



AGENDA

BERKELEY CITY COUNCIL MEETING

Tuesday, May 24, 2022

6:00 PM

SCHOOL DISTRICT BOARD ROOM - 1231 ADDISON STREET, BERKELEY, CA 94702

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 IN A HYBRID MODEL WITH BOTH IN-PERSON ATTENDANCE AND VIRTUAL PARTICIPATION

Proof of up-to-date COVID-19 vaccination or verified negative COVID-19 test is required for in-person attendance. In-person attendees are required to wear a mask that covers their nose and mouth for the duration of the meeting. If you are feeling sick, please do not attend in-person.

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To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL <https://us02web.zoom.us/j/84636500260>. If you do not wish for your name to appear on the screen, then use the drop down menu and click on "rename" to rename yourself to be anonymous. To request to speak, use the "raise hand" icon by rolling over the bottom of the screen.

*To join by phone: Dial **1-669-900-9128 or 1-877-853-5257 (Toll Free)** and enter Meeting ID: **846 3650 0260**. 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 meeting will be recorded and all rules of procedure and decorum apply for in-person attendees and those participating by teleconference or videoconference.

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

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

Preliminary Matters

Roll Call:

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

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

Public Comment on Non-Agenda Matters: *Persons will be selected to address matters not on the Council agenda. If five or fewer persons wish to speak, each person selected will be allotted two minutes each. If more than five persons wish to speak, up to ten persons will be selected to address matters not on the Council agenda and each person selected will be allotted one minute each. Persons attending the meeting in-person and wishing to address the Council on matters not on the Council agenda during the initial ten-minute period for such comment, must submit a speaker card to the City Clerk in person at the meeting location and prior to commencement of that meeting. The remainder of the speakers wishing to address the Council on non-agenda items will be heard at the end of the agenda.*

Consent Calendar

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

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

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

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

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

Consent Calendar

- 1. Amendment: FY 2022 Annual Appropriations Ordinance**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,811-N.S. amending the FY 2022 Annual Appropriations Ordinance No. 7,795–N.S. for fiscal year 2022 based upon recommended re-appropriation of committed FY 2021 funding and other adjustments in the amount of \$53,122,621 (gross) and \$43,346,798 (net).
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Sharon Friedrichsen, Budget Manager, (510) 981-7000
- 2. Public Art Funding for Municipal Capital Improvement Projects Ordinance; Adding Berkeley Municipal Code Chapter 6.13**
From: Civic Arts Commission
Recommendation: Adopt second reading of Ordinance No. 7,812-N.S. adding Chapter 6.13 Public Art Funding for Municipal Capital Improvement Projects of the Berkeley Municipal Code to provide for the allocation of one and three quarters percent (1.75%) of the estimated cost of construction associated with eligible municipal capital improvement projects, which shall be used for art and cultural enrichment of public buildings, parks, streets, and other public spaces in the City of Berkeley
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Jennifer Lovvorn, Commission Secretary, (510) 981-7530
- 3. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on May 24, 2022**
From: City Manager
Recommendation: Approve the request for proposals or invitation for bids (attached to staff report) that will be, or are planned to be, issued upon final approval by the requesting department or division. All contracts over the City Manager’s threshold will be returned to Council for final approval.
Financial Implications: \$300,000
Contact: Henry Oyekanmi, Finance, (510) 981-7300
- 4. Donation from Berkeley Echo Lake Camp Association for Echo Lake Camp Youth Scholarships**
From: City Manager
Recommendation: Adopt a Resolution to accept a cash donation of \$10,000 from the Berkeley Echo Lake Camp Association (BELCA), for Echo Lake Camp youth scholarships.
Financial Implications: \$10,000 in revenue.
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700

