



Office of the City Manager

CONSENT CALENDAR
March 28, 2017

To: Honorable Mayor and Members of the City Council

From: *DWR* Dee Williams-Ridley, City Manager

Submitted by: Mark Numainville, City Clerk

Subject: Minutes for Approval

RECOMMENDATION

Approve the minutes for the Council meetings of February 7, 2017 (special), February 14, 2017 (special closed and regular), February 27, 2017 (special closed), and February 28, 2017 (special closed, special and regular).

CONTACT PERSON

Mark Numainville, City Clerk, 981-6900

Attachments:

1. February 7, 2017–Special City Council Meeting
2. February 14, 2017–Special Closed City Council Meeting
3. February 14, 2017– Regular City Council Meeting
4. February 27, 2017–Special Closed City Council Meeting
5. February 28, 2017–Special Closed City Council Meeting
6. February 28, 2017–Special City Council Meeting
7. February 28, 2017–Regular City Council Meeting

**MINUTES
SPECIAL MEETING OF THE
BERKELEY CITY COUNCIL**

Tuesday, February 7, 2017

6:00 P.M.

COUNCIL CHAMBERS - 2134 MARTIN LUTHER KING JR. WAY

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – LINDA MAIO
DISTRICT 2 – CHERYL DAVILA
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – VACANT

DISTRICT 5 – SOPHIE HAHN
DISTRICT 6 – SUSAN WENGRAF
DISTRICT 7 – KRISS WORTHINGTON
DISTRICT 8 – LORI DROSTE

Preliminary Matters

Roll Call: 6:02 p.m.

Present: Councilmembers Bartlett, Davila, Droste, Hahn, Maio, Wengraf, Worthington and Mayor Arreguin.

Absent: None.

Public Comment - Limited to items on this agenda only – see below.

Action Calendar – Public Hearing

1. **ZAB Appeal: 2777 Shattuck Avenue/2474 Adeline Avenue**

From: City Manager

Recommendation: Conduct a public hearing and upon conclusion, adopt a Resolution dismissing appeal and affirming the decision of the Zoning Adjustments Board to approve Use Permit No. ZP2015-0102 to establish a full service auto dealership, including auto sales, repair and maintenance, in an existing building; to construct a 4,427 square-foot addition to the building for auto access and service; and to use a portion of the existing 31-space surface parking lot at 2747 Adeline Street for project parking, car display, and inventory.

Financial Implications: None

Contact: Carol Johnson, Planning and Development, 981-7400

Action: M/S/C (Bartlett/Hahn) to continue the hearing to a later date.

Vote: Ayes – Bartlett, Hahn; Noes – Maio, Wengraf, Worthington, Droste; Abstain – Davila, Arreguin.

Recess 9:06 p.m. – 9:26 p.m.

Action: M/S/C (Davila/Maio) to suspend the rules and extend the meeting to 11:15 p.m.

Vote: All Ayes.

Action: M/S/C (Wengraf/Davila) to suspend the rules and extend the meeting to 11:20 p.m.

Vote: All Ayes.

Public Testimony: The Mayor opened the public hearing. 119 speakers.

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

Vote: All Ayes.

Action: M/S/Failed (Hahn/Bartlett) to uphold the appeal and overturn the decision of the Zoning Adjustments Board to approve Use Permit No. ZP2015-0102 to establish a full service auto dealership, including auto sales, repair and maintenance, in an existing building; to construct a 4,427 square-foot addition to the building for auto access and service; and to use a portion of the existing 31-space surface parking lot at 2747 Adeline Street for project parking, car display, and inventory.

Vote: Ayes – Davila, Bartlett, Hahn, Arreguin; Noes – Worthington; Abstain – Maio, Wengraf, Droste.

Action: M/S/C (Droste/Wengraf) to suspend the rules and extend the meeting to 11:25 p.m.

Vote: Ayes – Maio, Davila, Bartlett, Hahn, Wengraf, Droste, Arreguin; Noes – Worthington.

Adjournment

Action: M/S/C (Worthington/Droste) to adjourn the meeting.

Vote: All Ayes.

Adjourned at 11:23 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the special meeting of February 7, 2017.

Mark Numainville, City Clerk

Communications

Item 1: ZAB Appeal: 2777 Shattuck Avenue/2474 Adeline Avenue

1. Sheila Goldmacher
2. Sara Breckenridge
3. Andrew Saby
4. Charles Siegel
5. Jose Camacho, on behalf of the Alameda Labor Council

Supplemental Communications and Reports 1

Item 1: ZAB Appeal: 2777 Shattuck Avenue/2474 Adeline Avenue

6. Unknown

Supplemental Communications and Reports 2

Item 1: ZAB Appeal: 2777 Shattuck Avenue/2474 Adeline Avenue

7. Donna Mickleson
8. Elisa Cooper
9. Marianne Sluis (2)
10. Claire Yskamp
11. Margy Wilkinson
12. Kazuko Nishita
13. Gale Garcia
14. Ali Kashani (2)
15. Lan Nguyen, Shute, Mihaly & Weinberger LLP
16. Kristine Steensma
17. Christine Byrne
18. Rob Wrenn
19. MiSoon Burzlaff
20. Marcia Edelen
21. Christian Vettermann

Supplemental Communications and Reports 2

- 22. Zeina Saad
- 23. Margaret Radke
- 24. Ann Foley
- 25. Christina Oatfield
- 26. Shirley Dean
- 27. Kelly Hammargren
- 28. Alex Stone
- 29. Andrew Sabey, Cox, Castle & Nicholson LLP

Supplemental Communications and Reports 3

- 30. Presentation, submitted by Planning & Development Department
- 31. Rosa Keel, Cox, Castle & Nicholson
- 32. Joy Bhattacharya
- 33. Thelma Dixon
- 34. Bryce Nesbitt
- 35. Josie Camacho, on behalf of the Alameda Labor Council
- 36. Unknown (2)

**MINUTES
BERKELEY CITY COUNCIL SPECIAL MEETING
TUESDAY, FEBRUARY 14, 2017
6:00 P.M.**

Council Chambers – 2134 Martin Luther King, Jr. Way, Berkeley, CA

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – LINDA MAIO
DISTRICT 2 – CHERYL DAVILA
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – VACANT

DISTRICT 5 – SOPHIE HAHN
DISTRICT 6 – SUSAN WENGRAF
DISTRICT 7 – KRISS WORTHINGTON
DISTRICT 8 – LORI DROSTE

Preliminary Matters

Roll Call: 6:01 p.m.

Present: Councilmembers Bartlett, Davila, Droste, Hahn, Maio, Wengraf, Worthington, and Mayor Arreguin.

Absent: None.

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

CLOSED SESSION:

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

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

Pending litigation – two cases

Moni Law, et al. v. City of Berkeley, et al.
U.S. District Court Case Civ. No. 15-cv-05343-JSC

Action: M/S/C (Wengraf/Maio) to approve the terms of the settlement of Curtis Johnson, et. al. v. City of Berkeley, et. al., to include the following: 1. Payment of \$125,000 inclusive of attorney’s fees and costs; 2. Berkeley Police Department commits to full implementation of Body Worn Camera program subject to Council approval; 3. Dismissal of lawsuit with prejudice; and 4. A number of policy changes related to handling demonstrations.

Vote: All Ayes.

OPHCA v. City of Berkeley
U.S. District Court Case Civ. No. 16-cv-03046-CRB

Action: No reportable action taken.

Councilmember Droste absent 6:55 p.m. – 6:56 p.m.

OPEN SESSION:

Public Reports of actions taken pursuant to Government Code section 54957.1.

Adjournment

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

Vote: Ayes – Maio, Davila, Bartlett, Hahn, Wengraf, Worthington, Arreguin; Noes – None; Abstain – None; Absent – Droste.

Adjourned at 6:56 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the special closed meeting of February 14, 2017.

Rose Thomsen, Deputy City Clerk

**MINUTES
BERKELEY CITY COUNCIL MEETING
Tuesday, February 14, 2017
7:00 P.M.**

COUNCIL CHAMBERS - 2134 MARTIN LUTHER KING JR. WAY

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – LINDA MAIO
DISTRICT 2 – CHERYL DAVILA
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – VACANT

DISTRICT 5 – SOPHIE HAHN
DISTRICT 6 – SUSAN WENGRAF
DISTRICT 7 – KRISS WORTHINGTON
DISTRICT 8 – LORI DROSTE

Preliminary Matters

Roll Call: 7:05 p.m.

Present: Councilmembers Bartlett, Davila, Hahn, Maio, Wengraf, Worthington and Mayor Arreguin.

Absent: Councilmember Droste.

Councilmember Droste present at 7:07 p.m.

Ceremonial Matters:

1. Recognition of Linda Tillery, Local Musician
2. Celebrating the 44th Anniversary of Roe v. Wade
3. Recognition of Luna Dance Institute's 25th Anniversary

City Manager Comments: None

Public Comment on Non-Agenda Matters: 10 speakers.

Public Comment on Consent Calendar and Information Items Only: 6 speakers.

Consent Calendar

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

Vote: All Ayes.

Consent Calendar

1. **Short-Term Rental Regulations Ordinance, Amending BMC 23C.22 and Amending Titles 23D and 23E**

From: City Manager

Recommendation: Adopt second reading of Ordinance No. 7,521-N.S. regulating Short-Term Rentals, adding BMC Chapter 23C.22 and amending Titles 23D and 23E to make related changes.

