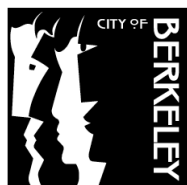


# AGENDA



## BERKELEY CITY COUNCIL MEETING

Tuesday, March 8, 2016

7:00 P.M.

COUNCIL CHAMBERS - 2134 MARTIN LUTHER KING JR. WAY

TOM BATES, MAYOR

Councilmembers:

DISTRICT 1 – LINDA MAIO  
DISTRICT 2 – DARRYL MOORE  
DISTRICT 3 – MAX ANDERSON  
DISTRICT 4 – JESSE ARREGUIN

DISTRICT 5 – LAURIE CAPITELLI  
DISTRICT 6 – SUSAN WENGRAF  
DISTRICT 7 – KRISS WORTHINGTON  
DISTRICT 8 – LORI DROSTE

*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, 981-6900.*

*The City Council may take action related to any subject listed on the Agenda. The Mayor may exercise a two minute speaking limitation to comments from Councilmembers. 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 by lottery to address matters not on the Council agenda. If five or fewer persons submit speaker cards for the lottery, each person selected will be allotted two minutes each. If more than five persons submit speaker cards for the lottery, 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 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. Speaker cards are not required for this second round of public comment on non-agenda matters.*

**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. Up to three speakers will be entitled to two minutes each to speak in opposition to or support of a Consent Calendar Item. The Presiding Officer will ask additional persons in the audience to stand to demonstrate their respective opposition to or support of the item.*

*In the event that there are more than three persons wishing to speak either in opposition to or support of a "Consent" item, the Presiding Officer will move the item to the beginning of the Action Calendar. Prior to moving the item, the Presiding Officer will fully inform those persons in the audience of this process.*

*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**

*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. 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".*

*After hearing from public speakers regarding items remaining on the Consent Calendar, any Councilmember may move any information or Consent item to "Action", however no additional items can be moved onto the Consent Calendar at that point. Following this, the Council will vote on the items remaining on the Consent Calendar in one motion.*

*For items removed from the Consent Calendar to the Action Calendar for additional public comment, at the time the matter is taken up during the Action Calendar, public comment will be limited to persons who have not previously addressed that item during the Consent Calendar related public comment period.*

### **1. Zoning Amendments to B.M.C. Chapter 23C.08 - Demolition and Dwelling Unit Controls**

**From: Councilmember Arreguin**

**Recommendation:** Adopt second reading of Ordinance No. 7,458-N.S. (as developed by staff) repealing and re-enacting Berkeley Municipal Code Sections 23C.08.010, 23C.08.020 and 23C.08.030, and adding Section 23C.08.035 to modify and clarify the conditions under which dwelling units may be demolished.

**First Reading Vote:** All Ayes.

**Financial Implications:** See report

Contact: Jesse Arreguin, Councilmember, District 4, 981-7140

### **2. Amending the Berkeley Municipal Code Chapter 3.80 to Prohibit City Employees from Serving on Boards**

**From: Councilmembers Wengraf, Arreguin, Droste, and Capitelli**

**Recommendation:** Adopt second reading of Ordinance No. 7,460-N.S. amending the Berkeley Municipal Code, Chapter 3.80 to prohibit City employees from serving on boards and commissions, as outlined in the report.

**First Reading Vote:** Ayes – Maio, Moore, Capitelli, Wengraf, Droste, Bates; Noes – Anderson, Arreguin, Worthington; Abstain – None; Absent – None.

**Financial Implications:** See report

Contact: Susan Wengraf, Councilmember, District 6, 981-7160

## Consent Calendar

### 3. **Revision of Landmarks Preservation Ordinance Appeals Process; Amending Berkeley Municipal Code Section 3.24.300**

**From: City Manager**

**Recommendation:** Adopt second reading of Ordinance No. 7,461-N.S. amending Section 3.24.300 of the Berkeley Municipal Code to revise the Landmark Preservation Ordinance appeal process to mirror the Zoning Ordinance appeal process for Use Permits.

**First Reading Vote:** Ayes – Maio, Moore, Arreguin, Capitelli, Wengraf, Droste, Bates; Noes – Anderson, Worthington; Abstain – None; Absent – None.

