

ANNOTATED AGENDA
BERKELEY CITY COUNCIL MEETING
Tuesday, April 26, 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 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/83685329120>. 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: **836 8532 9120**. 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: 7:21 p.m.

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

Absent: Bartlett

Councilmember Bartlett present at 7:24 p.m.

Ceremonial Matters:

1. Declaration of Dan Dean Day in Berkeley in Memory of Dan Dean, Educator and Activist

City Manager Comments:

1. Presentation on changes to the City's website

Public Comment on Non-Agenda Matters: 10 speakers.

Consent Calendar

Public Comment on Consent Calendar and Information Items Only: 19 speakers.

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

Vote: All Ayes.

Recess Items

1. **Contract No. 32000225 Amendment: Rebecca Burnside for Personnel Investigations**
From: City Manager
Recommendation: Adopt a Resolution ratifying the action taken by the City Manager during recess to amend Contract No. 32000225 with Rebecca Burnside for Personnel Investigations by increasing the contract amount by \$151,000 for a new not to exceed amount of \$200,000.
Financial Implications: See report
Contact: Abe Roman, Fire, (510) 981-3473
Action: Adopted Resolution No. 70,307–N.S.

Consent Calendar

- 2. Collection of Parking Space Rental Tax for City Owned Parking Lots; and Amending BMC Section 6.24.050**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,806-N.S. amending BMC 6.24.050 to allow Parking Space Rental Tax to be placed in the general fund instead of a special fund.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Paul Buddenhagen, City manager's Office, (510) 981-7000
Action: Adopted second reading of Ordinance No. 7,806-N.S.
- 3. Minutes for Approval**
From: City Manager
Recommendation: Approve the minutes for the Council meetings of March 8 (closed and regular), March 10 (special), March 15 (special-5 pm and special-6 pm), March 22 (closed, special and regular).
Financial Implications: None
Contact: Mark Numainville, City Clerk, (510) 981-6900
Action: Approved the minutes as submitted.
- 4. Acceptance of Funding from University of California, Berkeley for Operations of the Rodeway Inn**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to accept a \$2,200,000 donation from the University of California, Berkeley to support 6 months of operations at the Rodeway Inn for the noncongregate sheltering of people experiencing homelessness at People's Park.
Financial Implications: One-Time Grant: No Capital Expenditures Fund - \$2,200,000 (Donation)
Contact: Peter Radu, City Manager's Office, (510) 981-7000
Action: Adopted Resolution No. 70,308–N.S.
- 5. Contract: Abode Services to Operate Interim Housing at the Rodeway Inn**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract with Abode Services to operate an interim housing program at the Rodeway Inn (1461 University Ave.) in an amount not to exceed \$3,993,397 for the period of May 1, 2022 to October 31, 2023.
Financial Implications: See report
Contact: Peter Radu, City Manager's Office, (510) 981-7000
Action: Adopted Resolution No. 70,309–N.S.

Consent Calendar

- 6. Urgency Ordinance for Leasing the Real Property at 1461 University Avenue**
From: City Manager
Recommendation: Adopt an Urgency Ordinance to enter into a lease for the real property located at 1461 University Avenue, Berkeley for a term of 18 months.
Financial Implications: See report
Contact: Peter Radu, City Manager's Office, (510) 981-7000
Action: Urgency Ordinance No. 7,807-N.S. adopted.
- 7. Contract: Village of Love for Operation of the Telegraph Neighborhood Sacred Rest Drop-In Center**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract with Village of Love to operate a daytime drop-in center for people experiencing homelessness, in an amount not to exceed \$250,000 for the term of June 1, 2022 – May 31, 2023.
Financial Implications: See report
Contact: Peter Radu, City Manager's Office, (510) 981-7000
Action: Adopted Resolution No. 70,310–N.S.
- 8. Endorsement of the Alameda County Home Together 2026 Implementation Plan**
From: City Manager
Recommendation: Adopt a Resolution endorsing the Home Together 2026 Implementation Plan, a community-wide plan for Alameda County which lays out the goals, strategies and investments needed to dramatically reduce homelessness – and reduce racial disparities in the homeless population – by 2026.
Financial Implications: See report
Contact: Peter Radu, City Manager's Office, (510) 981-7000
Action: Adopted Resolution No. 70,311–N.S.
- 9. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on April 26, 2022**
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 - \$10,914,400
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Approved recommendation.