First Reading Vote: All Ayes

Financial Implications: See report

Contact: Carol Johnson, Planning and Development, 981-7400

Action: Moved to Action Calendar. 8 speakers. M/S/Failed (Droste/Wengraf) to adopt the first reading of Ordinance No. 7,521–N.S. as submitted by Mayor Arreguin and Councilmember Hahn in Supplemental Reports Packet #2, and with further amendments in Section 23C.22.020.D., Section 23C.22.030.C., and 23C.22.050.F as listed below.

Section 23C.22.020.D.

D. Short-Term Rentals are allowed in Accessory Buildings and in existing Accessory Dwelling Units (ADUs) unless such ADUs are or have been used for long term rentals by the current owner, as defined by the requirements of the Rent Stabilization and Good Cause for Eviction Ordinance. Short-Term Rentals shall not be allowed in Accessory Dwelling Units permitted after the date of this ordinance.

Section 23C.22.030.C.

C. “Host Present” or “Host Presence” means the Host is living in the Host Residence during the short-term rental period. In the case of a parcel comprised of a single primary unit and one or more authorized Accessory Dwelling Units and/or Accessory Buildings, the Host is considered Present if he or she is present in any unit on such parcel.

Section 23C.22.050.F.

F. Liability Insurance. Liability insurance is required of the Host, or Hosting Platform on behalf of the Host, in the amount of at least \$1,000,000.

Vote: Ayes – Droste; Noes – Davila, Bartlett, Hahn, Worthington, Arreguin; Abstain – Maio, Wengraf; Absent – None.

Action: M/S/C (Maio/Davila) to adopt the first reading of Ordinance No. 7,521–N.S. as submitted by Mayor Arreguin and Councilmember Hahn in Supplemental Reports Packet #2, and with further amendments in Section 23C.22.020.D., Section 23C.22.030.C., and 23C.22.050.F as listed below. Second reading scheduled for February 28, 2017.

Consent Calendar

Section 23C.22.020.D.

D. Short-Term Rentals are allowed in Accessory Buildings and in existing Accessory Dwelling Units (ADUs) unless such ADUs are or have within the last 10 (ten) years preceding the effective date of this ordinance been used for long term rentals, as defined by the requirements of the Rent Stabilization and Good Cause for Eviction Ordinance. Short-Term Rentals shall not be allowed in Accessory Dwelling Units permitted after the date of this ordinance.

Section 23C.22.030.C.

C. "Host Present" or "Host Presence" means the Host is living in the Host Residence during the short-term rental period. In the case of a parcel comprised of a single primary unit and one or more authorized Accessory Dwelling Units and/or Accessory Buildings, the Host is considered Present if he or she is present in any unit on such parcel.

Section 23C.22.050.F.

F. Liability Insurance. Liability insurance is required of the Host, or Hosting Platform on behalf of the Host, in the amount of at least \$1,000,000.

Vote: Ayes – Maio, Davila, Bartlett, Hahn, Worthington, Arreguin; Noes – Wengraf, Droste; Abstain – None; Absent – None.

2. Modify the Zoning Ordinance, Amending Accessory Buildings and Structures, BMC Chapter 23D.08, and Adding a Definition of Kitchen to Definitions, BMC Section 23F.04.010

From: City Manager

Recommendation: Adopt second reading of Ordinance No. 7,522-N.S. amending Zoning Ordinance Accessory Buildings and Structures, Berkeley Municipal Code Section 23D.08, and adding a definition of Kitchen to Definitions, Berkeley Municipal Code Section 23F.04.010.

First Reading Vote: All Ayes.

Financial Implications: See report

Contact: Carol Johnson, Planning and Development, 981-7400

Action: Adopted second reading of Ordinance No. 7,522-N.S.

3. Emergency Measures to Address Homeless Crisis (Regulating Sidewalks)

From: Mayor Arreguin

Recommendation: Adopt second reading of Ordinance No. 7,527-N.S. amending Berkeley Municipal Code Section 14.48.170 regulating sidewalks.

First Reading Vote: All Ayes.

Financial Implications: Unknown

Contact: Jesse Arreguin, Mayor, 981-7100

Action: Adopted second reading of Ordinance No. 7,527-N.S.

Consent Calendar

- 4. Berkeley Family Friendly and Environment Friendly Workplace Ordinance; Adding BMC Chapter 13.101**
From: Commission on Labor
Recommendation: Adopt second reading of Ordinance No. 7,528-N.S. adding Chapter 13.101 titled the Berkeley Family Friendly and Environment Friendly Workplace Ordinance.
First Reading Vote: All Ayes.
Financial Implications: None
Contact: Delfina Geiken, Commission Secretary, 981-5400
Action: Adopted second reading of Ordinance No. 7,528-N.S.
- 5. Medical Cannabis Ordinance Revisions and Cultivation Application Process**
From: Medical Cannabis Commission
Recommendation:
1. Adopt second reading of Ordinance No. 7,529-N.S. amending the BMC by creating a new Chapter 12.25: Medical Cannabis Cultivation;
2. Adopt second reading of Ordinance No. 7,530-N.S. amending the BMC by creating a new Chapter 12.23: Medical Cannabis General Regulations, including MCC recommendations;
3. Adopt second reading of Ordinance No. 7,531-N.S. amending BMC Section 12.26.030: Patients Access to Medical Cannabis Act of 2008, Definitions;
4. Adopt second reading of Ordinance No. 7,532-N.S. amending the BMC by amending BMC Chapter 12.27: Medical Cannabis Dispensaries and Collectives.
First Reading Vote: Ayes – Maio, Davila, Bartlett, Worthington, Droste, Arreguin; Noes – Hahn; Abstain – None; Absent - Wengraf.
Financial Implications: See report
Contact: Elizabeth Greene, Commission Secretary, 981-7400
Action: Adopted second reading of Ordinance No. 7,529-N.S. (BMC Chapter 12.25); Ordinance No. 7,530-N.S. (BMC Chapter 12.23); Ordinance No. 7,531-N.S. (BMC Section 12.26.030); and Ordinance No. 7,532-N.S. (BMC Chapter 12.27)
Vote: Ayes – Maio, Davila, Bartlett, Wengraf, Worthington, Droste, Arreguin; Noes – None; Abstain – Hahn; Absent – None.
- 6. ***Removed from Agenda by City Manager*** Consent to Receive Leveraged Funds and Begin Fund Development Contract with The Glen Price Group**
From: City Manager
Contact: Cheryl Johnson, City Manager's Office, 981-7000

Consent Calendar

7. **Re-Establishment of the Berkeley Tourism Business Improvement District**

From: City Manager

Recommendation:

1. Adopt a Resolution declaring the City Council's intention to renew the Berkeley Tourism Business Improvement District (BTBID) for 10 years starting July 1, 2017, and directing the City Clerk to schedule a public meeting on March 14, 2017 and a public hearing on April 25, 2017 to renew the Berkeley Tourism Business Improvement District.

2. Adopt a companion Resolution declaring the City Council's intention to modify the existing BTBID to end on June 30, 2017, shortening the existing BTBID's term from 5 years to 4 years and 8 months and directing the City Clerk to schedule a public hearing on April 25, 2017 on modification of the BTBID Management District Plan.

Financial Implications: See report

Contact: Jordan Klein, Economic Development, 981-7530

Action: Adopted Resolution No. 67,835–N.S. (Intention to Renew); and Resolution No. 67,836–N.S. (Intention to Modify)

8. **Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on February 14, 2017**

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: Parks Tax Fund - \$300,000

Contact: Henry Oyekanmi, Finance, 981-7300

Action: Approved recommendation.

Consent Calendar

9. Moderate-Income Housing Strategies

From: Housing Advisory Commission

Recommendation: Forward these strategies to the Housing Advisory Commission (HAC) and staff for follow-up as appropriate: 1. Renter Strategies: Encourage homeowners to rent out unused rooms. Encourage homeowners to build Accessory Dwelling Units (ADU's) that could be rented to tenants. 2. Owner/Renter Strategies: Continue to study the use of a small sites strategy to maintain affordability in existing housing. Commit to securing one site as a small sites case study that could be replicated. Encourage and support new development that is owned and financed in less traditional ways, including expanded use of land trusts, cooperative form of ownership, and other approaches, such as co-housing and collaborative housing. Promote construction of affordable housing on surplus public land, particularly for BUSD teachers and staff. 3. Allocation of New Funding Sources: Inform Berkeley residents of the new Measure A1 funds that will be available from the County to assist moderate-income homeowners. Allocate a portion of the Measure U1 funds for moderate-income housing development.