**Financial Implications:** None

Contact: Zach Cowan, City Attorney-981-6950

### 4. **Amendments to Berkeley Housing Code and Berkeley Municipal Code Chapters 19.40 and 12.48 Regarding Inspections of Exterior Elevated Elements**

**From: City Manager**

**Recommendation:**

1. Adopt second reading of Ordinance No. 7,462-N.S. amending Section 19.40.035 of the Berkeley Municipal Code Chapter 19.40 (Berkeley Housing Code), and  
2. Adopt second reading of Ordinance No. 7,463-N.S. amending Section 12.48.055 of the Berkeley Municipal Code Chapter 12.48 (Residential Rental Housing Safety Program), to clarify the conditions and frequency of inspection and certification requirements for the Exterior Elevated Elements (E3) program as recommended by the E3 Task Force.

**First Reading Vote:** All Ayes.

**Financial Implications:** See report

Contact: Eric Angstadt, Planning and Development, 981-7400

### 5. **Zoning Ordinance Amendments to BMC Section 23E.72.040 Regarding Medical Cannabis Cultivation in the Manufacturing (M) District**

**From: City Manager**

**Recommendation:** Adopt second reading of Ordinance No. 7,464-N.S. amending the existing medical cannabis cultivation ordinance, Berkeley Municipal Code Section 23E.72.040, in response to new State regulations.

**First Reading Vote:** All Ayes.

**Financial Implications:** None

Contact: Eric Angstadt, Planning and Development, 981-7400

### 6. **Prohibiting Possession of High-Capacity Magazines; Adding BMC Chapter 13.74**

**From: City Manager**

**Recommendation:** Adopt first reading of an Ordinance adding a new Chapter 13.74 to the Berkeley Municipal Code, prohibiting possession of High-capacity magazines in Berkeley.

**Financial Implications:** Minor impact on staff workload.

Contact: Zach Cowan, City Attorney-981-6950

## Consent Calendar

- 7. Formal Bid Solicitation and Request for Proposal Scheduled for Possible Issuance after Council Approval on March 8, 2016**  
**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 - \$975,000  
Contact: Henry Oyekanmi, Finance, 981-7300
- 8. Disaster Council Reestablishment; Repealing and Reenacting Berkeley Municipal Code Chapter 2.88**  
**From: City Manager**  
**Recommendation:** Adopt first reading of an ordinance repealing and reenacting Berkeley Municipal Code Chapter 2.88 to create and specify the respective duties and responsibilities of the Office of Director of Emergency Services, Disaster Council, and the Disaster and Fire Safety Commission.  
**Financial Implications:** None  
Contact: Gil Dong, Fire, 981-3473
- 9. Side Letter of Agreement – SEIU Local 1021 Maintenance and Clerical Chapters**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute and implement a Side Letter of Agreement with Service Employees International Union Local 1021 Maintenance and Clerical Chapters to modify Section 29.1 of the Memorandum Agreement regarding the replacement of Health Net as the City's health insurance provider, with Sutter Health Plus.  
**Financial Implications:** See report  
Contact: Sarah Reynoso, Human Resources, 981-6800
- 10. Contract: HM Construction for Berkeley Rose Garden Trellis Rehabilitation**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution:  
1. Approving the plans and specifications for Berkeley Rose Garden Trellis Rehabilitation project, Specification No. 15-10961-C; and  
2. Accepting the bid of HM Construction as the lowest responsive and responsible bidder for the amount of their Base Bid of \$291,350 plus Additive Bid Item No.2 for \$35,000, for a total contract of \$326,350; and  
3. Authorizing the City Manager to execute a contract and any amendments, extensions or other change orders until completion of the project in accordance with the approved plans and specifications, with HM Construction, for the Berkeley Rose Garden Trellis Rehabilitation project at 1201 Euclid Avenue, in an amount not to exceed \$391,620, which includes a contract amount of \$326,350 and a 20% contingency in the amount of \$65,270.  
**Financial Implications:** Various Funds - \$391,620  
Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700

## Consent Calendar

- 11. Purchase Order: 3T Equipment Company, Inc. for One Sewer Closed Circuit Television Camera Van**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a purchase order for one Sewer Closed Circuit Television Camera Van with 3T Equipment Company, Inc. in an amount not to exceed \$177,800.  
**Financial Implications:** Sanitary Sewer Operation Fund - \$177,800  
Contact: Phillip Harrington, Public Works, 981-6300
- 12. Contract No. 9361B Amendment: Pakpour Consulting Group, Inc. for Additional Contract Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to amend Contract No. 9361B with Pakpour Consulting Group, Inc. for additional contract services, increasing the contract by \$100,000 for a total amount not to exceed \$600,000.  
**Financial Implications:** Off Street Parking Fund - \$600,000  
Contact: Phillip Harrington, Public Works, 981-6300

