



Office of the City Manager

CONSENT CALENDAR  
December 14, 2021

To: Honorable Mayor and Members of the City Council  
From: Dee Williams-Ridley, City Manager  
Submitted by: Mark Numainville, City Clerk  
Subject: Minutes for Approval

RECOMMENDATION

Approve the minutes for the council meetings of November 2 (closed), November 4 (special), November 9 (closed and regular), November 16 (closed and regular), November 18 (closed) and November 30 (closed and regular).

CONTACT PERSON

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

Attachments:

1. November 2, 2021 – Closed City Council Meeting
2. November 4, 2021 – Special City Council Meeting
3. November 9, 2021 – Closed City Council Meeting
4. November 9, 2021 – Regular City Council Meeting
5. November 16, 2021 – Closed City Council Meeting
6. November 16, 2021 – Regular City Council Meeting
7. November 18, 2021 – Closed City Council Meeting
8. November 30, 2021 – Closed City Council Meeting
9. November 30, 2021 – Regular City Council Meeting

# BERKELEY CITY COUNCIL SPECIAL MEETING MINUTES

TUESDAY, NOVEMBER 2, 2021

4:00 P.M.

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.*

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*To join by phone: Dial 1-669-900-9128 or 1-877-853-5257 (Toll Free); enter Meeting ID: 892 6903 7403. If you wish to comment during the public comment portion of the agenda, Press \*9 and wait to be recognized by the Chair.*

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## Preliminary Matters

**Roll Call:** 4:01 p.m.

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

**Absent:** Kesarwani, Bartlett, Droste

Councilmember Bartlett present at 4:06 p.m.

Councilmember Droste present at 4:11 p.m.

**Public Comment - Limited to items on this agenda only** – 0 speakers

## CLOSED SESSION:

The City Council will convene in closed session to meet concerning the following:

### 1. CONFERENCE WITH LEGAL COUNSEL – EXISTING OR ANTICIPATED LITIGATION PURSUANT TO GOVERNMENT CODE SECTIONS 54956.9(d)(1) AND 54956.9(d)(2)

- a. The People of the State of California v. Leonard Felton Powell, et al, California Superior Court Case Number RG15762567

**Action:** No reportable action taken.

## OPEN SESSION:

No reportable action taken.

## Adjournment

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

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

**Adjourned at 5:15 p.m.**

I hereby certify that the foregoing is a true and correct record of the closed session meeting held on November 2, 2021.

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Mark Numainville  
City Clerk

# BERKELEY CITY COUNCIL SPECIAL MEETING MINUTES

Thursday, November 4, 2021  
1:00 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**

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*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:** 1:03 p.m.

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

**Absent:** Kesarwani, Bartlett

Councilmember Bartlett present at 1:06 p.m.

Councilmember Kesarwani present at 1:07 p.m.

## Worksession

### 1. Identifying Council Priorities for fiscal years 2023-2024 Budget Process and Establishing Priorities for a Legislative Platform

**Recommendation:** Discuss and approve (1) Council Priorities for fiscal years 2023-2024 Budget Process and (2) Priorities for a Legislative Platform.

**From: City Manager**

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

**Action:** 7 speakers. The City Manager and consultant presented on priority setting for the next budget cycle. City Council discussed the process and objectives for rating the priorities. Priority titles were adjusted and the Council rated the priorities resulting in the following top six items (5=highest; 1=lowest).

1. Infrastructure Renewal – 4.7
2. Public Safety – 4.2
3. Homelessness – 4.0
4. Transportation – 3.9
5. Housing & Affordable Housing Production, Preservation & Protection – 3.7
5. Economic Development and Recovery – 3.7

**Action:** 3 speakers. The City's legislative advocate presented on state legislative priorities and the Council discussed how the City's goals and objectives could work in the context of state priorities and funding.

## Adjournment

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

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

Adjourned at 5:26 p.m.

I hereby certify that the foregoing is a true and correct record of the special city council meeting held on November 4, 2021.

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Mark Numainville  
City Clerk

# BERKELEY CITY COUNCIL SPECIAL MEETING MINUTES

TUESDAY, NOVEMBER 9, 2021

4:30 P.M.

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**

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## Preliminary Matters

**Roll Call:** 4:35 p.m.

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

**Absent:** Kesarwani, Bartlett, Harrison

**Public Comment - Limited to items on this agenda only** – 0 speakers

## CLOSED SESSION:

The City Council will convene in closed session to meet concerning the following:

### 1. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION PURSUANT TO GOVERNMENT CODE SECTIONS 54956.9(a) and 54956.9(d)(1)

- a. Workers Compensation claim number #BER1900079

**Action:** M/S/C (Arreguin/Hahn) to provide direction to outside counsel and approved a stipulated settlement of permanent disability with an award of lifetime future medical care, or in the alternative, by Compromise & Release agreement, as to a workers' compensation matter WCAB case #ADJ13367461.

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

## OPEN SESSION:

*City Council met in closed session on November 9, 2021, Pursuant to Government Code Section 54956.9(d)(2) and provided direction to outside counsel and approved a stipulated settlement of permanent disability with an Award of lifetime future medical care, or in the alternative, by Compromise & Release agreement, as to a workers' compensation matter WCAB case #ADJ13367461.*

## Adjournment

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

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

Adjourned at 4:48 p.m.

I hereby certify that the foregoing is a true and correct record of the closed session meeting held on November 9, 2021.

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Mark Numainville  
City Clerk



**MINUTES**  
**BERKELEY CITY COUNCIL MEETING**  
**Tuesday, November 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**

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## Preliminary Matters

### Report from Closed Session

City Council met in closed session on November 9, 2021, Pursuant to Government Code Section 54956.9(d)(2) and provided direction to outside counsel and approved a stipulated settlement of permanent disability with an Award of lifetime future medical care, or in the alternative, by Compromise & Release agreement, as to a workers' compensation matter WCAB case #ADJ13367461.

**Roll Call:** 6:07 p.m.

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

**Absent:** None

### Ceremonial Matters:

1. Adjourned the Meeting in Memory of Alameda County Supervisor Wilma Chan
2. Adjourned the Meeting in Memory of Mary Everett, Local Restaurateur

**City Manager Comments:** None

**Public Comment on Non-Agenda Matters:** 10 speakers.

## Consent Calendar

**Public Comment on Consent Calendar and Information Items Only:** 13 speakers.

**Action:** M/S/C (Arreguin/Taplin) to adopt a temporary rule for the meeting to limit public speaking time to one minute except as required for the public hearing.

**Vote:** All Ayes.

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

**Vote:** All Ayes.

## Consent Calendar

- 1. Resolution Reviewing and Ratifying the Proclamation of Local Emergency Due to the Spread of a Severe Acute Respiratory Illness Caused by a Novel (New) Coronavirus (COVID-19)**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution reviewing the need for continuing the local emergency due to the spread of a severe acute respiratory illness caused by a novel (new) coronavirus (COVID-19) and ratifying the Proclamation of Local Emergency issued by the Director of Emergency Services on March 3, 2020, initially ratified by the City Council on March 10, 2020, and subsequently reviewed and ratified by the Council on April 21, 2020, June 16, 2020, July 28, 2020, September 22, 2020, November 17, 2020, December 15, 2020, February 9, 2021, March 30, 2021, May 25, 2021, July 20, 2021, and September 14, 2021.  
**Financial Implications:** See report  
Contact: Dee Williams-Ridley, City Manager, (510) 981-7000, Farimah Brown, City Attorney, (510) 981-6950  
**Action:** Adopted Resolution No. 70,092–N.S.
- 2. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on November 9, 2021**  
**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:** \$100,000  
Contact: Henry Oyekanmi, Finance, (510) 981-7300  
**Action:** Approved recommendation.
- 3. Opt-In to CAA Health and Dependent Care Account Extension for 2020 and 2021 Plan Years and Return 2020 Employee Funds to American Fidelity for Extended Employee Reimbursement Period**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution granting authority to extend the 2020 and 2021 timeframes under the Consolidated Appropriations Act (CAA) for employees to be able to access their American Fidelity flexible spending and dependent care account funds for additional time due to the effects of the COVID-19 pandemic on employees’ ability to seek medical/child care services eligible for reimbursement under the City’s existing Plan. Return approximately \$19,740.84 of 2020 funds forfeited from City employee flexible spending and dependent care accounts back to American Fidelity in order to allow them to process 2020-2021 employee reimbursement claims until December 31, 2021.  
**Financial Implications:** See report  
Contact: Donald E. Ellison, Human Resources, (510) 981-6800  
**Action:** Adopted Resolution No. 70,093–N.S.

## Consent Calendar

### 4. **Grant Application: Prop 68 – Per Capita and RIRE Grant Programs**

**From: City Manager**

**Recommendation:** Adopt two Resolutions authorizing the City Manager or designee to submit applications to two Proposition 68 parks grant programs, accept grant funds, and execute related grant agreements and any amendments that may be necessary:

1. The Proposition 68 Per Capita Grant Program; and
2. The Proposition 68 RIRE Grant Program.

**Financial Implications:** See report

Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700

**Action:** 1. Adopted Resolution No. 70,094–N.S. (Per Capita) 2. Adopted Resolution No. 70,095–N.S. (RIRE)

### 5. **Revenue Grant: California Office of Traffic Safety (OTS) for the 2022 Selective Traffic Enforcement Program (STEP) Grant**

**From: City Manager**

**Recommendation:** Adopt a Resolution authorizing the Chief of Police to accept the "Selective Traffic Enforcement Program (STEP)" grant and enter into the resultant grant agreement and any amendments, with the California Office of Traffic Safety. This OTS grant is for \$180,000 for the period of October 1, 2021 through September 30, 2022, which is Federal Fiscal Year 2022.

**Financial Implications:** See report

Contact: Jennifer Louis, Police, (510) 981-5900

**Action:** Adopted Resolution No. 70,096–N.S.

### 6. **Board of Library Trustees Reappointment: Amy Roth**

**From: Board of Library Trustees**

**Recommendation:** Adopt a Resolution Approving the Reappointment of Amy Roth to the Board of Library Trustees ("BOLT") for a second term of four years commencing January 4, 2022.

**Financial Implications:** None

Contact: Tess Mayer, Commission Secretary, (510) 981-6100

**Action:** Adopted Resolution No. 70,097–N.S.

## Council Consent Items

7. **Berkeley Holiday Fund: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds**

**From: Mayor Arreguin**

**Recommendation:** Adopt a Resolution approving the expenditure of an amount not to exceed \$500 per Councilmember including \$500 from Mayor Arreguin to the Berkeley Holiday Fund's annual campaign 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:** See report

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

**Action:** Adopted Resolution No. 70,098–N.S. revised to include contributions from the following Councilmembers up to the amounts listed: Councilmember Wengraf - \$250; Councilmember Bartlett - \$250; Councilmember Hahn - \$300; Councilmember Harrison - \$100; Councilmember Robinson - \$100; Councilmember Kesarwani - \$100.

8. **United Against Hate Week 2021**

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

**Recommendation:** 1) Adopt a Resolution declaring November 14th – 20th, 2021 as United Against Hate Week.

2) Adopt a Resolution approving the D-13 expenditure in an amount not to exceed \$250 per Councilmember, to Not in Our Town for United Against Hate Week.

**Financial Implications:** See report

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

**Action:** 1. Adopted Resolution No. 70,099–N.S. (United Against Hate Week); 2. Adopted Resolution No. 70,100–N.S. (D-13 Expenditure) revised to include contributions from the following Councilmembers up to the amounts listed: Councilmember Wengraf - \$250; Councilmember Bartlett - \$250; Councilmember Harrison - \$250; Councilmember Hahn - \$250; Councilmember Robinson - \$100; Councilmember Kesarwani - \$100.