Financial Implications: See report

Contact: Amy Davidson, Commission Secretary, 981-5400

Action: Approved recommendation revised to read as follows: *Council confers that the Housing Advisory Commission (HAC) will focus on the following items: 1. Renter Strategies: Encourage homeowners to rent out unused rooms. Encourage homeowners to build Accessory Dwelling Units (ADU's) that could be rented to tenants. 2. Owner/Renter Strategies: Continue to study the use of a small sites strategy to maintain affordability in existing housing. Commit to securing one site as a small sites case study that could be replicated. Encourage and support new development that is owned and financed in less traditional ways, including expanded use of land trusts, cooperative form of ownership, and other approaches, such as co-housing and collaborative housing. Promote construction of affordable housing on surplus public land, particularly for BUSD teachers and staff. 3. Allocation of New Funding Sources: Inform Berkeley residents of the new Measure A1 funds that will be available from the County to assist moderate-income homeowners. Allocate a portion of the Measure U1 funds for moderate-income housing development.*

Council Consent Items

- 10. Black History Month and Berkeley Juneteenth Festival: Relinquishment of Council Office Budget Fund to General Fund and Grant of Such Funds From: Councilmembers Bartlett and Worthington**
Recommendation: Adopt a Resolution approving the expenditure of an amount not to exceed \$500 per Councilmember, including \$500 from both Councilmember Bartlett and Councilmember Worthington, to Black History Month and Berkeley Juneteenth Festival (organized by Berkeley Juneteenth Association, Inc. 501(c)3), with funds relinquished to the City's general fund for this purpose from the discretionary council office budget of Councilmembers Bartlett and Worthington and any other councilmembers who would like to contribute.
Financial Implications: Councilmember's Discretionary Funds - \$500
Contact: Ben Bartlett, Councilmember, District 3, 981-7130
Action: Adopted Resolution No. 67,837–N.S. revised to include contributions from the following Councilmembers up to the amounts listed: Councilmember Wengraf - \$100 to Black History Month and \$100 to Berkeley Juneteenth Festival; Councilmember Worthington - \$500 to Black History Month and \$500 to Berkeley Juneteenth Festival; Councilmember Davila - \$100 to Black History Month and \$100 to Berkeley Juneteenth Festival; Councilmember Hahn - \$100 to Black History Month and \$100 to Berkeley Juneteenth Festival; Councilmember Bartlett - \$500 to Black History Month and \$500 to Berkeley Juneteenth Festival; Councilmember Maio - \$100 to Black History Month and \$100 to Berkeley Juneteenth Festival; Mayor Arreguin - \$100 to Black History Month and \$100 to Berkeley Juneteenth Festival.
- 11. Updated Information Report on Measure M**
From: Councilmember Wengraf
Recommendation: Request that the City Manager return to the City Council in April with an Information Report on Measure M implementation, expenditures, projected expenses and plans.
Financial Implications: Staff time
Contact: Susan Wengraf, Councilmember, District 6, 981-7160
Action: Councilmember Hahn added as co-sponsor. Approved recommendation.
- 12. Raising the Tibetan Flag in Solidarity with the Tibetan People for 58 Years In Exile and Adopt a Resolution Supporting the "Tibet Action Year"**
From: Councilmember Worthington
Recommendation: Adopt a Resolution urging China to respect Tibetan People's right to self-determination, safeguard their human rights and their pristine environment, and to resume dialogue with His Holiness and other Tibetan leaders. Additionally, to allow the Tibetan flag to be raised on the city flag pole on Friday March 10, 2017 to show solidarity with the people of Tibet.
Financial Implications: None
Contact: Kriss Worthington, Councilmember, District 7, 981-7170
Action: Adopted Resolution No. 67,838 –N.S. as revised in Supplemental Reports Packet #2.

Action Calendar – Public Hearings

13. ZAB Appeal: 1737 Tenth Street Use Permit No. ZP2016-0068

From: City Manager

Recommendation: Conduct a public hearing and upon conclusion, adopt a Resolution approving Use Permit No. ZP2016-0068 to construct a new 1,344 square foot, four bedroom, two-story dwelling unit behind an existing three bedroom, two-story dwelling.

Financial Implications: None

Contact: Carol Johnson, Planning and Development, 981-7400

Public Testimony: The Mayor opened the public hearing. 14 speakers.

M/S/C (Worthington/Maio) to close the public hearing.

Vote: All Ayes.

Action: M/S/C (Maio/Wengraf) to adopt Resolution No. 67,839–N.S. approving Use Permit No. ZP2016-0068 to construct a new 1,344 square foot, four bedroom, two-story dwelling unit behind an existing three bedroom, two-story dwelling amended to include the following conditions:

- Clerestory windows with a 6-foot bottom height on all south facing windows.
- Raised and reduced window size on the north facing windows.
- The ridge height of the new dwelling shall be reduced by three feet (3'), for a maximum height of 24 feet.
- The home shall be shifted four feet to the east (rear), resulting in a 20-foot rear yard setback.

Vote: All Ayes.

Action: M/S/C (Maio/Worthington) to reconsider Item 13.

Vote: All Ayes.

Action: M/S/C (Worthington/Maio) to adopt Resolution No. 67,839–N.S. approving Use Permit No. ZP2016-0068 to construct a new 1,344 square foot, four bedroom, two-story dwelling unit behind an existing three bedroom, two-story dwelling amended to include the following conditions:

- Clerestory windows with a 6-foot bottom height on all south facing windows.
- Raised and reduced window size on the north facing windows.
- The ridge height of the new dwelling shall be reduced by three feet (3'), for a maximum height of 24 feet.

Vote: All Ayes.

Action Calendar – Public Hearings

14. Expansion of Downtown Berkeley goBerkeley Program Area; Amending BMC Chapter 14.52

From: City Manager

Recommendation: Conduct a public hearing, and upon conclusion, adopt first reading of an Ordinance amending Berkeley Municipal Code Chapter 14.52 Parking Meters to authorize expanding the Downtown Berkeley goBerkeley program area.

Financial Implications: None

Contact: Phillip Harrington, Public Works, 981-6300

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

M/S/C (Worthington/Maio) to close the public hearing.

Vote: All Ayes.

Action: M/S/C (Worthington/Maio) to adopt first reading of Ordinance No. 7,533–N.S. Second reading scheduled for February 28, 2017.

Vote: All Ayes.

Recess 8:56 p.m. – 9:12 p.m.

Action Calendar – Old Business

15. Establish a 90 Day Deadline to Either Collect Over \$641,000 Owed in Lien or to Bring Owner in Compliance with Agreement (*Continued from November 29, 2016*)

From: Councilmember Worthington

Recommendation: Establish a 90 day deadline 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

Action: Item held over to March 14, 2017.

16. Referral Response: Standards for Testing and Certification of DAS Antennas, Amending BMC Chapter 16.10 (*Continued from January 24, 2017*)

From: City Manager

Recommendation: Adopt first reading of an Ordinance adding Berkeley Municipal Code subdivision 16.10.100.G requiring regular testing of wireless telecommunications facilities in the public right of way to verify compliance with FCC standards.

Financial Implications: None

Contact: Zach Cowan, City Attorney, 981-6950

Action: Item held over to March 28, 2017.

17. Referral to City Manager: “Step Up Housing” Initiative - Micro-Units to House

Action Calendar – Old Business

Homeless and Very Low-Income People *(Continued from January 24, 2017. Item contains revised and supplemental materials.)*

From: Councilmembers Bartlett, Maio, and Droste

Recommendation: Refer to the City Manager to take the following actions through the Ad Hoc Committee on Homeless Solutions: 1. Identify parcels of City owned land for citing assisted-living modular micro unit buildings. 2. Take affirmative steps to speed the permitting and approvals process for the creation of below market housing. 3. Obtain zoning approval and a building permit for a 4 story and approximately 100 unit building consisting of stackable modular units. 4. Upon completing construction, allocate \$1,000/month from the budget to lease the building. The actual construction costs of the building will be privately financed at no charge to the City. 5. Identify a housing non-profit to be responsible for managing and operating the building. 6. Establish criteria for selecting individuals and determining eligibility. These need-based criteria will take into account seniors, disabled people, and Berkeley natives who have become homeless.

Financial Implications: Staff time

Contact: Ben Bartlett, Councilmember, District 3, 981-7130

Action: 16 speakers. M/S/C (Bartlett/Maio) to adopt the item as submitted by Councilmembers Bartlett, Maio, and Droste in Supplemental Reports Packet #2, and with further revisions to the recommendation as follows:

Direct the Ad-Hoc Subcommittee on Homelessness to discuss the feasibility of the following and other possible actions to facilitate the rapid and cost-effective development of housing for the homeless and recommend specific actions to the Council:

- 1. Identify parcels of City owned land for siting supportive housing.*
- 2. Amend the permitting and approvals process to facilitate the rapid creation of below market housing.*
- 3. Issue requests for proposals through a competitive bidding process for a development of up to 100 units of housing in an expedited manner. For-profit and non-profit developers can be included in the bidding process. The proposal should demonstrate partnerships with a housing non-profit and a service provider.*
- 4. Identify potential obstacles in creating prefabricated micro-units in a timely fashion. Recommend courses of action to remove those obstacles.*
- 5. The housing non-profit, in partnership with Federally Qualified Healthcare Centers, will be responsible for managing and operating the building. Request the non-profit to employ a cooperative model in managing the property.*
- 6. Establish criteria for selecting individuals and determining eligibility. These need-based criteria will take into account seniors, people with disabilities, and former Berkeley residents who have become homeless.*
- 7. This project shall be subject to the terms of the community workforce agreement with existing prevailing wage requirements.*
- 8. Priority consideration will be given to: (i) Proposals that most quickly provide the maximum number of units for the least amount of cost, and (ii) proposals that include locally sourced materials and construction.*

Vote: All Ayes.

Action Calendar – Old Business

Action: M/S/C (Worthington/Maio) to suspend the rules and extend the meeting to 11:20 p.m.

Vote: All Ayes.

18a. Referral Response: Establishment of Affordable Housing Small Sites Program
(Continued from January 24, 2017)

From: City Manager

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

18b. Small Sites Acquisition Program and Tenant Opportunity to Purchase

From: Mayor Arreguin

Recommendation: Refer to the City Manager the implementation of the following strategies to preserve existing affordable housing and prevent displacement:

1. Create a Small Sites Program to assist non-profits in acquiring existing properties that considers the following criteria: a. Targets 5-25 unit multi-family buildings, particularly properties with strong potential for conversion to resident ownership, those in which no-fault evictions have been filed, or those at high risk of speculative purchase. b. Allocates \$1-2 million from multiple funding sources. Such sources could include Measure A1 and U1 funds, Section 8 vouchers, and the MTC NOAH program. c. Includes administrative guidelines for a streamlined allocation process that will ensure an expedited commitment and funding process. Such commitments could include a letter of commitment from the City when non-profit organizations are placing an option on a property, or a small grant to make a down payment.
2. Review and develop an ordinance modeled after Washington D.C.'s Tenant Opportunity to Purchase Act that offers existing tenants the first right of refusal when property owners place rental property on the sale market, which can be transferred to a qualifying affordable housing provider.

