



**AGENDA**  
**BERKELEY CITY COUNCIL MEETING**  
**Tuesday, June 14, 2022**  
**6:00 PM**

JESSE ARREGUIN, MAYOR

Councilmembers:

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

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

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

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

*Live captioned broadcasts of Council Meetings are available on Cable B-TV (Channel 33) and via internet accessible video stream at [http://berkeley.granicus.com/MediaPlayer.php?publish\\_id=1244](http://berkeley.granicus.com/MediaPlayer.php?publish_id=1244).*

*To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL <https://us02web.zoom.us/j/83933192334>. 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: 839 3319 2334. 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).*

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

## Preliminary Matters

### Roll Call:

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

1. Presentation: Alameda County Affordable Housing Portal

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

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

## Consent Calendar

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

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

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

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

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

## Consent Calendar

- 1. Ordinance 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:** Adopt second reading of Ordinance No. 7,813-N.S. 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.  
**First Reading Vote:** Ayes – Kesarwani, Taplin, Bartlett, Harrison, Wengraf, Robinson, Droste, Arreguin; Noes – None; Abstain – None; Absent – Hahn.  
**Financial Implications:** See report  
Contact: Donald E. Ellison, Human Resources, (510) 981-6800
- 2. Commission Reorganization: Amendments to Berkeley Municipal Code Section 7.52.190 (Homeless Services Panel of Experts)**  
**From: City Manager**  
**Recommendation:** Adopt second reading of Ordinance No. 7,814-N.S. amending Section 7.52.190 of the Berkeley Municipal Code, the enabling legislation for the Homeless Services Panel of Experts (HSPOE) to add the functions of the Homeless Commission as found in Resolution No. 60,647-N.S.  
**First Reading Vote:** Ayes – Kesarwani, Taplin, Bartlett, Hahn, Wengraf, Robinson, Droste, Arreguin; Noes – None; Abstain – None; Absent – Harrison.  
**Financial Implications:** See report  
Contact: Peter Radu, City Manager's Office, (510) 981-7000
- 3. Placing a Measure on the November 8, 2022 Ballot Related to Housing for Persons of Low-Income**  
**From: City Manager**  
**Recommendation:**  
1. Adopt a Resolution submitting a measure related to housing for persons of low-income to a vote of the electors at the November 8, 2022 General Municipal Election.  
2. Designate, by motion, specific members of the Council to file ballot measure arguments on this measure as provided for in Elections Code Section 9282.  
**Financial Implications:** No direct fiscal impacts  
Contact: Mark Numainville, City Clerk, (510) 981-6900
- 4. Donation to the Animal Shelter from the U.C. Davis Koret Shelter Medicine Program**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution accepting a grant from the U.C. Davis Koret Shelter Medicine Program to Animal Care Services in the sum of \$5,000.  
**Financial Implications:** Animal Services Donation Fund - \$5,000 (Donation)  
Contact: Peter Radu, City Manager's Office, (510) 981-7000

## Consent Calendar

- 5. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on June 14, 2022**  
**From: City Manager**  
**Recommendation:** Approve the request for proposals or invitation for bids (attached to staff report) that will be, or are planned to be, issued upon final approval by the requesting department or division. All contracts over the City Manager's threshold will be returned to Council for final approval.  
**Financial Implications:** Various Funds - \$270,000  
Contact: Henry Oyekanmi, Finance, (510) 981-7300
- 6. Temporary Appropriations FY 2023**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing a temporary appropriation in the sum of \$50,000,000 to cover payroll and other expenses from July 1, 2022, until the effective date of the FY 2023 Annual Appropriations Ordinance.  
**Financial Implications:** See report  
Contact: Henry Oyekanmi, Finance, (510) 981-7300
- 7. FY 2023 Tax Rate: Fund the Debt Service on the Street and Watershed Improvements General Obligation Bonds (Measure M, November 2012 Election)**  
**From: City Manager**  
**Recommendation:** Adopt first reading of an Ordinance setting the FY 2023 tax rate funding the debt service on the Street and Integrated Watershed Improvements General Obligation Bonds (Measure M, November 2012) at 0.0075%.  
**Financial Implications:** See report  
Contact: Henry Oyekanmi, Finance, (510) 981-7300
- 8. FY 2023 Tax Rate: Fund Debt Service on Neighborhood Branch Library Improvements Project General Obligation Bonds (Measure FF, November 2008 Election)**  
**From: City Manager**  
**Recommendation:** Adopt first reading of an Ordinance setting the FY 2023 tax rate for funding the debt service on the Neighborhood Branch Library Improvements Project General Obligation Bonds (Measure FF, November 2008 Election) at 0.0058%.  
**Financial Implications:** See report  
Contact: Henry Oyekanmi, Finance, (510) 981-7300