## Council Consent Items

- 13. Appoint Damion McNeil to the Berkeley Housing Authority**  
**From: Mayor Bates**  
**Recommendation:** Appoint Damion McNeil to the Berkeley Housing Authority to serve a four-year term.  
**Financial Implications:** None  
Contact: Tom Bates, Mayor, 981-7100
- 14. Electric Vehicles for the City Fleet**  
**From: Mayor Bates and Councilmember Wengraf**  
**Recommendation:** Request that the City Manager return to the Council with a Fleet Climate Action Plan for transition to all-electric vehicles (EVs) or plug-hybrids for the City fleet. The plan could: 1. set annual targets for greenhouse gas (GHG) reductions from City fleet operations in support of the City's Climate Action Plan; 2. require replacing all non-emergency vehicles and all possible emergency vehicles with EVs or plug-in hybrids by April 1, 2025, with an interim goal of a certain percent by April 1, 2018; 3. require conversion wherever possible to hybrid vehicles in cases where EVs or plug-in hybrids are not yet feasible; and 4. consider the Additional Measures as described in the report.  
**Financial Implications:** See report  
Contact: Tom Bates, Mayor, 981-7100

## Council Consent Items

**15. LifeLong Medical Care's 40th Anniversary: Relinquishment of Council Office Budget Fund to General Fund and Grant of Such Funds**

**From: Councilmember Maio**

**Recommendation:** Adopt a Resolution approving the expenditure of an amount of up to and not to exceed \$150 per councilmember to LifeLong Medical Care with funds relinquished to the city's general fund for this purpose from the discretionary council office budget of Councilmember Maio and any councilmembers who would like to contribute.

**Financial Implications:** Councilmember's Discretionary Funds - \$150

Contact: Linda Maio, Councilmember, District 1, 981-7110

**16. Support UC Berkeley Subcontractor Workers and the Speakers Boycott**

**From: Councilmembers Arreguin and Worthington**

**Recommendation:** Adopt a Resolution supporting UC Berkeley Subcontractor Workers and endorsing AFSCME Local 3299's Speakers Boycott. Send a copy of the resolution to UC Berkeley Chancellor Nicholas Dirks.

**Financial Implications:** None

Contact: Jesse Arreguin, Councilmember, District 4, 981-7140

**17. Letter to Chancellor Dirks Urging UC Berkeley to Build More Student Housing**

**From: Councilmember Arreguin and Mayor Bates**

**Recommendation:** Send a letter to UC Berkeley Chancellor Nicholas Dirks urging UC Berkeley to build more student housing to address the needs of existing students and planned enrollment increases.

**Financial Implications:** None

Contact: Jesse Arreguin, Councilmember, District 4, 981-7140

**18. Letter to the NFL Requesting Compensation for Police Services at Super Bowl City**

**From: Councilmember Arreguin**

**Recommendation:** Send a letter to the National Football League (NFL) requesting that the City of Berkeley receive compensation for providing Berkeley Police Department officers for security at Super Bowl City in San Francisco.