Consent Calendar

- 10. Contract: Fire Aside for Defensible Space Inspection Software**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with Fire Aside to provide a mobile vegetation inspection software solution for the Fire Department from May 18, 2022 to May 17, 2024 in an amount not to exceed \$60,000 with an option to extend for an additional four years, for a total contract amount not to exceed \$160,000.
Financial Implications: Measure FF Funds - \$160,000
Contact: Abe Roman, Fire, (510) 981-3473
Action: Adopted Resolution No. 70,312–N.S.
- 11. Commission Reorganization for Post-COVID-19 Budget Recovery: Community Health Commission**
From: City Manager
Recommendation: Adopt the first reading of an Ordinance to revise Municipal Code Sections 3.76.010 to 3.76.040 which establishes the Community Health Commission in order to change Commission membership to include nine (9) people and consolidate the functions of the Commission from ten overlapping and redundant functions to a more concise 4 functions.
Financial Implications: See report
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted first reading of Ordinance No. 7,808-N.S. Second reading scheduled for May 10, 2022.
- 12. Contract No. 110062 Amendment: Pacific Site Management**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to execute an amendment to Contract No. 110062 with Pacific Site Management, increasing the total contract amount by \$76,648 for a total contract amount not to exceed \$432,470, and extending the term to June 30, 2023 for landscaping services at Public Health Division, Aging Services Division, and Mental Health Division facilities.
Financial Implications: Various Funds - \$76,648
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 70,313–N.S.

Consent Calendar

- 13. Contract No. 31900203 Amendment: Resource Development Associates for Crisis Assessment and Triage Line Evaluation**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to execute an amendment to Contract No. 31900203 with Resource Development Associates for evaluation consulting services, extending the term to June 30, 2023 and increasing the contract by \$19,350 for a total amount not to exceed \$82,350.
Financial Implications: One-Time Grant: No Capital Expenditures Fund - \$19,350
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 70,314–N.S.
- 14. Grant Application: the Surrendered and Abandoned Vessel Exchange (SAVE) grant program of the California Division of Boating & Waterways**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to: 1) apply for and accept a grant in the amount of \$60,000 from the California Division of Boating & Waterways (DBW) Surrendered and Abandoned Vessel Exchange (SAVE) grant program for the removal and disposal of anticipated abandoned vessels located at the Berkeley Marina; 2) Execute any amendments; and 3) Authorize a local match contribution of \$6,000.
Financial Implications: See report
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
Action: Adopted Resolution No. 70,315–N.S.
- 15. Contracts: Association for Energy Affordability, BlocPower, Ecology Center, Northern California Land Trust, and Waterside Workshops for Climate Equity Fund Pilot Programs**
From: City Manager
Recommendation: Adopt five Resolutions authorizing the City Manager to award contracts and execute any amendments, extensions, or change orders with: 1) Association for Energy Affordability in an amount not to exceed \$83,334; 2) BlocPower in an amount not to exceed \$83,333; 3) Ecology Center in an amount not to exceed \$100,000; 4) Northern California Land Trust in an amount not to exceed \$83,333; and 5) Waterside Workshops in an amount not to exceed \$250,000 to develop Climate Equity Fund Pilot Programs; for a cumulative amount of all contracts not to exceed \$600,000, for the period of May 1, 2022 to May 31, 2024.
Financial Implications: Climate Equity Action Fund - \$600,000
Contact: Jordan Klein, Planning and Development, (510) 981-7400
Action: Adopted Resolution No. 70,316–N.S. (AEA), Resolution No. 70,317–N.S. (BlocPower), Resolution No. 70,318–N.S. (Ecology), Resolution No. 70,319–N.S. (NCLT), and Resolution No. 70,320–N.S. (Waterside).

