

AGENDA



BERKELEY CITY COUNCIL MEETING

Tuesday, May 31, 2016

7:00 P.M.

School District Board Room - 1231 Addison St., Berkeley, CA (ADA Accessible Entrance)

Please enter at 1222 University Avenue

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. Contract No. 9081 Amendment: University Veterinary Hospital for Veterinary Services

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to extend and increase Contract No. 9081 for \$50,000 with the University Veterinary Hospital (UVH) for off-site veterinary services for Berkeley Animal Care Services (BACS). The contract will be increased by \$50,000. The extension of this contract will be for \$16,666 for FY 2017, with an option to continue with the veterinary services for another two-year period, FY 2018 and FY 2019, not to exceed \$50,000 over the three-year period, not to exceed \$100,000 in total and will be subject to the City's annual appropriation process.

Financial Implications: Animal Shelter Fund - \$50,000

Contact: Gil Dong, City Manager's Office, 981-7000

Consent Calendar

**2. Berkeley Tourism Business Improvement District Annual Report and Contract
From: City Manager**

Recommendation: Adopt two Resolutions:

1. Approving the Annual Report and preliminary budget for the Berkeley Tourism Business Improvement District (BTBID) for FY 2017 as recommended by the BTBID Owners' Association; and
2. Authorizing the City Manager to execute a sole source contract and any amendments with the Berkeley Convention and Visitors' Bureau, d.b.a. Visit Berkeley, for \$596,037 of BTBID funds to support tourism marketing and promotion for the period of July 1, 2016 to June 30, 2017.

Financial Implications: See report

Contact: Michael Caplan, Economic Development, 981-7530

**3. Assessments: North Shattuck Business Improvement District
From: City Manager**

Recommendation: Adopt two Resolutions:

1. Approving the FY 2016 Annual Report proposed budget for FY 2017 of the North Shattuck Business Improvement District (NSBID) and declaring Council's intention to levy an annual assessment for the NSBID for FY 2017; and
2. Authorizing the City Manager to execute a sole source contract and any amendments with the North Shattuck Association in the amount not to exceed \$548,570 in BID revenues to implement the Management District Plan for the North Shattuck Business Improvement District for the period July 1, 2017 to June 30, 2019 with the option to extend for two additional years.

Financial Implications: See report

Contact: Michael Caplan, Economic Development, 981-7530

**4. Assessments: Telegraph Property and Business Improvement District
From: City Manager**

Recommendation: Adopt a Resolution accepting the FY 2016 Annual Report of the Telegraph Property and Business Improvement District (TBID) and proposed budget for FY 2017, and declaring Council's intention to levy an annual assessment for the TBID for FY 2017.

Financial Implications: See report

Contact: Michael Caplan, Economic Development, 981-7530

**5. Formal Bid Solicitation and Request for Proposal Scheduled for Possible
Issuance After Council Approval on May 31, 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 - \$1,163,000

Contact: Henry Oyekanmi, Finance, 981-7300

Consent Calendar

6. Notice of Appropriations Limit for Fiscal Year 2017

From: City Manager

Recommendation: Adopt a Resolution providing notice that: 1) Council will adopt an appropriations limit for Fiscal Year 2017 at its meeting of June 28, 2016; and 2) the amount of the limit and the background material used in its calculation will be available for public review in the City Clerk's Office on or before June 13, 2016.

Financial Implications: See report

Contact: Henry Oyekanmi, Finance, 981-7300

7. Sterling Computers: Using Western States Contracting Alliance (WSCA) Pricing Schedule for Structured Query Language (SQL) Enterprise Licenses

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to increase the spending authority for the purchase of twenty-four Structured Query Language (SQL) Server Licenses for a term of thirty-three months, utilizing pricing from the Western States Contracting Alliance (WSCA) pricing schedule for the Fiscal Year 2016 period of July 1, 2015 through June 30, 2016 for the amount not to exceed \$320,378.

Financial Implications: Capital Improvement Fund - \$320,378

Contact: Savita Chaudhary, Information Technology, 981-6500

8. Contract No. 10036B Amendment: TruePoint Software Solutions for Accela Professional Services

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to amend an existing contract with TruePoint Software Solutions for professional services, increasing the amount by \$41,250, for a total not to exceed of \$141,200 from June 1, 2015 to June 30, 2018.

Financial Implications: Permit Service Center Fund - \$41,250

Contact: Savita Chaudhary, Information Technology, 981-6500

9. Contract No. 10217 Amendment: TranSystems, Inc. for Consultant Support Services for the South Cove Parking Lot and Restroom Project

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager or her designee to execute an amendment to Contract No. 10217 with TranSystems, Inc. adding \$29,016 for consultant support services for the South Cove Parking Lot and Restroom Project for a total contract amount not to exceed \$104,971.