**Financial Implications:** See report

Contact: Jesse Arreguin, Councilmember, District 4, 981-7140

**19. Proclamation Declaring April 24, 2016 as Armenian Genocide Commemoration Day in Berkeley**

**From: Councilmember Worthington**

**Recommendation:** Adopt a proclamation declaring April 24, 2016 Armenian Genocide Commemoration Day in Berkeley.

**Financial Implications:** None

Contact: Kriss Worthington, Councilmember, District 7, 981-7170

## Council Consent Items

- 20. Proclamation Honoring George Berkeley**  
**From: Councilmember Worthington**  
**Recommendation:** Adopt a proclamation honoring May 24 as George Berkeley Day.  
**Financial Implications:** None  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170
- 21. Proclamation in Honor of the 14th Annual Holocaust Remembrance Day Event**  
**From: Councilmembers Worthington and Wengraf**  
**Recommendation:** Adopt the Holocaust Remembrance Day Proclamation for the 14th Annual Holocaust Remembrance Day event.  
**Financial Implications:** None  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170
- 22. Holocaust Remembrance Day Event: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds**  
**From: Councilmembers Worthington and Wengraf**  
**Recommendation:** Adopt a Resolution approving the expenditure of an amount not to exceed \$1,000 per Councilmember, to support the Holocaust Remembrance Day Event with funds relinquished to the City's general fund for this purpose that the City of Berkeley is able to invite and support the community on this event from Councilmember Kriss Worthington's discretionary Council Office Budget and any other Councilmembers who would like to contribute.  
**Financial Implications:** Councilmember's Discretionary Funds - \$1,000  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170
- 23. Support the "No Place Like Home" State Legislative Proposals and Send a Letter to Governor Jerry Brown**  
**From: Councilmember Worthington**  
**Recommendation:** Support the "No Place Like Home" State Legislative Proposals and send a letter to Governor Jerry Brown.  
**Financial Implications:** See report  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170
- 24. Cigarette and Tobacco Litter Ordinance; Referral to Community Health Commission**  
**From: Councilmember Worthington**  
**Recommendation:** Referral to the Community Health Commission to establish an ordinance that would diminish pollution from cigarettes waste similarly to San Francisco's Cigarette Abatement Fee Ordinance.  
**Financial Implications:** See report  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170

## Council Consent Items

- 25. Support Increased Housing Funding Proposal in President Obama's FY 2017 Budget Proposal**  
**From: Councilmember Worthington**  
**Recommendation:** Send a letter to US Senators Boxer and Feinstein requesting support for President Obama's proposal to increase HUD's funding.  
**Financial Implications:** Minimal  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170
- 26. Require Immediate Action to Either Collect Over \$641,000 Owed in Lien or Bring Owner in Compliance with Agreement**  
**From: Councilmember Worthington**  
**Recommendation:** Take swift and immediate action to require the owner of the lot on the corner of Haste Street and Telegraph to pay over \$641,000 owed to the City in lien or to bring the owner in compliance with the agreement to use the lot to provide affordable housing for the community, as well as a public restroom.  
**Financial Implications:** See report  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170
- 27. Refer to Labor Commission: Appropriate Policies to Support Drivers for Taxi, For-Hire and App-Dispatch Companies**  
**From: Councilmember Worthington**  
**Recommendation:** Refer to the Labor Commission to examine the feasibility of Berkeley and/or the state of California to support driver's request for employee status and of possible union representation.  
**Financial Implications:** Minimal  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170
- 28. Support California Single Use Plastic Bag Ban in November 2016 State Election**  
**From: Councilmember Worthington**  
**Recommendation:** Support the California Single Use Plastic Bag Ban in November 2016 state election.  
**Financial Implications:** Minimal  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170
- 29. Send a Letter to California Governor Jerry Brown Requesting a Delay of Execution and Consideration of Clemency for Death Row Inmate Kevin Cooper**  
**From: Councilmember Worthington**  
**Recommendation:** That the City Council send a letter to California Governor Jerry Brown requesting a delay of execution and consideration of clemency for death row inmate Kevin Cooper.  
**Financial Implications:** None  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170



## Action Calendar

The public may comment on each item listed on the agenda for action as the item is taken up. Where an item was moved from the Consent Calendar to Action no speaker who has already spoken on that item would be entitled to speak to that item again.

The Presiding Officer will request that persons wishing to speak line up at the podium 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 – Old Business

**30. a. Recommendation for the Five-Year Paving Plan** *(Continued from February 9, 2016)*

**From: Public Works Commission**

**Recommendation:** Adopt a Resolution approving the first two years (2016-2017) of the Five Year Paving Plan as proposed by staff. The Public Works Commission recommends further consideration of the last three years (2018-2020) of the plan to: Better incorporate potential changes due to on-going drought; Assure the City of Berkeley takes full advantage of lessons learned from prior test sites; Best optimize green infrastructure to provide multiple benefits, and Better evaluate full life-cycle costs, especially of alternative treatments.

**Financial Implications:** Unknown

Contact: Sean Rose, Commission Secretary, 981-6300

**b. Draft Mid–Program Review Report for Measure M Integrated Streets Investment Plan and Update of the 5-Year Street Paving Plan, FY 2016 to FY 2020** *(Continued from February 9, 2016)*

**From: City Manager**

**Recommendation:**

1. Adopt the recommendation from the Public Works Commission; and
2. Review the attached Draft Mid–Program Review Report for Measure M Integrated Streets Investment Plan.