Consent Calendar

5. **Contract: Care Systems Inc. for an Electronic Scheduling Solution**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract and any necessary amendments with Care Systems Inc. to provide an Electronic Scheduling (E-Staffing) System for a three-year contract with an option to extend the contract for a two-year period for a maximum length of five years, for a total not to exceed \$191,740.
Financial Implications: See report
Contact: Jennifer Louis, Police Department, (510) 981-5700
6. **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** *(Reviewed by the Budget & Finance Committee)*
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: On April 28, 2022, the Budget & Finance Policy Committee took the following action: forward the item to Council with a qualified positive recommendation to consider as part of the budget process including the following amendments 1. that Public Works consider including trash pick-up at the Marina in the 218 process; 2. that the Marina Fund be excluded from road work repairs within the larger marina territory; and 3. that \$1.5M be allocated from the General Fund to the Marina Fund for operating expenses in 2024.
Financial Implications: See report
Contact: Roger Miller, Commission Secretary, (510) 981-6700

Council Consent Items

7. **Budget Referral: Street Maintenance Funding to Prevent Further Deterioration of Pavement Condition to Save Tax Dollars and Our Streets** *(Reviewed by the Budget & Finance Committee)*

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

Recommendation: Refer to the FY 2022-23 budget process to establish a three-year plan (FY 2022-23 through FY 2024-25) to fully fund an adequate street paving budget that prevents further deterioration of the City's pavement condition. At the end of the three-year period, the fiscal plan should allocate a minimum total of \$8 million in additional ongoing annual General Fund—bringing the total street paving annual budget to at least \$15.1 million—the minimum amount needed to maintain pavement condition, as identified by our Public Works Department.

We recommend that the City slightly exceed the \$8 million General Fund need by contributing \$3 million in ongoing funds in FY 2022-23, an additional \$3 million of ongoing funds in FY 2023-24, and a final addition of \$3 million in ongoing funds in FY 2024-25. This total of \$9 million, in addition to the existing allocation of \$7.3 million for annual street maintenance, will provide the City with about \$1.2 million more than the minimum total of \$15.1 million to account for inflation.

A three-year plan is suggested to give the City time to gradually enhance street paving resources, and annual inflation adjustments are recommended in out-years in order to ensure that maintenance funds remain adequate over time as construction costs rise. A dollar of maintenance early in a street's life-cycle saves \$8 later in the street's life-cycle due to avoided rehabilitation and/or reconstruction costs associated with failing streets, making this budget request an urgent matter of fiscal oversight.

Policy Committee Recommendation: On April 19, 2022, the Budget & Finance Policy Committee sent the item to Council with a positive recommendation to: 1. Formally refer the item to FY 23-24 Biennial Budget Process; 2. State the Committee's recommendation that the City Council prioritize available General Fund revenues to supplement the street paving budget to prevent further deterioration; 3. To recommend that Council consider this proposed approach to develop an expenditure plan for street paving; 4. Set a goal of allocating an additional \$3-8 Million in ongoing General Fund revenues.

Financial Implications: See report

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

Council Consent Items

- 8. Budget Referral: Capacity Building for Merchant Associations in the Gilman and Lorin Districts**
From: Councilmember Kesarwani (Author), Councilmember Bartlett (Co-Sponsor)
Recommendation: Referral to the City Manager and the FY 2022-23 Budget Process to provide one-time capacity building totaling \$20,000 (\$10,000 each) for the Gilman and Lorin District merchant associations to support economic development in their respective commercial areas. Distribution of funds should be contingent upon the following criteria: (a) Establishment of representative community advisory boards reflecting the diversity of businesses, agencies, nonprofits and resident stakeholders who could function as the leadership entity for fund management; (b) Obtainment of merchant associations' non-profit status; or partnership with an existing entity to enable fiscal sponsorship until nonprofit status is obtained; and (c) Requirement to use the funds within two years or risk having to return them.
Financial Implications: See report
Contact: Rashi Kesarwani, Councilmember, District 1, (510) 981-7110
- 9. Urge the AC Transit Board of Directors to Restore and Expand on Pre-Pandemic Transbay Bus Service and Bus Service to the Berkeley Hills**
From: Councilmember Taplin (Author), Councilmember Wengraf (Co-Sponsor), Councilmember Hahn (Co-Sponsor), Councilmember Robinson (Co-Sponsor)
Recommendation: Send a letter to the AC Transit Board of Directors urging the restoration and expansion of transbay and Berkeley Hills bus service.
Financial Implications: None
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120
- 10. Budget Referral and Updated Guidelines and Procedures for City Council Office Staff Expenditures**
From: Councilmember Bartlett (Author), Councilmember Robinson (Co-Sponsor), Councilmember Harrison (Co-Sponsor), Councilmember Taplin (Co-Sponsor)
Recommendation: Refer to the Budget and Finance Committee to consider updates to the guidelines and procedures for City Council office budget expenditure accounts with regards to City Council staff salaries and fringe benefits expenditures and an accompanying Budget Referral of approximately \$1,226,619.52 for the FY 22-23 June Budget process.
Financial Implications: See report
Contact: Ben Bartlett, Councilmember, District 3, (510) 981-7130