## Consent Calendar

- 9. FY 2023 Tax Rate: Fund Debt Service on 2015 Refunding General Obligation Bonds (Measures G, S & I)**  
**From: City Manager**  
**Recommendation:** Adopt first reading of an Ordinance setting the FY 2023 tax rate funding the debt service on the 2015 consolidation of Measures G, S and I (General Obligation Bonds - Elections of 1992, 1996 and 2002) at 0.0130%.  
**Financial Implications:** See report  
Contact: Henry Oyekanmi, Finance, (510) 981-7300
- 10. FY 2023 Tax Rate: Fund the Debt Service on the Affordable Housing General Obligation Bonds (Measure O, November 2018 Election)**  
**From: City Manager**  
**Recommendation:** Adopt first reading of an Ordinance setting the FY 2023 tax rate funding the debt service on the Affordable Housing General Obligation Bonds (Measure O, November 2018) at 0.0200%.  
**Financial Implications:** See report  
Contact: Henry Oyekanmi, Finance, (510) 981-7300
- 11. FY 2023 Tax Rate: Business License Tax on Large Non-Profits**  
**From: City Manager**  
**Recommendation:** Adopt first reading of an Ordinance setting the FY 2023 tax rate for Business License Tax on large non-profits at \$0.7573 (75.73 cents) per square foot of improvements.  
**Financial Implications:** See report  
Contact: Henry Oyekanmi, Finance, (510) 981-7300
- 12. FY 2023 Tax Rate: Fund the Provision of Emergency Medical Services (Paramedic Tax)**  
**From: City Manager**  
**Recommendation:** Adopt first reading of an Ordinance setting the FY 2023 tax rate for funding the provision of emergency medical services to Berkeley residents at \$0.0433 (4.33 cents) per square foot of improvements.  
**Financial Implications:** See report  
Contact: Henry Oyekanmi, Finance, (510) 981-7300
- 13. FY 2023 Tax Rate: Fund Firefighting, Emergency Medical Response and Wildfire Prevention (Measure FF)**  
**From: City Manager**  
**Recommendation:** Adopt first reading of an Ordinance setting the FY 2023 tax rate for funding Firefighting, Emergency Medical Response and Wildfire Prevention (Measure FF) in the City of Berkeley at the annual tax rate of \$0.1126 (11.26 cents) per square foot of improvements.  
**Financial Implications:** See report  
Contact: Henry Oyekanmi, Finance, (510) 981-7300, Abe Roman, Fire, (510) 981-3473

## Consent Calendar

- 14. FY 2023 Tax Rate: Fund the Maintenance of Parks, City Trees and Landscaping**  
**From: City Manager**  
**Recommendation:** Adopt first reading of an Ordinance setting the FY 2023 tax rate for funding all improvements for the maintenance of parks, City trees, and landscaping in the City of Berkeley at \$0.2039 (20.39 cents) per square foot of improvements.  
**Financial Implications:** See report  
Contact: Henry Oyekanmi, Finance, (510) 981-7300
- 15. FY 2023 Tax Rate: Fund the Debt Service on the Infrastructure and Facilities General Obligation Bonds (Measure T1, November 2016 Election)**  
**From: City Manager**  
**Recommendation:** Adopt first reading of an Ordinance setting the FY 2023 tax rate funding the debt service on the Infrastructure and Facilities Improvements General Obligation Bonds (Measure T1, November 2016) at 0.0160%.  
**Financial Implications:** See report  
Contact: Henry Oyekanmi, Finance, (510) 981-7300
- 16. FY 2023 Tax Rate: Fund Emergency Services for the Severely Disabled (Measure E)**  
**From: City Manager**  
**Recommendation:** Adopt first reading of an Ordinance setting the FY 2023 tax rate for funding the provision of emergency services for the disabled at \$0.01932 (1.932 cents) per square foot of improvements.  
**Financial Implications:** See report  
Contact: Henry Oyekanmi, Finance, (510) 981-7300
- 17. FY 2023 Tax Rate: Fund Fire Protection and Emergency Response and Preparedness (Measure GG)**  
**From: City Manager**  
**Recommendation:** Adopt first reading of an Ordinance setting the FY 2023 tax rate for funding Fire Protection and Emergency Response and Preparedness in the City of Berkeley at the rate of \$0.05818 (5.818 cents) per square foot of improvements for dwelling units and setting the rate for all other property at \$0.08804 (8.804 cents) per square foot of improvements.  
**Financial Implications:** See report  
Contact: Henry Oyekanmi, Finance, (510) 981-7300, Abe Roman, Fire, (510) 981-3473