**Financial Implications:** See report

Contact: Phillip Harrington, Public Works, 981-6300

**31. Final Status Report on West Berkeley Industry** *(Continued from February 9, 2016)*

**From: Councilmembers Maio and Droste**

Contact: Linda Maio, Councilmember, District 1, 981-7110

## Action Calendar – Old Business

32. a. **Living Wage for All City of Berkeley Employees** *(Continued from February 9, 2016)*

**From: City Manager**

**Recommendation:** Direct the City Manager to develop a more detailed plan for raising eight (8) unrepresented classifications to the Living Wage level, and to analyze its fiscal implications citywide. The plan would include adjustments to the current salary pay schedule for the impacted classification, and a corresponding budget adjustment for those City departments that have employees in the impacted classifications.

**Financial Implications:** See report

Contact: Paul Buddenhagen, Health, Housing and Community Services, 981-5400

- b. **City Manager Referral: Create a Pathway for City Employees to Earn a Living Wage Within Two Years** *(Continued from February 9, 2016)*

**From: Councilmember Worthington**

**Recommendation:** Refer to the City Manager to create a pathway for City full-time and part-time employees to earn a living wage within two years.

**Financial Implications:** See report

Contact: Kriss Worthington, Councilmember, District 7, 981-7170

33. **In Support of Ending Drone Warfare** *(Continued from February 9, 2016)*

**From: Peace and Justice Commission**

**Recommendation:** Adopt a Resolution urging the U.S. government to: 1. Halt the use of all drones for extrajudicial killing, since extrajudicial killing is illegal under international law, 2. Halt all drone surveillance that assaults basic freedoms and inalienable rights and terrorizes domestic life in Pakistan, Afghanistan, Iraq, Yemen and Somalia, 3. Prohibit the sale, and distribution of drones and drone technology to foreign countries in order to prevent the proliferation of this menacing threat to world peace, freedom and security, and 4. Work with the international community to ban the use of drones for military purposes.

Urge Senators Dianne Feinstein and Barbara Boxer and Representative Barbara Lee to help to end the use of drones in warfare by promoting legislation that will achieve these ends; and

Direct the City Clerk to send copies of this resolution to President Barack Obama, Senator Dianne Feinstein, Senator Barbara Boxer, and Representative Barbara Lee.

**Financial Implications:** Unknown

Contact: Eric Brenman, Commission Secretary, 981-5400

## Action Calendar – Old Business

- 34. Allocating Additional Property Transfer Tax Revenue to the Housing Trust Fund** *(Continued from February 9, 2016)*  
**From: Councilmember Arreguin**  
**Recommendation:** Adopt a Resolution modifying Council Budget Development Policies to allocate 25% of Funds from the Property Transfer Tax above \$10.5 million to the Housing Trust Fund. The remaining 75% of funding in excess of \$10.5 million will be allocated to the Capital Improvement Fund (Fund 610).  
**Financial Implications:** See report  
Contact: Jesse Arreguin, Councilmember, District 4, 981-7140
- 35. Refer to the Rent Stabilization Board to Consider Creating an Ordinance Preventing Evictions for Minor Offenses** *(Continued from February 9, 2016)*  
**From: Councilmembers Worthington, Anderson, and Arreguin**  
**Recommendation:** Refer to the Housing Advisory Commission, and the Rent Stabilization Board to consider creating an ordinance preventing evictions for minor offenses.  
**Financial Implications:** Minimal  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170
- 36. Housing Trust Fund Loan for \$1,000,000** *(Continued from February 9, 2016)*  
**From: Councilmember Worthington**  
**Recommendation:** Loan \$1,000,000 to the Housing Trust Fund.  
**Financial Implications:** \$1,000,000  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170

## Action Calendar – New Business

- 37. One Communication by City Staff and Location of Next Council Meeting on Mini-Dorms and Group Living Accommodations**  
**From: Open Government Commission**  
**Recommendation:** To the extent that a particular communication from City of Berkeley staff represented a communication to a sole interest group, convey its impropriety to the City Manager; and to the extent possible, schedule the anticipated single-subject meeting regarding amending Berkeley Municipal Code (BMC) Chapter 13.42 to adopt additional operating standards for Mini-Dorms and Group Living Accommodations (GLAs) (which Council previously recommended for UC Berkeley or Willard Middle School) either on or reasonably close to the UC Berkeley campus.  
**Financial Implications:** None.  
Contact: Savith Iyengar, Commission Secretary, 981-6950

