

**REVISED AGENDA
(ADDED CONTINUED ITEMS FROM APRIL 25, 2017)**



BERKELEY CITY COUNCIL MEETING

Tuesday, May 2, 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 – KATE HARRISON

DISTRICT 5 – SOPHIE HAHN
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.

Consent Calendar

1. Updated Commissioners' Manual

From: City Manager

Recommendation: Adopt a Resolution rescinding Resolution No. 65,570-N.S. and adopting the updated edition of the Commissioners' Manual to include new legislative regulations, clarify current procedures, and increase organization and efficiency.

Financial Implications: See report

Contact: Mark Numainville, City Clerk, 981-6900

2. Contract No. R9704 Amendment: City of Albany for Animal Services

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to extend Contract No. R9704 and any amendments with the City of Albany to provide certain animal care services for which the City of Albany will pay the City of Berkeley \$206,477 for services performed from FY 2018 through FY 2020.

Financial Implications: General Fund - \$206,477 (revenue)

Contact: Jovan Grogan, City Manager's Office, 981-7000

Consent Calendar

- 3. Contract No. R9710 Amendment: City of Piedmont for Animal Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to extend Contract No. R9710 and any amendments with the City of Piedmont to provide certain animal care services for which the City of Piedmont will pay the City of Berkeley \$152,578 for services performed from FY 2018 through FY 2020 and \$285,676 in total.
Financial Implications: General Fund \$152,578 (revenue)
Contact: Jovan Grogan, City Manager's Office, 981-7000
- 4. Contract No. 10039 Amendment: Koefran Industries for Pick-Up and Disposal of Deceased Animals**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to extend and increase Contract No. 10039 with Koefran Industries to provide pick-up and disposal of deceased animals for Berkeley Animal Care Services (BACS). The extension and increase will be for \$20,400 per year for FY 2018 through FY 2020 for a total not to exceed \$101,200 and subject to the City's annual appropriation process.
Financial Implications: General Fund - \$101,200
Contact: Jovan Grogan, City Manager's Office, 981-7000
- 5. Contract No. 16262 Amendment: Eleanor Karlsson, DVM for Veterinary Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to Contract No. 16262 for \$50,000 with Eleanor Karlsson, DVM for on-site veterinary services for Berkeley Animal Care Services (BACS). The contract will be increased by \$100,000. The extension of this contract will be for \$50,000 for FY 2017/2018 and \$50,000 for FY 2018/2019, not to exceed \$150,000 in total and subject to the City's annual appropriation process.
Financial Implications: General Fund - \$150,000
Contact: Jovan Grogan, City Manager's Office, 981-7000
- 6. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on May 2, 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: \$1,200,000
Contact: Henry Oyekanmi, Finance, 981-7300

Consent Calendar

- 7. Purchase Order: ZOLL Medical Corporation for Advanced Life Support Cardiac Monitors**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a purchase order contract and any amendments with ZOLL Medical Corporation for the purchase of twenty-six Advanced Life Support (ALS) ECG Monitor/Defibrillators for emergency response vehicles in an amount not to exceed \$780,491. This amount includes a four-year service and maintenance contract at \$101,400.
Financial Implications: See report
Contact: Gil Dong, Fire, 981-3473
- 8. Contract: Raimi+Associates for Professional Planning Services for the Adeline Corridor Specific Plan**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with Raimi + Associates to perform professional planning services for the Adeline Corridor Specific Plan for an amount not to exceed \$340,000 for the period from May 15, 2017 to December 31, 2018.
Financial Implications: See report
Contact: Carol Johnson, Planning and Development, 981-7400

