

**BERKELEY CITY COUNCIL AGENDA COMMITTEE  
SPECIAL MEETING MINUTES**

**BERKELEY CITY COUNCIL SPECIAL MEETING MINUTES**

**MONDAY, MAY 1, 2017**

**2:30 P.M.**

6<sup>th</sup> Floor Conference Room, 2180 Milvia Street

Committee Members:

Mayor Arreguin, Councilmembers Linda Maio and Sophie Hahn  
(Alternate: Councilmember Ben Bartlett)

1. Roll Call: 2:31 p.m. All present.
2. Public Comment: 0 speakers.
3. M/S/C (Hahn/Maio) to approve the Minutes of April 17, 2017. All Ayes.
4. Review and Approve draft agendas:
  - a. M/S/C (Maio/Hahn) to approve the agenda of the 5/16/17 – 5:00 p.m. Special City Council Meeting. All Ayes.
  - b. M/S/C (Maio/Hahn) to approve the agenda of the 5/16/17 – 7:00 p.m. Regular City Council Meeting as revised below.
    - *Item Added – Month of Inclusion (Bartlett)*
    - *Item Added - #2 from Referred Items - Unrepresented Employee Manual Amendment*
    - *Item Added - #4 from Referred Items - Anti-Displacement Public Advocate*
    - *Item Added - #5 from Referred Items - Referral to the Labor Commission and the Commission on the Status of Women: Paid Family Leave Ordinance*
    - *Item Added - #8 from Referred Items - Housing Accountability Act*
    - *Item 19 National League of Cities (Maio) – Councilmembers Hahn and Bartlett added as co-sponsors*
    - *Item 20 Install 4-Way Stop (Maio) – Revise item submitted*
    - *Item 23 Support SB 560 (Harrison) – Councilmember Maio added as a co-sponsor*
    - *Item 24 AHMF Ordinance Change (Harrison) – Revised item submitted; Mayor Arreguin and Councilmember Hahn added as co-sponsors*
    - *Item 25 AHMF Resolution (Harrison) - Revised item submitted; Mayor Arreguin added as a co-sponsor*
    - *Item 26 Support 100% Renewable Energy (Hahn) - Mayor Arreguin and Councilmembers Harrison and Bartlett added as co-sponsors*
    - *Item 27 Himalayan Fair (Hahn) – Revised item submitted*
    - *Item 28 Budget Referral: Civic Arts (Hahn) – Correct item title; Councilmember Harrison added as a co-sponsor*
    - *Item 29 Traffic Calming (Wengraf) - Councilmembers Hahn and Droste added as co-sponsors*

- *Item 30 Street Lighting (Wengraf) - Councilmembers Hahn and Droste added as co-sponsors*
  - *Item 31 Support SB 21 (Wengraf) – Councilmember Maio added as a co-sponsor*
  - *Item 32 Senior Housing (Wengraf) – Revised item submitted*
  - *Item 33 Pedestrian Walkways (Droste) - Councilmember Hahn added as a co-sponsor*
  - *Item 35 Pedestrian Intersections (Droste) - Councilmember Bartlett added as a co-sponsor*
  - *Item 36 Oppose HB 142 (Droste) - Councilmember Bartlett added as a co-sponsor*
  - *Item 50 Measure E Reserve (City Manager) – Moved to Consent Calendar*
1. Selection of item for the Berkeley Considers online engagement portal
    - Referral regarding Paid Family Leave Ordinance
- c. Adjournments in memory of:
1. Judge John Noonan

**5. Council Items:**

- a. Council Worksessions
  - June 27 Worksession on Planning moved to July special meeting
- b. Council Referrals to Agenda Committee
  - Items rescheduled as listed on attached
- c. Land Use Calendar – received and filed.
- d. Discussion of Scheduling Agenda Items and Timing for City Council Meetings
  - Starting June 27, regular meetings to start at 6:00 p.m.
  - Special meeting in July for scheduled worksessions

**6. M/S/C (Maio/Hahn) to adjourn the meeting. All Ayes.**

Adjourned at 3:21 p.m.



Mark Numainville, City Clerk

## City Council Referrals to the Agenda Committee

### **2. Unrepresented Employee Manual Amendment**

**From: City Manager**

**Recommendation:** Adopt a Resolution rescinding Resolution No. 67,709-N.S. (Unrepresented Employee Manual) and all subsequent amendatory resolutions thereto, and adopting the attached Unrepresented Employee Manual that amends several provisions to more closely align unrepresented employees benefits with those of represented non-Safety Miscellaneous employees and unrepresented Police and Fire with represented Safety employees, as well as amending the Retiree Health Premium Assistance Plan to allow reimbursement of Medical Insurance Premiums.