Council Consent Items

- 11. Budget Referral: Fund Behavioral Health, Crisis Response, and Crisis-related Services Needs and Capacity Assessments**
From: Councilmember Harrison (Author)
Recommendation: Refer to the FY 23 and FY 24 Annual Budget Process \$100,000 to provide Health, Housing & Community Services Department and Berkeley Fire Department the means study or hire a consultant(s) to:
1. Conduct a service needs assessment based on 911 and non-911 calls for service, dispatch, and response, to address the needs of Berkeley people with behavioral health issues and/or are unhoused using computer aided dispatch (CAD) or other data from the Berkeley dispatch, other dispatch agencies, BPD, BFD, and any other relevant data during the COVID pandemic from at least March 2020 through the present; and
 2. Conduct a capacity assessment of crisis response and crisis-related services available to Berkeley people in Berkeley and Alameda County, including but not limited to with respect to the Specialized Care Unit (SCU), respite, and sobering centers.
- Financial Implications:** See report
Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140
- 12. Resolution in Support of SB 379: the Solar Access Act**
From: Councilmember Harrison (Author), Mayor Arreguin (Author), Councilmember Wengraf (Author), Councilmember Hahn (Co-Sponsor)
Recommendation: Send a letter of support for SB 379 (Wiener) - Residential solar energy systems: permitting, to Senators Wiener and Skinner, Assemblymember Wicks, and Governor Newsom. To increase the number of homes installing safe solar energy systems, Senate Bill 379, the Solar Access Act, would mandate jurisdictions above a certain population size to provide an online instant solar permitting process, like SolarAPP+, for residential solar and solar-plus-storage systems.
- Financial Implications:** See report
Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140

Council Consent Items

- 13. Referral to the Budget and Finance Policy Committee and Budget Referral to Consider General Fund Strategies and Related Fiscal Policies for Funding Capital Improvements, in Particular Street, Sidewalk, Micromobility and Transit Infrastructure** *(Reviewed by Budget & Finance Policy Committee)*
From: Councilmember Harrison (Author)
Recommendation:
1. Refer to the Council Budget and Finance Policy Committee to explore specific options for improving how and to what extent the City's Capital Improvement Program (CIP) is funded, to include but not limited to the following potential strategies: (a). investigate historic assumptions and policies regarding secured-property and transfer tax revenues; (b). consider a one-time allocation of a certain percentage of salary savings accruing from historic vacancies that are not likely to be filled in the short-term; (c). consider prospective Public Works plan to charge utilities for pavement impact.
2. Refer to the June 2022 Budget process \$8 million per year to be transferred to the CIP based on Committee consideration and any conclusions.
Policy Committee Recommendation: On April 19, 2022, the Budget & Finance Policy Committee sent the item to Council with a qualified positive recommendation removing item 1 (c) consider the sale of underutilized city-owned property.
Financial Implications: See report.
Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140
- 14. Relinquishment of Council Office Budget Funds to the General Fund and Grant of Such Funds to the Actor's Ensemble Company to Perform a Staged Reading of the play, "Roe" at the Goldman Theatre in the David Brower Center on June 12, 2022**
From: Councilmember Wengraf (Author), Councilmember Hahn (Co-Sponsor)
Recommendation: Adopt a Resolution approving the expenditure of an amount not to exceed \$500 per Councilmember, including \$500 from Councilmember Wengraf, to the Actor's Ensemble Company to fund a staged reading of the play, "Roe" at the Goldman Theatre of the David Brower Center on June 12, 2022
Financial Implications: See report.
Contact: Susan Wengraf, Councilmember, District 6, (510) 981-7160