Consent Calendar

- 16. Contract: Diablo Engineering Group for Preliminary Engineering and Final Design for the Ohlone Greenway Modernization and Safety Project**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with Diablo Engineering Group for Preliminary Engineering and Final Design for the Ohlone Greenway Modernization and Safety project, for a not-to-exceed amount of \$220,000, plus an additional not-to-exceed amount of \$14,000 for any as-needed additional project-related services as directed by the City's Project Manager, for a total not-to-exceed contract amount of \$234,000, for the period June 1, 2022 through December 31, 2024.
Financial Implications: Various Funds - \$550,000
Contact: Liam Garland, Public Works, (510) 981-6300
Action: Adopted Resolution No. 70,321–N.S.
- 17. Contract: ParkMobile, LLC for Mobile Parking Payment Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a three-year contract and any amendments with ParkMobile, LLC, to provide mobile parking payment at on-street meters and reservations at parking garages in an amount not to exceed \$300,000 for the period July 1, 2022 through June 30, 2025.
Financial Implications: Parking Meter Fund - \$300,000
Contact: Liam Garland, Public Works, (510) 981-6300
Action: Adopted Resolution No. 70,322–N.S.
- 18. Contract No. 9977B Amendment: Portable Computer Systems dba PCS Mobile for Parking Permit and Citation Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 9977B with Portable Computer Systems dba PCS Mobile increasing the contract amount by \$225,000, for a total amount not-to-exceed \$2,050,000 and extending the term through June 30, 2024.
Financial Implications: Parking Meter Fund - \$225,000
Contact: Liam Garland, Public Works, (510) 981-6300
Action: Adopted Resolution No. 70,323–N.S.
- 19. Contract No. 117441-1 Amendment: Chrisp Company for Roadway Thermoplastic Markings**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 117441-1 with Chrisp Company to extend the contract term by two years to June 30, 2024, with an option for up to three additional one-year extensions.
Financial Implications: None
Contact: Liam Garland, Public Works, (510) 981-6300
Action: Adopted Resolution No. 70,324–N.S.

Consent Calendar

- 20. Contract No. 31900047 Amendment: Pavement Engineering Inc. for On-Call Civil Engineering and Construction Management Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 31900047 with Pavement Engineering Inc. for on-call civil engineering services, increasing the contract amount by \$1,000,000 for a total not-to-exceed amount of \$3,500,000 and extending the term of the contract from June 30, 2022 to December 31, 2023.
Financial Implications: Various Funds - \$1,000,000
Contact: Liam Garland, Public Works, (510) 981-6300
Action: Adopted Resolution No. 70,325–N.S.
- 21. Lease Amendment: Options Recovery Lease of City Property 1835 Allston Way**
From: City Manager
Recommendation: Adopt first reading of an Ordinance authorizing the City Manager to execute an Amendment to the Lease Agreement with Options Recovery Services for the Old City Hall Annex Building located at 1835 Allston Way. The lease provides for a total of two options to renew for five (5) year terms. This first option period shall commence (retroactively) on January 1, 2020, and end on December 31, 2024.
Financial Implications: See report
Contact: Liam Garland, Public Works, (510) 981-6300
Action: Adopted first reading of Ordinance No. 7,809-N.S. Second reading scheduled for May 10, 2022.
- 22. Purchase Order: Western Truck Center for Four Front Loaders**
From: City Manager
Recommendation: Adopt a Resolution satisfying requirements of City Charter Article XI Section 67.2 allowing the City to participate in Sourcewell contract bid procedures, and authorizing the City Manager to execute a purchase of four (4) Front Loaders with Western Truck Center in an amount not to exceed \$1,731,000.
Financial Implications: Equipment Replacement Fund - \$1,731,000
Contact: Liam Garland, Public Works, (510) 981-6300
Action: Adopted Resolution No. 70,326–N.S.

Council Consent Items

- 23. Bay Area Book Festival: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Fund**
From: Mayor Arreguin (Author)
Recommendation: Adopt a Resolution approving the expenditure of an amount not to exceed \$1068 from Mayor Arreguin, to the Bay Area Book Festival for the purposes of covering costs associated with personal protective equipment (PPE), with funds relinquished to the City's general fund for this purpose from the discretionary Council Office Budgets of Mayor Arreguin.
Financial Implications: Mayor's Discretionary Funds - \$1,068
Contact: Jesse Arreguin, Mayor, (510) 981-7100
Action: Adopted Resolution No. 70,327–N.S.
- 24. Budget Referral: Housing Retention Fund**
From: Mayor Arreguin (Author), Councilmember Hahn (Co-Sponsor), Councilmember Harrison (Co-Sponsor), Councilmember Bartlett (Co-Sponsor)
Recommendation: Refer to the Fiscal Year 2023 budget process an allocation of \$1 million from the American Rescue Plan Act (ARPA) funds to the Eviction Defense Center to supplement the Housing Retention Program, including COVID-19 emergency grants.
Financial Implications: American Rescue Plan Act Fund - \$1,000,000
Contact: Jesse Arreguin, Mayor, (510) 981-7100
Action: Approved recommendation.
- 25. Budget Referral: Expand Scope of the Downtown Streets**
From: Councilmember Kesarwani (Author)
Recommendation: Referral to the City Manager and the FY 2022-23 budget process \$50,000 annually to expand the scope of services for the Downtown Streets Team to address the need for enhanced services around commercial and industrial areas in the Gilman District twice weekly.
The Gilman District is defined as the commercial area west of San Pablo Avenue to Eastshore Highway and, on the south, Gilman Street north to the Albany border.
Financial Implications: See report
Contact: Rashi Kesarwani, Councilmember, District 1, (510) 981-7110
Action: Approved recommendation as revised material in Supplemental Communications Packet #1 from Councilmember Kesarwani. Councilmember Bartlett added as a co-sponsor.

