**Financial Implications:** None

Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120

**Action:** Approved recommendation.

### 19. Support Vision 2025 for Sustainable for Sustainable Food Policies *(Reviewed by the Health, Life Enrichment, Equity & Community Committee)*

**From: Councilmember Davila (Author)**

**Recommendation:**

1. Adopt a Resolution Supporting Vision 2025 for Sustainable Food Policies
2. Join San Francisco, Chicago and Austin in signing the Milan Urban Food Policy Pact (MUFPP) which includes forming an advisory body on sustainable food policies.
3. Support adoption of a Climate-Friendly Food Purchasing Policy as described by Friends of the Earth to replace 50% of the City's annual animal-based food procurement with plant-based food.

4. Short Term Referral to the City Manager to: a. Track the amount of animal-based food replaced with plant-based food; b. Use Friends of the Earth's Municipal Guide to Climate-Friendly Food Purchasing for the procurement of plant-based food.

*(On February 8, 2021, the Health, Life Enrichment, Equity and Community Committee moved the item to Council with a qualified positive recommendation to take the following action: 1. Express support for the Milan Urban Food Policy Pact (MUFPP) 2. Refer aspects of the original item to the Community Health Commission (or future commission addressing public health) to take the following actions: a) Consult with appropriate City staff to evaluate the feasibility of altering food sources within the City's existing food service contracts - with a specific focus on the feasibility of replacing meat and dairy-based offerings with plant-based options - given contractor procurement practices and any federal or state nutrition requirements for seniors and other affected populations; and (b) Solicit input from potentially affected communities, particularly seniors, for their feedback on shifting to more plant-based foods through a short survey or other means; and 3. Adopt the resolution as amended.)*

**Financial Implications:** See Report

Contact: Cheryl Davila, Councilmember, District 2, (510) 981-7120

**Action:** Approved the recommendation of the Health, Life Enrichment, Equity and Community Committee as revised in Supplemental Communications Packet #1 and adopted Resolution No. 69,751–N.S.

## Council Consent Items

- 20. Resolution in Support of Establishing Statewide Targets for 100% Zero-Emission Vehicle Sales No Later Than 2025 and Comprehensive Legislative Program to Achieve an Equitable and Just Statewide Transition Towards 100% Zero-Emission Transportation and Mobility by 2030**  
**From: Councilmember Harrison (Author), Councilmember Hahn (Co-Sponsor)**  
**Recommendation:** Adopt a resolution in support of establishing (1) statewide binding legislative targets for 100% zero emission vehicle sales no later than 2025, and (2) comprehensive statewide legislative program to achieve an equitable and just transition towards 100% zero-emissions transportation and mobility by 2030. Send copies of the resolution to Governor Newsom, State Senator Nancy Skinner, Assemblywoman Buffy Wicks, copying President Biden, Vice President Harris, Senators Feinstein and Padilla, and Congresswoman Lee.  
**Financial Implications:** Staff time  
Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140  
**Action:** Adopted Resolution No. 69,752–N.S. as revised in the revised materials submitted by Councilmember Harrison at the meeting, including revisions to the letter.
- 21. Budget Referral: Allocate Transportation Network Companies User’s Tax Proceeds and other General Fund Revenues to Support Priority Protected Bicycle Boulevards and the Street Repair Program**  
**From: Councilmember Harrison (Author), Mayor Arreguin (Author), Councilmember Robinson (Author), Councilmember Taplin (Author)**  
**Recommendation:**  
1. Refer to the June 2021 budget process: a. The first \$500,000 in expected Transportation Network Companies (TNC) User’s Tax General Fund revenue toward the construction and maintenance of 18.4 miles of priority protected bicycle boulevards; and b. \$410,000 in expected TNC Tax revenue as revenues become available and an additional \$90,000 from other General Fund revenue to supplement demonstration projects under the Street Repair Program that either directly or indirectly reduce greenhouse gas emissions.  
2. Refer to the Transportation Commission to make recommendations to the Council as to allocation of TNC User’s Tax in subsequent budget cycles.  
**Financial Implications:** See report  
Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140  
**Action:** Approved recommendation as revised in Supplemental Communications Packet #1 from Councilmember Harrison.