Action Calendar

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

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

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

Action Calendar – New Business

15. **Resolution Adopting the Resolution of Intention of Amendment to the Miscellaneous CalPERS Contract Pursuant to California Government Code 20516; Adopt First Ordinance Reading authorizing an amendment to the contract between the City Council of the City of Berkeley and the Board of Administration of the California Public Employees' Retirement System**
From: City Manager

Recommendation:

1. Adopt the Resolution of Intention in order to approve the amendment of the contract between the Board of Administration, California Public Employees' Retirement System and the City Council for the City of Berkeley pursuant to California Government Code 20516 to effectuate changes to the cost sharing agreement between the City and PEPPRA members of Service Employee International Union, Local 1021 Maintenance and Clerical (SEIU MC), Public Employees Union Local 1 (Local 1), Community Services & Part-Time Recreation Leaders Associations Local 1021 (SEIU CSU/PTRLA), and the Unrepresented Employees Group.
2. Adopt first reading of an Ordinance amending the City's contract with CalPERS to effectuate changes to the cost sharing agreement between the City and PEPPRA members of Service Employee International Union, Local 1021 Maintenance and Clerical (SEIU MC), Public Employees Union Local 1 (Local 1), Community Services & Part-Time Recreation Leaders Associations Local 1021 (SEIU CSU/PTRLA), and the Unrepresented Employees Group.

Council adopted Resolution #70,156 N.S. at its December 14, 2021, meeting authorizing the FY2021-22 amendment to the City's CalPERS Miscellaneous contract. Council must now pass another Resolution of Intention to approve the FY2022-23 contract amendment between the City and the Public Employees' Retirement System Board of Administration.

Financial Implications: See report.

Contact: Donald E. Ellison, Human Resources, (510) 981-6800

Action Calendar – Public Hearings

Staff shall introduce the public hearing item and present their comments. This is followed by five-minute presentations each by the appellant and applicant. The Presiding Officer will request that persons wishing to speak line up at the podium, or use the "raise hand" function in Zoom, to be recognized and to determine the number of persons interested in speaking at that time.

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

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

Action Calendar – Public Hearings

16. **Changes to the Land Use Planning Division Fee Schedule / Hourly Rate**
From: City Manager
Recommendation: Conduct a public hearing and, upon conclusion, adopt a Resolution amending Resolution No. 67,985-N.S. to adopt revisions to the fee schedule for the Land Use Planning Division of the Planning and Development Department, effective July 1, 2022, to increase the hourly rate for staff time from \$200 to \$230 per hour, increase related deposits and fixed-rate permit application fees to reflect the new rate and to more accurately reflect the staff time required to process various permit types, adopt new fees for new permit types, and clarify the existing fee descriptions.
Financial Implications: See report
Contact: Alene Pearson, Planning and Development, (510) 981-7400

17. **FY 2023 and FY 2024 Proposed Budget and Proposed Budget Public Hearing #1**
From: City Manager
Recommendation: Accept the FY 2023 and FY 2024 Proposed Biennial Budget for review and consideration by the City Council and final adoption on June 28, 2022 and conduct Public Hearing #1 on the FY 2023 and FY 2024 Proposed Budget.
Financial Implications: See FY 2023 and FY 2024 Proposed Biennial Budget
Contact: Sharon Friedrichsen, Budget Manager, (510) 981-7000