## Council Consent Items

**9. Affordable Housing Overlay** *(Reviewed by the Land Use, Housing & Economic Development Policy Committee)*

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

**Recommendation:** Council refers to the City Manager and the Planning Commission to consider an Affordable Housing Overlay for 100% affordable housing and seek to integrate it into the ongoing Housing Element process in anticipation of the 2023-2031 RHNA cycle. Staff should consider revisions to the zoning code and General Plan, permitting increased height and density for 100% affordable housing developments, including specific consideration of labor and design/form standards, to achieve the underlying goals:

1. Exceeding standards set forth in California Government Code Section 65915 (AB-1763) with additional local height and density incentives, including waivers and modifications similar to those vested in state density bonus law, with ministerial approval for qualifying 100% affordable projects deed-restricted for Low, Very Low, Extremely Low, and Moderate Income households (exclusive of manager's unit) pursuant to AB-1763, and maintaining demolition restrictions consistent with state law, specifying:

- a. In R3, R4, MU-R, and all C-prefixed zoning districts, a local density bonus (granted in addition to, but not compounding with, any State density bonus[es]) with standards reflective of whatever State density bonus a project would be entitled to under the provisions of AB 1763 (2019), waiving limits on floor area ratio, and permitting up to 80% lot coverage; and study additional incentives in these zones;
- b. In R-1, R-1A, R-2, and R-2A zones, a local bonus for qualifying projects inclusive of existing density bonuses, waiving limits on floor area ratio, and permitting up to 80% lot coverage; and study project feasibility in these zones;
- c. Create General Plan amendments that allow for 100% affordable qualifying projects to increase density while avoiding inconsistencies with General Plan densities;

d. Skilled and trained workforce standards as defined by SB-7 (Atkins, 2021) for qualifying projects with at least 50,000 square feet of total floor area;

- 2. Exempting parcels with Designated City, State, and Federal Historic Landmarks;
- 3. Exempting parcels in Very High Fire Hazard Severity Zones (VHFHSZ) as determined by the California Department of Forestry and Fire Protection (CalFire), and in City of Berkeley Fire Zones 2 and 3;
- 4. Develop objective design standards or form-based standards for qualifying projects to receive ministerial approval, including guidelines for architectural details with respect to neighborhood context, massing, and building facades; materials, color, and finishes; open space, public art, and landscaping; circulation and outdoor lighting; 20' average building setback above the fourth floor (or 45') from any property line that is adjacent to a low or low-to-medium residential district; utilities; interiors; financial feasibility, and environmental sustainability, to be implemented with the following provisions:

## Council Consent Items

- a. Solicit community input, including through public outreach to be conducted in the Housing Element update process, for design standards that would ensure consistency with the City of Berkeley's architectural quality;
- b. Establish an advisory Design Review process through the Design Review Committee (DRC). An applicant may elect to return for advisory comment up to two more times. For projects with fewer than 150 units, the City shall review and approve, based on consistency with objective standards, an affordable housing application within 90 days of submission. After 60 days, the City shall provide the applicant with an exhaustive list of objective standards not met by the project, and how the standards could or should be met. For projects with 150 units or more, these time frames shall be 90 and 180 days, respectively. The time under these provisions will toll between the City's issuance of a letter describing inconsistency with objective standards and the time necessary for the applicant to respond to those items.

*Policy Committee Recommendation: On October 7, 2021 the Land Use, Housing & Economic Development policy committee took the following action: M/S/C (Robinson/Hahn) Positive recommendation to approve the item as submitted in supplemental material from the Author; revising the first paragraph of the recommendation to read "Council refers to the City Manager and the Planning Commission to consider an Affordable Housing Overlay for 100% affordable housing and seek to integrate it into the ongoing Housing Element process in anticipation of the 2023-2031 RHNA cycle. Staff should consider revisions to the zoning code and General Plan, permitting increased height and density for 100% affordable housing developments, including specific consideration of labor and design/form standards, to achieve the underlying goals:"; and adding the words "or form-based standards" to bullet 4 of the recommendation.*

**Financial Implications:** See report

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

**Action:** Councilmember Hahn added as a co-sponsor. Approved recommendation as revised in the policy committee recommendation.

## Council Consent Items

- 10. Budget Referral: Berkeley Ceasefire**  
**From: Councilmember Taplin (Author), Councilmember Bartlett (Co-Sponsor), Mayor Arreguin (Co-Sponsor) and Councilmember Wengraf (Co-Sponsor)**  
**Recommendation:** 1. Refer to the Fiscal Year 2023 budget process \$200,000 for consulting costs to develop a Gun Violence Intervention (GVI) program, commonly known as “Operation Ceasefire.”  
2. Refer to the City Manager the development of a Gun Violence Intervention program with technical support from experienced consultants solicited by a Request For Proposals (RFP), community service providers including faith groups and violence intervention programs, hospital intervention programs, life coaching programs, Berkeley Housing Authority, Berkeley YouthWorks, Berkeley Police Department, Alameda County Workforce Development Board, Alameda County District Attorney’s Office, Alameda County Probation, California’s Office of the Attorney General, US Attorney’s Office, US Marshals Service, US Department of Justice, and other jurisdictions and agencies in the region as needed; and consider an alternate Urban Gun Violence Disruption Strategy such as the Peacemaker Fellowships program as implemented in the cities of Richmond, Stockton, and Sacramento.  
**Financial Implications:** \$200,000  
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120  
**Action:** Approved recommendation revised to refer the item to the Annual Appropriations Ordinance (AAO) #1 budget process.
- 11. Budget Referral: Strawberry Creek Lodge Food Program**  
**From: Councilmember Taplin (Author)**  
**Recommendation:** Refer to the Annual Appropriations Ordinance (AAO) #1 budget process \$100,000 for the Strawberry Creek Lodge Food Program.  
**Financial Implications:** \$100,000  
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120  
**Action:** Approved recommendation.
- 12. Budget Referral: West Berkeley Residential Preferential Parking (RPP)**  
**From: Councilmember Taplin (Author)**  
**Recommendation:** That the City Council refers to the FY2023 budget process the funding of increased staffing, new enforcement vehicles, and sign installations necessary for the expansion of the Residential Preferential Parking (RPP) Program out of its current boundaries into West Berkeley, in zones to be identified and authorized by the Traffic Division of the Public Works Department, as well as for the enhancement of enforcement in existing RPP zones.  
**Financial Implications:** See report  
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120  
**Action:** Approved recommendation as revised in Supplemental Communications Packet #1 from Councilmember Taplin to add the exact streets to include in the RPP program.



## Council Consent Items

13. **Resolution Recognizing Housing as Human Right; Referring to City Manager Several Measures to Begin Developing Social Housing in the City of Berkeley** *(Reviewed by the Land Use, Housing & Economic Development Policy Committee)*  
**From: Councilmember Taplin (Author), Mayor Arreguin (Co-Sponsor), Councilmember Harrison (Co-Sponsor), Councilmember Hahn (Co-Sponsor)**  
**Recommendation:** Adopt a Resolution recognizing housing as a human right; refer to the City Manager's office several measures to begin developing social housing in the City of Berkeley. Measures shall include, but not be limited to:
1. Study and report to council on development potential, including density bonuses, for mixed-income housing development starting with the city-owned parcels at 1011 University Ave, and seek information through an RFI or other process on the potential for cross-subsidized limited-equity leasehold and rental models or other social housing development models;
  2. Study and return to council a report and, if feasible, a proposal for a Reparative Justice Revolving Loan Fund with affirmative racial justice and anti-displacement goals in coordination with the city's Small Sites Program, including, but not limited to:
    - a. Providing low-interest loans for tenants, nonprofits, limited-equity co-operatives, and community land trusts to acquire real property; support Low Income Housing Tax Credit (LIHTC) funding; develop and/or maintain mixed-income and permanently affordable housing;
    - b. Funding a Local Operating Subsidies Program to provide permanently affordable housing for Very Low and Extremely Low Income households;
    - c. Leveraging local funds with state and regional partnerships through the Bay Area Housing Finance Agency (BAHFA) with the Association of Bay Area Governments (ABAG), Berkeley Housing Authority, Berkeley Unified School District (BUSD) and BART;
    - d. Consider best practices from other agencies and other partnership opportunities;
  3. Refer to the budget process up to \$300,000 for one or more consultants to study potential social housing models for the City of Berkeley;
  4. Establish a publicly available, user-friendly data dashboard potentially using third-party data visualization tools for monitoring Housing Justice Indicators in the city including, but not limited to:
    - a. State certification of city's Housing Element and progress toward RHNA goals for each income tier in annual Housing Pipeline Reports;
    - b. Housing Element compliance with Affirmatively Furthering Fair Housing (AFFH) rule pursuant to California Government Code Section 65583 and Chapter 15, Section 8899.50 of Division 1 of Title 2, presented with, at a minimum:  
 Citywide and regional affordability as defined by median rents and home prices as share of one-third of the City of Berkeley and Alameda County's median household income in most recent American Community Survey data;  
 Local funding and open BMR housing application slots available to meet housing needs of Moderate, Low-, Very Low-, and Extremely Low-Income households;  
 Anti-displacement metrics using UC Berkeley Displacement Project data and tracking successful applications to affordable housing units in the city using Local Preference policy;

## Council Consent Items

Geographic considerations including historic redlining and segregation; Sensitive Communities and High Displacement Risk Areas identified in the 2019 CASA Compact by the Metropolitan Transportation Commission (MTC); and access to economic opportunity as measured by State of California Tax Credit Allocation Committee (TCAC) Opportunity Area Maps;

Any other considerations relevant to AFFH compliance and reparative housing justice.

*Policy Committee Recommendation: On June 17, 2021 the Land Use, Housing & Economic Development policy committee took the following action: M/S/C (Hahn/Robinson) Qualified positive recommendation that Council approve the item with amendments formally discussed at the meeting and as follows: 1. Including a budget referral of up to \$300,000 and clarifying that the allocation may include one or more consultants; 2. Amending the staff report to remove the portion under "Rationale for Recommendation" beginning with "In Hawaii, Sen. Chang has opted for a more direct route..." and encompassing footnotes 48, 49, and 50; and 3. Amending the Resolution to include record of the "attendant freedoms and entitlements as enumerated by the United Nations"; removing the portion of the Resolution incorporating a referral to the City Manager; and making typographical changes to the Resolution as agreed to by the Author.*

**Financial Implications:** See report

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

**Action:** Adopted Resolution No. 70,101–N.S.

**14. Budget Referral: Homeless Outreach Coordinator for South Shattuck Avenue and Adeline Street at 62nd Street**

**From: Councilmember Bartlett (Author)**

**Recommendation:** Referral to the November Budget Annual Appropriations Ordinance to fund \$200,000 for a Homeless Outreach Coordinator for South Shattuck Avenue at Dwight Way to Adeline Street at 62nd Street.

**Financial Implications:** \$200,000

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

**Action:** Approved recommendation.

## Council Consent Items

15. **Letter of Opposition to the Environmental Protection Agency and Oxitec Ltd.'s Proposal to Release Genetically Engineered Mosquitoes in California Counties**  
**From: Councilmember Bartlett (Author), Councilmember Hahn (Co-Sponsor), Councilmember Harrison (Co-Sponsor)**  
**Recommendation:** That the Mayor and Members of the Berkeley City Council oppose the United States Environmental Protection Agency ("US EPA") and Oxitec Ltd.'s proposal to conduct the world's largest release of genetically engineered ("GE") *Aedes Aegypti* mosquitoes. The mosquitos are proposed to be released across 12 California counties, which may include: Shasta, Yolo, Sacramento, Alameda, Stanislaus, Fresno, Tulare, Los Angeles, Orange, San Bernardino, and Riverside. The company intends to release several billion of the mosquitoes on 85,000 acres over a 2-year period. The Council should ask the US EPA Administrator Michael Regan, California Environmental Protection Agency ("CalEPA") Secretary Jared Blumenfeld, and Governor Gavin Newsom to deny the experimental use permit ("EUP") application to release genetically engineered mosquitoes across the state. The Council should send letters to State Senator Nancy Skinner, Rep. Barbara Lee, Rep. Mark DeSaulnier, Sen. Dianne Feinstein, Sen. Alex Padilla, Assemblymember Buffy Wicks, and County Supervisor Keith Carson.  
**Financial Implications:** See report  
Contact: Ben Bartlett, Councilmember, District 3, (510) 981-7130  
**Action:** 10 speakers. Moved to Action Calendar. M/S/C (Robinson/Wengraf) to take no action on Item 15.  
**Vote:** All Ayes.
16. **Budget Referral: Solano-Peralta Park restoration and improvements**  
**From: Councilmember Hahn (Author)**  
**Recommendation:** Refer \$50,000 to the November 2021 AAO process for restoration and improvements for the Solano-Peralta Park, located at 1559 Solano Avenue, also bordered by Peralta and Capistrano Avenues  
**Financial Implications:** \$50,000  
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

- 17. Bright Streets to Schools** *(Reviewed by the Facilities, Infrastructure, Transportation, Environment & Sustainability Policy Committee)*  
**From: Councilmember Hahn (Author), Councilmember Wengraf (Co-Sponsor)**  
**Recommendation:** 1. Complete the work, if necessary, to paint all crosswalks, midlines, bike lanes, and other street markings, clarify and/or improve traffic signage, and paint curbs in areas around Berkeley public schools  
 2. Conduct an inventory to determine the cost of painting and/or improving crosswalks, midlines, bike lanes, and other street markings, traffic signage, and curbs in areas around City of Berkeley public buildings, including libraries, senior centers, recreation centers, and other facilities with public access and substantial public use, and in high-volume pedestrian areas and commercial districts; and  
 3. Identify additional funding sources for completing such work.  
 4. Present general design standards for crosswalks and other street markings, signs, reflectors, bollards and other safety and street markings to ensure consistency and safety the FITES Committee for input and review, and eventual adoption of official patterns and elements to be specified for all new and refreshed streets in Berkeley.  
*Policy Committee Recommendation: On October 7, 2021 the Facilities, Infrastructure, Transportation, Environment & Sustainability policy committee took the following action: M/S/C (Robinson/Harrison) to send the item, as revised in the supplemental material submitted by Councilmember Hahn, and further revised by the committee to the City Council with a positive recommendation. The committee revised the fourth recommendation to read: Present general design standards for crosswalks and other street markings, signs, reflectors, bollards and other safety and street markings to ensure consistency and safety the FITES Committee for input and review, and eventual adoption of official patterns and elements to be specified for all new and refreshed streets in Berkeley.*  
**Financial Implications:** See report  
 Contact: Sophie Hahn, Councilmember, District 5, (510) 981-7150  
**Action:** Approved recommendation as revised in Supplemental Communications Packet #2 from Councilmember Hahn to update the recommendation from the policy committee.
- 18. PG&E's Safety Initiative: 10,000 Miles of Undergrounding Power Lines**  
**From: Councilmember Wengraf (Author), Councilmember Taplin (Co-Sponsor) and Councilmember Hahn (Co-Sponsor)**  
**Recommendation:** Adopt a Resolution and send a letter to the PG&E CEO and Board of Directors recommending that Berkeley's evacuation routes and the two established but yet to be completed Underground Utility Districts in Berkeley's Very High Fire Hazard Severity Zone be considered in the 10,000-mile promise to underground utilities.  
**Financial Implications:** None  
 Contact: Susan Wengraf, Councilmember, District 6, (510) 981-7160  
**Action:** Mayor Arreguin added as a co-sponsor. Adopted Resolution No. 70,102–N.S.