Council Consent Items

26. **Convert 62nd Street Between King St, and Adeline St. Into a Cul de Sac with a Marked Bicycle Lane Connecting Adeline St. to the Bicycle Boulevard on King St.**
From: Councilmember Bartlett (Author), Mayor Arreguin (Co-Sponsor)
Recommendation: Refer to the Fiscal Year 2022/2023 Budget Process, an allocation of \$300,000 to convert 62nd Street between King St. and Adeline St. into a cul de sac with a marked bicycle lane connecting Adeline St. to the bicycle boulevard on King St.
Financial Implications: See report
Contact: Ben Bartlett, Councilmember, District 3, (510) 981-7130
Action: Approved recommendation.
27. **Adopt a Resolution in Support of California State Assembly Bill 2557 (Bonta): Specifying That Records of Civilian Law Enforcement Oversight Agencies Are Subject to the Disclosure Requirements of the Public Records Act**
From: Councilmember Harrison (Author), Councilmember Hahn (Co-Sponsor)
Recommendation: Adopt a Resolution in support of California State Assembly Bill 2557 (Bonta) that specifies that records and information obtained from records of civilian law enforcement oversight agencies are subject to the disclosure requirements of the public records act and not considered confidential. Send copies of the resolution and letters to Governor Newsom, State Senator Skinner, and Assemblymembers Wicks and Bonta.
Financial Implications: See report
Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140
Action: Adopted Resolution No. 70,328–N.S.
28. **Budget Referral for Accessibility Renovations for Luna Dance Institute**
From: Councilmember Hahn (Author), Mayor Arreguin (Co-Sponsor), Councilmember Taplin (Co-Sponsor), Councilmember Harrison (Co-Sponsor)
Recommendation: Refer a grant of \$150,000 for the benefit of Luna Dance Institute to the FY2023-2024 budget process to support the renovation of 931 Ashby Avenue and create a fully accessible, permanent dance education center for children, families, artists, teachers and the public. Funds will be directed to accessibility upgrades allowing the new Luna center to become Berkeley’s first and only 100% ADA accessible studio, rehearsal, performance, and teaching space.
Financial Implications: See report
Contact: Sophie Hahn, Councilmember, District 5, (510) 981-7150
Action: Approved recommendation as revised in Supplemental Communications Packet #1 from Councilmember Hahn.

Council Consent Items

- 29. Budget Referral: Hopkins Corridor Bike, Pedestrian, and Placemaking Improvements**
From: Councilmember Hahn (Author), Councilmember Wengraf (Co-Sponsor), Councilmember Robinson (Co-Sponsor)
Recommendation: Refer \$300,000 to the FY 2023-2024 budget process, with \$150,000 in FY 2023 and \$150,000 in FY 2024, for bike, pedestrian, and streetscape improvements to be implemented in coordination with protected bike lanes, pedestrian safety features, and re-paving of the Hopkins Corridor.
Financial Implications: See report
Contact: Sophie Hahn, Councilmember, District 5, (510) 981-7150
Action: Approved recommendation.
- 30. Co-Sponsorship and Budget Referral for the Solano Avenue Stroll**
From: Councilmember Hahn (Author), Councilmember Wengraf (Co-Sponsor), Councilmember Harrison (Co-Sponsor)
Recommendation: 1. Adopt a Resolution for the City of Berkeley to Co-Sponsor the Solano Avenue Association's 2022 and 2023 Solano Avenue Stroll events, currently scheduled for Sunday, September 11, 2022 and Sunday, September 10, 2023, taking place on Solano Avenue in both Berkeley and Albany; and
2. Resolve to provide in-kind City services previously provided at no cost to the Solano Stroll, including but not limited to police, fire, zero waste, and public works, at no cost to the September 2022 and 2023 Solano Stroll events, and allocate \$20,000 per year for FY 2023 and 2024 (\$40,000 total) for the Solano Avenue Stroll, to support the September 2022 and 2023 Stroll events.
Financial Implications: See report
Contact: Sophie Hahn, Councilmember, District 5, (510) 981-7150
Action: 1. Adopted Resolution No. 70,329–N.S.; and 2. Refer the allocation for Fiscal Year 2023 to the City Manager for inclusion in the 2nd Amendment to the Annual Appropriations Ordinance on May 10, 2022; and refer the FY 2024 allocation to the biennial budget process. (Supplemental material in Supplemental Communications Packet #1 from Councilmember Hahn renaming the item “Co-Sponsorship and Budget Referral Allocation for the Solano Avenue Stroll” to more accurately reflect the item recommendation and resolution.)
Vote: Ayes – Kesarwani, Taplin, Bartlett, Harrison, Hahn, Wengraf, Robinson, Arreguin; Noes – None; Abstain – Droste.

