









## Consent Calendar

- 11. FY 2018 Tax Rate: Fund Debt Service on 2015 Refunding General Obligation Bonds (Measures G, S & I)**  
**From: City Manager**  
**Recommendation:** Adopt first reading of an Ordinance setting the FY 2018 tax rate for funding the debt service on the 2015 consolidation of Measures G, S and I (General Obligation Bonds - Elections of 1992, 1996 and 2002) at 0.0220%.  
**Financial Implications:** See report  
Contact: Henry Oyekanmi, Finance, 981-7300
- 12. FY 2018 Tax Rate: Fund the Debt Service on the Infrastructure and Facilities General Obligation Bonds (Measure T1)**  
**From: City Manager**  
**Recommendation:** Adopt first reading of an Ordinance setting the FY 2018 tax rate funding the debt service on the Infrastructure and Facilities Improvements General Obligation Bonds (Measure M, November 2016) at 0.0157%.  
**Financial Implications:** See report  
Contact: Henry Oyekanmi, Finance, 981-7300
- 13. FY 2018 Tax Rate: Fund Disaster Fire Protection (Measure Q)**  
**From: City Manager**  
**Recommendation:** Adopt first reading of an Ordinance setting the FY 2018 tax rate for funding the procurement of disaster fire equipment at \$0.0125 (1.25 cents) per square foot of improvements.  
**Financial Implications:** See report  
Contact: Henry Oyekanmi, Finance, 981-7300
- 14. FY 2018 Business License Tax on Large Non-Profits (Measure G)**  
**From: City Manager**  
**Recommendation:** Adopt first reading of an Ordinance setting the FY 2018 tax rate for Business License Tax on large non-profits at \$0.5981 (59.81 cents) per square foot of improvements.  
**Financial Implications:** See report  
Contact: Henry Oyekanmi, Finance, 981-7300
- 15. Temporary Appropriations FY 2018**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing a temporary appropriation in the sum of \$50,000,000 to cover payroll and other expenses from July 1, 2017, until the effective date of the FY 2018 Annual Appropriations Ordinance.  
**Financial Implications:** See report  
Contact: Henry Oyekanmi, Finance, 981-7300

## Consent Calendar

**16. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on June 13, 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 - \$1,400,000

Contact: Henry Oyekanmi, Finance, 981-7300

**17. Prioritizing BRIDGE's Berkeley Way Project for Housing Trust Fund and Alameda County A1 Funds and Authorizing Issuance of a Request for Proposals**

**From: City Manager**

**Recommendation:**

1. Adopt a Resolution: a. Identifying BRIDGE Housing Corporation and Berkeley Food and Housing Project's (BFHP) Berkeley Way project as the City's first priority for Alameda County A1 (from the Berkeley set-aside and North County pool); b. Authorizing the City Manager to submit the Berkeley Way project to Alameda County for funding through the Berkeley set-aside of A1 funds; c. Identifying Berkeley Way as the City's first priority for City Housing Trust Funds once funding recommendations for up to three projects currently under review are considered; d. Waiving Sections VI.A and VI.B of the Housing Trust Fund guidelines regarding competitive process for Berkeley Way; and e. Directing the City Manager to continue to work with BRIDGE, BFHP, and the Housing Advisory Commission to identify an effective funding strategy for Berkeley Way.

2. Direct the City Manager to release a Request for Proposals for affordable housing development projects with the goals of maximizing the City's access to the competitive North County regional pool of A1 funds and identifying projects for the City to collaborate with for the State's new No Place Like Home program, and waive Section VI.B.e of the HTF guidelines for this RFP process.

**Financial Implications:** See report

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

**18. Contract No. 9880C Amendment: Jackson & Coker Locumtenens, LLC for Locums Tenens Psychiatric Services**

**From: City Manager**

**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 9880C to: (1) increase the expenditure contract by \$225,100 to a total expenditure contract (not to exceed) \$400,000 with Jackson & Coker Locumtenens, LLC, (J&C) for locums tenens psychiatric services for Berkeley Mental Health Clients; and (2) extend the term of the contract for a two (2) year period ending on June 30, 2019.