## Council Consent Items

- 22. Kala Art Institute 2021 Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds**  
**From: Councilmember Hahn (Author), Councilmember Taplin (Co-Sponsor), Mayor Arreguin (Co-Sponsor), Councilmember Wengraf (Co-Sponsor)**  
**Recommendation:** Adopt a resolution approving the expenditure of an amount not to exceed \$500 per Councilmember, including \$250 from Councilmember Hahn, to the Kala Art Institute, a 501(c)(3) non-profit organization, to support Art Kala 2021, an exhibition, auction, and benefit to support Kala's artistic, cultural, and educational programs, 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:** Councilmember's Discretionary Funds - \$250  
Contact: Sophie Hahn, Councilmember, District 5, (510) 981-7150  
**Action:** Adopted Resolution No. 69,753–N.S. revised to add contributions from the following Councilmembers up to the amounts listed: Mayor Arreguin - \$250; Councilmember Wengraf - \$250; Councilmember Taplin - \$500; Councilmember Hahn - \$250; Councilmember Robinson - \$100; Councilmember Kesarwani - \$100; Councilmember Harrison - \$100; Councilmember Bartlett - \$100.
- 23. Resolution Condemning Anti-Asian Hate and Violence**  
**From: Councilmember Wengraf (Author), Councilmember Robinson (Co-Sponsor), Councilmember Kesarwani (Co-Sponsor), Mayor Arreguin (Co-Sponsor)**  
**Recommendation:** Adopt a Resolution Condemning Anti-Asian Hate and Violence.  
**Financial Implications:** None  
Contact: Susan Wengraf, Councilmember, District 6, (510) 981-7160  
**Action:** Adopted Resolution No. 69,754–N.S.
- 24. Affirming the City of Berkeley's Support for the People of Tibet**  
**From: Councilmember Robinson (Author), Mayor Arreguin (Co-Sponsor)**  
**Recommendation:** Adopt a resolution affirming the City of Berkeley's support for the people of Tibet.  
**Financial Implications:** None  
Contact: Rigel Robinson, Councilmember, District 7, (510) 981-7170  
**Action:** Adopted Resolution No. 69,755–N.S.

Recess 7:55 p.m. – 8:05 p.m.

## Council Action Items

25. **Resolution Clarifying Eligibility for Historic Landmark Designation for Residences and Other Structures, Sites and Areas of Importance for Notable Community Members Who Contributed to the Cultural and Historic Values of Berkeley**

**From: Councilmember Harrison (Author), Councilmember Hahn (Co-Sponsor)**

**Recommendation:** Adopt a resolution clarifying eligibility for historic landmark designation for residences and/or other structures, sites and areas of importance for notable community members who contributed to the cultural and historic values of Berkeley, including to allow the childhood home of Vice President Kamala Harris to be eligible for designation.

**Financial Implications:** None

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

**Action:** Item 25 withdrawn from the agenda by Councilmember Harrison.

## Action Calendar – New Business

26. **Berkeley Economic Dashboards Update**

**From: City Manager**

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

**Action:** 3 speakers. Presentation made and discussion held.

## Information Reports

27. **FY 2021-2022 Peace and Justice Commission Work Plan**

**From: Peace and Justice Commission**

Contact: Paul Buddenhagen, City Manager's Office, (510) 981-7000

**Action:** Received and filed.

28. **Youth Commission Work Plan 2021**

**From: Youth Commission**

Contact: Ginsi Bryant, Commission Secretary, (510) 981-6700

**Action:** Received and filed

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

## Adjournment

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

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

Adjourned at 9:19 p.m.

## Communications

### COVID-19 Vaccinations

1. Lina Haldar
2. Anne McClintock (2)
3. Kimberly Wesley, on behalf of acgov.org (3)
4. Laura Babitt
5. Ariel Smith-Iyer
6. Councilmember Kesarwani
7. Rebecca Esterson
8. B.J. Chisholm & Joshua Sperry
9. Rachel Gold
10. Kathy Labriola

#### **North Berkeley BART Transit-Oriented Development (TOD)**

11. Richard Links
12. Mary Lai
13. Charlene Woodcock
14. Todd Jailer
15. Allegra Guarino
16. Bruce Bagnell
17. Gael Alcock
18. Roberta Silverstein and Stephen Sperber
19. Vicki Sommer
20. 34 similarly worded form letters (Development that fits the neighborhood)