## 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 Hearing

**19. Public Hearing: Administrative Citations and Property Lien at 2800 Garber Street**

**From: City Manager**

**Recommendation:** Conduct a public hearing and upon conclusion, adopt a Resolution rejecting the property owners' objection to the cost of the administrative fines issued to them for their failure to comply with the City's anti-blight ordinance and building permit requirement, and allowing the special assessment lien on 2800 Garber St. to be recorded as written and approved by the City Manager.

**Financial Implications:** See report

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

**Public Testimony:** The Mayor opened the public hearing. 3 speakers. M/S/C (Arreguin/Droste) to close the public hearing.

**Vote:** All Ayes.

**Action:** M/S/C (Wengraf/Droste) to call for the previous question.

**Vote:** All Ayes.

**Action:** M/S/Failed (Harrison/Hahn) to approve the staff recommendation amended to not apply any fines issued in 2021, but proceed with the rest of the lien amount.

**Vote:** Ayes – Bartlett, Harrison, Hahn; Noes – Kesarwani, Taplin, Wengraf, Robinson, Droste, Arreguin.

**Action:** M/S/Carried (Droste/Arreguin) to adopt Resolution No. 70,103-N.S. rejecting the property owners' objection to the cost of the administrative fines issued to them for their failure to comply with the City's anti-blight ordinance and building permit requirement, and allowing the special assessment lien on 2800 Garber St. to be recorded as written and approved by the City Manager.

**Vote:** All Ayes.

## **Action Calendar – Old Business**

**20. Objective Standards Recommendations for Density, Design and Shadows**

*(Continued from October 26, 2021) (Item Contains Supplemental Material)*

**From: Joint Subcommittee for the Implementation of State Housing Laws**

**Recommendation:** Refer to the Planning Commission and Design Review Committee to review the recommendations from the Joint Subcommittee for the Implementation of State Housing Laws (JSISHL) for objective standards for density, design and shadows and draft Zoning Ordinance amendments for City Council consideration.

**Financial Implications:** See report

Contact: Alene Pearson, Commission Secretary, (510) 981-7400

**Action:** M/S/C (Arreguin/Robinson) to suspend the rules and extend the meeting to 12:00 a.m.

**Vote:** Ayes – Kesarwani, Taplin, Bartlett, Harrison, Hahn, Robinson, Droste, Arreguin; Noes – Wengraf.

**Action:** 16 speakers. M/S/C (Taplin/Droste) to table Item 20 indefinitely.

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

**21. Proposal to Allocate Revenues Generated by the Transient Occupancy Tax in the Waterfront Area to the Marina Fund to Avoid Insolvency, Rebuild its Fund Balance and to Stabilize its Finances** *(Continued from October 26, 2021)*

**From: Parks and Waterfront Commission**

**Recommendation:** That Council adopt a Resolution adopting a policy that all Transient Occupancy Taxes (TOT hotel tax) generated at the Berkeley Waterfront be allocated to the City's Marina Enterprise Fund. All other property, sales, utility users, and parking taxes; as well as business license and franchise fees, would continue to be allocated to the City's General Fund.

*Policy Committee Recommendation: Send the item to Council with a negative recommendation and additionally request a referral to the Budget & Finance Policy Committee to discuss and develop alternative revenue streams for the Marina Fund including a dedicated reserve.*

**Financial Implications:** See report

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

**Action:** M/S/C (Arreguin/Wengraf) to continue Item 21 to November 16, 2021.

**Vote:** All Ayes.

## Action Calendar – Old Business

22. **Amending the Berkeley Election Reform Act (BERA) Relating to Officeholder Accounts** (*Reviewed by the Agenda & Rules Committee*) (*Continued from October 26, 2021*)

**From: Agenda & Rules Committee: Mayor Arreguin, Councilmember Hahn, Councilmember Wengraf**

**Recommendation:** Take one of the following actions:

1. Refer a proposal to the Fair Campaign Practices Commission (FCPC) amending the Berkeley Election Reform Act (BERA), BMC Chapter 2.12, and Lobbyist Registration Act, BMC Chapter 2.09, to enact “a reasonable set of limitations and rules” to regulate the maintenance of officeholder accounts, as developed and referred for consideration by the Agenda and Rules Committee; or
2. Refer a proposal to the FCPC amending BERA, BMC Chapter 2.12, to prohibit Officeholder Accounts, as originally proposed by the Fair Campaign Practices Commission.

*Policy Committee Recommendation: Send the item to Council with two proposed alternatives: 1) Councilmember Hahn’s proposal to regulate officeholder accounts, and 2) the Fair Campaign Practices Commission proposal to prohibit officeholder accounts; and to include the Commission’s analysis of regulating officeholder accounts in the item that goes to the full Council.*

**Financial Implications:** See report

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

**Action:** M/S/C (Arreguin/Robinson) to suspend the rules and extend the meeting to 11:30 p.m.

**Vote:** Ayes – Kesarwani, Taplin, Bartlett, Harrison, Hahn, Robinson, Droste, Arreguin; Noes – Wengraf.

**Action:** M/S/Failed (Droste/Kesarwani) to adopt Option 2 to refer prohibition of Officeholder Accounts to the Fair Campaign Practices Commission.

**Vote:** Ayes – Kesarwani, Taplin, Robinson, Droste; Noes – Bartlett, Harrison, Hahn, Wengraf, Arreguin.

**Action:** 0 speakers. M/S/Carried (Arreguin/Harrison) to refer a proposal to the Fair Campaign Practices Commission (FCPC) amending the Berkeley Election Reform Act (BERA), BMC Chapter 2.12, and Lobbyist Registration Act, BMC Chapter 2.09, to enact “a reasonable set of limitations and rules” to regulate the maintenance of officeholder accounts, as developed and referred for consideration by the Agenda and Rules Committee.

**Vote:** Ayes – Bartlett, Harrison, Hahn, Wengraf, Robinson, Arreguin; Noes – Kesarwani, Taplin, Droste.



**23. Budget Referral: Allocate General Fund Revenues to Support Pilot Program Offering Free AC Transit on Sundays in Berkeley** *(Continued from October 26, 2021) (Item Contains Supplemental Material)*

**From: Councilmember Harrison (Author) and Councilmember Bartlett (Co-sponsor)**

**Recommendation:** Refer to the November 2021 budget process approximately \$500,000 in General Fund Revenue toward fully subsidizing AC Transit fares originating from Berkeley on Sundays for at least one calendar year and contingent on restoration of the suspended Line 80 serving some of Berkeley's lowest income neighborhoods.

**Financial Implications:** General Fund - \$500,000

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

**Action:** 20 speakers. M/S/C (Harrison/Arreguin) to refer the item to the November 2021 AAO process with a revised recommendation as written below.

1. *Refer to the November 2021 budget process approximately \$500,000 in General Fund Revenue from the American Rescue Plan Act allocation to collaborate with AC Transit to launch a one-year pilot free transit program to subsidize:*
  - a. *AC Transit rides originating from Berkeley on Sundays for at least one calendar year,*
  - b. *Rides for youth, ages 18 years and under,*
  - c. *Rides for seniors, ages 65 plus,*
  - d. *People with qualifying disabilities residing in Berkeley;*
2. *Provision of funds will be contingent on restoration of service lost during the pandemic.*
3. *Evaluate the pilot program after one year and:*
  - a. *consider allocating additional funds.*

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

**Public Comment – Items Not Listed on the Agenda** - 2 speakers.

**Adjournment**

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

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

Councilmember Droste absent at 11:52 p.m.

Adjourned at 11:55 p.m.

I hereby certify that the foregoing is a true and correct record of the regular session City Council meeting held on November 9, 2021.

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Mark Numainville  
City Clerk

## **Communications – November 9, 2021**

*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.*

### **Homeless Crimes Against Business'**

1. Tai Yu, owner of Great China Restaurant
2. Hugh, owner of Music Lovers Audio
3. Laura Menard
4. Eric Friedman

### **Public Toilet Placement at the People's Park Mural**

5. Pablo Menendez
6. Liz Wiener
7. Aminta Steinbach
8. Christine Schwartz
9. Yeshi Neumann
10. Miles Perez
11. Kathleen Caine
12. Jean Hohl

### **Automated License Plate Readers (ALRP)**

13. Margot Smith
14. Diana Bohn
15. Elliot Halpern

### **Public Security Cameras**

16. Cecelia Mautner

### **Berkeley Bird Festival**

17. Glenn Phillips, on behalf of the Golden Gate Audubon Society

### **Native Plant Film**

18. Kelly Hammargren

### **North Berkeley Senior Center – Investigate and Audit**

19. Walter Wood

**1915 Berryman**

- 20. David Kellogg
- 21. Nicholas Armour, Planning and Development
- 22. Mary Telling
- 23. Eric Johnson
- 24. Dorothy Walker

**Eden I&R October 2021 E-Newsletter**

- 25. Eden I&R

**Wireless Radiation**

- 26. Phoebe Anne Sorgen (2)

**Support the Plastic Bag Ordinance**

- 27. 32 similarly-worded form letters

**Zoning**

- 28. Kaye Jacuzzi

**Water Main Break on University**

- 29. Jack Hlavac, Managing Director of DoubleTree by Hilton Berkeley Marina (2)

**League of Women Voters of Berkeley, Albany and Emeryville – Police Oversight**

- 30. Katherine Lee, Interim Director of Police Accountability

**Letter of Intent to File a Restraining Order**

- 31. Yesica Prado and Melissa Cheatwood

**Street Paving**

- 32. Dan Wohlfeiler

**URL's Only**

- 33. Vivian Warkentin (2)

**Supplemental Communications and Reports 1**

**Item #12: Budget Referral: West Berkeley Residential Preferential Parking (RPP)**

- 34. Supplemental material, submitted by Councilmember Taplin

**Item #15: Letter of Opposition to the Environmental Protection Agency and Oxitec Ltd.'s Proposal to Release Genetically Engineered Mosquitoes in California Counties**

- 35. Diana Bohn

**34. Item #16: Budget Referral: Solano-Peralta Park Restoration and Improvements**

36. Supplemental material, submitted by Councilmember Hahn

**Item #19: Public Hearing: Administrative Citations and Property Lien at 2800 Garber Street**

37. Jean-Pierre Langlois (2)

**Item #20: Objective Standards Recommendations for Density, Design and Shadows**

38. Todd Darling (2)

**Item #21: Proposal to Allocate Revenues Generated by the Transient Occupancy Tax in the Waterfront Area to the Marina Fund to Avoid Insolvency, Rebuild its Fund Balance and to Stabilize its Finances**

39. Gordon Wozniak, Chair of Parks & Waterfront Commission

**Item #23: Budget Referral: Allocate General Fund Revenues to Support Pilot Program Offering Free AC Transit on Sundays in Berkeley**

40. Daniel Tahara

**Supplemental Communications and Reports 2**

**Item #9: Affordable Housing Overlay**

41. 8 similarly-worded form letters

42. Sidharth Kapur

43. Kevin Burke

**Item #13: Resolution Recognizing Housing as Human Right; Referring to City Manager Several Measures to Begin Developing Social Housing in the City of Berkeley**

44. 5 similarly-worded form letters

**Item #15: Letter of Opposition to the Environmental Protection Agency and Oxitec Ltd.'s Proposal to Release Genetically Engineered Mosquitoes in California Counties**

45. Supplemental material, submitted by Councilmember Bartlett

46. Judith Pierce Davison, on behalf of the Alameda County Mosquito Abatement District

47. Jenny Wenk

48. GMO Free Florida

49. Lisa Archer

50. Emily Galpern

51. Helen Wallace

52. 220 similarly-worded form letters

**Item #17: Bright Streets to Schools**

53. Supplemental material, submitted by Councilmember Hahn

**Item #18: PG&E's Safety Initiative: 10,000 Miles of Undergrounding Power Lines**

54. Michael Scott
55. Richard Laden
56. Elizabeth Pulling
57. Carol Fields
58. Kelly Sika
59. Ray Yep
60. Takato Umeda
61. Scott Scheffler
62. Judith Kennedy
63. Lauren Streiff
64. Marian Wolfe
65. Fredrica Drotos
66. John Armitage
67. Steven and Tanyung Barnes
68. Paul Teicholz
69. Susan Jepsen
70. Marvin Snow
71. Alice and Edward Kahn
72. Steven Beckendorf
73. Pamela Doolan
74. Alan Block
75. Craig Baum
76. Ruth White
77. JT Trollman and Tria Chang
78. Carrie Kabat
79. Lynda Koolish
80. Olga Shalygin Orloff
81. Gradiva Couzin