Financial Implications: One-Time Grant: No Capital Expenditures - \$29,016

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

Consent Calendar

- 10. Regional Solar Electric Installation Program (East Bay SunShares)**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a letter of commitment to the Business Council on Climate Change (BC3) to affirm the City of Berkeley's participation in the Regional Solar Electric Installation Program (East Bay SunShares).
Financial Implications: See report
Contact: Carol Johnson, Planning and Development, 981-7400
- 11. Approval of Match Commitment Letter for FEMA Hazard Mitigation Grant**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to submit a letter of commitment as part of the Planning Department's application for a \$3 million Hazard Mitigation grant from the Federal Emergency Management Agency (FEMA), pledging matching funds of up to \$1 million over a three-year period.
Financial Implications: See report
Contact: Carol Johnson, Planning and Development, 981-7400
- 12. Amending Berkeley Municipal Code Chapter 19.81 to Modify the Building Energy Saving Ordinance (BESO)**
From: City Manager
Recommendation: Adopt first reading of an Ordinance amending Berkeley Municipal Code Sections 19.81.040, 19.81.050.C, and 19.81.090.L of the Building Energy Saving Ordinance, BMC Chapter 19.81, to postpone the filing due dates by approximately twenty months to accommodate the delayed delivery of the on-line application system, streamline reporting for medium buildings to align with small buildings, and exempt very small structures.
Financial Implications: See report
Contact: Carol Johnson, Planning and Development, 981-7400
- 13. Grant Applications: Active Transportation Program Funds/Sacramento Street and North Berkeley BART Pedestrian and Bicycle Improvements**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to submit a grant application to the Caltrans Active Transportation Program totaling \$1,530,000 for Sacramento Street and North Berkeley BART pedestrian and bicycle traffic safety improvements to accept the grants if awarded; and to execute any resultant agreements and amendments.
Financial Implications: See report
Contact: Phillip Harrington, Public Works, 981-6300

Consent Calendar

14. **Grant Application: Active Transportation Program/Safe Routes to School**
From: City Manager
Recommendation: Adopt two Resolutions authorizing the City Manager to submit grant applications to the Caltrans Active Transportation Program for traffic safety improvements and to accept the grants if awarded, and execute any resultant agreements and amendments for:
1. John Muir Elementary School for up to \$268,800; and
2. Oxford Elementary School and Jefferson Elementary School for \$266,385.
Financial Implications: See report
Contact: Phillip Harrington, Public Works, 981-6300
15. **Contract: Granite Rock Company for FY 2016 Street Rehabilitation Project**
From: City Manager
Recommendation: Adopt a Resolution: 1. Approving plans and specifications for the Street Rehabilitation FY 2016 Project, Specification No. 16-11000-C; 2. Accepting the bid of Granite Rock Company as the lowest responsive and responsible bidder; 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 in an amount not to exceed \$6,297,332.
Financial Implications: Various Funds - \$6,297,332
Contact: Phillip Harrington, Public Works, 981-6300
16. **Contract No. 8389B Amendment: Recology Blossom Valley Organics – North for Hauling and Processing of Compostable Materials**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 8389B with Recology Blossom Valley Organics–North for hauling and processing source-separated organic compostable materials, increasing the contract \$500,000 for a total amount not to exceed \$7,954,818.
Financial Implications: Zero Waste Fund - \$500,000
Contact: Phillip Harrington, Public Works, 981-6300

Council Consent Items

17. **Budget Referral: Berkeley Book Festival**
From: Mayor Bates
Recommendation: Refer to the budget process a request for \$50,000 for the Berkeley Book Festival and a request that the program become a regular line item in the budget.
Financial Implications: \$50,000
Contact: Tom Bates, Mayor, 981-7100