Council Consent Items

- 9. Support of AB 45, California School Employee Housing Assistance Program**
From: Mayor Arreguin and Councilmembers Bartlett, Maio, and Hahn
Recommendation: Adopt a Resolution supporting AB 45, which would provide financial assistance to school districts to help fund developments for teacher and staff housing. Send a copy of the Resolution to Governor Jerry Brown, State Senator Nancy Skinner, and Assemblymember Tony Thurmond.
Financial Implications: None
Contact: Jesse Arreguin, Mayor, 981-7100
- 10. Referral to the Budget Process: Funding for Anti-Displacement Programs**
From: Mayor Arreguin and Councilmembers Hahn, Bartlett, and Harrison
Recommendation: Refer to the Fiscal Year 2018/2019 budget process an allocation of \$1.07 million for the following programs: \$500,000 to ensure universal legal eviction defense for all Berkeley tenants at risk of eviction; \$470,000 increase to the current \$30,000 (for a total of \$500,000) to the Housing Retention Program, with a cap of \$5,000 per household (currently \$2,000 per household); and \$100,000 to provide housing counseling and legal services for Berkeley's low-income, elderly or disabled distressed homeowners.
Financial Implications: Various Funds - \$1,070,000
Contact: Jesse Arreguin, Mayor, 981-7100

Council Consent Items

11. Budget Referral for the Evaluation and Implementation of a Smaller Traffic Circle at the Intersection of Allston and California

From: Councilmember Harrison

Recommendation: Refer to the City Manager to assess and identify improvements to the Allston and California intersection. The large traffic circle is less than the customary 18 feet from the crosswalk and requires automobiles to veer toward the crosswalk. Our office requests that the Department evaluate the construction of a smaller traffic circle at Allston and California. Along with this, we request new traffic counts be collected while all schools are in session to update the 2013 analysis for consideration of an all-way stop at this road junction. This would increase road safety by assuring that vehicles enter the intersection at lower speeds. Both of these factors should be considered and addressed in improvements to be recommended for this intersection.

Financial Implications: See report

Contact: Kate Harrison, Councilmember, District 4, 981-7140

12. Budget Referral for the Installation of Safety Improvements at the Intersection of Fulton and Durant

From: Councilmember Harrison

Recommendation: Refer to the City Manager to assess and fund the most cost effective method of improving pedestrian safety for the following intersection: Fulton and Durant. Possibilities include, but are not limited to, a Yield to Pedestrians sign or a separate light for cars going south and turning left from Fulton onto Durant going east.

Financial Implications: See report

Contact: Kate Harrison, Councilmember, District 4, 981-7140

13. Budget Referral for Re-Evaluation of Safety at the Intersection of Harold and Allston in the Context of Likely Development

From: Councilmember Harrison

Recommendation: Refer to the City Manager to assess, identify, and fund improvements to increase pedestrian safety at the Allston and Harold Intersection. In the context of upcoming likely development, and considering the fact that several parked cars have been hit here in the last 5 years, our office recommends assessing and the most cost effective method of improvement. Possibilities include, but are not limited to, a Yield to Pedestrians sign or Flashing Beacon Lights that are automatically triggered to flash when a pedestrian is occupying the crosswalk zone.