Financial Implications: See report

Contact: Jesse Arreguin, Mayor, 981-7100

Action: Councilmembers Bartlett, Hahn, and Davila added as co-sponsors to Item 18.b. Moved Item 18.b. to the Consent Calendar with the recommendation revised to add section 1.d. to read as follows: *“d. Support non-profits in actively approaching landlords and property owners of existing properties to discuss the possibility of purchasing such properties.”*

Action Calendar – New Business

- 19. Reserving Very Low-Income In Lieu Units for Households Holding Section 8 Vouchers and Shelter + Care Certificates Amending BMC Section 22.20.065**
From: City Manager
Recommendation: Adopt first reading of an Ordinance amending Section 22.20.065.C.2. of the Berkeley Municipal Code to require that 40% of Very Low-Income units provided in lieu of payment of the affordable housing mitigation fee be reserved for holders of Section 8 vouchers and 40% of Very Low Income units be reserved for Shelter + Care certificates, and remove the previously-adopted time limit on the applicability of restricting units to Section 8 voucher holders.
Financial Implications: See report
Contact: Paul Buddenhagen, Housing and Community Services, 981-5400
Action: Moved to Consent Calendar. Adopted first reading of Ordinance No. 7,535-N.S. Second reading scheduled for February 28, 2017.

Council Action Items

- 20. Direct City Manager to Accept Late Applications for 2017-2019 Budget Cycle Community Agency Grants, and to Provide Enhanced Information and Support for Community Agencies During the Application Process**
From: Councilmember Hahn and Mayor Arreguin
Recommendation: Direct the City Manager to:
1. Accept Community Agency Grant (CAG) applications that were submitted after the 2017-2019 deadline, but before January 15, 2017. A list of these applications is attached herewith.
 2. Institute a clear practice of adhering to stated deadlines in future funding cycles for Community Agency Grants.
 3. Develop protocols for enhanced outreach to community organizations regarding Community Agency Grant application submission deadlines and to inform applicants of resources available to assist in preparing and submitting timely applications.
 4. Develop a hardship exemption policy for late application submissions for reasons including, but not limited to, changes in key organizational staff, technical challenges with submissions, and other significant or unforeseen barriers to timely submissions.
 5. Report to the Council on protocols and policies adopted pursuant to items 2 and 3, above, by June 30, 2017.
- Financial Implications:** Staff time
Contact: Sophie Hahn, Councilmember, District 5, 981-7150
Action: 1 speaker. M/S/C (Hahn/Arreguin) to adopt recommendations 3 and 4 as revised below directing the City Manager to:
3. Develop protocols for enhanced outreach to community organizations regarding Community Agency Grant application submission deadlines and to inform applicants of resources available to assist in preparing and submitting timely applications.
 4. Develop a hardship exemption policy for late application submissions for reasons including, but not limited to, changes in key organizational staff, technical challenges with submissions, and other significant or unforeseen barriers to timely submissions. The policy should include specific criteria for accepting late application submissions.
- Vote:** All Ayes.

Information Reports

- 21. Referral Response: Analysis of City-Owned Property for Potential for Housing Development**
From: City Manager
Contact: Paul Buddenhagen, Housing and Community Services, 981-5400
Action: Received and filed.
- 22. Traffic Engineer Regulations for Objects on Sidewalks**
From: City Manager
Contact: Phillip Harrington, Public Works, 981-6300
Action: Moved to Action Calendar. Item held over to March 14, 2017.
- 23. Referral Response: Potential Impact of Changes to Sutter Health Alta Bates Ashby Campus on Berkeley Disaster Response and Emergency Services**
From: Disaster and Fire Safety Commission
Contact: David Brannigan, Commission Secretary, 981-3473
Action: Received and filed.

Public Comment – Items Not Listed on the Agenda – 0 speakers.

Adjournment

Action: M/S/C (Maio/Worthington) to adjourn the meeting in memory of:

1. Joseph Hurlimann, Berkeley Resident and Cyclist

Vote: All Ayes

Adjourned at 11:03 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the regular meeting of February 14, 2017 as approved by the Berkeley City Council.

Mark Numainville, City Clerk

Communications

Item 4: Berkeley Family Friendly and Environment Friendly Workplace Ordinance; Adding BMC Chapter 13.101

1. Heather Branstetter

Item 13: ZAB Appeal: 1737 Tenth Street Use Permit No. ZP2016-0068

2. Jose Rivero

3. Rena Rickles

Item 17: Referral to City Manager: “Step Up Housing” Initiative - Micro-Units to House Homeless and Very Low-Income People

4. Lou Rigali

5. James McFadden

Grant Street Parking Restriction Petition

6. Bernard Marszalek

2211 Harold Way

7. Margot Smith (2)

Gun Violence

8. Lucas Metcalf-Tobin

9. Kathryn Stein

Earthquake Retrofits

10. David Lerman (2)

UCB Event Concerns

11. Adarene Hoag

Wells Fargo Divestment

12. James McFadden

Fast Food Restaurant Concerns

13. Jerry Cho

Recreational Infrastructure

14. Fred Harvey

Berkeley Art Center

15. Anne Wolf

16. Linda Franklin

17. Judith Marcellini

Ban Free Refills

18. Eric Friedman

1900 4th Street

19. Cherie Newell

20. Jennifer Cole

21. Katherine Whitney

Council Kudos

22. Margy Wilkinson

Supplemental Communications and Reports 1

Item 3: Emergency Measures to Address Homeless Crisis (Regulating Sidewalks)

23. Vanessa Warheit

24. Harvey Sherback

Communications

Item 5: Medical Cannabis Ordinance Revisions and Cultivation Application Process

25. Barbara Gilbert

Item 13: ZAB Appeal: 1737 Tenth Street Use Permit No. ZP2016-0068

26. Vince de'Armond and Leann Parker

27. Friends of R-1A

Supplemental Communications and Reports 2

Item 1: Short-Term Rental Regulations Ordinance, Amending BMC 23C.22 and Amending Titles 23D and 23E

28. Revised materials, submitted by Mayor Arreguin and Councilmember Hahn

29. Rent Stabilization Board

30. Berkeley Tenants Union

31. Matthew Lewis, on behalf of the Associated Students of the University of California (ASUC)

Item 11: Updated Information Report on Measure M

32. Isabelle Gaston

Item 12: Raising the Tibetan Flag in Solidarity with the Tibetan People for 58 Years In Exile and Adopt a Resolution Supporting the "Tibet Action Year"

33. Revised materials, submitted by Councilmember Worthington

Item 13: ZAB Appeal: 1737 Tenth Street Use Permit No. ZP2016-0068

34. Nara Dahlbacka

35. Jose Rivero and Dana Gunders

Item 17: Referral to City Manager: "Step Up Housing" Initiative - Micro-Units to House Homeless and Very Low-Income People

36. Revised materials, submitted by Councilmembers Bartlett, Maio and Droste

37. Housing Advisory Commission

Item 18b: Small Sites Acquisition Program and Tenant Opportunity to Purchase

38. Krista Gulbransen

Supplemental Communications and Reports 3

Item 1: Short-Term Rental Regulations Ordinance, Amending BMC 23C.22 and Amending Titles 23D and 23E

39. Lauren Kimzey, on behalf of the Internet Association

40. Barbara Gilbert

Item 13: ZAB Appeal: 1737 Tenth Street Use Permit No. ZP2016-0068

41. Presentation, submitted by Planning & Development Department

42. Unknown (2)

Luna Dance

43. Unknown

**BERKELEY CITY COUNCIL
SPECIAL MEETING MINUTES**

MONDAY, FEBRUARY 27, 2017

5:30 P.M.

Cypress Room – 2180 Milvia Street, Berkeley, CA

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – LINDA MAIO
DISTRICT 2 – CHERYL DAVILA
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – VACANT

DISTRICT 5 – SOPHIE HAHN
DISTRICT 6 – SUSAN WENGRAF
DISTRICT 7 – KRISS WORTHINGTON
DISTRICT 8 – LORI DROSTE

Preliminary Matters

Roll Call: 5:34 p.m.

Present: Councilmembers Bartlett, Davila, Droste, Hahn, Maio, Wengraf, Worthington and Mayor Arreguin.

Absent: None.

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

CLOSED SESSION:

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

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

Property address: 1001 University Avenue, Berkeley, CA
1011 University Avenue, Berkeley, CA
1925 Ninth Street, Berkeley, CA
Agency Negotiators: Dee Williams-Ridley, City Manager
Jovan Grogan, Deputy City Manager
Zach Cowan, City Attorney
Dave Silva, Real Property Agent for Contra Costa County
Negotiating parties: City of Berkeley, 2180 Milvia Street, Berkeley, CA
Building Owner – 1011 University LLC, 346 Grand Avenue, 2nd Floor, Oakland, CA
Under negotiation: Price and terms of payment

Action: No reportable action.

OPEN SESSION:

Public Reports of actions taken pursuant to Government Code section 54957.1.

No reportable Action

Adjournment

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

Vote: All Ayes.

Adjourned at 6:45 p.m.