## Consent Calendar

- 18. FY 2023 Special Tax Rate: Fund the Provision of Library Services**  
**From: City Manager**  
**Recommendation:** Adopt first reading of an ordinance setting the FY 2023 tax rate for funding the provision of Library Services in the City of Berkeley at \$0.2583 (25.83 cents) per square foot for dwelling units and \$0.3906 (39.06 cents) per square foot for industrial, commercial, and institutional buildings.  
**Financial Implications:** See report  
Contact: Henry Oyekanmi, Finance, (510) 981-7300, Tess Mayer, Library, (510) 981-6100
- 19. Designate the Line of Succession for the Director of Emergency Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution approving the designated line of succession to the position of Director of Emergency Services in the event of an emergency, and rescinding Resolution No. 69,919-N.S.  
**Financial Implications:** None  
Contact: Abe Roman, Fire, (510) 981-3473
- 20. St. Paul Terrace Housing Trust Fund Reservation**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution: 1. Reserving \$8,551,040 in Housing Trust Funds for Community Housing Development Corporation's St. Paul Terrace (2024 Ashby) affordable housing development, conditioned on the project obtaining planning entitlements within 24 months; and 2. Authorizing the City Manager or her designee to execute all original or amended documents or agreements to effectuate these actions.  
**Financial Implications:** See report  
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
- 21. Classification and Salary: Senior Economic Development Project Coordinator**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution establishing the Senior Economic Development Coordinator classification (Local 1) with a monthly stepped salary range of \$11,219.88 to \$13,775.00 effective June 15, 2022.  
**Financial Implications:** None  
Contact: Donald E. Ellison, Human Resources, (510) 981-6800

## Consent Calendar

- 22. Contract No. 8392 Amendment: Innovative Claim Solutions (ICS) for claims administration of the City's Workers' Compensation Program**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to extend Contract No. 8392 with Innovative Claims Solutions (ICS) to provide third-party claims administrative services, Medicare, Medicaid, and SCHIP Extension Act (MMSEA) Section 111 Mandatory Reporting to the Centers for Medicare & Medicaid Services (CMS), for an additional amount of \$598,560 for July 1, 2022 through June 30, 2023.  
**Financial Implications:** Workers' Compensation Self-Insurance Fund - \$598,560  
Contact: Donald E. Ellison, Human Resources, (510) 981-6800
- 23. Contract: Axon Enterprise, Incorporated for Body Worn Cameras, Storage and Software**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to enter into a Contract with Axon Enterprise, Incorporated to provide body worn cameras, equipment, software, and services for an amount not to exceed \$1,115,000 over the next five years through Fiscal Year 2027.  
**Financial Implications:** See report  
Contact: Jennifer Louis, Police, (510) 981-5900
- 24. Commission Reorganization: Creating the Transportation and Infrastructure Commission**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution: rescinding Resolution No. 55,751-N.S. which created the Transportation Commission, rescinding Resolution No. 55,750-N.S. which created the Public Works Commission, and establishing the Transportation and Infrastructure Commission.  
**Financial Implications:** See report  
Contact: Liam Garland, Public Works, (510) 981-6300
- 25. Final Map of Tract 8621: 1169-1173 Hearst Avenue**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution approving the final map of Tract Map 8621, a five (5) unit residential condominium project consisting of a single-family dwelling unit and two duplexes at 1169-1173 Hearst Avenue.  
**Financial Implications:** See report.  
Contact: Liam Garland, Public Works, (510) 981-6300
- 26. Call for Immediate Ukraine Ceasefire**  
**From: Peace and Justice Commission**  
**Recommendation:** Adopt a Resolution Urging a Ceasefire between Ukraine and Russia.  
**Financial Implications:** Staff time  
Contact: Okeya Vance-Dozier, Commission Secretary, (510) 981-7100