**Item #19: Public Hearing: Administrative Citations and Property Lien at 2800 Garber Street**

82. Leonard Schwab
83. Charles Carson
84. Tim Nice
85. Robert Parsons
86. Nadide Kulunk
87. Karen Bird
88. Date Noonan and Ed Hoffmann
89. William Parish and Elizabeth Meckstroth
90. Ira Ellman
91. Faye Keogh
92. John Levy
93. Susan Blomquist
94. Wende Micco
95. Jeffrey Young
96. Naneen Karraker

**Item #20: Objective Standards Recommendations for Density, Design and Shadows**

- 97. Supplemental material, submitted by Councilmember Droste
- 98. Gary Dahl
- 99. Fred Krieger
- 100. Vincent Casalaina
- 101. Diana Bohn (2)
- 102. Sally Nelson
- 103. Kirsten Rose
- 104. Sheila Goldmacher
- 105. Lisa Bruce
- 106. Brian Gilbane
- 107. Barbara Thompson
- 108. Rachel Bradley

**35. Item #23: Budget Referral: Allocate General Fund Revenues to Support Pilot Program Offering Free AC Transit on Sundays in Berkeley**

- 109. Supplemental material, submitted by Councilmember Bartlett
- 110. Supplemental material, submitted by Councilmember Taplin
- 111. Jenny Kwon
- 112. Jonah Gottlieb
- 113. Katy Scott-Smith
- 114. Simon Brown
- 115. Matt Ong
- 116. Jack Kurzweil

**Supplemental Communications and Reports 3**

**Item #9: Affordable Housing Overlay**

- 117. 23 similarly-worded form letters
- 118. Thomas Lord (2)
- 119. Igor Tregub, on behalf of Sierra Club
- 120. Jeffrey Heller
- 121. Anirvan Chatterjee

**Item #10: Budget Referral: Berkeley Ceasefire**

- 122. Kit Saginor

**Item #13: Resolution Recognizing Housing as Human Right; Referring to City Manager Several Measures to Begin Developing Social Housing in the City of Berkeley**

- 123. 7 similarly-worded form letters

**Item #14: Budget Referral: Homeless Outreach Coordinator for South Shattuck Avenue and Adeline Street at 62<sup>nd</sup> Street**

- 124. Allen Barth
- 125. Diana Bohn
- 126. Martin Bourque, on behalf of the Farmer's Market

**Item #15: Letter of Opposition to the Environmental Protection Agency and Oxitec Ltd.'s Proposal to Release Genetically Engineered Mosquitoes in California Counties**

- 127. 29 similarly-worded form letters
- 128. Zen Honeycutt
- 129. Tina Stevens
- 130. Diana North
- 131. Pete Shanks
- 132. Marcy Darnovsky
- 133. Dana Perls
- 134. Christie Dames
- 135. Mike Burton
- 136. Jeffrey Smith

**Item #18: PG&E's Safety Initiative: 10,000 Miles of Undergrounding Power Lines**

- 137. David Drubin
- 138. Elizabeth Stuart
- 139. Howard and Alice Gruber
- 140. Annegret Daiss and Klaus Fechner
- 141. Bruce Brody
- 142. Vicki and Tim Roan

**Item #19: Public Hearing: Administrative Citations and Property Lien at 2800 Garber Street**

- 143. Robert Abiad
- 144. Gavin DiStasi
- 145. Ira Ellman

**Item #20: Objective Standards Recommendations for Density, Design and Shadows**

- 146. Presentation, submitted by Councilmember Droste
- 147. 12 similarly-worded form letters
- 148. Matthew Wadlund
- 149. Charlene Woodcock
- 150. Todd Darling
- 151. Jordan Burns
- 152. Betsy Thagard
- 153. Aviv Nitsan
- 154. Gary Miguel
- 155. Matthew Lewis
- 156. Adam Rogers
- 157. Phyllis Orrick
- 158. Gregory Lemieux
- 159. Ryan O'Connell
- 160. David Ushijima
- 161. Kitt Saginro
- 162. Lee Bishop
- 163. Councilmember Harrison

- 164. Pablo Diaz-Gutierrez
- 165. Verna Winters
- 166. Bhima Sheridan
- 167. Paul Bickmore
- 168. Milo Trauss
- 169. Sean Kennedy
- 170. Rafa Sonnenfeld
- 171. Richard Wallace

**Item #21: Proposal to Allocate Revenues Generated by the Transient Occupancy Tax in the Waterfront Area to the Marina Fund to Avoid Insolvency, Rebuild its Fund Balance and to Stabilize its Finances**

- 172. Shirley Dean
- 173. Gordon Wozniak, Chair, Parks & Waterfront Commission

**Item #23: Budget Referral: Allocate General Fund Revenues to Support Pilot Program Offering Free AC Transit on Sundays in Berkeley**

- 174. Elise Joshi
- 175. Skyler Bennett
- 176. Igor Tregub, on behalf of the Sierra Club
- 177. Gregory Lemieux
- 178. Elliot Cobb
- 179. Deborah Agre
- 180. Matthew Lewis
- 181. Tyler Haddow



# BERKELEY CITY COUNCIL SPECIAL MEETING MINUTES

TUESDAY, NOVEMBER 16, 2021

4:00 P.M.

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.*

*To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL <https://us02web.zoom.us/j/88964775721>. 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); enter Meeting ID: 889 6477 5721. 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](mailto:council@cityofberkeley.info).*

## Preliminary Matters

**Roll Call:** 4:02 p.m.

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

**Absent:** Taplin, Bartlett

**Public Comment - Limited to items on this agenda only** – 0 speakers

## CLOSED SESSION:

The City Council will convene in closed session to meet concerning the following:

### 1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property address: 80, 82/84, and 90 Bolivar Drive, Berkeley, CA 94710  
Agency Negotiators: Dee Williams-Ridley, City Manager; Paul Buddenhagen, Deputy City Manager; Scott Ferris, Director, Parks Recreation and Waterfront; Christina Erickson, Deputy Director, Parks, Recreation, and Waterfront  
Negotiating parties: City of Berkeley and Waterside Workshops  
Property owner: City of Berkeley  
Under negotiation: Price and terms

**Action:** No reportable action taken.

### 2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property address: 100 Seawall Drive, Berkeley, CA 94710  
Agency Negotiators: Dee Williams-Ridley, City Manager; Paul Buddenhagen, Deputy City Manager; Scott Ferris, Director, Parks Recreation and Waterfront; Christina Erickson, Deputy Director, Parks, Recreation, and Waterfront  
Negotiating parties: City of Berkeley and Landry's (Skates on the Bay)  
Property owner: City of Berkeley  
Under negotiation: Price and terms

**Action:** No reportable action taken.

### 3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property address: 2925-2945 Bolivar Drive, Berkeley, CA 94710  
Agency Negotiators: Dee Williams-Ridley, City Manager; Paul Buddenhagen, Deputy City Manager; Scott Ferris, Director, Parks Recreation and Waterfront; Christina Erickson, Deputy Director, Parks, Recreation, and Waterfront  
Negotiating parties: City of Berkeley and Youth Musical Theater Company (YMTC)  
Property owner: City of Berkeley  
Under negotiation: Price and terms

**Action:** No reportable action taken.

**OPEN SESSION:**

No reportable action taken.

**Adjournment**

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

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

Adjourned at 5:02 p.m.

I hereby certify that the foregoing is a true and correct record of the closed session meeting held on November 16, 2021.

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Mark Numainville  
City Clerk

**MINUTES**  
**BERKELEY CITY COUNCIL MEETING**  
**Tuesday, November 16, 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 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.*

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*To join by phone: Dial **1-669-900-9128** or **1-877-853-5257 (Toll Free)** and enter Meeting ID: **862 8494 1257**. If you wish to comment during the public comment portion of the agenda, Press \*9 and wait to be recognized by the Chair.*

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

### Report from Closed Session

The City Council met in closed session to discuss leases for three tenants in Marina. No final action was taken.

**Roll Call:** 6:04 p.m.

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

**Absent:** Kesarwani

### Ceremonial Matters:

1. Presentation: Study to Achieve Equity in City Contracting - "Berkeley Inclusion in Opportunity Index"

### City Manager Comments:

The City Manager provided an update on the recruitment for the Police Chief and an update on the Homeless Response Team.

**Public Comment on Non-Agenda Matters:** 10 speakers.

## Consent Calendar

**Public Comment on Consent Calendar and Information Items Only:** 17 speakers.

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

**Vote:** All Ayes.

## Consent Calendar

- 1. Resolution Making Required Findings Pursuant to the Government Code and Directing City Legislative Bodies to Continue to Meet Via Videoconference and Teleconference**  
**From: City Manager**  
**Recommendation:** Adopt a resolution making the required findings pursuant to Government Code Section 54953(e)(3) and determining that as a result of the continued threat to public health and safety posed by the spread of COVID-19, City legislative bodies shall continue to meet via videoconference and teleconference, initially ratified by the City Council on September 28, 2021, and subsequently reviewed and ratified on October 26, 2021.  
**Financial Implications:** To be determined  
Contact: Farimah Brown, City Attorney, (510) 981-6950  
**Action:** Adopted Resolution No. 70,104–N.S.
- 2. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on November 16, 2021**  
**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:** \$15,120,000  
Contact: Henry Oyekanmi, Finance, (510) 981-7300  
**Action:** Approved recommendation.
- 3. Authorizing Acceptance of California Department of Public Health California Equitable Recovery Initiative Grant Award**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee to submit grant agreements to California Department of Public Health (CDPH) to accept an award of California Equitable Recovery Initiative (CERI) grant funds, and to execute any resultant revenue agreements and amendments in order to support health equity efforts in response to the COVID19 pandemic.  
**Financial Implications:** See report  
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400  
**Action:** Adopted Resolution No. 70,105–N.S.

## Consent Calendar

- 4. ONTRACK Program Resources Inc. - Support Services for African American Community Members**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee to execute a contract and any amendments with ONTRACK Program Resources Inc., funded through State of California Mental Health Services Act (MHSA) Prevention and Early Intervention (PEI) dollars, for support services for African American community members, for an initial contract not to exceed \$75,000 through June 30, 2022.  
**Financial Implications:** See report  
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400  
**Action:** Adopted Resolution No. 70,106–N.S.
  
- 5. Salary Adjustment to Market Median for Department Heads**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution to amend Resolution No. 69,998-N.S. (Classification and Salary Resolution for classifications in Representation Unit Z-1 Confidential and Executive Management Employees) to increase the salary of the department heads of Finance (\$19,332 to \$21,133), Human Resources (\$19,332 to \$20,179), Information Technology (\$19,332 to \$21,451), Parks, Recreation and Waterfront (\$20,152 to \$20,987), Planning (\$19,332 to \$19,634), Public Works (\$20,152 to \$21,432), and Fire Chief (\$20,439 to \$21,626) be increased per month effective November 14, 2021, to bring their salaries in line with the median of the salaries of City/County department heads in comparable jurisdictions in the Bay Area.  
**Financial Implications:** See report  
Contact: Donald E. Ellison, Human Resources, (510) 981-6800  
**Action:** Adopted Resolution No. 70,107–N.S.
  
- 6. Commission Reorganization: Creating the Parks, Recreation, and Waterfront Commission**  
**From: City Manager**  
**Recommendation:** Adopt an Ordinance repealing and re-enacting Berkeley Municipal Code Chapter 3.26 to create the Parks, Recreation, and Waterfront Commission, and repealing Berkeley Municipal Code Chapters 3.27 (Children, Youth, and Recreation Commission) and 3.08 (Berkeley Animal Care Commission).  
**Financial Implications:** See report  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700  
**Action:** Item 6 continued to November 30, 2021.

## Consent Calendar

- 7. Amendment to the Agreement for Maintenance of State Highways in the City between the California Department of Transportation and City of Berkeley**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to the Agreement with the California Department of Transportation (Caltrans) for maintenance of the State highways within the City of Berkeley. The amendment will address two new traffic signals; 1) the new traffic signal at the intersection of San Pablo Avenue and Parker Street which will be constructed by Kaiser Permanente as part of their project's mitigation measure, and 2) the new traffic signal constructed by Caltrans at the intersection of San Pablo Avenue and Bancroft Way.  
**Financial Implications:** See report  
Contact: Liam Garland, Public Works, (510) 981-6300  
**Action:** Adopted Resolution No. 70,108–N.S.
- 8. Vision 2050: A Year of Progress to Creating Sustainable and Resilient Infrastructure for Berkeley**  
**From: City Manager**  
**Recommendation:** Accept the progress report on the 1-year anniversary of the Council's adoption of the Vision 2050 framework report.  
**Financial Implications:** See report  
Contact: Liam Garland, Public Works, (510) 981-6300  
**Action:** Accepted the report.
- 9. Contract No. 31900031 Amendment: Downtown Streets Team**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to amend Contract No. 31900031 with Downtown Streets Team to add additional scope to address enhanced needs for services around encampments and neighborhoods, and increase the contract by \$355,000 for a new not to exceed amount of \$1,275,304, through June 30, 2022.  
**Financial Implications:** See report  
Contact: Liam Garland, Public Works, (510) 981-6300  
**Action:** Adopted Resolution No. 70,109–N.S.