Council Consent Items

- 18. Support AB 2200, 2406, and 2411 – The Thurmond Housing Package**
From: Councilmembers Arreguin, Maio, Capitelli, and Wengraf
Recommendation: Adopt a Resolution in Support of the Following Bills: AB 2200 - School Employee Housing Assistance Grant; AB 2406 - Junior Accessory Dwelling Units; AB 2441 - Workforce Housing Pilot Program. Send a copy of the Resolution to Governor Jerry Brown, State Senator Loni Hancock, and Assemblymember Tony Thurmond.
Financial Implications: See report
Contact: Jesse Arreguin, Councilmember, District 4, 981-7140
- 19. Support AB 2502 – Protecting Local Inclusionary Housing Programs**
From: Councilmember Arreguin
Recommendation: Adopt a Resolution in support of AB 2502, which will protect locally enacted inclusionary housing programs. Send a copy of the resolution to Governor Jerry Brown, State Senator Loni Hancock, and Assemblymembers Kevin Mullin, David Chiu, and Tony Thurmond.
Financial Implications: None
Contact: Jesse Arreguin, Councilmember, District 4, 981-7140
- 20. Requesting a Comprehensive Report on the State of Homeless Services within the City of Berkeley**
From: Councilmember Capitelli
Recommendation: Request the City Manager direct staff to prepare a report outlining the details of City funded homeless services. The purpose of this report is to help Council and the community understand the various factors related to the allocation of resources to address homelessness within the City. Once the report is complete, it is requested that city staff schedule a work session to go over the findings.
Financial Implications: Staff time
Contact: Laurie Capitelli, Councilmember, District 5, 981-7150
- 21. City Manager Referral: Create an Ordinance to Prohibit Housing Discrimination Based on the Source of a Tenant's Income**
From: Councilmember Worthington
Recommendation: Refer to the City Manager to create an ordinance to prohibit housing discrimination based on the source of a tenant's income.
Financial Implications: Staff time
Contact: Kriss Worthington, Councilmember, District 7, 981-7170
- 22. City Manager Referral: Consider Adding Energy Efficient Equity as an Additional Property Assessed Clean Energy Program**
From: Councilmember Worthington
Recommendation: Refer to the City Manager to consider adding Energy Efficient Equity as an additional property assessed clean energy program.
Financial Implications: Minimal
Contact: Kriss Worthington, Councilmember, District 7, 981-7170

Council Consent Items

- 23. Proclamation Honoring “Bridging the Military-Civilian Divide Day”**
From: Councilmember Worthington
Recommendation: Adopt the Proclamation Honoring June 4, 2016, as “Bridging the Military-Civilian Divide Day.”
Financial Implications: None
Contact: Kriss Worthington, Councilmember, District 7, 981-7170
- 24. Transportation Commission Referral: Support the “Southside Pilot Project” for Transit Improvements**
From: Councilmember Worthington
Recommendation: Refer the “Southside Pilot Project” to the Berkeley Transportation Commission.
Financial Implications: Minimal
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 – 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 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

25. Re-Establishment and Expansion of the Downtown Berkeley Property and Business Improvement District

From: City Manager

Recommendation: Conduct a public hearing on the establishment of the Downtown Berkeley Property Based Business Improvement District (DPBID or “the District”), and upon conclusion if no majority protest exists after tabulation of assessment ballots, adopt two Resolutions:

1. Re-establishing and expanding the Downtown Berkeley Property and Business Improvement District (DPBID) for the ten-year period beginning July 1, 2016 and ending June 30, 2026, with operations to occur over the ten calendar year period beginning January 1, 2017 and ending December 31, 2026 and levying assessments on properties within the District for fiscal year 2017
2. Authorizing the City Manager to execute a sole source contract and any amendments with the Downtown Berkeley Association (DBA) not to exceed \$3,940,625 of DPBID funds to support Downtown revitalization for the period January 1, 2017 to December 31, 2019 with the option to extend for two additional years.

Financial Implications: See report

Contact: Michael Caplan, Economic Development, 981-7530

Action Calendar – New Business

26. Placing a General Obligation Bond Measure for Improvements to Existing City Infrastructure and Facilities on the November 8, 2016 Ballot

From: City Manager

Recommendation:

1. Adopt a Resolution determining public interest and necessity for issuing a general obligation bond in the amount of \$100 million for improvements to existing city infrastructure and facilities and submitting to the Berkeley electorate on the November 8, 2016 ballot a measure to authorize a general obligation bond in that amount.
2. Determine whether to designate, by motion, specific members of the Council to file ballot measure arguments on this measure as provided for in Elections Code Section 9282(b).