Action Calendar – New Business

18. **Berkeley’s Financial Condition (FY 2012 – FY 2021): Pension Liabilities and Infrastructure Need Attention**
From: Auditor
Recommendation: We recommend City Council request that the City Manager report back by November 2022, and every six months thereafter, regarding the status of our audit recommendations until reported fully implemented by the City Manager and Finance Department. They have agreed to our findings and recommendations. Please see our report for their complete response.
Financial Implications: See report
Contact: Jenny Wong, Auditor, (510) 981-6750

Council Action Items

- 19. Revisions to Section 311.6 Warrantless Searches of Individuals on Supervised Release Search Conditions of the Berkeley Police Department Law Enforcement Services Manual** *(Reviewed by the Public Safety Committee)*
From: Councilmember Droste (Author), Councilmember Taplin (Author)
Recommendation: Revise Section 311.6 Warrantless Searches of Individuals on Supervised Release Search Conditions of the Berkeley Police Department (BPD) Law Enforcement Services Manual to enable officers of the Berkeley Police Department to conduct detentions and warrantless searches individuals on parole/probation consistent with and supportive of the provisions in the probationer's/parolee's release conditions.
Policy Committee Recommendation: Send the item to the City Council with a qualified positive recommendation, as revised by the committee and subject to legal review. Section 311.6 was revised to read: In accordance with California law, individuals on probation, parole, Post Release Community Supervision, or other supervised release status may be subject to warrantless search as a condition of their probation. Officers shall only conduct probation or parole searches to further a legitimate law enforcement or rehabilitative purpose. Searches shall not be conducted in an arbitrary, capricious, or harassing fashion. In the conduct of all such detentions and searches, officers shall consciously avoid the application of bias, shall not use such detentions or searches as a means to harass or annoy, and shall not conduct such detentions and searches in a manner that targets or is discriminatory toward any protected class.
Financial Implications: See report
Contact: Lori Droste, Councilmember, District 8, (510) 981-7180

Information Reports

- 20. Mental Health Commission Annual Report 2021-2022**
From: Mental Health Commission
Contact: Jamie Works-Wright, Commission Secretary, (510) 981-5400

Public Comment – Items Not Listed on the Agenda

Adjournment

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

Archived indexed video streams are available at:

<https://berkeleyca.gov/your-government/city-council/city-council-agendas>.

Channel 33 rebroadcasts the following Wednesday at 9:00 a.m. and Sunday at 9:00 a.m.

Communications to the City Council are public record and will become part of the City's electronic records, which are accessible through the City's website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to the City Council, will become part of the public record.** If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service to the City Clerk Department at 2180 Milvia Street. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the City Clerk Department for further information.

Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at the public counter at the City Clerk Department located on the first floor of City Hall located at 2180 Milvia Street as well as posted on the City's website at <https://berkeleyca.gov/>.

Agendas and agenda reports may be accessed via the Internet at:
<https://berkeleyca.gov/your-government/city-council/city-council-agendas>
and may be read at reference desks at the following locations:

City Clerk Department - 2180 Milvia Street, First Floor
Tel: 510-981-6900, TDD: 510-981-6903, Fax: 510-981-6901
Email: clerk@cityofberkeley.info

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

COMMUNICATION ACCESS INFORMATION:

This meeting is being held in a wheelchair accessible location.

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

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



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

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***I hereby certify that the agenda for this meeting of the Berkeley City Council was posted at the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way, as well as on the City's website, on May 12, 2022.***

A handwritten signature in black ink that reads "Mark Numainville".