## Consent Calendar

10. **Purchase Order: Atlantic Machinery, Inc. for One Ravo Sweeper**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution satisfying the 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 order with Atlantic Machinery, Inc. for one (1) Ravo Sweeper in an amount not to exceed \$285,000.  
**Financial Implications:** See report  
Contact: Liam Garland, Public Works, (510) 981-6300  
**Action:** Adopted Resolution No. 70,110–N.S.
11. **Filling Vacancies Among the Elected Representatives of the Poor**  
**From: Human Welfare and Community Action Commission**  
**Recommendation:** Adopt a Resolution confirming the appointments of Mr. George Lippman (District 3) as elected representatives of the poor on the Human Welfare and Community Action Commission (HWCAC), having been voted at the HWCAC July 21, 2021 meeting, and that his term expire November 28, 2022.  
**Financial Implications:** None  
Contact: Mary-Claire Katz, Commission Secretary, (510) 981-5400  
**Action:** Adopted Resolution No. 70,111–N.S.

## Council Consent Items

12. **Salary Adjustment for City Manager**  
**From: Mayor Arreguin (Author)**  
**Recommendation:** Adopt a Resolution to amend Resolution No. 69,998-N.S. (Classification and Salary Resolution for classifications in Representation Unit Z-1 Confidential and Executive Management Employees) to increase the salary of the City Manager from \$25,119 per month to \$32,180 per month effective November 14, 2021 to bring her salary in line with the median of the salaries of City/County Managers and Administrators in comparable jurisdictions in the Bay Area.  
**Financial Implications:** See report  
Contact: Jesse Arreguin, Mayor, (510) 981-7100  
**Action:** Adopted Resolution No. 70,112–N.S.

## Council Consent Items

13. **Condemning Facebook/Meta for its Role in the Rise of Hate Crimes**  
**From: Mayor Arreguin (Author), Councilmember Hahn (Co-Sponsor), Councilmember Wengraf (Co-Sponsor), Councilmember Bartlett (Co-Sponsor)**  
**Recommendation:** Adopt a Resolution condemning Facebook and its parent company Meta for failing to address mitigating hate speech while censoring efforts to promote awareness around hate crimes.  
**Financial Implications:** None  
Contact: Jesse Arreguin, Mayor, (510) 981-7100  
**Action:** Revise the recommendation to read: "Adopt a Resolution condemning Facebook and its parent company Meta for giving hate speech a megaphone while censoring efforts to promote awareness around hate crimes." Adopt Resolution No. 70,113–N.S. amended to add a resolved clause to state:

*BE IT FURTHER AND FINALLY RESOLVED, that the Berkeley City Council calls on Facebook/Meta to update its policies to address hate speech and the proliferation of misinformation.*

14. **Budget Referral: Curtis Street Traffic Diverters**  
**From: Councilmember Taplin (Author)**  
**Recommendation:** Refer to the November Annual Appropriation Ordinance the funding of traffic diverters at the following intersections: 1. Curtis Street and Channing Way and 2. Curtis Street and Addison Street.  
**Financial Implications:** \$100,000  
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120  
**Action:** Approved recommendation.

## Action Calendar – Public Hearings

15. **Renewal of the Elmwood Avenue BID for Calendar Year 2022**  
**From: City Manager**  
**Recommendation:** Conduct a public hearing and, upon conclusion, adopt a Resolution confirming the Annual Report and Budget for the Elmwood Business Improvement District (hereafter, "the District", "the Elmwood BID" or "the BID") for 2021-22 and, if no majority protest exists, levy annual assessments in the District for calendar year 2022 to finance services and improvements and authorize a fiscal agency contract with Elmwood Business Association for receipt and expenditure of District funds.  
**Financial Implications:** See report  
Contact: Eleanor Hollander, Economic Development, (510) 981-7530  
  
**Public Testimony:** The Mayor opened the public hearing. 0 speakers. M/S/C (Arreguin/Wengraf) to close the public hearing.  
**Vote:** Ayes – Kesarwani, Taplin, Bartlett, Harrison, Hahn, Wengraf, Robinson, Arreguin; Noes – None; Abstain – None; Absent – Droste.

## Action Calendar – Public Hearings

Councilmember Droste absent 9:13 p.m. – 9:17 p.m.

**Action:** M/S/C (Arreguin/Wengraf) to adopt Resolution No. 70,114-N.S. confirming the Annual Report and Budget for the Elmwood Business Improvement District (hereafter, “the District”, “the Elmwood BID” or “the BID”) for 2021-22 and, if no majority protest exists, levy annual assessments in the District for calendar year 2022 to finance services and improvements and authorize a fiscal agency contract with Elmwood Business Association for receipt and expenditure of District funds.

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

### 16. **Renewal of the Solano Avenue BID for Calendar Year 2022**

**From:** City Manager

**Recommendation:** Conduct a public hearing and, upon conclusion, adopt a Resolution confirming the Annual Report and Budget for the Solano Avenue Business Improvement District (hereafter, “Solano BID Advisory Board” or “the BID”) for 2021-2022 and, if no majority protest exists, levy annual assessments in the District for calendar year 2022 to finance services and improvements and authorize a fiscal agency contract for receipt and expenditure of District funds.

**Financial Implications:** See Report

Contact: Eleanor Hollander, Commission Secretary, (510) 981-7530

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

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

**Vote:** All Ayes.

**Action:** M/S/C (Arreguin/Hahn) to adopt Resolution No. 70,115-N.S. confirming the Annual Report and Budget for the Solano Avenue Business Improvement District (hereafter, “Solano BID Advisory Board” or “the BID”) for 2021-2022 and, if no majority protest exists, levy annual assessments in the District for calendar year 2022 to finance services and improvements and authorize a fiscal agency contract for receipt and expenditure of District funds.

**Vote:** All Ayes.

### 17. **Fees: Vital Records**

**From:** City Manager

**Recommendation:** Conduct a public hearing and upon conclusion, adopt a Resolution adopting the Vital Records fee schedule adding a \$2.00 increase to the current fee for the issuance of each birth, death, and fetal death certificate. This fee adjustment is to become effective January 1, 2022 pursuant to Assembly Bill (AB) 128 (Chapter 21, Statutes of 2021), and Health & Safety (H&S) Codes, § 103627, 100425, 100430, and 100435.

**Financial Implications:** See report

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

**Public Testimony:** The Mayor opened the public hearing. 2 speakers.

## Action Calendar – Public Hearings

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

**Vote:** All Ayes.

**Action:** M/S/C (Arreguin/Wengraf) to adopt Resolution No. 70,116-N.S.

**Vote:** All Ayes.

### 18. Opt-In to Countywide Organics Reduction and Recycling Ordinance

**From:** City Manager

**Recommendation:** Conduct a public hearing and, upon conclusion, adopt a first reading of an Ordinance adding Chapter 12.35 to the Berkeley Municipal Code opting in to the Alameda County Waste Management Authority's Organics Reduction and Recycling Ordinance with an effective date of January 1, 2022. This Ordinance will bring the City into compliance with the regulations of Senate Bill 1383: Short-lived Climate Pollutants Act of 2016.

**Financial Implications:** See report

Contact: Liam Garland, Public Works, (510) 981-6300

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

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

**Vote:** All Ayes.

**Action:** M/S/C (Wengraf/Hahn) to adopt first reading of Ordinance No. 7,790-N.S.

Second reading scheduled for November 30, 2021.

**Vote:** All Ayes.

## Action Calendar – Continued Business

### A. Proposal to Allocate Revenues Generated by the Transient Occupancy Tax in the Waterfront Area to the Marina Fund to Avoid Insolvency, Rebuild its Fund Balance and to Stabilize its Finances *(Continued from November 9, 2021)*

**From:** Parks and Waterfront Commission

**Recommendation:** That Council adopt a Resolution adopting a policy that all Transient Occupancy Taxes (TOT hotel tax) generated at the Berkeley Waterfront be allocated to the City's Marina Enterprise Fund. All other property, sales, utility users, and parking taxes; as well as business license and franchise fees, would continue to be allocated to the City's General Fund.

*Policy Committee Recommendation: Send the item to Council with a negative recommendation and additionally request a referral to the Budget & Finance Policy Committee to discuss and develop alternative revenue streams for the Marina Fund including a dedicated reserve.*

**Financial Implications:** See report

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

**Action:** 4 speakers. M/S/C (Arreguin/Harrison) to adopt the Policy Committee recommendation to refer to the Budget & Finance Committee to discuss and

## Action Calendar – Continued Business

develop alternative revenue streams for the Marina Fund including a dedicated reserve.

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

Councilmember Droste absent 9:55 p.m. – 10:55 p.m.

I hereby certify that the foregoing is a true and correct record of the regular session City Council meeting held on November 16, 2021.

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Mark Numainville  
City Clerk

**Public Comment – Items Not Listed on the Agenda - 1 speaker.**

## Adjournment

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

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

Adjourned at 10:55 p.m.

## Communications – November 16, 2021

### Vision Zero

1. 26 similarly-worded form letters

### Automated License Plate Readers (ALPR)

2. 5 similarly-worded form letters
3. Elliot Halpern

### Accessory Dwelling Unit

4. Jill Bond
5. Nancy Kates
6. Gene Meyers
7. Carla and Dolph Rempp
8. Sara Cox
9. Rocky Offner
10. Tom Hutcheson
11. Linda Polsby
12. Kenneth Yip

- 13. Pranab Bardhan
- 14. Cameron Woo
- 15. Russ Mitchell

**BART Housing**

- 16. 13 similarly-worded form letters
- 17. North Berkeley Neighborhood Alliance (2)
- 18. Paul Bickmore
- 19. Jeffrey Wescott
- 20. Gary Miguel
- 21. David Soffa
- 22. Teresa Clarke (2)

**Building Electrification**

- 23. Daniel Tahara
- 24. Igor Tregub, on behalf of Sierra Club

**Bayer Development Agreement**

- 25. Jennifer Lovvorn, secretary of the Civic Arts Commission
- 26. Kathryn Reasoner
- 27. Kim Anno

**Berkeley Asphalt Company**

- 28. Christopher Kroll (2)
- 29. Councilmember Kesarwani
- 30. Pear Michaels
- 31. Meryl Siegal

**Plastic Bag Ordinance**

- 32. Dexter Griffin

**Vandalism in the Downtown Business District**

- 33. Susie Kooyman

**Fossil-Fuel Non-Proliferation Treaty**

- 34. Martin Bourque, on behalf of the Ecology Center

**Access to Drinking Water**

- 35. David Lerman

**Hope Center and Berkeley Way Apartments**

- 36. John Parman

**Violation of First Amendment**

- 37. Nilang Gor

**Intent to File Restraining Order**

38. Mellissa Cheatwood

**EV Charging**

39. Tom Lent

40. Councilmember Harrison

**Homeless Altercations with Business'**

41. Haakon Thallaug, on behalf of Viking Trader

**Downtown Berkeley Ambassadors**

42. John Caner, CEO, Downtown Berkeley Association

**Nevada Cares Campus Briefing**

43. John Caner, CEO, Downtown Berkeley Association

**Hazardous State of Berkeley Streets and Sidewalks**

44. Sabina McMurtry

**Surging Gun Violence in America**

45. Paul Kealoha Blake

**Climate News**

46. Thomas Lord

**Violation of Sanctuary Contracting Ordinance**

47. Elana Auerbach

**Grizzly Peak Traffic Speed**

48. Joshua Bloom

**Hopkins Street Proposals**

49. Elsa Tranter

**URL's Only**

50. Vivian Warkentin

**Supplemental Communications and Reports 1**

None

**Supplemental Communications and Reports 2**

**Item #12: Salary Adjustment for City Manager**

51. Margot Smith

52. Kelly Hammargren

## **Supplemental Communications and Reports 3**

### **Item #6: Commission Reorganization: Creating the Parks, Recreation, and Waterfront Commission**

53. Benjamin Otten

### **Item #12: Salary Adjustment for City Manager**

54. Berkeley Citizens Action

55. Linda Franklin

56. Phoebe Anne Sorgen

### **Item #A: Proposal to Allocate Revenues Generated by the Transient Occupancy Tax in the Waterfront Area to the Marina Fund to Avoid Insolvency, Rebuild its Fund Balance and to Stabilize its Finances**

57. Gordon Wozniak, Chair, Parks & Waterfront Commission

## **City Manager Comments**

### **Update on the Homeless Response Team**

58. Presentation, submitted by the City Manager's Office



# BERKELEY CITY COUNCIL SPECIAL MEETING MINUTES

THURSDAY, NOVEMBER 18, 2021

2:00 P.M.

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**

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## Preliminary Matters

**Roll Call:** 2:13 p.m.

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

**Absent:** Kesarwani, Taplin, Bartlett, Harrison

Councilmember Harrison present at 2:16 p.m.

Councilmember Bartlett present at 2:24 p.m.