#### **National Crime Victims' Rights Week Proclamation Request**

21. Michelle Joya, on behalf of the Alameda County District Attorney's Office

#### **Berkeley Police Chief**

22. Isabelle Gaston
23. Lavy Quintero

#### **Gilman I-80 Interchange Project**

24. David Lerman

#### **Literature Live Around the World**

25. Cherilyn Parson

#### **Cannabis**

26. Daniel Kosmal

#### **Berkeley Mutual Aid**

27. Susan Runyan

#### **Housing Accountability Unit**

28. Livable California Electeds

**Cedar Rose Pickleball Courts Lawsuit**

29. Ravi Sahae, on behalf of LPS Law Firm

**Saka Nakodar Day**

30. Baldev Singh

**Golden Gate Horse Fatality**

31. Joe Kaplan (2)

**People's Park**

32. Uma Channer

**Black History Month 2021**

33. Russbumper

**Intent to Sue – 1346 Ordway Street**

34. Tim Kaun, on behalf of Law Offices of Dana Dean

**Homelessness**

35. Kathy Krebs

**Restaurant Week Promotion**

36. Jeffrey Church, on behalf of Visit Berkeley

**USPS Sanfu's**

37. Max Ventura

**Conduct of Zoom Meeting**

38. Linda Franklin

**URL's Only**

39. Vivian Warkentin (2)

40. Russbumper (6)

**Supplemental Communications and Reports 1**

**Item #5: Referral Response: Deferral of Remaining Permit, Inspection, Connection, and Impact Fees for 2009 Addison Street and Referral to the City Manager to Develop a Limited-Term Citywide Fee Deferral Program**

41. Supplemental material, submitted by the Office of Economic Development

**Item #19: Support Vision 2025 for Sustainable Food Policies**

42. Revised material, submitted by Councilmember Kesarwani

**Item #21: Budget Referral: Allocate Transportation Network Companies User's Tax Proceeds and other General Fund Revenues to Support Priority Protected Bicycle Boulevards and the Street Repair Program**

43. Revised material, submitted by Councilmember Harrison

**Item #24: Affirming the City of Berkeley's Support for the People of Tibet**

44. Tenzin Lungrig, General Secretary of Tibetan Assoc. of Northern CA

## **Supplemental Communications and Reports 2**

**Item #16: Budget Referral: George Florence Park Traffic Calming (Tenth Street between University Avenue and Allston Way)**

45. Supplemental material, submitted by Councilmember Taplin

**Item #21: Budget Referral: Allocate Transportation Network Companies User's Tax Proceeds and other General Fund Revenues to Support Priority Protected Bicycle Boulevards and the Street Repair Program**

46. Liza Lutzker, on behalf of Walk Bike Berkeley

## **Supplemental Communications and Reports 3**

**Item #14: Declaring the 2021 Cesar Chavez-Dolores Huerta Commemorative Period**

47. Revised material, submitted by Mayor Arrequin

**Item #19: Support Vision 2025 for Sustainable for Sustainable Food Policies**

48. Chimey Lee

**Item #20: Resolution in Support of Establishing Statewide Targets for 100% Zero-Emission Vehicle Sales No Later Than 2025 and Comprehensive Legislative Program to Achieve an Equitable and Just Statewide Transition Towards 100% Zero-Emission Transportation and Mobility by 2030**

49. Revised material, submitted by Councilmember Harrison

50. Kathy Dervin, on behalf of 350 East Bay, Berkeley Hub

51. Tom Lent, on behalf of Walk Bike Berkeley

52. Igor Tregub

**Item #21: Budget Referral: Allocate Transportation Network Companies User's Tax Proceeds and other General Fund Revenues to Support Priority Protected Bicycle Boulevards and the Street Repair Program**

53. Igor Tregub, on behalf of the Sierra Club

**Item #25: Resolution Clarifying Eligibility for Historic Landmark Designation for Residences and Other Structures, Sites and Areas of Importance for Notable Community Members Who Contributed to the Cultural and Historic Values of Berkeley**

54. Revised material, submitted by Councilmember Harrison

**Item #26: Berkeley Economic Dashboards Update**

55. Presentation, submitted by the Office of Economic Development

**Miscellaneous Communications**  
**A Good Meeting**  
56. Barbara Gilbert