Council Consent Items

31. Support for AB 2234: Postentitlement Permit Streamlining

From: Councilmember Robinson (Author)

Recommendation: Send a letter to Assemblymember Robert Rivas, Senator Nancy Skinner, and Assemblymember Buffy Wicks in support of Assembly Bill 2234, which would require local governments to adopt modernizations to the postentitlement phase permitting process.

Financial Implications: None

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

Action: Mayor Arreguin and Councilmember Taplin added as co-sponsors.
Approved recommendation.

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

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

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

Action Calendar – New Business

32. Issuance of \$40,000,000 General Obligation Bonds for Measure O – Affordable Housing

From: City Manager

Recommendation: Adopt a Resolution authorizing the issuance and sale of general obligation bonds to finance acquisition and improvement of affordable housing and authorizing actions related thereto.

Financial Implications: See report

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

Action: 0 speakers. M/S/C (Arreguin/Wengraf) to adopt Resolution No. 70,330–N.S. Item includes Supplemental material in Supplemental Communications Packet #2 from the City Manager.

Vote: All Ayes.

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.

Action Calendar – Public Hearings

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.

33. ZAB Appeal: 1643-1647 California Street, Use Permit #ZP2021-0001

From: City Manager

Recommendation: Conduct a public hearing, and, upon conclusion, adopt a Resolution affirming the Zoning Adjustments Board (ZAB) decision to approve Use Permit #ZP2021-0001 to: 1) create a new lower basement level, 2) construct a new second story, and 3) modify the existing duplex layout resulting in a 3,763 square foot duplex on an existing property, and dismiss the appeal.

Financial Implications: None

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

Public Testimony: The Mayor opened the public hearing. 7 speakers. M/S/C (Arreguin/Harrison) to close the public hearing.

Vote: All Ayes.

Action: M/S/C (Kesarwani/Arreguin) to adopt Resolution No. 70,331–N.S. to remand the project to the Zoning Adjustments Board to consider the Housing Accountability Act implications and the applicability of the Rent Stabilization Ordinance to the property.

Vote: All Ayes.

Action Calendar – Public Hearings

34. Zoning Ordinance Amendments that Address Technical Edits and Corrections to Berkeley Municipal Code (BMC) Title 23

From: City Manager

Recommendation: Conduct a public hearing and, upon conclusion, adopt first reading of an Ordinance containing technical edits, corrections and other non-substantive amendments to the following sections of the new Zoning Ordinance:

BMC Section 23.326.030 (Eliminating Dwelling Units through Demolition)

BMC Section 23.204.020 (Allowed Land Uses)

BMC Section 23.204.100 (C-SA Zoning District)

BMC Section 23.204.110 (C-T Zoning District)

BMC Section 23.204.130 (C-DMU District)

BMC Section 23.204.140 (C-W Zoning District)

BMC Section 23.206 (Manufacturing Districts)

BMC Section 23.302.040 (Home Occupations)

BMC Section 23.304.060 (Accessory Buildings and Enclosed Accessory Structures)

BMC Section 23.322.030 (Required Parking Spaces)

BMC Section 23.502.020 (Glossary)

Financial Implications: None

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

Action: M/S/C (Arreguin/Hahn) to accept revised material from the City Manager on Item 34.

Vote: All Ayes.

Public Testimony: The Mayor opened the public hearing. 0 speakers.

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

Vote: All Ayes.