**Financial Implications:** See report

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

## Consent Calendar

19. **Contract: Bay Area Community Resources for the Placement of AmeriCorps Members**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an expenditure contract and any amendments or extensions thereto with Bay Area Community Resources in an amount not to exceed \$72,000 for the period July 1, 2017 through June 30, 2018 for the placement of AmeriCorps interns at the Berkeley High School Health Center, the Berkeley Technology Academy Health Center, and the Ann Chandler Public Health Center.  
**Financial Implications:** See report  
Contact: Paul Buddenhagen, Housing and Community Services, 981-5400
20. **Side Letter of Agreement – SEIU Local 1021 Maintenance and Clerical Chapters**  
**From: City Manager**  
**Recommendation:** Adopt two Resolutions:  
1. Authorizing the City Manager to execute and implement a Side Letter of Agreement with Service Employees International Union Local 1021 Maintenance and Clerical Chapters to delay to December 31, 2017 the implementation of certain subsections in Section 11 (Salaries) and Section 43 (Public Employees' Retirement System) of the Memorandum Agreement regarding employee pension contribution; and  
2. Approving a new Classification and Salary Resolution for Representation Units D (Manual Operations); Representation Unit J (Para-professional Employees – Police Department); and Representation Unit K-1 (Career Non-confidential Office and Clerical Employees); and Representation Unit K-2 (Supervisory Clerical Employees) that implement the Side Letter of Agreement and rescinding Resolution No. 67,185-N.S.  
**Financial Implications:** None  
Contact: Sarah Reynoso, Human Resources, 981-6800
21. **Unrepresented Employees: Amendment to Cost of Living Adjustment**  
**From: City Manager**  
**Recommendation:** Adopt a new Classification and Salary Resolution for Unrepresented employees in Unit X-2 (Hourly employees) except daily rated camp classifications, Z-1 (Confidential and Executive Management Employees); Z-2 (Confidential Management Employees); Z-3 (Confidential Clerical Employees); Z-4 (non-benefited Legislative Analysts); Z-6 (benefited Legislative Analysts); and Z-9 (Unrepresented at-will positions in the Rent Stabilization Program), required by the delay to December 31, 2017, the June 4, 2017 implementation of certain subsections in Section 8.4 (Public Employees' Retirement System) of the Unrepresented Employee Manual regarding employee pension contribution and rescind Resolution No. 67,237-N.S. and Resolution No. 67,339-N.S.  
**Financial Implications:** See report  
Contact: Sarah Reynoso, Human Resources, 981-6800

## Consent Calendar

- 22. Contract No. 10264A Amendment: ThirdWave Corporation for RapidWorkflow® Process Modeling (RWPM) Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to amend Contract No. 10264A with ThirdWave Corporation for RapidWorkflow® Process Modeling (RWPM) Workshops for an amount not to exceed \$26,250, and a total contract value not to exceed \$255,403 from May 1, 2016 through June 30, 2019.  
**Financial Implications:** Various Funds - \$26,250  
Contact: Savita Chaudhary, Information Technology, 981-6500
- 23. Contract No. 9263A Amendment: SSP Data for Barracuda Backup with Cloud Storage**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to amend Contract No. 9263A with SSP Data Products Inc. for the City's Barracuda Backup Solution with Hosted Cloud Storage, increasing the amount by \$99,970.46, for a total contract amount not to exceed \$246,172.24 for the term May 15, 2013 through June 30, 2019.  
**Financial Implications:** Capital Improvement Fund - \$99,970.46  
Contact: Savita Chaudhary, Information Technology, 981-6500
- 24. Contract No. 9747A Amendment: MC Dean for Uninterrupted Power Supplies Maintenance**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to amend Contract No. 9747A with MC Dean, Inc. for Uninterrupted Power Supplies (UPS) Maintenance, increasing the amount by \$60,216 for a total not to exceed \$95,208 from July 1, 2014 to June 30, 2020.  
**Financial Implications:** Capital Improvement Fund - \$60,216  
Contact: Savita Chaudhary, Information Technology, 981-6500
- 25. Contract: Granicus, Inc. for Video Streaming Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a contract with Granicus, Inc. for providing hosting services to provide public access to live video streaming, podcasting, and on-demand archival video, for a total not to exceed \$50,680 from July 1, 2017 to June 30, 2019.  
**Financial Implications:** Various Funds - \$50,680  
Contact: Savita Chaudhary, Information Technology, 981-6500