## Consent Calendar

**27. Recommendation that the City Council revise Resolution No. 69,917 regarding procurement, sales and service of sugar-sweetened beverages.**

**From: Sugar Sweetened Beverage Product Panel of Experts**

**Recommendation:** Adopt a Resolution to amend Resolution No. 69,917 in response to the request of the City Council on June 1st, 2021, in Action Item #18A, the Sugar Sweetened Beverage Product Panel of Experts (SSBPPE) has considered “how to regulate sugar sweetened beverages at events held on City of Berkeley Property hosted by non-City entities who receive City of Berkeley funds.” The Commission recommends that the Berkeley City Council revise the requirement for events that receive City of Berkeley funding to mandate that these events also comply with the intent of Resolution No. 69,917.

The City Council has the opportunity to make the Resolution more impactful by banning the sale and service of sugary drinks at City sponsored events. This will be a powerful message to community residents and visitors who attend events such as the Book Festival, Kite Festival, Juneteenth festival and Chocolate and Chalk Art Festival to name a few.

**Financial Implications:** See report

Contact: Roberto Terrones, Commission Secretary, (510) 981-5400

## Council Consent Items

### 28. Restoring and Improving Access to City of Berkeley Website and Archival Materials

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

Direct the City Manager to:

1. Restore at previous URLs all PDF documents previously hosted on the City of Berkeley website.
2. Create a publicly accessible archival copy of the City's previous website, CityofBerkeley.info, that can be accessed without logins and via internet search engines. Include a prominent disclaimer noting the date the website, page, or document was archived, with links redirecting to the active website or other responsive resource.
3. On the new website, update Commission pages to include a minimum of 2 years of historic agendas and other materials and update City Council and Council Committee pages to include at least 3 years of complete materials.
4. By July 15, 2022 develop and make available to all City staff and to the public training at beginner to expert levels on use of the City's Records Online search function and create more extensive and less technical self-help resources covering basic and expert use.
5. In recognition of increased public traffic, update the Records Online homepage to explain how the portal works and link to more robust self-help resources and alternative search functions.
6. Coordinate with agency staff to include all relevant records (agendas, minutes, etc.) from Rent Board and Housing Authority in Records Online Portal.
7. Update any remaining 404 pages to explain that the City's website has been moved/updated, and provide links to helpful pages, search functions and/or pathways to access responsive materials. As quickly as possible, consider implementing redirects with wildcards to direct as many old links to relevant new website pages in lieu of the standard 404 page. E.g. cityofberkeley.info/planning\* to the Planning Department site map/homepage, or Department Specific 404 page explaining new navigation.

Refer to the City Manager the following additional improvements to Records Online:

1. Within Records Online, provide unique archival/search categories for each City Commission, Board, Committee and Rent Board, and consider other useful categories, to assist users in narrowing results and identifying responsive materials.
2. Allow Records Online search results to be sorted by date and by other searchable factors. Consider means to integrate records online into default site search bar.
3. Explore and report back to Council options for improving the scope of Records Online, improving search options and sorting, and making all materials – or materials from January 1, 2000 (or an earlier recommended date) forward, searchable using internet search engines.