Action: M/S/C (Hahn/Arreguin) to adopt first reading of Ordinance No. 7,810-N.S. as revised in the revised materials submitted by the City Manager and further revised in Section 3 and Section 10 as read into the record by Planning staff. Second reading scheduled for May 10, 2022.

Vote: All Ayes.

Action Calendar – Public Hearings

35. Submission of the Program Year 2022 (FY 2023) Annual Action Plan Containing Allocations of Federal Funds

From: City Manager

Recommendation: Conduct a public hearing on the federal Program Year (PY) 2022 Annual Action Plan (AAP) for federal Housing and Urban Development Department (HUD) funds, including the allocation of federal funding for community agencies and, upon conclusion, adopt a Resolution: 1. Approving proposed funding allocations under the PY 2022 Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), and Home Investment Partnerships Program (HOME); 2. Authorizing the execution of resultant agreements and amendments with community agencies for the above-mentioned funds; 3. Allocating 10% for HOME program administration, up to 5% to support Community Housing Development Organization (CHDO) operations, and the remaining (approximately 85%) of the PY 2022 HOME funds to the Housing Trust Fund; 4. Allocating 20% of the PY 2022 CDBG funds to Planning and Administration, up to 17.83% for public services, and the remaining to be distributed to Housing Services and Public Facility Improvements as outlined in Exhibit A with the Public Facility Improvements being a flexible line item should the HUD allocation, program income, or earlier unused funds, be more or less than estimated; 5. Allocating \$377,404 of the PY 2022 CDBG Public Facility Improvements program funding to the Fred Finch Youth Center Turning Point Facility, and an additional 10% for contingencies, for a total of \$415,144, as long as the HUD allocation and/or program income and earlier unexpended funds result in at least \$100,000 in additional funding for the facility Notice of Funding Availability (NOFA); 6. Allocating the allowable 7.5% of the PY 2022 ESG to Administration, \$6,676 to the HMIS system, up to the allowable 60% to emergency shelter/street outreach, and the remaining amount to Rapid Rehousing as outlined in Exhibit A; 7. Authorizing staff to finalize the PY 2022 Annual Action Plan for submission to the U.S. Department of Housing and Urban Development, including the planned expenditures of HUD funds, required HUD application forms and certifications, and all other HUD-required information; and 8. Authorizing the City Manager to execute and submit all documents necessary to receive the City's entitlement grants under the CDBG, ESG, and HOME Programs.

Financial Implications: See report

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

Public Testimony: The Mayor opened the public hearing. 1 speaker.

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

Vote: All Ayes.

Action: M/S/C (Arreguin/Wengraf) to adopt Resolution No. 70,332–N.S.

Vote: All Ayes.

Action Calendar – Old Business

- 36. Resolution Accepting the Surveillance Technology Report for Automatic License Plate Readers, GPS Trackers, Body Worn Cameras, and the Street Level Imagery Project Pursuant to Chapter 2.99 of the Berkeley Municipal Code**
(Continued from March 22, 2022. Item contains supplemental materials.)
From: City Manager
Recommendation: Adopt a Resolution Accepting the Surveillance Technology Report for Automatic License Plate Readers, GPS Trackers, Body Worn Cameras, and the Street Level Imagery Project Pursuant to Chapter 2.99 of the Berkeley Municipal Code.
Financial Implications: None
Contact: Jennifer Louis, Police, (510) 981-5900, LaTanya Bellow, City Manager's Office, (510) 981-7000
Action: Item 36 continued to May 10, 2022.

Action Calendar – New Business

- 37. Hopkins Corridor Project Conceptual Design**
From: City Manager
Recommendation: Adopt a Resolution approving the conceptual design for the Hopkins Corridor Project on Hopkins Street between Sutter Street and Gilman Street, and directing the City Manager to direct staff to proceed with the detailed engineering design of the project.
Financial Implications: None
Contact: Liam Garland, Public Works, (510) 981-6300
Action: Item 37 continued to May 10, 2022.
- 38a. Development of Crisis Stabilization Program in Berkeley**
From: Homeless Commission
Recommendation: The Homeless Commission recommends that City Council refer to the City Manager to develop a crisis stabilization program based on the Bend, Oregon crisis stabilization model, tailored to Berkeley.
Financial Implications: See report
Contact: Josh Jacobs, Commission Secretary, (510) 981-5400

Action Calendar – New Business

38b. Companion Report: Development of Crisis Stabilization Program in Berkeley From: City Manager

Recommendation: There has been interest expressed by the Homeless Commission and Mental Health Commission in establishing Crisis Stabilization Units (CSU) within the geographical boundaries of Berkeley.