Financial Implications: See report

Contact: Zach Cowan, City Attorney, 981-6950

Action Calendar – New Business

- 27. Placing a Measure on the November 8, 2016 Ballot to Increase the Business License Tax on Owners of Five or More Residential Rental Units**
From: City Manager
Recommendation:
1. Adopt a Resolution submitting a general tax ordinance measure on the November 8, 2016 general municipal ballot to increase the business license tax on owners of five or more residential rental units from 1.081% to 3.793%, prohibiting the pass-through of the tax to most tenants, and directing the Housing Advisory Commission to make recommendations for additional expenditures for affordable housing.
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(b).
Financial Implications: See report
Contact: Mark Numainville, City Clerk, 981-6900
- 28. Placing a Charter Amendment and Ordinance Measure on the November 8, 2016 Ballot to Create a Public Campaign Financing System**
From: City Manager
Recommendation:
1. Adopt a Resolution submitting a Charter Amendment and Ordinance Measure related to Berkeley Charter Article III (Elections) and Municipal Code Chapter 2.12 (Election Reform Act) to create a public campaign financing system to a vote of the electors at the November 8, 2016 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(b).
Financial Implications: See report
Contact: Mark Numainville, City Clerk, 981-6900
- 29. City Council Comments on the FY 2017 Proposed Budget Update**
From: City Manager
Recommendation: Provide comments on the FY 2017 Proposed Budget Update.
Financial Implications: See report
Contact: Teresa Berkeley-Simmons, Budget Manager, 981-7000

Action Calendar – Old Business

- 30. Short-Term Rental Regulations Ordinance, Adding BMC Chapter 23C.22 and Amending Titles 23D and 23E** *(Continued from May 10, 2016)*
From: City Manager
Recommendation:
1. Review and consider the Planning Commission and staff recommended versions of the Short-Term Rental Draft Ordinance.
 2. Provide direction on outstanding issues, including enforcement related standards and whether to allow Short-Term Rentals in Accessory Dwelling Units (ADUs).
 3. A) Adopt first reading of an Ordinance as recommended by staff regarding Short-Term Rental Regulations, adding BMC Chapter 23C.22 and amending Titles 23D and 23E to make related changes.
- OR-**
- B) Adopt first reading of an Ordinance as recommended by the Planning Commission regarding Short-Term Rental Regulations, adding BMC Chapter 23C.22 and amending Titles 23D and 23E to make related changes.
- Financial Implications:** See report
Contact: Carol Johnson, Planning and Development, 981-7400
- 31. Tenant Protection Ordinance** *(Continued from May 10, 2016; Item contains revised material.)*
From: Councilmember Arreguin
Recommendation: Refer to the City Manager and City Attorney to develop a Tenant Protection Ordinance, incorporating the elements described in the Background section of the report.
Financial Implications: Staff time
Contact: Jesse Arreguin, Councilmember, District 4, 981-7140
- 32. Extending Operating Hours in Commercial Districts** *(Continued from May 10, 2016)*
From: Councilmember Arreguin
Recommendation: Refer to the Planning Commission to review and amend the Zoning Ordinance to extend operating hours of businesses in commercial districts throughout Berkeley as follows: 24 hours in the Downtown and Northside (Euclid Avenue between Hearst and Ridge) commercial districts seven days a week, however pursuant to state law the sale of alcoholic beverages is limited to 2 a.m.; Friday and Saturday to 2 a.m. in the Elmwood and North Shattuck districts. However, sales and service of alcoholic beverages is limited to full-service restaurants; Seven days a week to 2 a.m. at nodes of the San Pablo district.
Consider applying in these districts the existing regulations in the C-T district on off-sale of alcoholic beverages and on premise consumption of distilled alcoholic beverages at full-service restaurants.
Similar to the existing 24-hour zoning designation in the Telegraph Commercial District, these amendments will allow businesses in these areas to remain open later without an additional Use Permit.
Financial Implications: Staff time
Contact: Jesse Arreguin, Councilmember, District 4, 981-7140

Action Calendar – Old Business

33. **Referral to the Housing Advisory Commission Timely Predevelopment Recommendations to Bridge/Berkeley Food and Housing Project** *(Continued from May 17, 2016)*
From: Councilmembers Worthington and Arreguin
Recommendation: Refer to the Housing Advisory Commission to make predevelopment funding recommendations to Bridge/Berkeley Food and Housing Project to return in time for the June 2016 budget decision.
Financial Implications: Minimal
Contact: Kriss Worthington, Councilmember, District 7, 981-7170