Financial Implications: See report

Contact: Kate Harrison, Councilmember, District 4, 981-7140

Council Consent Items

- 14. Cigarette Butt Pollution Prevention Pilot Program: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds**
From: Councilmembers Harrison and Maio
Recommendation: Adopt a Resolution approving the expenditure of an amount not to exceed \$250 per Councilmember including \$250 from Councilmember Harrison, to the Cigarette Butt Pollution Prevention Pilot Program with funds relinquished to the City's general fund for this purpose from the discretionary Council Office Budgets of Councilmember Harrison and any other Councilmembers who would like to contribute.
Financial Implications: Councilmembers' Discretionary Funds - \$250
Contact: Kate Harrison, Councilmember, District 4, 981-7140
- 15. Oppose HR 38 (Hudson) and S. 446 (Cornyn), the Constitutional Concealed Carry Reciprocity Act of 2017**
From: Councilmembers Wengraf and Hahn
Recommendation: Adopt a Resolution opposing HR 38 (Hudson), and S 446 (Cornyn), the Constitutional Concealed Carry Reciprocity Act of 2017, and send a copy of the resolution to Congresswomen Barbara Lee and Senators Diane Feinstein and Kamala Harris.
Financial Implications: Minimal
Contact: Susan Wengraf, Councilmember, District 6, 981-7160
- 16. Options Recovery Services: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds**
From: Councilmember Wengraf
Recommendation: Adopt a Resolution approving the expenditure of an amount not to exceed \$150 per Councilmember including \$150 from Councilmember Susan Wengraf, to the Options Recovery Services 20 Year Anniversary Gala, on May 20th, 2017, with funds relinquished to the City's general fund for this purpose from the discretionary Council Office Budgets of Councilmember Susan Wengraf and any other Councilmembers who would like to contribute.
Financial Implications: Councilmember's Discretionary Funds - \$150
Contact: Susan Wengraf, Councilmember, District 6, 981-7160
- 17. Referral to Planning Commission to Provide Ordinance Language for the Creation of Junior ADUs**
From: Councilmembers Wengraf, Droste, and Bartlett
Recommendation: Refer to the Planning Commission to provide ordinance language for the creation of Junior ADUs and return to City Council for adoption.
Financial Implications: Staff time
Contact: Susan Wengraf, Councilmember, District 6, 981-7160

Council Consent Items

- 18. Support AB 391 (Chiu & Gomez) – Medi-Cal: Asthma Preventive Service**
From: Councilmembers Wengraf and Hahn
Recommendation: Send a letter in support of AB 391 (Chiu & Gomez) urging our representatives to support this bill. Letter should be sent to Assemblymembers Chiu, Gomez, Thurmond, State Senator Nancy Skinner and Governor Brown.
Financial Implications: See report
Contact: Susan Wengraf, Councilmember, District 6, 981-7160
- 19. One Year Maintenance Deferral for the Berkeley Art Center**
From: Councilmembers Worthington, Hahn, and Harrison
Recommendation: That the city grant a maintenance deferral to the Berkeley Art Center to remain at the Live Oak facility for one year. Before this deadline expires, BAC shall procure an agreement to establish a new location for the center. Thereafter, BAC shall have the option to remain at its current location for up to 3 additional years, on a year-to-year basis.
Financial Implications: Minimal
Contact: Kriss Worthington, Councilmember, District 7, 981-7170
- 20. Budget Referral for the César Chávez Solar Calendar**
From: Councilmembers Worthington and Maio, Mayor Arreguin, and Councilmember Bartlett
Recommendation: Refer to the city budget process, consideration of granting \$25,000 to Kala Art Institute for the César Chávez Memorial Solar Calendar Project.
Financial Implications: \$25,000
Contact: Kriss Worthington, Councilmember, District 7, 981-7170
- 21. Budget Referral: Increase Berkeley Civic Arts Program Annual Grant by \$140,000 and Create a Civic Arts Special Fund**
From: Councilmembers Worthington and Wengraf
Recommendation: Refer to the budget process a \$140,000 increase to the annual budget for the Civic Arts Program, as well as creating a special fund dedicated to capital improvements and capacity building.
Financial Implications: \$140,000
Contact: Kriss Worthington, Councilmember, District 7, 981-7170
- 22. Budget Referral: Increase Berkeley Project's Funding by \$5,000**
From: Councilmembers Worthington, Harrison, and Wengraf
Recommendation: Refer to the budget process a \$5,000 increase to the annual budget for the Berkeley Project.
Financial Implications: \$5,000
Contact: Kriss Worthington, Councilmember, District 7, 981-7170