**Financial Implications:** Staff time

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

## Council Consent Items

- 29. Support for SB 1389: Low-Level Vehicle Infractions**  
**From: Councilmember Robinson (Author), Mayor Arreguin (Co-Sponsor)**  
**Recommendation:** Send a letter to Senator Steven Bradford, Senator Nancy Skinner, and Assemblymember Buffy Wicks in support of Senate Bill 1389, which would prohibit peace officers from initiating traffic stops for certain low-level infractions unless there is a separate, independent basis to initiate the stop.  
**Financial Implications:** Staff time  
Contact: Rigel Robinson, Councilmember, District 7, (510) 981-7170

## Action Calendar

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

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

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

## Action Calendar – Public Hearings

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

*Up to ten (10) speakers may speak for two minutes. If there are more than ten persons interested in speaking, the Presiding Officer may limit the public comment for all speakers to one minute per speaker. The Presiding Officer may with the consent of persons representing both sides of an issue allocate a block of time to each side to present their issue.*

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

- 30. FY 2023 and FY 2024 Proposed Budget Public Hearing #2**  
**From: City Manager**  
**Recommendation:** Conduct Public Hearing #2 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 – Old Business

31. **City Council Comments on the FY 2023 and FY 2024 Proposed Biennial Budget and Capital Improvement Program** *(Continued from May 31, 2022.) (Item contains supplemental material.)*  
**From: City Manager**  
**Recommendation:** Provide comments on the FY 2023 and FY 2024 Proposed Biennial Budget and Capital Improvement Program.  
**Financial Implications:** See report  
Contact: Sharon Friedrichsen, Budget Manager, (510) 981-7000
32. **Police Equipment & Community Safety Ordinance Impact Statements, Associated Equipment Policies and Annual Equipment Use Report** *(Continued from May 10, 2022)*  
**From: City Manager**  
**Recommendation:** Adopt a Resolution approving the Controlled Equipment Impact Statements, Associated Equipment Use Policies and Equipment.  
**Financial Implications:** See report  
Contact: Jennifer Louis, Police, (510) 981-5900

## Action Calendar – New Business

33. **Parking Enforcement of Existing Parking Code in Fire Zones 2 & 3** *(Reviewed by the Public Safety Policy Committee)*  
**From: Disaster and Fire Safety Commission**  
**Recommendation:** The Disaster and Fire Safety Commission (DFSC) recommends that Council direct the Berkeley Police Department to enforce existing Berkeley Municipal Code in all Fire Zones.  
*Policy Committee Recommendation: Forward the item to the City Council with a qualified positive recommendation amending the item to a budget referral for the FY 23 & FY 24 budget process to hire an additional dedicated parking officer for fire zones 2 & 3.*  
**Financial Implications:** See report  
Contact: Keith May, Commission Secretary, (510) 981-3473

## Council Action Items

34. **Refer to the City Attorney and City Manager an Empty Homes Tax Ordinance for the November 8, 2022 Ballot**  
**From: Councilmember Harrison (Author)**  
**Recommendation:** Refer to the City Attorney and City Manager to prepare and submit a resolution submitting an Ordinance adding Chapter 7.54 to the Berkeley Municipal Code taxing housing units that 1) have remained vacant for more than six months, 2) are not under permitted renovation and 3) are in multi-unit buildings or are single family homes or condominiums whose owners are not natural persons or family trusts to a vote of the electors at the November 8, 2022 General Municipal Election.  
**Financial Implications:** See report  
Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140

## Council Action Items

- 35. 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 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.

*Policy Committee Recommendation: 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

## Information Reports

- 36. City Council Short Term Referral Process – Quarterly Update**  
**From: City Manager**  
Contact: Mark Numainville, City Clerk, (510) 981-6900

## Information Reports

37. **Results of General Obligation Bonds: \$40,000,000 City of Berkeley 2022 General Obligations Bonds, Series B (2018 Election Measure O: Affordable Housing) (Federally Taxable)**  
**From: City Manager**  
Contact: Henry Oyekanmi, Finance, (510) 981-7300
38. **Update on the Implementation of Fair and Impartial Policing Task Force Recommendations**  
**From: City Manager**  
Contact: Jennifer Louis, Police, (510) 981-5900
39. **City Auditor's Office 2021 Peer Review Results**  
**From: Auditor**  
Contact: Jenny Wong, Auditor, (510) 981-6750

## 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:**

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



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

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*I hereby certify that the agenda for this meeting of the Berkeley City Council was posted at the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way, as well as on the City's website, on June 2, 2022.*

A handwritten signature in black ink, appearing to read "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 17: FY 2023 Tax Rate: Fund Fire Protection and Emergency Response and Preparedness (Measure GG)**