Given the large changes coming to the crisis system in Berkeley, the opportunities to increase the use of the Amber House CSU (which persistently has vacant beds) by Berkeley residents, the significant costs in funding and siting a CSU in Berkeley, the complexities of Medi-Cal billing for a CSU funded by Berkeley, staff do not recommend creating a CSU in Berkeley at this time.

Instead, Berkeley could partner with the Alameda County Behavioral HealthCare (ACBH) Plan and Bay Area Community Services (BACS) on increasing the use of Amber House by Berkeley residents and, over the coming 12-18 months, assess the need for additional options for treatment of individuals experiencing a behavioral health crisis. Data from the coming Peer Respite and Specialized Care Unit (SCU) could support informing a plan for building out that crisis system in Berkeley. It is conceivable that better coordination of referrals to Amber House and a non-licensed crisis support program such as the Peer Respite could meet the need in Berkeley at a significantly reduced cost and with far less difficulty than funding and siting a CSU in Berkeley.

Financial Implications: See report

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

Action: Moved Item 38a and 38b to Consent Calendar to adopt the recommendation in Supplemental Communications Packet #2 from Councilmember Taplin as written below.

Refer to the City Manager:

- 1. To study the feasibility of a Crisis Stabilization Center based on the Deschutes County Health Services model, including contracts with Alameda County Behavioral HealthCare to enable Medicare billing, and to identify and index potential sites in the City of Berkeley available for Crisis Stabilization Center operations; and,*
- 2. In the interim, to partner with Alameda County Behavioral HealthCare and Bay Area Community Services (BACS) on increasing the use of Amber House by Berkeley residents and assess the need for additional options for treatment of individuals experiencing mental health crises, including Peer Respite and Specialized Care Unit (SCU).*

Action Calendar – New Business

**39a. Expansion of Storm Shelter Program to Emergencies not Otherwise Covered
From: Homeless Commission**

Recommendation: The Homeless Commission recommends the Council direct the City Manager to expand the Berkeley Emergency Storm Shelter (BESS) to emergencies not otherwise covered including outside the dates of the current contract with Dorothy Day House.

Financial Implications: See report

Contact: Josh Jacobs, Commission Secretary, (510) 981-5400

**39b. Companion Report: Expansion of Storm Shelter Program to Emergencies not Otherwise Covered
From: City Manager**

Recommendation: The Homeless Commission's recommendation to expand the Berkeley Emergency Storm Shelter (BESS) to emergencies not otherwise covered including outside the dates of the current contract with Dorothy Day House addresses a key need for our most vulnerable citizens. Therefore, staff recommends:
1. Referring this recommendation to the budget process; and 2. Referring this recommendation to staff for analysis of feasibility.

Financial Implications: See report

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

Action: Item 39b moved to Consent Calendar. No action taken on Item 39a.

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

Adjournment

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

Vote: All Ayes.

Adjourned at 10:50 p.m.

Communications

Item #28: Budget Referral for Accessibility Renovations for Luna Dance Institute

1. Diana Bohn

Item #29: Budget Referral: Hopkins Corridor Bike, Pedestrian, and Placemaking Improvements

2. Diane Garcia
3. Farid Javandel, Deputy Director of Public Works

Item #33: ZAB Appeal: 1643-1647 California Street, Use Permit #ZP2021-0001

4. Sunny Grewal, studio g+s Architects

Item #36: Resolution Accepting the Surveillance Technology Report for Automatic License Plate Readers, GPS Trackers, Body Worn Cameras, and the

Street Level Imagery Project Pursuant to Chapter 2.99 of the Berkeley Municipal Code

- 5. Michael Chang, Chairperson, Police Accountability Board

Item #38a: Development of Crisis Stabilization Program in Berkeley

- 6. Mental Health Commission

Road Repair

- 7. Helga Recke
- 8. Sheila Jordan
- 9. Miranda Ewell
- 10. Margot Smith
- 11. Sam Saxe-Taller

Climate Change

- 12. Thomas Lord (3)
- 13. Jeff W.