Council Consent Items

- 23. Support of SB 179: Gender Identity: Female, Male, or Nonbinary**
From: Councilmembers Droste, Worthington, and Bartlett
Recommendation: Adopt a Resolution supporting Senate Bill 179, which will allow Californians to identify as nonbinary on their birth certificates, driver's licenses, and identity cards without requiring a court order and without requiring clinical treatment for gender transition; and send a copy of the Resolution to State Senator Nancy Skinner, Assemblymember Tony Thurmond, and to Governor Jerry Brown.
Financial Implications: None
Contact: Lori Droste, Councilmember, District 8, 981-7180
- 24. Support of AB 71: Bring California Home Act**
From: Councilmembers Droste and Harrison
Recommendation: Adopt a Resolution supporting Assembly Bill 71, the Bring California Home Act; and send a copy of the resolution to Assemblymember Tony Thurmond, State Senator Nancy Skinner, and Governor Jerry Brown.
Financial Implications: None
Contact: Lori Droste, Councilmember, District 8, 981-7180

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 Telegraph Property and Business Improvement District

From: City Manager

Recommendation: Conduct a public hearing on: 1. The re-establishment and expansion of the Telegraph Property and Business Improvement District (TBID or “the District”); and 2. The modification of the existing TBID to shorten the term from ten years to nine years; and upon conclusion if no majority protest exists after tabulation of assessment ballots, adopt three Resolutions:

a. Re-establishing and expanding 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, and levying assessments on properties within the District for fiscal year 2018.

b. Modifying the existing TBID to end on June 30, 2017, shortening the TBID’s term from ten years to nine years.

c. Authorizing the City Manager to execute a sole source contract and any amendments with the Telegraph Property and Business Management Corporation (TPBMC) not to exceed \$489,000 of TBID funds to support Telegraph revitalization for the period January 1, 2018 to December 31, 2018, with the option to extend annually for nine additional years through the expiration of the TBID.

Financial Implications: See report

Contact: Jordan Klein, Economic Development, 981-7530

26. Fiscal Year 2018 and Fiscal Year 2019 Proposed Budget Public Hearing #1

From: City Manager

Recommendation: Conduct a public hearing regarding the FY 2018 and FY 2019 Proposed Biennial Budget.

Financial Implications: See Proposed FY 2018 and FY 2019 Proposed Biennial Budget

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

Action Calendar – Continued Business

A. ZAB Appeal: 2902 Adeline Street *(Continued from April 25, 2017. Item contains revised and supplemental materials.)*

From: City Manager

Recommendation: Adopt a Resolution approving Use Permit No. ZP2015-0177 to redevelop three parcels at 2902 and 2908 Adeline Street and 1946 Russell Street (approximately 14,065 square feet total), which includes the demolition of one single-family dwelling and one mixed use (commercial and residential) structure; and the construction of a 6-story, mixed-use building with 4,119 sq. ft. of commercial space including one commercial unit, four live/work units, and 50 dwelling units, including two qualifying units available to very low income households and a commitment to provide two additional units on site available to low income households.

Financial Implications: None

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

Action Calendar – Continued Business

B. **Contract: ERA Construction for Le Conte Safe Routes to School Project**

(Continued from April 25, 2017)

From: City Manager

Recommendation: Adopt a Resolution approving plans and specifications for the Le Conte Safe Routes to Schools Project, Specification No. 16-11008-C; and authorizing execution of a contract with ERA Construction and any amendments, extensions or change orders until completion of the project in accordance with approved plans and specifications, in an amount not to exceed \$449,298.

Financial Implications: MTC Fund - \$449,298

Contact: Phillip Harrington, Public Works, 981-6300

Action Calendar – Old Business

27. **Berkeley Bicycle Plan 2017** *(Continued from February 28, 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

28. **Establish a 90 Day Deadline to Either Collect Over \$641,000 Owed in Lien or to Bring Owner in Compliance with Agreement** *(Continued from March 14, 2017. Item contains revised material.)*

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

29. **Ordinance to Ban the Sale of Fur in Berkeley; Adding BMC Chapter 9.22**

(Continued from April 4, 2017)

From: Councilmember Worthington

Recommendation: Adopt second reading of Ordinance No. 7,539-N.S. adding BMC Chapter 9.22 to eliminate the sale of fur apparel products in order to promote community awareness of animal welfare.