## Consent Calendar

26. **Contract No. 7167F Amendment: SunGard Public Sector Software License Maintenance and Support, AnalyticsNOW Enterprise Reporting and Professional Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to amend Contract No. 7167F with SunGard Public Sector for maintenance and support of the City's FUNDS system, increasing the amount of the current contract by \$177,652 for a total not to exceed \$1,682,935 from July 1, 2006 through June 30, 2018.  
**Financial Implications:** Various Funds - \$177,652  
Contact: Savita Chaudhary, Information Technology, 981-6500
27. **Contract No. 8318A Amendment: RouteSmart Technologies, Inc. Software License Maintenance and Support**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to amend Contract No. 8318A with RouteSmart Technologies Inc. for software license maintenance and support of the RouteSmart software, increasing the amount of the current contract by \$56,743 for a total not to exceed \$210,743.00 from April 28, 2010 through June 30, 2020.  
**Financial Implications:** Zero Waste Fund - \$56,743  
Contact: Savita Chaudhary, Information Technology, 981-6500
28. **Contract No. 8432A Amendment: AMCS Resource Technology for Zero Waste Software Maintenance and Professional Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to amend Contract No. 8432A with AMCS Resource Technology, formerly PC Scale Inc., for continued software maintenance and support of the Public Works Department's Zero Waste scale house, thereby increasing the contract amount by \$44,184 for a total not to exceed of \$216,282 from September 10, 2010 to June 30, 2020.  
**Financial Implications:** Zero Waste Fund - \$44,184  
Contact: Savita Chaudhary, Information Technology, 981-6500
29. **Contract: Gardeners' Guild for Maintenance at Tom Bates Sports Complex and Gabe's Sport Fields**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee to execute a contract and any amendments with the Gardeners' Guild for operations and maintenance services at Tom Bates and Gabriel Catalfo (Gabe's) Fields in an amount not to exceed \$137,664 per year for a period of three years, beginning July 1, 2017, with two one-year options to extend for a total contract amount not to exceed \$688,320.  
**Financial Implications:** Sports Field (Vendor Operated) Fund - \$137,664  
Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700

## Consent Calendar

- 30. Contract No. 10339 Amendment: B Bros Construction for James Kenney Seismic Retrofit Project**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to amend Contract No. 10339 with B Bros Construction for James Kenney Seismic Retrofit project, increasing the amount by \$140,000 for an amended total amount not to exceed \$2,429,600.  
**Financial Implications:** Parks Tax Fund - \$140,000  
Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700
- 31. Waiver of Annual Marina Berth Fees for Non-Profits**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution: 1. Affirming the determination by City staff and the Parks and Waterfront Commission that three non-profit organizations at the Berkeley Marina (Berkeley Racing Canoe Club, Cal Sailing Club, and The Pegasus Project) are in full compliance with all aspects of Resolution No. 66,544-N.S.; and 2. Approving the annual waiver of berth fees for the three groups for 2017.  
**Financial Implications:** See report  
Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700
- 32. Energy Use Requirements for Medical Cannabis Cultivation; Amending BMC Section 12.25.080**  
**From: City Manager**  
**Recommendation:** Adopt first reading of an Ordinance amending the energy use requirements for cannabis cultivation locations (BMC Section 12.25.080: Energy Use).  
**Financial Implications:** See report  
Contact: Timothy Burroughs, Planning and Development, 981-7400
- 33. Regional Solar Electric Installation Program (Bay Area SunShares)**  
**From: City Manager**  
**Recommendation:** Authorize the City Manager to execute a letter of commitment to the Business Council on Climate Change (BC3) to affirm the City of Berkeley's participation in the Regional Solar Electric Installation Program (Bay Area SunShares).  
**Financial Implications:** Minimal  
Contact: Timothy Burroughs, Planning and Development, 981-7400
- 34. Framework for Green Infrastructure Plan Development**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution approving the Framework for Green Infrastructure Plan Development (GI Plan Framework).  
**Financial Implications:** Various Funds - \$500,000  
Contact: Phillip Harrington, Public Works, 981-6300

## Consent Calendar

### 35. **FY 2018 Transportation Development Act Article 3 Fund Allocation**

**From: City Manager**

**Recommendation:** Adopt a Resolution: 1. Authorizing the City Manager to: submit an allocation request to the Metropolitan Transportation Commission (MTC) prior to the June 27, 2017 deadline for \$250,000 of FY 2018 Transportation Development Act (TDA) Article 3 funds for the Berkeley Pedestrian Master Plan Update; accept the funds; execute any resultant agreements and amendments; and authorize the implementation of the project, subject to securing the funds; and 2. Declaring that: the City of Berkeley is eligible to request an allocation of TDA Article 3 funds pursuant to Section 99234 of the Public Utilities Code; there is no pending or threatened litigation that might adversely affect the project or projects described in Attachment B to this resolution, or that might impair the ability of the City of Berkeley to carry out the project; the project has been reviewed by the Bicycle Advisory Committee (BAC) of the City of Berkeley; the City of Berkeley attests to the accuracy of and approves the statements in Attachment A to this resolution; and a certified copy of this resolution and its attachments, and any accompanying supporting materials shall be forwarded to the congestion management agency, countywide transportation planning agency, or county association of governments, as the case may be, of Alameda County for submission to MTC as part of the countywide coordinated TDA Article 3 claim.

**Financial Implications:** See report

Contact: Phillip Harrington, Public Works, 981-6300

### 36. **Contract: Empire Engineering and Construction for FY 2016 Low Impact Development (LID) Project**

**From: City Manager**

**Recommendation:** Adopt a Resolution approving plans and specifications for the FY 2016 Low Impact Development Project, Specification No. 16-10993-C; and authorizing execution of a contract with Empire Engineering and 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 \$797,469.