**Scheduled to May 16 Consent Calendar**

### **3. Amending BMC Sections 2.07.030 and 2.07.040: Modifying Revolving Door Restrictions**

**From: Mayor Arreguin and Councilmembers Harrison, Davila, and Hahn**

**Recommendation:** Adopt first reading of an Ordinance amending Sections 2.07.030 and 2.07.040 of the Berkeley Municipal Code. This amendment would extend the time requirement between the termination of City office or employment and lobbying from 12 months to 3 years, and ending service on a commission and lobbying from 12 months to 2 years.

**Scheduled to May 30 Action Calendar**

### **4. Anti-Displacement Public Advocate**

**From: Councilmembers Bartlett and Davila, Mayor Arreguin, and Councilmember Harrison**

**Recommendation:** Adopt a Resolution establishing an Office of the Anti-Displacement Public Advocate (APA), to be located in a community agency, which will be tasked with preventing the displacement of Berkeley residents, community, faith, and cultural institutions, small businesses, and non-profits. The APA will be an entity external to the City. The APA will provide legal representation; engage in advocacy; coordinate housing counseling, and financial literacy training; conduct stakeholder meetings; provide outreach to community members at-risk of displacement; and publish quarterly public reports on outcomes and impact in reducing displacement.

**Scheduled to May 16 Consent Calendar (with revision)**

### **5. Referral to the Labor Commission and the Commission on the Status of Women: Paid Family Leave Ordinance**

**From: Councilmember Bartlett, Mayor Arreguin, and Councilmembers Hahn and Droste**

**Recommendation:** Refer the attached ordinance for consideration by to the Labor Commission and the Commission on the Status of Women to help in the development of a Paid Family Leave Ordinance for the City of Berkeley.

**Scheduled to May 16 Consent Calendar**

### **6. Oppose SB 649 (Hueso) Wireless Telecommunications Facilities & Proposed Amendments to Install Small Cells by Right**

**From: Councilmember Wengraf**

**Recommendation:** Send a letter opposing SB 649 (Hueso) urging our representatives to oppose this bill. Letter should be sent to State Senator Ben Hueso, State Senator Nancy Skinner, Assemblymember Tony Thurmond and Governor Brown.

**Scheduled to May 30 Consent Calendar**

**7. Amendments to Group Living Accommodations (GLA) Ordinance (No. 7445-NS)**

**From: Councilmember Worthington**

**Recommendation:** That the Berkeley City Council respond to student concerns voiced by student leaders in the ASUC, by revising the GLA Ordinance to respond to the worsening housing crisis in Berkeley and promote a fair and equal treatment of students. Specifically, we recommend the removal of BMC 13.42.040D, which currently allows the city to remove bedrooms, the addition of a student non-discrimination clause, the amendment of 13.42.005B(3)a to allow three violations instead of two, and the amendment of 13.42.036C to ensure consistency with the Community Noise Ordinance.

**Scheduled to May 30 Action Calendar**

**8. Housing Accountability Act** *(Continued from March 28, 2017)*

**From: City Manager**

Contact: Zach Cowan, City Attorney, 981-6950

**Scheduled to May 16 Action Calendar**

**9. General Fund Stability Reserve Usage Criteria**

**From: Councilmembers Droste, Wengraf, and Maio**

**Recommendation:** Discuss the General Fund Stability Reserve Usage Policies described in the report and adopt policies such as those proposed, requiring a two-thirds vote of the City Council to amend them. Following recommendation from the City Manager, the City Council shall, from time to time, recognize and define “essential services”, “appropriate levels” of such services, and “extreme conditions”. Any draw-down of Stability Reserve funds shall coincide with the adoption of a plan to repay the dollar amount of the draw down. If adopting a repayment plan immediately is infeasible due to emergency circumstances, it shall be adopted no more than 3 months from the date of the withdrawal appropriation. The level of the Stability Reserve shall be restored as economic recovery occurs, consistent with the maintenance of essential services, with repayment to begin no more than 5 years from the date of withdrawal and be completed within 10 years from the date of withdrawal.

**Scheduled to May 30 Action Calendar**

**10. Companion Report: Berkeley Lead Poison Prevention and Control**

**From: City Manager**

**Recommendation:** Refer to the City Manager the proposal from the Community Environmental Advisory Commission (CEAC) to evaluate the costs and feasibility of the lead paint enforcement proposal. In addition, staff will communicate with the Alameda County Healthy Homes Department on alternative ways to address enforcement and cleanup associated with lead paint hazards, and will work with Alameda County Healthy Homes Department to schedule a presentation before the City Council.

**City Manager to schedule presentation on Action Calendar.**

**Action:** Moved Item 59.b. to the Consent Calendar. Referred to the Agenda Committee to schedule the item for a future meeting with a presentation from Alameda County Healthy Homes and City staff.

**11. Bi-Annual Report on Workers' Compensation**

**From: City Manager**

Contact: Sarah Reynoso, Human Resources, 981-6800

**Action:** Referred to the Agenda Committee to schedule a presentation to Council by staff.

**City Manager to schedule presentation on Action Calendar.**