Action Calendar – New Business

34. **Authorizing the Issuance of Up to \$15,000,000 in General Obligation Bonds for the Measure M – Street and Integrated Watershed Improvements**
From: City Manager
Recommendation: Adopt a Resolution authorizing the issuance of \$15,000,000 aggregate principal amount of general obligation bonds (Measure M – Street and Integrated Watershed Improvements), approving an official statement and authorizing actions related hereto.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300
35. **Urgency Ordinance Authorizing a Disposition and Development Agreement with BRIDGE Housing for the Parking Lot at 2012 Berkeley Way**
From: City Manager
Recommendation:
1. Adopt an Urgency Ordinance authorizing the City Manager to execute a Disposition and Development Agreement (DDA) for the parking lot at 2012 Berkeley Way with the BRIDGE Housing Corporation (BRIDGE) for the purpose of maintaining “Difficult to Develop” status which is expected to increase by \$5 million the value of low income housing tax credits to redevelop the site in partnership with the Berkeley Food and Housing Project (BFHP), creating temporary, affordable and permanent supportive housing, and homeless services to help address Berkeley’s current homeless and affordability crisis.
2. Adopt the first reading of an Ordinance authorizing the City Manager to execute a Disposition and Development Agreement (DDA) for the parking lot at 2012 Berkeley Way with the BRIDGE Housing Corporation (BRIDGE) for the purpose of maintaining “Difficult to Develop” status which is expected to increase by \$5 million the value of low income housing tax credits to redevelop the site in partnership with Berkeley Food and Housing Project (BFHP), creating temporary, affordable and permanent supportive housing, and homeless services to help address Berkeley’s current homeless and affordability crisis.
Financial Implications: See report
Contact: Paul Buddenhagen, Housing and Community Services, 981-5400

Council Action Items

- 36. Additional 5 Police Officers for the Berkeley Police Department**
From: Councilmembers Moore and Capitelli
Recommendation: Refer the addition of 5 police officers for the Berkeley Police Department to the FY 2017 budget process.
Financial Implications: See report
Contact: Darryl Moore, Councilmember, District 2, 981-7120
- 37. Budget Referrals for FY 2017**
From: Councilmember Moore
Recommendation: Refer the following items to the FY 2017 budget process: \$35,000 for the Berkeley Drop-in in recurring funds to restore it to full funding, the cost to install hawk lights at the Addison crosswalk on 6th, and \$5,000 to K to College for dental kits for youth.
Financial Implications: See report
Contact: Darryl Moore, Councilmember, District 2, 981-7120
- 38. Referral to Planning Commission: Community Hospital Zoning Overlay**
From: Councilmember Arreguin
Recommendation: Refer to the Planning Commission the creation of an overlay zone for the area bounded by Ashby Avenue to the north, Colby Street to the west, Hospital Drive to the south, and Regent Street to the east to maintain existing community hospital uses. The overlay zone would supersede the uses permitted in the underlying zoning districts.
Financial Implications: Staff time
Contact: Jesse Arreguin, Councilmember, District 4, 981-7140
- 39. Establishing a Citizens Budget Review Commission**
From: Councilmember Arreguin
Recommendation: Adopt a Resolution establishing a Citizens Budget Review Commission.
Financial Implications: Staff time
Contact: Jesse Arreguin, Councilmember, District 4, 981-7140
- 40. Creation of Transportation Impact Fee**
From: Councilmember Arreguin
Recommendation: Refer to the City Manager to:
1. Update the November 2005 Nexus Study on the Transportation Impact Fee (also known as the Transportation Services Fee); and
2. Initiate a Process to Establish a Transportation Impact Fee.
Financial Implications: Staff time
Contact: Jesse Arreguin, Councilmember, District 4, 981-7140

Council Action Items

41. **June 2016 Budget Referral to Continue Fourth Ambulance Pilot Project for an Additional Year**
From: Councilmember Worthington
Recommendation: Refer to the June 2016 Budget process to continue 4th ambulance pilot project for an additional year.
Financial Implications: See report
Contact: Kriss Worthington, Councilmember, District 7, 981-7170

Information Reports

42. **Report of the Alameda County Transportation Commission for the March 24, 2016 Meeting**
From: Councilmember Capitelli
Contact: Laurie Capitelli, Councilmember, District 5, 981-7150

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.*

Live captioned broadcasts of Council Meetings are available on Cable B-TV (Channel 33), via internet accessible video stream at <http://www.cityofberkeley.info/CalendarEventWebcastMain.aspx> and KPFB Radio 89.3.

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

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 May 19, 2016.*

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.*

**Minimum Wage Ordinance**

1. Harry Brill (2)
2. Raymond Barglow
3. Tobey Wiebe
4. Chris Davis

**Support for Rent Board Items**

5. Matthew Lewis

**Support for Berkeley Shellmound Indigenous Sacred Site**

6. Janice Schroeder
7. Stefen

**Prop AA, Regional Wetlands Tax**

8. Zelda Bronstein

**Fulton Street Bikeway**

9. Unknown

**1701 62<sup>nd</sup> Street**  
10. Calvin Justice (2)

**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.