**Public Comment - Limited to items on this agenda only** – 0 speakers

## CLOSED SESSION:

The City Council will convene in closed session to meet concerning the following:

### 1. CONFERENCE WITH LEGAL COUNSEL – EXISTING OR ANTICIPATED LITIGATION PURSUANT TO GOVERNMENT CODE SECTIONS 54956.9(d)(1) AND 54956.9(d)(2)

- a. GTE Mobilnet of California Limited Partnership, DBA Verizon Wireless v. City of Berkeley; Berryman Reservoir Neighbors, intervenor-defendants, Case No. 4:20-cv-5460-DMR (US District Court, Northern District, Oakland Division)

**Action:** No reportable action taken.

- b. The People of the State of California v. Leonard Felton Powell, et al, California Superior Court Case Number RG15762567

**Action:** No reportable action taken.

## OPEN SESSION:

No reportable action taken.

## Adjournment

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

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

Adjourned at 3:19 p.m.

I hereby certify that the foregoing is a true and correct record of the Closed Session meeting held on November 18, 2021.

---

Mark Numainville  
City Clerk

# BERKELEY CITY COUNCIL SPECIAL MEETING MINUTES

TUESDAY, NOVEMBER 30, 2021

3:30 P.M.

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

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*To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this <https://us02web.zoom.us/j/84061822756>. 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.*

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## Preliminary Matters

**Roll Call:** 3:35 p.m.

**Present:** Kesarwani, Hahn, Wengraf, Robinson, Droste, Arreguin

**Absent:** Taplin, Bartlett, Harrison

Councilmember Taplin present at 3:40 p.m.

Councilmember Bartlett present at 3:41 p.m.

Councilmember Harrison present at 3:41 p.m.

**Public Comment - Limited to items on this agenda only – 3 speakers**

## CLOSED SESSION:

The City Council will convene in closed session to meet concerning the following:

### 1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTIONS 54956.9(d)(1)

- a. National Prescription Opiate Litigation, United States District Court, Northern District of Ohio, Eastern Division, MDL 2804, Case No. 1:17-MD-2804. Discussion and direction whether to register as an eligible Non-Litigating Subdivision to participate in the nationwide settlements that are proposed to resolve all opioids litigation brought by states and local political subdivisions against the three largest pharmaceutical distributors (McKesson, Cardinal Health, and Amerisource), and against manufacturer Janssen Pharmaceuticals, Inc. and its parent company Johnson & Johnson. <https://oag.ca.gov/opioids> and <https://nationalopioidsettlement.com/>

**Action:** M/S/C (Arreguin/Hahn) to affirm the action to register the City of Berkeley to opt into the proposed nationwide settlement agreements that obligate the three largest pharmaceutical distributors (McKesson, Cardinal Health, and AmerisourceBergen) to pay up to \$21 billion over 18 years to affected states and agencies, and manufacturer Janssen Pharmaceuticals (and its parent company Johnson & Johnson) to pay up to \$5 billion over 9 years, for use by states, counties, and cities participating in the settlement to remediate and abate the impacts of the opioid crisis. In addition, the Council authorized the City Attorney to take all necessary actions to participate in the settlements.

**Vote:** All Ayes.

**2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTIONS 54956.9(d)(1)**

- a. Oceanview Neighborhood Council v. City of Berkeley; 1444 Fifth Street, et al., Real Parties in Interest; Case No. RG21091748 (Alameda County Superior Court, filed 3/12/2021)
- b. Oceanview Neighborhood Council v. City of Berkeley City; 1442 Fifth Street LLC; Case No. 21CV001971 (Alameda County Superior Court, filed 11/5/2021)

**Action:** No reportable action taken.

**3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8**

Property address: 1007 University Avenue, Berkeley, CA 94710  
Agency Negotiators: Dee Williams-Ridley, City Manager; Paul Buddenhagen, Deputy City Manager; Liam Garland, Director, Public Works Department; Dionne Early, Community Development Project Coordinator  
Negotiating parties: City of Berkeley and Bauman College  
Property owner: City of Berkeley  
Under negotiation: Price and terms

**Action:** No reportable action taken.

**4. CONFERENCE WITH LABOR NEGOTIATORS; GOVERNMENT CODE SECTION 54957.6**

Negotiators: Dee Williams-Ridley, City Manager, Paul Buddenhagen, Deputy City Manager, LaTanya Bellow, Deputy City Manager, Don Ellison, Interim Human Resources Director, Ravinder Rangji, Employee Relations Manager.

Employee Organizations: Berkeley Fire Fighters Association Local 1227, Berkeley Fire Fighters Association, Local 1227 I.A.F.F. / Berkeley Chief Fire Officers Association; International Brotherhood of Electrical Workers (IBEW), Local 1245, SEIU 1021 Community Services and Part-time Recreation Activity Leaders, SEIU 1021 Maintenance and Clerical, Public Employees Union Local 1, Unrepresented Employees, Berkeley Police Association.

**Action:** No reportable action taken.

**OPEN SESSION:**

The City Council met in closed session and affirmed the action to register the City of Berkeley to opt into the proposed nationwide settlement agreements that obligate the three largest pharmaceutical distributors (McKesson, Cardinal Health, and AmerisourceBergen) to pay up to \$21 billion over 18 years to affected states and agencies, and manufacturer Janssen Pharmaceuticals (and its parent company Johnson & Johnson) to pay up to \$5 billion over 9 years, for use by states, counties, and cities participating in the settlement to remediate and abate the impacts of the opioid crisis. In addition, the Council authorized the City Attorney to take all necessary actions to participate in the settlements.

## Adjournment

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

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

Adjourned at 5:32 p.m.

I hereby certify that the foregoing is a true and correct record of the closed session meeting held on November 30, 2021.

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Mark Numainville  
City Clerk

**MINUTES**  
**BERKELEY CITY COUNCIL MEETING**  
**Tuesday, November 30, 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 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>.*

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*To join by phone: Dial **1-669-900-9128** or **1-877-853-5257 (Toll Free)** and enter Meeting ID: **822 5968 3632**. If you wish to comment during the public comment portion of the agenda, Press \*9 and wait to be recognized by the Chair.*

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*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**

### **Report from Closed Session**

The City Council met in closed session and affirmed the action to register the City of Berkeley to opt into the proposed nationwide settlement agreements that obligate the

three largest pharmaceutical distributors (McKesson, Cardinal Health, and AmerisourceBergen) to pay up to \$21 billion over 18 years to affected states and agencies, and manufacturer Janssen Pharmaceuticals (and its parent company Johnson & Johnson) to pay up to \$5 billion over 9 years, for use by states, counties, and cities participating in the settlement to remediate and abate the impacts of the opioid crisis. In addition, the Council authorized the City Attorney to take all necessary actions to participate in the settlements.

**Roll Call:** 6:04 p.m.

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

**Absent:** None

**Ceremonial Matters:**

1. Adjourned the Meeting in Memory of Rev. Elizabeth Coleman, McGee Avenue Baptist Church
2. Adjourned the Meeting in Memory of James Peterson, Former Commissioner and Activist
3. Adjourned the Meeting in Memory of John English, Former Commissioner and Activist

**City Manager Comments:** None

**Public Comment on Non-Agenda Matters:** 5 speakers.

**Consent Calendar**

**Public Comment on Consent Calendar and Information Items Only:** 10 speakers.

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

**Vote:** All Ayes.



## Consent Calendar

- 1. Opt-In to Countywide Organics Reduction and Recycling Ordinance**  
**From: City Manager**  
**Recommendation:** Adopt the second reading of Ordinance No. 7,790-N.S. adding Chapter 12.35 to the Berkeley Municipal Code opting in to the Alameda County Waste Management Authority's Organics Reduction and Recycling Ordinance with an effective date of January 1, 2022. This Ordinance will bring the City into compliance with the regulations of Senate Bill 1383: Short-lived Climate Pollutants Act of 2016.  
**First Reading Vote:** All Ayes  
**Financial Implications:** See report  
Contact: Liam Garland, Public Works, (510) 981-6300  
**Action:** Adopted second reading of Ordinance No. 7,790–N.S.
  
- 2. Minutes for Approval**  
**From: City Manager**  
**Recommendation:** Approve the minutes for the council meetings of October 5, 2021 (closed and special), October 12, 2021 (closed and regular), October 19, 2021 (special) and October 26, 2021 (closed and regular).  
**Financial Implications:** None  
Contact: Mark Numainville, City Clerk, (510) 981-6900  
**Action:** Approved the minutes as submitted.
  
- 3. Grant Approval: San Francisco Foundation support for 100% affordable housing at BART stations**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee to apply for and if awarded, accept a \$50,000 grant from the San Francisco Foundation to support efforts to make the BART housing projects 100% affordable.  
**Financial Implications:** See report  
Contact: Paul Buddenhagen, City Manager's Office, (510) 981-7000  
**Action:** Adopted Resolution No. 70,117–N.S.

4. **MOU to implement Ronald V. Dellums Fair Chance Access to Housing Ordinance**

**From: City Manager**

**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee to effectuate a Memorandum of Understanding (MOU) between the City of Berkeley and the City of Berkeley Rent Stabilization Board (Rent Board) to implement the Ronald V. Dellums Fair Chance Ordinance previously adopted by the Berkeley City Council.

**Financial Implications:** See report

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

**Action:** Adopted Resolution No. 70,118–N.S.

5. **Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on November 30, 2021**

**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 - \$340,000

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

**Action:** Approved recommendation.

6. **Proposed Ordinance Rescinding Ordinance 7,788-N.S. and Amending Paragraph 'NN' of Berkeley Municipal Code Section 19.48.020 ("Amendments to the California Fire Code") to Restore Language Which Existed Prior to October 26, 2021**

**From: City Manager**

**Recommendation:** 1. Adopt the first reading of an Ordinance rescinding Ordinance 7,788-N.S. which modified the language of Paragraph 'NN.' of Berkeley Municipal Code Section 19.48.020 ("Amendments to the California Fire Code") and which requires the installation of fire sprinklers in certain new structures and the retrofit of fire sprinklers in certain existing structures in Fire Zones 2 and 3 due to additional information presented to City staff, and restore the language of Paragraph 'NN' which existed prior to the October 26, 2021 adoption of Ordinance 7,788-N.S.; 2. Adopt a Resolution (Attachment 2) setting forth findings of local conditions that require more stringent building standards than those provided by the 2019 California Fire Code; 3. In compliance with state law on adopting such more restrictive building standards, hold a public hearing following the first reading and before the second reading, and schedule the public hearing for December 14, 2021.

**Financial Implications:** None

Contact: Abe Roman, Fire, (510) 981-3473

**Action:** 1. Adopt first reading of Ordinance No. 7,791–N.S. Second reading scheduled for December 14, 2021. 2. Adopted Resolution No. 70,119–N.S.

## Consent Calendar

- 7. Contract: Blaisdell's Business Products for HHCS Furniture**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee to execute a contract, and any amendments or extensions, with Blaisdell's Business Products for new office and classroom furniture for the North Berkeley Senior Center (NBSC). The contract will be in an amount not to exceed \$99,000 for the period January 1, 2022 through June 30, 2022.  
**Financial Implications:** See report  
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400  
**Action:** Adopted Resolution No. 70,120–N.S.
- 8. Contract No. 32000094 Amendment: Youth Spirit Artworks Mental Health Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee to amend contract No. 32000094 with vendor Youth Spirit Artworks (YSA) to provide a variety of mental health and case management supports for Transition Age Youth (TAY) through June 30, 2022 in an amount not to exceed \$527,046. This will extend the existing contract by one year and add \$210,046 in funding.  
**Financial Implications:** Measure P - \$210,046  
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400  
**Action:** Adopted Resolution No. 70,121–N.S.
- 9. Contract No. 32100178 Amendment: California Mental Health Services Authority Help@Hand Participation Agreement**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee to execute an Amendment to Contract No. 32100178 for the Help@Hand Participation Agreement with the California Mental Health Services Authority (CalMHSA) to increase the amount of local project funds by \$47,999 for a total amount not to exceed \$400,915 through June 30, 2024, and any amendments.  
**Financial Implications:** See report  
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400  
**Action:** Adopted Resolution No. 70,122–N.S.

## Consent Calendar

- 10. Contract: Community Crisis Response Services**  
**From: City Manager**  
**Recommendation:** Adopt three Resolutions authorizing the City Manager or her designee to execute contracts and any amendments or extensions with Alameda County Network of Mental Health Clients (Berkeley Drop-in Center), Options Recovery, and Women's Daytime Drop-in Center for Community Crisis Response Services, in an amount not to exceed \$1,200,000.  
**Financial Implications:** See report  
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400  
**Action:** 1. Adopted Resolution No. 70,123–N.S. (Berkeley Drop-in Center) 2. Adopted Resolution No. 70,124–N.S. (Options Recovery) 3. Adopted Resolution No. 70,125–N.S. (Women's Daytime)
- 11. Contract: Needle Exchange Emergency Distribution (NEED)**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an expenditure contract and any amendments or extensions with the Needle Exchange Emergency Distribution (NEED) in an amount not to exceed \$150,000 for the period July 1, 2021 through June 30, 2024.  
**Financial Implications:** General Fund - \$150,000  
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400  
**Action:** Adopted Resolution No. 70,126–N.S.
- 12. Grant Application: Cal Fire Urban and Community Forestry Grant Program (Trees Make Berkeley Better)**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to submit a CAL FIRE Urban and Community Forestry tree planting grant application in the amount up to \$1,104,320; 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:** See report  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700  
**Action:** Adopted Resolution No. 70,127–N.S.