This is to certify that the foregoing is a true and correct record of the special closed session meeting of February 27, 2017.

Mark Numainville, City Clerk

**BERKELEY CITY COUNCIL
SPECIAL MEETING MINUTES**

TUESDAY, FEBRUARY 28, 2017

5:00 P.M.

COUNCIL CHAMBERS – 2134 Martin Luther King, Jr. Way, Berkeley, CA

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – LINDA MAIO
DISTRICT 2 – CHERYL DAVILA
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – VACANT

DISTRICT 5 – SOPHIE HAHN
DISTRICT 6 – SUSAN WENGRAF
DISTRICT 7 – KRISS WORTHINGTON
DISTRICT 8 – LORI DROSTE

Preliminary Matters

Roll Call: 5:02 p.m.

Present: Councilmembers Davila, Droste, Hahn, Wengraf, Worthington and Mayor Arreguin.

Absent: Councilmembers Bartlett and Maio.

Councilmember Maio present at 5:03 p.m. Councilmember Bartlett present at 5:25 p.m.

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

CLOSED SESSION:

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

1. CONFERENCE WITH LABOR NEGOTIATOR; GOVERNMENT CODE SECTION 54957.6:

Negotiators: Dee Williams-Ridley, City Manager, Jovan Grogan, Deputy City Manager, Eddie Kreisberg, Chief Labor Negotiator, Sarah Reynoso, Director of Human Resources, Margarita Zamora, Employee Relations Manager, Gil Dong, Fire Chief, Andrew Greenwood, Interim Chief of Police.

Employee Organizations: Berkeley Fire Fighters Association Local 1227, Berkeley Police Association.

Action: No action taken.

OPEN SESSION:

Public Reports of actions taken pursuant to Government Code section 54957.1.

No reportable action.

Adjournment

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

Vote: All Ayes.

Adjourned at 5:34 p.m.

This is to certify that the foregoing is a true and correct record of the special closed session meeting of February 28, 2017.

Mark Numainville, City Clerk

Communications

- None

Supplemental Communications and Reports 1

- None

Supplemental Communications and Reports 2

Item 1: Conference with Labor Negotiator; Government Code Section 54957.6:

1. Isabelle Gaston

Supplemental Communications and Reports 3

- None

**MINUTES
SPECIAL MEETING OF THE
BERKELEY CITY COUNCIL**

Tuesday, February 28, 2017

5:30 P.M.

COUNCIL CHAMBERS - 2134 MARTIN LUTHER KING JR. WAY

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – LINDA MAIO
DISTRICT 2 – CHERYL DAVILA
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – VACANT

DISTRICT 5 – SOPHIE HAHN
DISTRICT 6 – SUSAN WENGRAF
DISTRICT 7 – KRISS WORTHINGTON
DISTRICT 8 – LORI DROSTE

Preliminary Matters

Roll Call: 5:41 p.m.

Present: Councilmembers Bartlett, Davila, Droste, Hahn, Maio, Wengraf and Mayor Arreguin.

Absent: Councilmember Worthington.

Councilmember Worthington present at 5:46 p.m.

Worksession

1. Projections of Future Liabilities

From: City Manager

Contact: Teresa Berkeley-Simmons, Budget Manager, 981-7000

Action: Presentation made and discussion held.

2. FY 2017 Mid-Year Budget Update

From: City Manager

Contact: Teresa Berkeley-Simmons, Budget Manager, 981-7000

Action: Presentation made and discussion held.

Public Comment - Items on this agenda only - 3 speakers.

Adjournment

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

Vote: All Ayes.

Adjourned at 6:54 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the special meeting of February 28, 2017.

Mark Numainville, City Clerk

Communications

- None

Supplemental Communications and Reports 1

- None

Supplemental Communications and Reports 2

- None

Supplemental Communications and Reports 3

Item 1: Projections of Future Liabilities

1. Presentation, submitted by City Manager's Office
2. Eric Friedman

Item 2: FY 2017 Mid-Year Budget Update

3. Presentation, submitted by City Manager's Office

MINUTES
BERKELEY CITY COUNCIL MEETING
Tuesday, February 28, 2017
7:00 P.M.

COUNCIL CHAMBERS - 2134 MARTIN LUTHER KING JR. WAY

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – LINDA MAIO
DISTRICT 2 – CHERYL DAVILA
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – VACANT

DISTRICT 5 – SOPHIE HAHN
DISTRICT 6 – SUSAN WENGRAF
DISTRICT 7 – KRISS WORTHINGTON
DISTRICT 8 – LORI DROSTE

Preliminary Matters

Roll Call: 7:04 p.m.

Present: Councilmembers Bartlett, Davila, Droste, Hahn, Maio, Wengraf, Worthington and Mayor Arreguin.

Absent: None.

Ceremonial Matters:

1. Recognition of Alicia Nelson, City Commissioner
2. Recognition of Library Whistleblowers
3. Recognition of the City of Berkeley 2017 GARE Cohort

City Manager Comments: None

Public Comment on Non-Agenda Matters: 7 speakers.

Public Comment on Consent Calendar and Information Items Only: 8 speakers.

Consent Calendar

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

Vote: All Ayes.

Consent Calendar

- 1. Short-Term Rental Regulations Ordinance, Amending BMC 23C.22 and Amending Titles 23D and 23E**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,521-N.S. regulating Short-Term Rentals, adding BMC Chapter 23C.22 and amending Titles 23D and 23E to make related changes.
First Reading Vote: Ayes – Maio, Davila, Bartlett, Hahn, Worthington, Arreguin; Noes – Wengraf, Droste; Abstain – None; Absent - None.
Financial Implications: See report
Contact: Carol Johnson, Planning and Development, 981-7400
Action: Moved to Action Calendar. 10 speakers. M/S/C (Arreguin/Hahn) to adopt second reading of Ordinance No. 7,521-N.S.
Vote: Ayes – Maio, Davila, Bartlett, Hahn, Worthington, Arreguin; Noes – Wengraf; Abstain – Droste; Absent - None.
- 2. Expansion of Downtown Berkeley goBerkeley Program Area; Amending BMC Chapter 14.52**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,533-N.S. revising Berkeley Municipal Code Chapter 14.52 Parking Meters to authorize expanding the Downtown Berkeley goBerkeley program area.
First Reading Vote: All Ayes.
Financial Implications: None
Contact: Phillip Harrington, Public Works, 981-6300
Action: Adopted second reading of Ordinance No. 7,533-N.S.
- 3. Reserving Very Low-Income In Lieu Units for Households Holding Section 8 Vouchers and Shelter + Care Certificates**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,534-N.S. amending Section 22.20.065.C.2. of the Berkeley Municipal Code to require that 40% of Very Low-Income units provided in lieu of payment of the affordable housing mitigation fee be reserved for holders of Section 8 vouchers and 40% of Very Low Income units be reserved for Shelter + Care certificates, and remove the previously-adopted time limit on the applicability of restricting units to Section 8 voucher holders.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Paul Buddenhagen, Housing and Community Services, 981-5400
Action: Adopted second reading of Ordinance No. 7,534-N.S.

Consent Calendar

4. Minutes for Approval

From: City Manager

Recommendation: Approve the minutes for the Council meetings of January 17, 2017 (special closed), January 24, 2017 (regular), and January 31, 2017 (special and regular).

Financial Implications: None

Contact: Mark Numainville, City Clerk, 981-6900

Action: Approved minutes as submitted.

5. Consent to Receive Leveraged Funds and Begin Fund Development Contract with The Glen Price Group

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to accept \$45,000 in matching funds from the Berkeley Unified School District for a Fund Development Consultant/Firm for the 2020 Vision and Beyond: Berkeley's Promise initiatives, as well as authorizing the City Manager to execute a contract and any amendments thereto with The Glen Price Group for consulting services not to exceed \$90,000.

Financial Implications: See report

Contact: Cheryl Johnson, City Manager's Office, 981-7000

Action: Adopted Resolution No. 67,840–N.S.

6. Re-Establishment and Expansion of the Telegraph Property and Business Improvement District

From: City Manager

Recommendation:

1. Adopt a Resolution declaring the City Council's intent to modify the existing Telegraph Property and Business Improvement District (TBID) to shorten its term from ten years to nine years, setting a public hearing for May 2, 2017 on modification of the District, and directing the City Clerk to conduct all necessary proceedings for modification of the TBID; and

2. Adopt a Resolution declaring the City Council's intent to re-establish and expand the Telegraph Property and Business Improvement District for the ten-year period beginning July 1, 2017 and ending June 30, 2027, with operations to occur over the ten calendar year period beginning January 1, 2018 and ending December 31, 2027; setting a public hearing for May 2, 2017 on re-establishment of the District; and directing the City Clerk to conduct all necessary proceedings for re-establishment of the TBID.

Financial Implications: See report

Contact: Jordan Klein, Economic Development, 981-7530

Action: Adopted Resolution No. 67,841–N.S. (Modify TBID); and Resolution No. 67,842–N.S. (Re-Establish TBID) amended on page 3 of the exhibit to the resolution in the Management District Plan to change "black faces" to "block faces."