Mark Numainville, City Clerk

## Communications

*Council rules limit action on Communications to referral to the City Manager and/or Boards and Commissions for investigation and/or recommendations. All communications submitted to Council are public record. Copies of individual communications are available for viewing at the City Clerk Department and through [Records Online](#).*

### **Item #7: Budget Referral: Street Maintenance Funding to Prevent Further Deterioration of Pavement Condition to Save Tax Dollars and Our Streets**

1. Linda and Steve Rosen
2. Rebecca Navarrete Davis

### **Item #19: Revisions to Section 311.6 Warrantless Searches of Individuals on Supervised Release Search Conditions of the Berkeley Police Department Law**

3. Vincent Southerland, on behalf of NYU Law

### **California Theatre**

4. Dorothy Walker
5. Laura Soble
6. Lynn Koolish
7. Jennifer Winch
8. Robb Walker
9. Rosa Luevano
10. David Crane
11. Lucy Friedland

### **Ashby and North Berkeley BART Development**

12. Michael Gene Anderson
13. Layo Freed (2)
14. Peter Fineberg
15. Avram Gur Arye
16. Isaac Nicholson
17. Helga Recke
18. Ned Himmel
19. Robin Halprin
20. David Rice
21. Sarah Adelman
22. Suzanne McMillan
23. Hal Sternbert
24. Shirley McNeal
25. Sabina McMurty
26. Dona Boatright
27. Cindy Shamban
28. Irene Rice
29. Shoana Humphries
30. Jacqueline Wilson
31. Franklin Lei
32. Robert Dunn

- 33. Ori Skloot
- 34. Jennifer King
- 35. Nancy Lichtenstein
- 36. Claire Schoen
- 37. Carolyn McMillan
- 38. Alex Bixler
- 39. Karen Eisenstadt
- 40. 21 similarly-worded form letters (7 stories maximum)

**Cesar Chavez Park**

- 41. Sandra Blair
- 42. Jon Stewart
- 43. Marty Schifffenbauer
- 44. Max Ventura
- 45. Rebecca Weinstein
- 46. Ingrid Good

**Climate Change**

- 47. Thomas Lord (2)

**Homelessness, RV Living and Encampments**

- 48. Brigitte Nicoletti
- 49. Evan F.
- 50. Osha Neuman (2)
- 51. Paul Buddenhagen, Deputy City Manager

**City of Berkeley's New Website**

- 52. Thomas Lord (2)
- 53. Bryce Nesbitt

**2134-36 Curtis Street Complaint**

- 54. Ramona M. Cavanaugh (2)

**Budget Proposal for Police Accountability Work**

- 55. Michael Chang, Chairperson of Police Accountability Board

**2712-2714 Telegraph Avenue**

- 56. Christine Brozowski

**Fair Work Week Ordinance**

- 57. Jane Scantlebury

**Bicycle Data**

- 58. Margot Smith

**Sanctuary Contracting Ordinance**

59. Elana Auerbach

**Traffic Intersection Cameras**

60. Carol Cohen

**Proclamation Honoring Yassir Chadly**

61. Helga Recke

**Life Threatening Incident at Strawberry Creek**

62. David Kahn

**Flex Team**

63. Eric Friedman

**Food Deserts**

64. Genevieve Kaplan

**933 Colusa**

65. Ashok Sabhlok

**5G Effects**

66. Vivian Warkentin

**Grizzly Peak Traffic**

67. Joshua Bloom

**Pandemic Variants**

68. purplecosmicpoet@

**BUSD AAPI Heritage Month**

69. Reichi Lee

**Bronx Tenants – Limited Equity Co-op**

70. Marty Schiffenbauer

**Decriminalize Entheogenic Plants**

71. Abigail Kemalyan

**Fentanyl Drug Trafficking**

72. Ronald Kirkish

**Agenda Committee v. Brown Act**

73. Thomas Lord

## **Unsworn Officer Traffic Enforcement**

74. Thomas Lord

### **Supplemental Communications and Reports**

*Items received by the deadlines for submission will be compiled and distributed as follows. If no items are received by the deadline, no supplemental packet will be compiled for said deadline.*

- **Supplemental Communications and Reports 1**  
Available by 5:00 p.m. five days prior to the meeting.
- **Supplemental Communications and Reports 2**  
Available by 5:00 p.m. the day before the meeting.
- **Supplemental Communications and Reports 3**  
Available by 5:00 p.m. two days following the meeting.