## Consent Calendar

- 13. Berkeley Existing Buildings Electrification Strategy**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution approving the Berkeley Existing Buildings Electrification Strategy, as described in Exhibit A.  
**Financial Implications:** See report  
Contact: Jordan Klein, Planning and Development, (510) 981-7400  
**Action:** 0 speakers. Moved to Action Calendar. M/S/C (Arreguin/Harrison) to adopt Resolution No. 70,128–N.S.  
**Vote:** All Ayes.
  
- 14. Cities Race to Zero Campaign: 2030 emission reduction target**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution for the Cities Race to Zero Campaign to establish a 2030 emission reduction target that reflects Berkeley’s fair share of the 50% global reduction in CO<sub>2</sub>e, committing to reduce emissions 60.5% from 2018 levels by 2030.  
**Financial Implications:** See report  
Contact: Jordan Klein, Planning and Development, (510) 981-7400  
**Action:** Adopted Resolution No. 70,129–N.S.
  
- 15. Contract No. 112219-1 Amendment: Siemens Industry, Inc. for Fire and Life Safety Systems Maintenance**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 112219-1 with Siemens Industry, Inc. for Fire and Life Safety Systems Maintenance increasing the current contract amount of \$300,000 by \$300,000 for a total not to exceed amount of \$600,000 and extending the term through December 31, 2024.  
**Financial Implications:** Various Funds - \$300,000  
Contact: Liam Garland, Public Works, (510) 981-6300  
**Action:** Adopted Resolution No. 70,130–N.S.

## Consent Calendar

16. **Contract No. 32100081 Amendment: FirstCarbon Solutions, Inc. for California Environmental Quality Act Compliance for the Solid Waste & Recycling Transfer Station Replacement Project**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32100081 with FirstCarbon Solutions, Inc. for the Solid Waste & Recycling Transfer Station Replacement Project to ensure compliance with the California Environmental Quality Act, increasing the current contract amount of \$500,000 by \$150,000 for a total not to exceed amount of \$650,000 and extending the contract term to June 30, 2022.  
**Financial Implications:** Zero Waste Fund - \$150,000  
Contact: Liam Garland, Public Works, (510) 981-6300  
**Action:** Adopted Resolution No. 70,131–N.S.
17. **Purchase Order: PB Loader Corporation for Two Chipper Trucks**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution satisfying requirements of City Charter Article XI Section 67.2 allowing the City to participate in Sourcewell (formerly NJPA) Contract No. 052417-PBL bid procedures and authorizing the City Manager to execute a purchase order for two Chipper Trucks with PB Loader Corporation in an amount not to exceed \$305,900.  
**Financial Implications:** Equipment Replacement Fund - \$305,900  
Contact: Liam Garland, Public Works, (510) 981-6300  
**Action:** Adopted Resolution No. 70,132–N.S.
18. **Budget Referral: Berkeley Age-Friendly Continuum**  
**From: Mayor Arreguin (Author) and Councilmember Wengraf (Co-Sponsor)**  
**Recommendation:** Refer \$20,000 to the November 2021 Annual Appropriations Ordinance #1 process for the Berkeley Age-Friendly Continuum.  
**Financial Implications:** General Fund - \$20,000  
Contact: Jesse Arreguin, Mayor, (510) 981-7100  
**Action:** Councilmembers Harrison and Bartlett added as co-sponsors. Approved recommendation.
19. **Reappointment of Dr. P. Robert Beatty to the Alameda County Mosquito Abatement District Board of Trustees**  
**From: Mayor Arreguin (Author)**  
**Recommendation:** Adopt a Resolution reappointing Dr. P. Robert Beatty to the Board of Trustees of the Alameda County Abatement District for a two-year term ending on January 1, 2024.  
**Financial Implications:** None  
Contact: Jesse Arreguin, Mayor, (510) 981-7100  
**Action:** Adopted Resolution No. 70,133–N.S.

## Council Consent Items

20. **Budget Referral: Commitment to Habitot Recovery**  
**From: Councilmember Bartlett (Author), Mayor Arreguin (Author) and Councilmember Harrison (Co-Sponsor)**  
**Recommendation:** Refer to the AAO#1 Budget Process \$100,000 to support the recovery of Habitot and its many agency partners so it can ramp up to pre-pandemic levels and continue to provide its broad services to young children, their parents, and caregivers, and our communities most vulnerable families.  
**Financial Implications:** \$100,000  
Contact: Ben Bartlett, Councilmember, District 3, (510) 981-7130  
**Action:** Approved recommendation.

## Council Consent Items

21. **Budget Referral and Resolution Establishing a Pilot Existing Building Electrification Installation Incentives and Just Transition Program with Pre-Qualified Contractors Meeting Minimum Labor Standards to Assist New Property Owners, Renters and Existing Property Owners with Transition to Zero-Carbon Buildings** (*Reviewed by the Budget & Finance Policy Committee*)  
**From: Councilmember Harrison (Author), Councilmember Bartlett (Co-Sponsor)**

**Recommendation:** 1. Adopt a Resolution establishing:

- a. a referral to Office of Energy and Sustainable Development (OESD) staff to design and launch a two-year Pilot Existing Building Electrification Installation Incentives and “Just Transition” Program, using pre-qualified contractors meeting minimum labor standards to assist new property owners, renters and existing property owners with transition to zero-carbon plumbing, HVAC, cooking, and related electrical systems, with a preference first for assisting existing affordable housing buildings and assisting households at or below 120% of the Area Median Income; and
  - b. an annual process for the Energy (or successor) Commission and the Facilities, Infrastructure, Transportation, Environment & Sustainability Policy Committee (FITES), in consultation with community and labor groups, to provide input to staff and Council about eligible categories of fund expenditures to maximize equitable emissions reductions and impacts for eligible households while leaving the mechanisms for doing so to staff discretion.
2. Send copies of the Resolution and letters to members of the California Public Utilities and Energy Commissions, Governor Newsom, State Senator Skinner, and Assemblymember Wicks conveying urgent support for a statewide approach to rapidly contract the natural gas distribution system in a way that is safe, economical for remaining customers, and that provides a just transition for affected workers, including gas utility and extraction workers.
3. Refer to the November, 2021 AAO budget process:
- a. \$1,500,000 of general fund monies from the American Rescue Plan Act allocation and other sources as appropriate as seed funding for the two-year pilot, inclusive of staff costs, for FY 2022.

*Policy Committee Recommendation: On November 3, 2021 the Budget & Finance Policy Committee took the following action: M/S/C (Arreguin/Harrison) to send the item to Council with a qualified positive recommendation including the following amendments: Recommendation 2. That part of the recommended funding source is American Rescue Plan dollars and; Recommendation 1a. Modifying the end of the last sentence to “with a preference first for affordable housing projects and assisting households at or below 120% the area median income.”*

**Financial Implications:** See report

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

**Action:** Moved to Action Calendar. 6 speakers. M/S/C (Harrison/Arreguin) to refer the item to the December AAO Budget Process as revised by the Policy Committee recommendation.

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



## Action Calendar

**22. Prioritizing Berkeley Unified School District Public Works Service Requests  
From: Councilmember Hahn (Author) and Councilmember Harrison (Co-Sponsor)**

**Recommendation:** Refer to the City Manager to: 1. Work with the Berkeley Unified School District (BUSD) to create a system to better document, communicate, and prioritize Public Works service requests from BUSD schools and facilities; and 2. Establish protocols with BUSD for school principals to coordinate directly with Public Works staff to address school site-related concerns that fall under the City's jurisdiction.

**Financial Implications:** None

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

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

**23. Budget Referral to City Manager to Improve Pedestrian Safety where Sidewalks are Not Provided**

**From: Councilmember Wengraf (Author)**

**Recommendation:** Refer to the Mid-Year Annual Appropriations Ordinance Budget Process \$100,000 to implement steps to promote increased safety for pedestrians of all ages, including seniors and children, on streets lacking sidewalks. This item is requesting the installation of signage to minimize pedestrian-vehicular conflict points at uncontrolled intersections, and to increase driver awareness of pedestrian activity by posting speed limit signs and other signage as a means to improving safe pedestrian access to schools, neighborhood parks, USPS mailboxes, and school and AC Transit bus stops in areas without the benefit of sidewalks. In addition, this item requests that the City Manager explore the implementation of AB 43 that allows cities to take the safety of vulnerable users into consideration when setting local speed limits. This item requests that the City Manager exercise her authority under the California Vehicle Code to allow for lowering the speed limit to 15 or 20 mph in residential districts where the roadway is less than 25 feet wide.

**Financial Implications:** \$100,000

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

**Action:** Councilmembers Droste, Taplin, and Kesarwani added as co-sponsors.  
Approved recommendation.

## 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. Speakers are permitted to yield their time to one other speaker, however no one speaker shall have more than four minutes. The Presiding Officer may with the consent of persons representing both sides of an issue allocate a block of time to each side to present their issue.*

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

### 24. **Bayer Healthcare LLC – Amended and Restated Development Agreement**

**From:** City Manager

**Recommendation:** Conduct a public hearing and, upon conclusion, certify the Final Subsequent Environmental Impact Report, adopt Findings and a Mitigation Monitoring and Reporting Program, and adopt the first reading of an Ordinance to approve the Amended and Restated Development Agreement between the City of Berkeley and Bayer Healthcare LLC.

**Financial Implications:** See report

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

**Public Testimony:** The Mayor opened the public hearing. 21 speakers.  
M/S/C (Arreguin/Droste) to close the public hearing.

**Vote:** All Ayes.

**Action:** M/S/C (Arreguin/Taplin) to adopt first reading of Ordinance No. 7,792–N.S. as revised in Supplemental Communications Packet #1. Second reading scheduled for December 14, 2021.

**Vote:** All Ayes.

## Action Calendar – Public Hearings

### 25. Amendments to the Berkeley Election Reform Act

#### From: Fair Campaign Practices Commission

**Recommendation:** Conduct a public hearing and, upon conclusion, adopt the first reading of an Ordinance amending the Berkeley Election Reform Act (BMC Chapter 2.12) to (1) make public financing available to candidates for the offices of Auditor, School Board Director, and Rent Stabilization Board Commissioner, (2) further clarify the use of Fair Elections funds, (3) clarify the requirements for returning unspent Fair Elections funds, (4) add a new process for requesting return of previously repaid Fair Elections funds, and (5) require the FCPC to make a cost of living adjustment to the contribution limit to candidates in January of each odd-numbered year.

**Financial Implications:** None

Contact: Sam Harvey, Commission Secretary, (510) 981-6950

**Public Testimony:** The Mayor opened the public hearing. 3 speakers.

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

**Vote:** All Ayes.

**Action:** M/S/C (Arreguin/Harrison) to 1) adopt first reading of Ordinance No. 7,793–N.S. Second reading scheduled for December 14, 2021; and 2) Refer to the Fair Campaign Practices Commission and the City Attorney to analyze and report on increasing the baseline non-public financing contribution limit.

**Vote:** All Ayes.

## Action Calendar – Old Business

26. **Commission Reorganization: Creating the Parks, Recreation, and Waterfront Commission** *(Continued from November 16, 2021)*

**From:** City Manager

**Recommendation:** Adopt an Ordinance repealing and re-enacting Berkeley Municipal Code Chapter 3.26 to create the Parks, Recreation, and Waterfront Commission, and repealing Berkeley Municipal Code Chapters 3.27 (Children, Youth, and Recreation Commission) and 3.08 (Berkeley Animal Care Commission).

**Financial Implications:** See report

Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700

**Action:** M/S/C (Droste/Kesarwani) to call for the previous question.

**Vote:** All Ayes.

**Action:** M/S/Failed (Harrison/Hahn) to adopt the recommendation amended to remove the Animal Care Commission from the consolidation.

**Vote:** Ayes – Bartlett, Harrison, Hahn, Arreguin; Noes – Kesarwani, Robinson, Droste; Abstain – Taplin, Wengraf.

**Action:** 5 speakers. M/S/Carried (Robinson/Droste) to adopt first reading of Ordinance No. 7,794–N.S. Second reading scheduled for December 14, 2021.

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

## Action Calendar – New Business

27. **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**  
**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: LaTanya Bellow, City Manager's Office, (510) 981-7000, Jennifer Louis, Police, (510) 981-5900

**Action:** M/S/C (Arreguin/Robinson) to continue Item 27 to the December 14, 2021 special meeting of the City Council including supplemental and revised materials from Councilmember Harrison.

**Vote:** All Ayes.

## Council Action Items

**28. Budget Referral: Automated license plate readers for community safety improvement** *(Reviewed by the Public Safety Policy Committee)*

**From: Councilmember Taplin (Author), Councilmember Droste (Co-Sponsor), Councilmember Wengraf (Co-Sponsor)**

**Recommendation:** That the Berkeley City Council take the following actions to enable and deploy tactical technologies in strategic public spaces and the public ROW for the improvement of community safety and determent, intervention, prevention of illegal dumping and/or investigation of violent crime and traffic violations: Authorize the City Manager to install Automatic License Plate Readers (ALPRs) at strategic locations including public facilities, entrances to the city and the public right-of-way in areas impacted by violent crime, traffic violations including infractions pertaining to bicycle and pedestrian safety, illegal dumping, Schedule II drug offenses, and other criminal activity; and refer to the FY 23-24 budget process cost of ALPRs. Refer to the City Manager the development of a policy pursuant and subject to City of Berkeley Surveillance Ordinance and Sanctuary City Contracting Ordinance enabling the use of ALPRs in fixed locations, mobile trailers, and vehicles by the Berkeley Police Department; consider a data retention period of no greater than one year, no less than sixty days to account for reporting lag, and study the feasibility of shorter data retention periods for non-hit scans with final discretion resting with the City Manager; consider comparable and applicable standards in the ALPRs policies of local governments including: the City of Alameda, The city of Emeryville, The City of Hayward, The City of Oakland, The City of Piedmont, The City of Richmond, The City of San Leandro, and The City of Vallejo; and consider provisions to safeguard efficacy against plate counterfitting, plate switching, and other methods of detection evasions.