Consent Calendar

- 7. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on February 28, 2017**
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 - \$150,000
Contact: Henry Oyekanmi, Finance, 981-7300
Action: Approved recommendation.
- 8. Administration of Business License Tax Rate Increase (Measure U1, November 2016 Election)**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to begin collecting the increased business license tax from 2017 revenues on larger landlords that was approved by the voters last November.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300
Action: Adopted Resolution No. 67,843–N.S.
- 9. Grayson Street Apartments: Extension of Current Reservation and Use of Alameda County A1 Housing Bond Funds**
From: City Manager
Recommendation: Adopt a Resolution: 1. Extending the term of the existing reservation of \$1.4 million in Housing Trust Funds for Grayson Street Apartments and making it contingent upon Satellite Affordable Housing Associates (SAHA) securing its remaining financing commitments by December 31, 2017; and 2. Ratifying the City Manager's pre-commitment of \$691,394 in Alameda County A1 Housing Bond funds for Grayson Street Apartments; and 3. Authorizing the City Manager to execute all original or amended documents or agreements to effectuate these actions.
Financial Implications: Various Funds - \$1.4 million
Contact: Paul Buddenhagen, Housing and Community Services, 981-5400
Action: Adopted Resolution No. 67,844–N.S.

Consent Calendar

10. Shelter Plus Care Program Renewal Grants

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to receive funds and execute any agreements and amendments resulting from the renewal of the following grants: 1. Five Shelter Plus Care grants from U.S. Department of Housing and Urban Development: a) \$2,958,286 for Tenant-Based Rental Assistance for the period June 1, 2017 through May 31, 2018; b) \$187,315 for sponsor-based rental assistance for the Supportive Housing Network for the period of June 1, 2017 through May 31, 2018, with Resources for Community Development as the project sponsor; c) \$182,216 for sponsor-based rental assistance for the Pathways Project for the period June 1, 2017 through May 31, 2018, with Bonita House, Inc. as the project sponsor; d) \$674,734 in tenant-based rental assistance for the COACH Project grant for the period of January 1, 2018 through December 31, 2018; and e) \$282,624 in tenant-based rental assistance for the Housing for Older Adults Project (HOAP) grant for the period of November 1, 2017 through October 31, 2018. 2. One grant from the County of Alameda for \$453,076 to provide tenant-based rental assistance to individuals who have HIV/AIDS and other disabilities from March 1, 2017 through February 28, 2018.

Financial Implications: See report

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

Action: Adopted Resolution No. 67,845–N.S.

11. Contract: Gartner, Inc. for Information Technology Research and Advisory Licenses

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract for the purchase of licenses for access to Gartner, Inc.'s tailored research portal in an amount not-to-exceed \$159,948 for the period of February 28, 2017 through June 30, 2019.

Financial Implications: General Fund - \$159,948

Contact: Savita Chaudhary, Information Technology, 981-6500

Action: Adopted Resolution No. 67,846–N.S.

12. Contract No. 10298 Amendment: C. Overaa & Co. for the Center Street Parking Garage

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No. 10298 with C. Overaa & Co. for the Center Street Parking Garage Project, increasing the contract amount by \$3,446,583 for a total amount not to exceed \$36,970,983.

Financial Implications: Off Street Parking Fund - \$3,446,583

Contact: Phillip Harrington, Public Works, 981-6300

Action: Adopted Resolution No. 67,847–N.S.

Consent Calendar

13. **Contract: Mosto Construction for Sanitary Sewer Rehabilitation - Urgent Sewer Repair Project FY 2017**
From: City Manager
Recommendation: Adopt a Resolution approving plans and specifications for the Urgent Sewer Repair Project FY 2017 located throughout the City, and authorizing execution of a contract with Mosto Construction and any amendments, extensions, or other change orders until completion of the project in accordance with approved plans and specifications, in an amount not to exceed \$396,847.
Financial Implications: Sanitary Sewer Operation Fund - \$396,847
Contact: Phillip Harrington, Public Works, 981-6300
Action: Adopted Resolution No. 67,848–N.S.
14. **Progress Report for the Development of a Comprehensive Plan for the Funding of Undergrounding Utility Wires in Berkeley**
From: Public Works Commission; Disaster and Fire Safety Commission; Transportation Commission
Recommendation:
1. Approve the following work item: a. An updated work plan to develop a comprehensive plan (the “Undergrounding Plan”) for the funding of undergrounding utility wires in Berkeley.
2. Accept the following informational items: a. A baseline study for the development of an undergrounding program, prepared by Harris and Associates, dated July 22, 2016. b. An application to U.C. Berkeley’s Goldman School of Public Policy to conduct Phase 2 studies for the development of an undergrounding program. c. Hold a workshop with service providers, such as PG&E, AT&T, Comcast, in early 2017 to get their input on the development of an undergrounding program.
Financial Implications: None
Contact: Tracy Clay, Commission Secretary, 981-6300; David Brannigan, Commission Secretary, 981-3473; Farid Javandel, Commission Secretary, 981-6300
Action: Item held over to March 28, 2017.

Council Consent Items

Council Consent Items

- 15. Longfellow Arts & Tech School PTA: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds**
From: Mayor Arreguin
Recommendation: Adopt a Resolution approving the expenditure of an amount not to exceed \$200 per Councilmember to support the Longfellow Arts & Tech School PTA with funds relinquished to the City's General Fund so that the Berkeley Unified School District middle school youth and families be represented at the Cesar Chavez Youth Leadership Conference and Celebration on Saturday March 11, 2017 and for costs relating to rental of a BUSD bus from Mayor Arreguin's discretionary Council Office Budget and any other Councilmembers who would like to contribute.
Financial Implications: Mayor's Discretionary Funds - \$200
Contact: Jesse Arreguin, Mayor, 981-7100
Action: Adopted Resolution No. 67,849–N.S. revised to include contributions from the following members up to the amounts listed: Mayor Arreguin - \$200; Councilmember Bartlett - \$100.
- 16. Increasing the Parking Permit Guidelines for Two BUSD Schools with Limited Access to Public Transit**
From: Councilmember Maio and Mayor Arreguin
Recommendation: Request the City Manager to increase the guidelines used to grant residential permit parking to BUSD schools from 60% to 70% of the number of BUSD staff (includes teachers) for schools more than 1/2 mile from a BART Station, or 1/4 mile from a Rapid Transit Stop, or 1/4 mile from two (2) major transit lines.
Financial Implications: None
Contact: Linda Maio, Councilmember, District 1, 981-7110
Action: Councilmembers Davila and Droste added as co-sponsors. Approved recommendation.
- 17. Budget Referral: Funding to Create a Pedestrian-Activated Crosswalk Across Sacramento Street at the North Berkeley BART Station**
From: Councilmember Maio
Recommendation: Refer to the budget process the funding of pedestrian-activated lights across Sacramento Street at the North Berkeley BART Station.
Financial Implications: See report
Contact: Linda Maio, Councilmember, District 1, 981-7110
Action: Approved recommendation.

Council Consent Items

18. **Direction to Energy Commission: Develop Comprehensive Plan for Incentivizing the Installation of Solar Panels on Commercial and Retail Rooftops in Berkeley**
From: Councilmember Bartlett
Recommendation: Prepare a comprehensive plan for incentivizing the installation of solar panels on commercial and retail rooftops in Berkeley where sufficient solar access exists. The plan should include the following components: 1. Finance: Outline the various financing options for commercial property owners. 2. Data Collection: Develop a plan for identifying all commercial/retail properties in Berkeley that have sufficient solar access. 3. Permitting: Outline process for permitting related to solar panel installation. If necessary, identify legislation or policies that should be amended in order to facilitate rapid installation of solar panels. 4. Program: Develop programs for a. outreach and education to commercial/retail property owners; b. assisting owners with executing solar panel installation. 5. Integration: Integrate these plans with existing environmental and solar initiatives that the Commission is working on. Provide a status report to the Council at the July 14 Council meeting.
Financial Implications: Staff time
Contact: Ben Bartlett, Councilmember, District 3, 981-7130
Action: Item removed from the agenda by Councilmember Bartlett.
19. **Direction to Homeless Commission: Research Grants and Other Sources of Funding for the City's Homeless Services**
From: Councilmember Bartlett
Recommendation: Direct the Homeless Commission to do research on grants and other sources of private funding to be used for the City's homeless services in light of anticipated federal funding cuts and anticipated increases in homelessness. Present a status report to the Council at the April 25, 2016 Council meeting.
Financial Implications: Staff time
Contact: Ben Bartlett, Councilmember, District 3, 981-7130
Action: Approved recommendation amended to change "Direct" to "Refer" and delete the last sentence of the recommendation.
20. **Supporting CA Assembly Bill 43 - State Incarceration Prevention Fund**
From: Councilmember Hahn
Recommendation: Support Assembly Bill 43 which redirects monies generated by private companies that profit from contracts with state prison facilities into a State Incarceration Prevention Fund, for the purpose of supporting programs known to prevent incarceration, and send letters of support to Assembly Speaker Rendon and Assemblymember Thurmond. Such programs include universal preschool, higher education and poverty reduction measures.
Financial Implications: None
Contact: Sophie Hahn, Councilmember, District 5, 981-7150
Action: Mayor Arreguin added as a co-sponsor. Councilmembers Bartlett and Davila added as a co-sponsor. Approved recommendation.