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

Financial Implications: None

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

Action Calendar – New Business

30. **Proposed Surveillance and Community Safety Ordinance**

From: Disaster and Fire Safety Commission

Recommendation: At this time the Disaster and Fire Safety Commission takes no position on the proposed Surveillance and Community Safety Ordinance, but we have concerns about the impacts that this draft ordinance may have on the Berkeley Fire Department. The Disaster and Fire Safety Commission recommends that City Council direct the City Manager to assess the administrative impact of the proposed Surveillance and Community Safety Ordinance that is currently in draft form. This assessment should include (a) a legal review to identify surveillance technology that is currently owned or used by city departments (b) an estimate by the City Manager of the administrative burden (including both fiscal and time-based costs) created by this ordinance on city departments, Commissions, and the City Council.

Financial Implications: See report

Contact: Keith May, Commission Secretary, 981-3473

31a. **Safe and Affordable Housing Policy for Legalizing Certain Housing Units**

From: Housing Advisory Commission

Recommendation: Direct staff to develop a policy that ensure protections, including the retention of rent control if it currently exists, for tenants residing in units being legally converted to a residential use. These protections should extend to existing tenants who reside in units that an owner may be trying to legalize through the permitting process. The Housing Advisory Commission (HAC) applauds the ongoing work of the Four-by-Four Committee (City Council and Rent Stabilization Board) to address the safety, occupancy, and affordability of certain units and workspaces.

Financial Implications: Staff time

Contact: Amy Davidson, Commission Secretary, 981-5400

31b. **Companion Report: Safe and Affordable Housing Policy Recommendation**

From: City Manager

Recommendation: If the City Council would like to adopt the Safe and Affordable Housing Policy outlined in the Housing Advisory Commission's report, staff recommends that the Council refer this issue to the Council's 2018 priority ranking process to evaluate alongside other referrals for City staff time and funding.

Financial Implications: See report

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

32. **Amend BMC Sections 3.78.030, 040, and 050 Related to Commission Procedures**

From: Human Welfare and Community Action Commission

Recommendation: Adopt a Resolution requesting that the City Manager examine the addition of language to the Berkeley Municipal Code that clarifies aspects of the management of City of Berkeley commissions and the removal and appointment of commissioners.

Financial Implications: See report

Contact: Wing Wong, Commission Secretary, 981-5400

Information Reports

33. Referral Response: Measure M Information Report – Update 2017

From: City Manager

Contact: Phillip Harrington, Public Works, 981-6300

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 April 27, 2017.*

A handwritten signature in black ink, appearing to read "Mark Numainville".

Mark Numainville, City Clerk

## Communications

*Council rules limit action on Communications to referral to the City Manager and/or Boards and Commissions for investigation and/or recommendations. All communications submitted to Council are public record. Copies of individual communications are available for viewing at the City Clerk Department and through Records Online.*

### **Item 21: Budget Referral: Increase Berkeley Civic Arts Program Annual Grant by \$140,000 and Create a Civic Arts Special Fund**

1. Patrick Dooley

### **Item 29: Ordinance to Ban the Sale of Fur in Berkeley; Adding BMC Chapter 9.22**

2. Francine Opiari

### **Portland Ending Corporate Investments**

3. Phoebe Sorgen

### **Pathways Project**

4. Sybil Hatch
5. Avram Gur Arye (3)

### **Fiduciary Responsibilities**

6. Moni Law

### **Repeal of Costa-Hawkins**

7. Karl Knobler

### **1127 Bancroft Way**

8. Natalie DeWitt

### **Solar for Government Buildings**

9. Charlene Woodcock

### **Support of SB 562**

10. Sheila Goldmacher/Jacquelyn McCormick

## **UC Berkeley DCRP/Professional Report Topics**

11. Marian Wolfe

## **Berkeley Rose Garden**

12. Pil Orbison

## **Safety**

13. George Matiasz

## **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.