*Policy Committee Recommendation: On November 1, 2021, the Public Safety Policy Committee took the following action: M/S/C (Kesarwani/Bartlett) to refer the item to Council with a qualified positive recommendation of the item to reflect the Policy Committee's desire for consideration of the costs and benefits of this proposed expenditure against other public safety investments in the two-year FY 2022-23 & 2023-24 budget and the need to first develop a policy related to addressing data retention and other issues in accordance with the City of Berkeley Surveillance Ordinance and Sanctuary City Contracting Ordinance.*

**Financial Implications:** See report

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

**Action:** M/S/C (Arreguin/Robinson) to suspend the rules and extend the meeting to 11:30 p.m.

**Vote:** All Ayes.

**Action:** M/S/C (Arreguin/Taplin) to suspend the rules and extend the meeting to 11:50 p.m.

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

**Action:** M/S/C (Arreguin/Taplin) to suspend the rules and extend the meeting to 12:15 a.m.

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

Councilmember Harrison absent 11:47 p.m. – 11:49 p.m.

**Action:** M/S/C (Taplin/Droste) to call for the previous question.

**Vote:** Ayes – Kesarwani, Taplin, Wengraf, Robinson, Droste, Arreguin; Noes – Bartlett, Harrison, Hahn.

**Action:** 35 speakers. M/S/C (Taplin/Droste) to approve the Policy Committee recommendation for Item 28.

**Vote:** Ayes – Kesarwani, Taplin, Bartlett, Wengraf, Robinson, Droste, Arreguin; Noes – Harrison; Abstain – Hahn.

## Information Reports

**29. City Council Short Term Referral Process – Quarterly Update**

**From: City Manager**

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

**Action:** Received and filed.

**30. FY 2021 Fourth Quarter Investment Report: Ended June 30, 2021**

**From: City Manager**

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

**Action:** Referred to the Budget & Finance Committee.

**31. Condominium Conversion Program – Annual Report**

**From: City Manager**

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

**Action:** Received and filed.

**32. Berkeley's 2019 Community-Wide Greenhouse Gas Emissions Inventory**

**From: City Manager**

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

**Action:** Referred to the Agenda & Rules Committee for future scheduling.

**Public Comment – Items Not Listed on the Agenda - 2 speakers.**



## Adjournment

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

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

Adjourned at 12:13 a.m.

## Communications – November 30

*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.*

### **Item #13: Berkeley Existing Buildings Electrification Strategy**

1. Daniel Tahara

### **Item #24: Bayer Healthcare LLC – Amended and Restated Development Agreement**

2. Beth Roessner, on behalf of the Berkeley Chamber of Commerce
3. Minda Berbeco
4. Kathleen Crandall
5. Sheroza Haniff, on behalf of the Alameda County Workforce Development Board
6. Katelyn Burns
7. Sara Webber, on behalf of the Berkeley Food Network
8. Nico Nagle, on behalf of the Housing Action Coalition
9. Andrea Ali, owner Guerilla Café
10. Ajit Smith-Iyer
11. Jim Wunderman, on behalf of the Bay Area Council
12. Lindsay Kempf
13. Alejandra Tapia
14. Anabel Fredman
15. Sophia Padron Vos
16. Miguel Piedra Montano
17. Ahmed Akbar
18. Teresa Barnett, on behalf of Community Resources for Science
19. Lauren Rawlins
20. Stephen Baiter, on behalf of East Bay Economic Development Alliance
21. Sherry Smith, on behalf of Berkeley Community Scholars
22. Anshdeep Chhabra
23. Chamroen Eng
24. Willis Hon
25. Lynda Gayden, on behalf of the Board of Directors of Biotech Partners (2)
26. Rob Stoker, on behalf of the Alameda County Building and Construction Trades Council



**Item #27: 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**

27. Oren Cheyette

**BART Housing**

- 28. Louise Rosenkrantz
- 29. Mathew Lewis
- 30. Linda Franklin
- 31. David Brandon
- 32. Carla Woodworth
- 33. Charlene Woodcock
- 34. Margot Smith (2)
- 35. Serena Lim
- 36. Rhonda Grossman
- 37. Suzanne McMillan
- 38. Lindsay Dixon
- 39. Carolyn McMillan
- 40. Deborah Mathews
- 41. Barbara Fisher

**Plastic Bag Ordinance**

42. 3 similarly-worded from letters

**People's Park**

43. Russbumper

**Homeless People Treatment**

44. Diana Bohn

**Berkeley Police Department Budget**

45. Diana Bohn

**Voluntary Dismissal of Dominquez et al Lawsuit**

46. Melisa Cheatwood

**Climate Change**

47. Thomas Lord (4)

**Electric Vehicle Charging Station Solicitation**

48. Sage Feiler

**COVID-19 Related Issues**

49. Todd Andrew

**Berkeley City Council Meeting Statement**

50. Katy Scott-Smith

**Hopkins Corridor**

51. Bill Hickman

**Rent Relief Program**

52. Human Welfare and Community Action Commission

**Vision Zero**

53. Arvind Ramesh

54. Kristina Monakhova

55. Leo Vacher

**Fighting Crime in Berkeley**

56. Robyn Chen

57. Melanie Beasley, on behalf of the City Manager's Office

**No Development at Aquatic Park**

58. Charlene Woodcock

**Street Paving**

59. David Fisher

60. Jenifer Steele

61. Arthur Ogus

62. Judy Grether

**Genetically Modified Mosquitoes**

63. Erick Zavala

64. Robert Swanson

65. Mary Jill Seibel

66. Jaydee Hanson

**Encrypted Police Radios**

67. Sylvia

**Solar Access**

68. Pamela Drake

**Social Housing**

69. gvalentine@

**Public Security Cameras**

70. Oren Cheyette

**Single-Family Homes Floor Area Ratio**

71. Drake Zinns

**Berkeley is Least Affordable Mid-Sized City**

72. Margot Smith

**Timeline to Enforce City Ordinance – Homelessness**

73. Sam Kang

74. Michael Dillingham (2)

75. Laura Menard (2)

76. Lila Sklar

77. Adena Ishii

78. Olivia Wright

**Porta Potty Owned by United Company**

79. Debora Greene

**Supplemental Communications and Reports 1**

**Item #20: Budget Referral: Commitment to Habitat Recovery**

80. Michelle Hirsch

81. Johanna Silver

82. Jessica Fain

83. Lyn Berry

84. Martha Richards

85. David and Reed Keyes

**Item 23: Budget Referral to City Manager to Improve Pedestrian Safety where Sidewalks are Not Provided**

86. 11 similarly-worded form letters

87. Amer Dhanoa

88. Ellen Archilla

89. Monique Webster

90. Rod Richardson

91. Kay Licina

92. Hilary Roberts

93. Kaethe Weingarten

94. Ben Shemuel

95. Anna Avellar

96. Walter Geist

97. Paul Litsky

98. Russ Mitchell

**Item #24: Bayer Healthcare LLC – Amended and Restated Development Agreement**

99. Revised material, submitted by Planning

100. Richard Taylor

101. Justin Hayes

102. Tam Le

103. Mitzy De La Pena Medina, on behalf of Biocom California

104. Jessica Hays, on behalf of Bayer U.S. LLC

**Item #26: Commission Reorganization: Creating the Parks, Recreation and Waterfront Commission**

105. Michael Colbruno, on behalf of the East Bay Animal Pac

**Item #27: 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**

106. Revised material, submitted by Councilmember Harrison
107. Andrew Guenthner
108. Angela Powlen

**Supplemental Communications and Reports 2**

**Item #20: Budget Referral: Commitment to Habitat Recovery**

109. Amanda Posner, Darryl Collins, Rosie & Julian Collins

**Item #23: Budget Referral to City Manager to Improve Pedestrian Safety where Sidewalks are Not Provided**

110. 28 similarly-worded form letters
111. Bob Flasher
112. Alan Cohen
113. Hank Reekers
114. Joan Guilford Jackson
115. Doug Giancoli
116. Katherine Woodward Thomas
117. SB Master
118. Sandra Giachino
119. Sara Sanderson
120. Lynn White
121. John Blaustein
122. Lina and Jen-Luc Lamirande
123. Robert Dering
124. Richard Hackenberg
125. David Spinner
126. Mike Rubin & Jenniffer Hamilton
127. Stefano Schiavon & Liliana Cardile
128. Maria Sakovich
129. Gary Forbes
130. Maya Trilling
131. Donna Rosenthal
132. Swati Agarwal
133. Rachel Biale
134. Les Guliasi
135. Svetlana Livdan
136. Thomas Hutcheson & Frederique Wynberg

**Item #24: Bayer Healthcare LLC – Amended and Restated Development Agreement**

- 137. Matthew Miyazaki
- 138. Edgar Alonzo
- 139. Phil Capitolo

**Item #25: Amendments to the Berkeley Election Reform Act**

- 140. ACLU of Northern California, Bay Rising, Maplight

**Item #26: Commission Reorganization: Creating the Parks, Recreation and Waterfront Commission**

- 141. Naomi Friedman
- 142. Christina Tworek
- 143. East Bay Animal PAC

**Item #27: 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**

- 144. Revised material submitted by Councilmember Kate Harrison

**Item #28: Budget Referral: Automated license plate readers for community safety improvement**

- 145. 23 similarly-worded form letters
- 146. Diana Bohn
- 147. Kitt Saginor
- 148. Diana
- 149. Kitty Calavita
- 150. Elliott Halpern/ACLU Berkeley/NorthEast Bay Chapter

**Supplemental Communications and Reports 3**

**Item #21: Budget Referral and Resolution Establishing a Pilot Existing Building Electrification Installation Incentives and Just Transition Program with Pre-Qualified Contractors Meeting Minimum Labor Standards to Assist New Property Owners, Renters and Existing Property Owners with Transition to Zero-Carbon Buildings**

- 151. Nicole Goehring, on behalf of Associated Builders and Contractors, Inc. Northern California Chapter

**Item #22: Prioritizing Berkeley Unified School District Public Works Service Requests**

- 152. Yishai Boyarin

**Item #23: Budget Referral to City Manager to Improve Pedestrian Safety where Sidewalks are Not Provided**

- 153. Kyle Schriener
- 154. Susie Dickson
- 155. Monika, David, Alina, and Shannon Eisenbud
- 156. Bami Greene

- 157. Howard Hertz
- 158. Bruce Brody
- 159. Jean Krois
- 160. Gary Wolf
- 161. Barryett Enge

**Item #24: Bayer Healthcare LLC – Amended and Restated Development Agreement**

- 162. Geoffrey Lomax
- 163. Larry Goodman
- 164. Presentation, submitted by Planning

**Item #26: Commission Reorganization: Creating the Parks, Recreation, and Waterfront Commission**

- 165. Dianne Sequoia
- 166. Elaine Lee

**Item #28: Budget Referral: Automated license plate readers for community safety improvement**

- 167. 21 similarly-worded letters
- 168. Sally Nelson
- 169. Thomas Luce
- 170. Elana Auerbach (2)
- 171. Charlene Washington
- 172. Jack Kurzwell
- 173. Josh Buswell-Charkow
- 174. Andrew Gilbert
- 175. Kenneth Berland
- 176. Catherine Huchting
- 177. Peter Klatt
- 178. Laurie Captelli
- 179. Joe Kewekordes
- 180. Nritkaar Dhesi
- 181. Sarah Deeds
- 182. Tom Lent
- 183. Kyra Stubbotin and Henry Siegel
- 184. Pam
- 185. Alexandra Crisafulli
- 186. John Beaulaurier
- 187. Chip Harley
- 188. Anna Natille
- 189. Todd Andrew (3)
- 190. Gene Millstein
- 191. Jeff Vincent
- 192. Shannon Prokup
- 193. Linda Elkin
- 194. Rachel Schiff
- 195. Eric Angress

196. Eric Friedman
197. Bruce Feingold
198. Tracy McBride
199. Maryann OSullivan
200. Wilma Wyss
201. Kim Marklson
202. Nicole Chabot
203. Laurel Kuchinsky
204. Steve Berger
205. Steve Masover
206. E.J. Holowicki
207. Deborah Trillia
208. Robert Cohen
209. Karen Hemphill
210. Diana Bohn (2)
211. Barbara O'Hay
212. Michael A. Rodriguez
213. Lynn Signorelli
214. Diana
215. Rena Fischer
216. Sally Williams
217. Bob Hatheway
218. Kristina
219. Melissa Kachura
220. Dave
221. Brian Hofer
222. Councilmember Kate Harrison
223. Robert Glantz
224. Maggie
225. Murray Bruce
226. R. Gable