Council Consent Items

- 21. Proclamation in Honor of Holocaust Remembrance Day**
From: Councilmembers Worthington, Wengraf, and Hahn
Recommendation: Adopt the Holocaust Remembrance Day Proclamation.
Financial Implications: None
Contact: Kriss Worthington, Councilmember, District 7, 981-7170
Action: Adopted proclamation.
- 22. City Co-sponsorship for Sigma Chi Fraternity’s “Derby Days” Carnival to Benefit Camp Kesem**
From: Councilmember Worthington
Recommendation: Co-sponsor the “Derby Days” carnival, a part of the Sigma Chi Fraternity’s annual fundraiser, whereby students will have a series of competitions and events during the week of March 4, including the carnival on March 5 and a concert on March 10, to benefit Camp Kesem Berkeley.
Financial Implications: Minimal
Contact: Kriss Worthington, Councilmember, District 7, 981-7170
Action: Approved recommendation.
- 23. Proclamation Recognizing the Japanese Internment Day of Remembrance**
From: Councilmembers Worthington and Hahn
Recommendation: Adopt a proclamation acknowledging a day of remembrance for Japanese American internment, and recognize the history of Japanese internment in our country, as well as the rich history of the Japanese people within the City of Berkeley.
Financial Implications: Minimal
Contact: Kriss Worthington, Councilmember, District 7, 981-7170
Action: Councilmember Davila added as a co-sponsor. Adopted Resolution No. 67,850–N.S. as revised in Supplemental Reports Packet #1.

Council Consent Items

- 24. Holocaust Remembrance Day Event: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds**
From: Councilmembers Worthington, Wengraf, and Hahn
Recommendation: Adopt a Resolution approving the expenditure of an amount not to exceed \$1,500 per Councilmember, including up to \$1,500 each from Councilmember Worthington and Susan Wengraf, to support the Holocaust Remembrance Day Event with funds relinquished to the City's general fund for this purpose so that the City of Berkeley is able to invite and support the community on this event from Councilmembers Kriss Worthington and Susan Wengraf's discretionary Council Office Budgets and any other Councilmembers who would like to contribute.
Financial Implications: Councilmembers' Discretionary Funds - \$1,500
 Contact: Kriss Worthington, Councilmember, District 7, 981-7170
Action: Councilmember Bartlett added as a co-sponsor. Adopted Resolution No. 67,851–N.S. revised to include contributions from the following members up to the amounts listed: Councilmember Wengraf - \$500; Councilmember Hahn - \$100; Councilmember Worthington - \$1,000; Mayor Arreguin - \$100; Councilmember Maio - \$100; Councilmember Bartlett - \$100.

Action Calendar – Public Hearings

- 25. ZAB Appeal: 1310 Haskell Street**
From: City Manager
Recommendation: Conduct a public hearing and upon conclusion, adopt a Resolution affirming the Zoning Adjustments Board (ZAB) decision to approve Use Permit No. ZP2015-0087 to demolish an existing single-family dwelling and accessory structure and construct three new detached, two-story dwellings totaling approximately 6,229 square feet, and dismissing the appeal.
Financial Implications: None
 Contact: Carol Johnson, Planning and Development, 981-7400
- Public Testimony:** The Mayor opened the public hearing. 22 speakers. M/S/C (Droste/Wengraf) to close the public hearing.
Vote: Ayes – Maio, Davila, Bartlett, Wengraf, Worthington, Droste, Arreguin; Noes – None; Abstain – None; Absent – Hahn (Recused – voted on project as member of Zoning Adjustments Board).
- Action:** M/S/Failed (Droste/Wengraf) to adopt a resolution to approve the use permit and dismiss the appeal.
Vote: Ayes – Wengraf, Worthington, Droste; Noes – Maio, Davila, Bartlett, Arreguin; Abstain – None; Absent - Hahn (Recused – voted on project as member of Zoning Adjustments Board).
Action: M/S/C (Arreguin/Davila) to adopt Resolution No. 67,852–N.S. denying Use Permit No. ZP2015-0087 to demolish an existing single-family dwelling and accessory structure and construct three new detached, two-story dwellings totaling

Action Calendar – Old Business

approximately 6,229 square feet, and affirming the appeal with the following findings:

WHEREAS, in addition to the Use Permit to construct residential units under Berkeley Municipal Code (BMC) Sections 23D.28.030, the applicant is requesting Use Permit approval to demolish a dwelling unit under BMC Section 23C.08.010.B and a Use Permit to demolish a building containing a residential unit under BMC Section 23C.08.020.A.; and

WHEREAS, BMC Section 23C.08.010.B permits the Board to approve a Use Permit for the elimination or demolition of dwelling units only if, in addition to any other findings required by the Zoning Ordinance, it finds that the elimination of the dwelling units would not be material detrimental to the housing needs and public interest of the affected neighborhood and city; and

WHEREAS, the project as presently proposed cannot be constructed without the demolition of the existing single family dwelling and accessory structure; and

WHEREAS, these requirements are beyond the “applicable, objective general plan and zoning standards” in the R-2A District; and

WHEREAS, the Council finds that the Housing Accountability Act, Government Code Section 65589.5(j) does not apply to these discretionary portions of the project and the Council is not compelled to approve the project under Section 65589.5(j); and

WHEREAS, in the opinion of this Council, the facts stated in, or ascertainable from the public record, including comments made at the public hearing, do not warrant approving the project; and

WHEREAS; the Council discussed at length the impacts on the neighboring properties and concluded that potential impacts would be unreasonably and unnecessarily detrimental and determined that the Council could not make the required non-detriment finding in favor of approval, for the following reasons:

- 1. The project will not be consistent with the purposes of the district on which the site is located as outlined in BMC Section 23D.32.020. Specifically, the proposed project conflicts with Subdivision A because it does not encourage “the development of medium density residential...characterized by small multiple-family and garden-type apartment structures with a maximum of open space consistent with this type of development;” conflicts with Subdivision C because the project does not protect “adjacent properties from unreasonable obstruction of light and air;” and conflicts with Subdivision D because the district permits only that “intensity of use which will be compatible with existing low density residential structures and will not be detrimental to the immediate neighborhood.”*
- 2. The project will result in density that is incompatible with the neighborhood development and would maximize the development potential of the property,*

Action Calendar – Old Business

contrary to the purpose of the District which is to recognize and protect the existing pattern of low density residential areas characterized by reasonable open and spacious type of development. This project, if built, would present a drastic change in the existing “open character” of residential properties located immediately to the east of the subject site (1312 Haskell) and west of the project site (1306 Haskell), as well as immediately to the south (1305 and 1309 Sixty-Seventh Street).

3. *The project would locate new dwellings within four feet of the side property line, which would result in a setback that would be out of scale and character with the abutting properties that have back yard open garden areas. The project would create detrimental massing impacts to the neighboring properties resulting in a boxed-in feeling within the abutting rear yard areas. Additionally, the proposed second-story windows, with potential sight lines into the neighboring properties homes and yards, will create undue privacy impacts.*
4. *The project would cast shadows on four neighboring dwelling units: the existing dwelling unit to the west (1306 Haskell Street), the dwelling unit immediately east (1312 Haskell Street), and the dwelling units to the south (1311 and 1315 Sixty-Seventh Street) of the project. During the summer late afternoon and evening hours, the proposed project will shadow the rear yards of dwelling units to the east, south and southeast. During the winter months, the dwelling unit to the west will experience new shading during morning hours and the dwelling to the east will experience new shading in the afternoon and evening hours. Although the proposed project will not substantially affect these dwelling units with shadows during the rest of the day or times of year, the new shadowing that would occur is unacceptable and unnecessary, since smaller buildings with lesser shadowing impacts are viable alternatives.*
5. *The project would increase the number of dwelling units on the site from one to three, the number of bedrooms from two to nine, and would provide only three off-street parking spaces (one per unit) and no guest parking thereby impacting availability of on-street parking. Hence, the City Council finds that with only three parking spaces, the project would create a parking shortage in the areas, and would adversely affect the immediate neighborhood and surrounding properties or the occupants thereof.*

WHEREAS, based on the above, the Council determined that the project would be: 1) detrimental to the health, safety, peace, morals and comfort, or general welfare of persons residing or working in the area or neighborhood of such proposed use; 2) detrimental or injurious to property and improvements of the adjacent properties, the

Action Calendar – Old Business

surrounding area or neighborhood; and 3) detrimental or injurious to the general welfare of the City.

Vote: Ayes – Maio, Davila, Bartlett, Worthington, Arreguin; Noes – Wengraf, Droste; Abstain – None; Absent - Hahn (Recused – voted on project as member of Zoning Adjustments Board).

Recess 9:47 p.m. – 10:01 p.m.

Action Calendar – Old Business

26. **ZAB Appeal: 2777 Shattuck Avenue/2747 Adeline Avenue** *(Continued from February 7, 2017)*

From: City Manager

Recommendation: Adopt a Resolution dismissing the appeal and affirming the decision of the Zoning Adjustments Board to approve Use Permit No. ZP2015-0102 to establish a full service auto dealership, including auto sales, repair and maintenance, in an existing building; to construct a 4,427 square-foot addition to the building for auto access and service; and to use a portion of the existing 31-space surface parking lot at 2747 Adeline Street for project parking, car display, and inventory.

Financial Implications: None

Contact: Carol Johnson, Planning and Development, 981-7400

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

Vote: All Ayes.

Action: 65 speakers. M/S/Failed (Bartlett/Davila) to re-open the public hearing, continue the item and re-notice the hearing for a future date.

Vote: Ayes – Davila, Bartlett, Hahn, Arreguin; Noes – Maio, Wengraf, Worthington; Abstain – Droste.

Action: M/S/C (Arreguin/Davila) to suspend the rules and extend the meeting to 11:40 p.m.

Vote: Ayes – Davila, Bartlett, Hahn, Wengraf, Worthington, Droste, Arreguin; Noes - Maio.

Action: M/S/Failed (Arreguin/Davila) to remand the project to the Zoning Adjustments Board and request that the project be evaluated as a sales location without auto repair services.

Vote: Ayes – Davila, Bartlett, Hahn, Arreguin; Noes – Worthington, Droste; Abstain – Maio, Wengraf.