Oppose SB 9

- 14. Stan Goldberg

High Fire Hazard

- 15. Sally Williams

Berkeley Marina South Sailing Basin Dredging

- 16. Robert Ofsevit

Establishing a Pilot Existing Building Electrification Installation Incentive

- 17. Jack Kurzwell, on behalf of the Wellstone Club

Housing

- 18. Avram Gur Arye

California Theatre Landmark

- 19. Rebecca Kidd
- 20. Steven Schuyler

Repatriations

- 21. Bob Flasher

Pandemic Failed Economic Forecasting

- 22. Barbara Gilbert

Tenant Opportunity to Purchase Act (TOPA)

- 23. Ariana Thompson-Lastad
- 24. Sam Sokolsky

- 25. Keith Ray
- 26. Eva Shu
- 27. Katie DaQuino
- 28. Leah Mealey
- 29. Sylvia Chapman
- 30. Hector Malvido
- 31. Commission on Aging
- 32. 43 similarly-worded form letters

Supplemental Communications and Reports 1

Item #25: Budget Referral: Expand Scope of the Downtown Streets

- 33. Supplemental material, submitted by Councilmember Kesarwani

Item #28: Budget Referral for Accessibility Renovations for Luna Dance Institute

- 34. Supplemental material, submitted by Councilmember Hahn

Item #29: Budget Referral: Hopkins Corridor Bike, Pedestrian, and Placemaking Improvements

- 35. Jeffrey Kaplan
- 36. Farid Javandel
- 37. Stephen DeGange
- 38. Clifford Brooks
- 39. Diana Bohn
- 40. Bill Van Atta
- 41. Bob Flasher

Item #30: Co-Sponsorship and Budget Referral for the Solano Avenue Stroll

- 42. Supplemental material, submitted by Councilmember Hahn

Item #36: Resolution Accepting the Surveillance Technology Report for Automatic License Plate Readers, GPS Trackers, Body Worn Cameras, and the Street Level Imagery Project Pursuant to Chapter 2.99 of the Berkeley Municipal Code

- 43. Fred Krieger

Item #38a: Development of Crisis Stabilization Program in Berkeley

- 44. Supplemental material, submitted by Councilmember Taplin

Supplemental Communications and Reports 2

Item #29: Budget Referral: Hopkins Corridor Bike, Pedestrian, and Placemaking Improvements

- 45. Josie Gerst
- 46. Michael Katz
- 47. Donna Dediemar
- 48. David Brandon

- 49. Clifford Fred
- 50. Zelda Bronstein

Item #32: Issuance of \$40,000,000 General Obligation Bonds for Measure O – Affordable Housing

- 51. Supplemental material, submitted by Finance

Item #33: ZAB Appeal: 1643-1647 California Street, Use Permit #ZP2021-0001

- 52. Sunny Grewal, on behalf of studio g+s Architects
- 53. Adam Safir

Item #38a: Development of Crisis Stabilization Program in Berkeley

- 54. Supplemental material, submitted by the Homeless Commission
- 55. Supplemental material, submitted by Councilmember Taplin

Supplemental Communications and Reports 3

Item #4: Acceptance of Funding from University of California, Berkeley for Operation of the Rodeway Inn

- 56. Max Ventura
- 57. Elana Auerbach

Item #29: Budget Referral: Hopkins Corridor Bike, Pedestrian, and Placemaking Improvements

- 58. Marjorie Kirk
- 59. Holdan Puron
- 60. Shannon Mueller
- 61. Helen Toy
- 62. Meg Holm
- 63. Sujey Rana
- 64. David Hall
- 65. Eduardo Pineda
- 66. Susie Wallenstein
- 67. Mimi Chakarova

Item 32: Issuance of \$40,000,000 General Obligation Bonds for Measure O – Affordable Housing

- 68. Presentation, submitted by Finance

Action Calendar – Public Hearings

Item 33: ZAB Appeal: 1643-1647 California Street, Use Permit #ZP2021-0001

- 69. Presentation, submitted by Planning and Development

Item 34: Zoning Ordinance Amendments that Address Technical Edits and Corrections to Berkeley Municipal Code (BMC) Title 23

- 70. Revised material, submitted by Planning and Development

71. Presentation, submitted by Planning and Development

Item #35: Submission of the Program Year 2022 (FY 2023) Annual Action Plan Containing Allocations of Federal Funds

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

Action Calendar – New Business

Item #38a: Development of Crisis Stabilization Program in Berkeley

73. Berkeley Homeless Services Panel of Experts

Miscellaneous

Public Comments by Berkeley High School (BHS) Students

74. Moni Law, on behalf of BHS Students