## Council Action Items

- 38. Schedule a Follow-up Worksession on Housing**  
**From: Councilmember Worthington**  
**Recommendation:** That the Council schedule a follow-up worksession on housing to include a diverse pool of speakers.  
**Financial Implications:** Minimal  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170
- 39. Adopt a Council Prioritization Process for Referrals: Reweighted Range Voting**  
**From: Councilmember Droste**  
**Recommendation:** Adopt a system of Reweighted Range Voting to prioritize Council referrals and refer to city staff to develop the following:  
1) A schedule of annual meetings for Council to hold prioritization sessions.  
2) A system of Reweighted Range Voting (RRV) for Council to identify and establish priorities among all existing and unaddressed referrals at prioritization sessions.  
a) If a Councilmember does not rate a specific referral, the Councilmember's default score for that referral is a zero (0).  
3) Protocol for referrals passed after a prioritization session takes place. "New" referrals – those passed between one prioritization session and the next, will go into a holding position until they can be prioritized at the following session, unless:  
a) Council designates a referral as urgent if the referred work is necessary to protect life safety or is necessary to secure or avoid losing time-sensitive funding (e.g., grant funding that the funding agency may take back unless a specific action is taken).  
b) Staff designates an item as "short term" that can be addressed within a three month time frame.  
4) Basic background information on referrals prior to prioritization sessions, including but not limited to a broad indication of staff time and financial resources required to complete a referral, an estimate of the impact of each referral in terms of citywide outcomes.  
5) A window, prior to prioritization sessions, in which sponsoring Councilmembers can identify any referrals that are no longer needed and should be removed from the prioritization process.  
6) Once a Strategic Plan is completed, all referrals should have a nexus to the Strategic Plan.  
**Financial Implications:** Staff time  
Contact: Lori Droste, Councilmember, District 8, 981-7180
- 40. Workforce Housing Affordability Plan**  
**From: Councilmembers Droste, Capitelli, and Moore**  
**Recommendation:** Refer to the City Manager the addition of a new workforce housing option to the inclusionary housing law that raises the percentage of inclusionary units by allowing the production of more subsidized units at a reduced subsidy per unit. Additionally, request that the City Manager return with "affordable by design" suggestions to help address the underproduction of middle-income units in Berkeley.  
**Financial Implications:** Staff time  
Contact: Lori Droste, Councilmember, District 8, 981-7180

## Council Action Items

### Information Reports

#### 41. Update: Crude By Rail

From: Councilmember Maio

Contact: Linda Maio, Councilmember, District 1, 981-7110

### Public Comment – Items Not Listed on the Agenda

#### Adjournment in Memory of:

1. Lewis Suzuki, Local Artist

**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.*

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Archived indexed video streams are available at <http://www.cityofberkeley.info/citycouncil>.

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 or in person 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 <http://www.cityofberkeley.info>.

Agendas and agenda reports may be accessed via the Internet at

<http://www.cityofberkeley.info/citycouncil>

and may be read at reference desks at the following locations:

City Clerk Department  
2180 Milvia Street  
Tel: 510-981-6900  
TDD: 510-981-6903  
Fax: 510-981-6901  
Email: [clerk@cityofberkeley.info](mailto: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 981-6346(V) or 981-7075 (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 Council Chambers, 2134 Martin Luther King Jr. Way, as well as on the City's website, on February 25, 2016.*

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.*

**Item 37: One Communication by City Staff and Location of Next Council Meeting on Mini-Dorms and Group Living Accommodations**

1. Marium Navid

**Clarification of Council Rules**

2. Open Government Commission

**Unfunded Liabilities (2)**

3. Barbara Gilbert

**Police Activity**

4. Eric Friedman
5. Julianna Dickey
6. Charlene Woodcock

**Cell Tower Concern**

7. Laurie Freeman (2)

**Bancroft Food Trucks**

8. Gil Rothschild
9. Virginia Scholtes
10. Sean Howell
11. Austin Uhler
12. Reed Frye
13. Brittany Arsiniega

14. Alfredo Diez

**King Pool Railing**

15. Berkeley Aquatic Group

**1229 San Pablo Avenue**

16. Tania Macdonald

17. Hillary Curtis

18. Melissa Blanco

**Bike Lane on Fulton**

19. Joanna Jansen

20. Farid Javandel

**Berkeley Housing**

21. Dorothy Walker

**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 of the meeting.
- **Supplemental Communications and Reports 3**  
Available by 5:00 p.m. two days following the meeting.