Action Calendar – Old Business

27. **Berkeley Deep Green Building Initiative** *(Continued from November 15, 2016)*
From: Mayor Arreguin and Councilmember Hahn
Recommendation: Refer to the City Manager and Energy Commission the development of policies and programs to improve the energy efficiency and sustainability of buildings based on the Berkeley Deep Green Building proposal.
Financial Implications: Staff time
Contact: Jesse Arreguin, Mayor, 981-7100
Action: 9 speakers. M/S/C (Arreguin/Hahn) to approve the recommendation as written in Supplemental Reports Packet #1.
Vote: All Ayes.
28. **Housing Accountability Act** *(Continued from January 24, 2017)*
From: City Manager
Contact: Zach Cowan, City Attorney, 981-6950
Action: Item held over to March 28, 2017.
- 29a. **Support for Oregon Park Senior Apartments** *(Continued from January 24, 2017)*
From: Housing Advisory Commission
Recommendation: Direct staff to work with Oregon Park Senior Apartments to undertake a physical needs assessment and to consider assistance with financing to address any issues identified in the physical needs assessment, and to hold the fines in abeyance in the interim.
Financial Implications: None
Contact: Amy Davidson, Commission Secretary, 981-5400
- 29b. **Companion Report: Support for Oregon Park Senior Apartments** *(Continued from January 24, 2017)*
From: City Manager
Recommendation: Refer the Housing Advisory Commission's recommendation that staff work with Oregon Park Senior Apartments (OPSA) to the Council prioritization process so that the Council can evaluate this recommendation in the context of other recommendations for the use of Housing & Community Services staffing resources.
Financial Implications: See report
Contact: Paul Buddenhagen, Housing and Community Services, 981-5400

Action: Item held over to March 14, 2017.

Action Calendar – New Business

Action Calendar – New Business

30. Berkeley Bicycle Plan 2017

From: City Manager

Recommendation: Adopt a Resolution approving the Berkeley Bicycle Plan 2017, and directing the City Manager to pursue implementation of the Plan as funding and staffing permit.

Financial Implications: See report

Contact: Phillip Harrington, Public Works, 981-6300

Action: Item referred to the Agenda Committee for future scheduling.

Council Action Items

31. Readopt “Lease Agreement: Friends of DxE for Telegraph of Channing Mall, 2425 Channing Way Suite C” with Minor Amendments

From: Councilmember Worthington

Recommendation: Readopt lease agreement for the Friends of DxE International at 2425 Channing Suite C at the premises for the purposes of operating an office with supporting retail activities to include revised amendments.

Financial Implications: Minimal

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

Action: Item held over to March 28, 2017 with the revised material in Supplemental Reports Packet #1.

Information Reports

32. FY 2017 Investment Report: Quarter Ended September 30, 2016

From: City Manager

Contact: Henry Oyekanmi, Finance, 981-7300

Action: Received and filed.

33. Update on Name Change of the Sugar-Sweetened Beverage Program to the Healthy Berkeley Program

From: City Manager

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

Action: Received and filed.

34. Planning for Minimum Wage Increases to the City’s Youth Employment Program

From: City Manager

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

Action: Received and filed.

35. Permit Service Center Audit Status Report

From: City Manager

Contact: Carol Johnson, Planning and Development, 981-7400

Action: Received and filed.

Information Reports

- 36. LPC - NOD: 2727 Milvia Street**
From: City Manager
Contact: Carol Johnson, Planning and Development, 981-7400
Action: Received and filed.
- 37. LPC - NOD: 2102 Shattuck Avenue**
From: City Manager
Contact: Carol Johnson, Planning and Development, 981-7400
Action: Received and filed.
- 38. goBerkeley Parking Management Program - Recommended Adjustments for March 1, 2017 (Expansion Areas)**
From: City Manager
Contact: Phillip Harrington, Public Works, 981-6300
Action: Item held over to March 14, 2017.

Public Comment – Items Not Listed on the Agenda – 0 speakers.

Adjournment

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

Vote: All Ayes.

Adjourned at 11:39 p.m. in memory of:

1. Nicole Milner, Social Justice Activist
2. Bette Kroening, Local Restaurateur

This is to certify that the foregoing is a true and correct copy of the minutes of the regular meeting of February 28, 2017 as approved by the Berkeley City Council.

Mark Numainville, City Clerk

Communications

Item 26: ZAB Appeal: 2777 Shattuck Avenue/2747 Adeline Avenue

1. Jane Kitchel
2. Robert Lauriston

Item 30 Berkeley Bicycle Plan 2017

3. Daniel Newman
4. Phillip Minnitte, on behalf of MapLight
5. Charles Siegel
6. Todd Henry, on behalf of the UC Berkeley Bicycle Committee

Berkeley Art Center

7. Zohra Kalinkowitz

Communications

- 8. Edith Hillinger
- 9. Sally Goldstein

1900 Fourth Street

- 10. Patricia Long
- 11. Deborah Pulido
- 12. Alessandro Latini
- 13. Stephanie Manning (2)

Encampment Suggestions

- 14. Adam Bredenber/Jacquelyn McCormick (4)

Protest Concerns

- 15. Elizabeth Saunders
- 16. Nick Boschert
- 17. Stephen Schwager
- 18. Kathleen Curran
- 19. Carlyn Smith
- 20. Kenton Blanton
- 21. Robert and Jeanie Minor
- 22. Unknown

City of Berkeley Banking

- 23. Alice Freda
- 24. Megan Lang

Surveillance Ordinance

- 25. Police Review Commission

Hate Speech Ordinance

- 26. Richard Polangin

Senate Bill 54 (CA Values Act)

- 27. Diana Bohn

Seizure of Property

- 28. Police Review Commission

Adeline Corridor

- 29. KO

Ohlone Dog Bark Renovation

- 30. Joe Goglio, on behalf of the Ohlone Dog Park Association

Street Repair

- 31. Dorothea Dorenz

Alameda County Anti-Displacement Funding & Policy Plan

- 32. Berkeley Rent Stabilization Board

Concerns of the Poor

- 33. Elisa Cooper

Supplemental Communications and Reports 1

Item 23: Proclamation Recognizing the Japanese Internment Day of Remembrance

34. Revised materials, submitted by Councilmember Worthington

Item 25: ZAB Appeal: 1310 Haskell Street

35. Dean Metzger, on behalf of the Berkeley Neighborhood Council

36. Marianne Sluis

Item 26: ZAB Appeal: 2777 Shattuck Avenue/2747 Adeline Avenue

37. Marianne Sluis

Item 27: Berkeley Deep Green Building Initiative

38. Revised materials, submitted by Mayor Arreguin and Councilmember Hahn

Item 30: Berkeley Bicycle Plan 2017

39. Michael Hursh, on behalf of AC Transit

40. Liza & Bobby Lutzker

41. Preston Jordan, on behalf of Albany Strollers & Rollers (AS&R)

42. Dave Campbell, on behalf of Bike East Bay

43. Joe DiStefano

Item 31: Readopt "Lease Agreement: Friends of DxE for Telegraph of Channing Mall, 2425 Channing Way Suite C" with Minor Amendments

44. Revised materials, submitted by Councilmember Worthington

Supplemental Communications and Reports 2

Item 1: Short-Term Rental Regulations Ordinance, Amending BMC 23C.22 and Amending Titles 23D and 23E

45. Jenn Rubin

46. Daniel Moore

47. Jerome McGadney

48. Jennifer Russell

49. Matthew Lewis

50. Progressive Student Association

51. 5 form letters, submitted by Christine Schwartz, Ellen Woods, Grace Treffinger, Dominick Williams, Sheila Goldmacher

Item 25: ZAB Appeal: 1310 Haskell Street

52. Ranil Abeysekera

53. Steve Martinot

Item 26: ZAB Appeal: 2777 Shattuck Avenue/2747 Adeline Avenue

54. Friends of Adeline

55. Jeffrey Carter

56. Michael Barglow

57. James Hosley

58. Marty Schiftenbauer

59. Peter Schorer

60. Jesse Martinez

61. Gail Brown

62. Sas Colby

Supplemental Communications and Reports 2

- 63. Ann Epstein
- 64. Andrew Sabey, Cox Castle & Nicholson

Item 27: Berkeley Deep Green Building Initiative

- 65. Henry Siegel
- 66. Cate Leger

Item 30: Berkeley Bicycle Plan 2017

- 67. Amanda Leahy
- 68. Eric Dasmalchi
- 69. John Caner, on behalf of the Downtown Berkeley Association
- 70. Heath Maddox
- 71. Luis Amezcua, on behalf of the Sierra Club

Supplemental Communications and Reports 3

Item 1: Short-Term Rental Regulations Ordinance, Amending BMC 23C.22 and Amending Titles 23D and 23E

- 72. Berkeley Tenants Union
- 73. Igor Tregub
- 74. Unknown

Item 14: Progress Report for the Development of a Comprehensive Plan for the Funding of Undergrounding Utility Wires in Berkeley

- 75. Bob Flasher

Item 25: ZAB Appeal: 1310 Haskell Street

- 76. Presentation, submitted by Planning & Development Department
- 77. Dean Metzger, on behalf of Berkeley Neighborhoods Council

Item 26: ZAB Appeal: 2777 Shattuck Avenue/2747 Adeline Avenue

- 78. George Killingsworth
- 79. Lana Wilson
- 80. Whitney Gould
- 81. Tom Graly
- 82. Luis Amezcua, on behalf of the Sierra Club
- 83. Unknown

Item 30: Berkeley Bicycle Plan 2017

- 84. Vanessa Warheit

Maya's Spring Music Festival

- 85. Unknown