1. Jose Luis Bedolla, Chair, Disaster and Fire Safety Commission

#### **Berkeley Marina Area Specific Plan (BMASP)/Chavez Park**

2. Deborah Scott
3. phcanin@
4. Mike Vanderman
5. Steve Masover
6. Pat Phillips
7. Alexis Milea
8. Sierra Club East Bay Public Lands Committee
9. Beverley Spencer
10. Katherine Ogburn
11. Sasha Futran
12. Margo Lesl

## **Communications**

- 13. Carlos Hill
- 14. Nancy Hormachea
- 15. Irene Jung-Huang

### **Public Safety**

- 16. Ann Einstein
- 17. Lorraine Mahley
- 18. Margo Smtih
- 19. Barbara Atwell
- 20. Pamela Drake
- 21. Councilmember Bartlett
- 22. Andrea Prichett
- 23. Robin Kibby

### **Hopkins Corridor Plan**

- 24. Robion Kirby
- 25. Sondra Jensen
- 26. Margot Smith
- 27. Jeanne Schuman
- 28. Zelda
- 29. Marilyn Margulius
- 30. Zelda Bronstein
- 31. Sheridan Pauker
- 32. Dahlia Armon

### **Vaccination for Pool Use**

- 33. Donna Mickleson (4)
- 34. Chuck Herndon (2)
- 35. Paul Preston
- 36. Lynn Jones Finn

### **SB 1338 – CARE Court Program**

- 37. John Caner, on behalf of the Downtown Berkeley Association

### **Homelessness Reporting**

- 38. Natalie Hanson (4)
- 39. Councilmember Harrison

### **Affordable Housing**

- 40. Gramma Grass
- 41. Barry Fike

### **1201-1205 San Pablo**

- 42. Margaret



## **Communications**

### **COVID + Masks**

43. George Torgun

### **Landlord Issues**

44. Nancy Joachim

45. Karen Oberdorfer

### **Fire Safety in the Berkeley Hills**

46. Marissa Moss

### **Berkeley Unified School District**

47. Cielo Rios

48. Mara Kolesas

### **Train Horns**

49. Lauren Parson

### **City of Berkeley Website**

50. Thomas Lord

### **Environment and Climate Commission**

51. Sam Kaplan-Pettus

### **Sanctuary Contracting Ordinance**

52. Elana Auerbach

### **35<sup>th</sup> Annual Juneteenth Festival**

53. Delores Nochi Cooper

### **Israel Visit**

54. Henry Norr

55. Glen Hauer

56. Max Ventura

57. Jeff Pekrul

58. Melanie Lawrence and John Smail

59. Rafael Gonzalez

60. Martha Larsen

61. Bonnie Weiss

62. Mary Prophet

63. Jay Rosenthal

64. Judy Grether

65. Anna T.

66. Izumi Van Cleave

67. Patricia Hartnett

68. Tori Porell

69. Charles Wollenberg

## **Communications**

- 70. Carol Sanders
- 71. Hani Kaileh
- 72. Esther Lerman
- 73. Is Sullivan
- 74. Dorothea Dorenz
- 75. Karen Carroll
- 76. Andrew Paul Gutierrez
- 77. Dave Joki
- 78. Nora Roman
- 79. Daniel Zwickel ben Avram
- 80. Sara Sunstein
- 81. Eleanor Levine
- 82. Bobbi Sloan
- 83. Vivian Zelaya
- 84. P.Rainey

### **People's Park**

- 85. Joe Liesner
- 86. Max Ventura

### **Police Accountability Board**

- 87. James McFadden
- 88. Diana Bohn
- 89. Andrea Prtichett

### **7-11 Alcohol License for 7-11 at University and San Pablo**

- 90. Chris Horgan and Elena Prakoura

### **Cosco Busan Oil Spill of 2017**

- 91. California State Department of Fish and Wildlife

### **Mayors for Peace**

- 92. Jackie Cabasso

### **Mental Health for Berkeley Students**

- 93. Hector Malvido

### **Bicycle and Rolling Tour**

- 94. Aimee Baldwin

### **No Final Comments at May 24 Council Meeting**

- 95. Blair Beekman

### **Increasing Property Taxes**

- 96. Paul Mathew

## Communications

### **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.