**Financial Implications:** Measure M GO Streets & Water Improvement Fund - \$797,469

Contact: Phillip Harrington, Public Works, 981-6300

## Council Consent Items

### 37. **Support of Energy Upgrade California**

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

**Recommendation:** Adopt a Resolution supporting Energy Upgrade California.

**Financial Implications:** None

Contact: Jesse Arreguin, Mayor, 981-7100

## Council Consent Items

- 38. Adding Threat of Displacement of a Berkeley Resident to the Current Income Qualification Guidelines Which Would Place an Applicant in Priority Status for BMR (Below Market Rate) Units**  
**From: Councilmembers Maio, Harrison, Hahn, and Bartlett**  
**Recommendation:** Refer to the City Manager adding to income qualification the status of pending displacement of a Berkeley resident or family, for priority eligibility for BMR units.  
**Financial Implications:** None  
Contact: Linda Maio, Councilmember, District 1, 981-7110
- 39. Replacement Mural for Center for Independent Living (CIL)**  
**From: Councilmembers Maio and Davila**  
**Recommendation:** Request the Arts Commission to consider, with CIL representatives, potential locations and suggestions for a new mural to replace that which was at the CIL Telegraph site.  
**Financial Implications:** None  
Contact: Linda Maio, Councilmember, District 1, 981-7110
- 40. BAHIA Renovations: Relinquishment of Council Office Budget Fund to General Fund and Grant of Such Funds**  
**From: Councilmember Maio**  
**Recommendation:** Adopt a Resolution approving the expenditure of an amount not to exceed \$200 per councilmember, including \$200 from Councilmember Maio, to the Bay Area Hispano Institute for Advancement, Inc. (BAHIA), on the occasion of their Grand Opening on Saturday, June 17, at 1pm (more information is available at <http://www.bahiainc.com>), with funds relinquished to the city's General Fund for this purpose from the discretionary council office budget of Councilmember Maio and any other councilmembers who would like to contribute.  
**Financial Implications:** Councilmember's Discretionary Funds - \$200  
Contact: Linda Maio, Councilmember, District 1, 981-7110
- 41. Support of Assembly Bill 1701 (Thurmond)**  
**From: Councilmembers Maio, Hahn, and Bartlett**  
**Recommendation:** Support Assembly Bill 1701, which would hold a direct contractor jointly liable with a subcontractor for unpaid wages and benefits, and send letters expressing the City Council's support to Assemblymember Tony Thurmond and the Senate Labor and Industrial Relations Committee.  
**Financial Implications:** None  
Contact: Linda Maio, Councilmember, District 1, 981-7110

## Council Consent Items

- 42. Amendments to Housing Retention Program**  
**From: Councilmembers Bartlett, Harrison, Davila, and Mayor Arreguin**  
**Recommendation:** Direct the City Manager to make the following changes to the City of Berkeley's Housing Retention Program. Proposed changes would make the program more accessible for displaced tenants by amending eligibility requirements and documentation needed for application, as well as increasing the maximum amount of grants.  
**Financial Implications:** Staff time  
Contact: Ben Bartlett, Councilmember, District 3, 981-7130
- 43. Direction to the Children, Youth, and Recreation Commission: Tackle the Summer Learning Loss for Elementary School Children**  
**From: Councilmembers Bartlett and Davila**  
**Recommendation:** Direct the Children, Youth, and Recreation Commission to tackle the summer learning loss for low-income elementary children through:  
1. Consolidation, Education, & Outreach as outlined in the report; and 2. Assessment & Policy Recommendations as outlined in the report.  
**Financial Implications:** Staff time  
Contact: Ben Bartlett, Councilmember, District 3, 981-7130
- 44. Referral to the Energy Commission and the City Manager: Electric Vehicle Charging Ordinance**  
**From: Councilmembers Bartlett and Harrison**  
**Recommendation:** Refer to the Energy Commission and the City Manager to develop an Electric Vehicle (EV) Charging Ordinance for the City of Berkeley. The Ordinance shall consider the requirements outlined in the report for installation of electric vehicle charging infrastructure in all new buildings or buildings undergoing major alterations.  
**Financial Implications:** Staff time  
Contact: Ben Bartlett, Councilmember, District 3, 981-7130
- 45. Referral to the City Manager to Provide a Bi-Annual Housing Pipeline Report**  
**From: Councilmembers Harrison, Hahn, Bartlett, and Davila**  
**Recommendation:** Direct the City Manager to provide a Bi-Annual Housing Pipeline Report. This report should include residential projects and details as outlined in the agenda report. The report should indicate the total and proportion of Extremely Low Income, Very Low Income, Low Income, and Moderate Income for proposed and approved projects and display the progress made towards meeting the Regional Housing Needs Allocation (RHNA) goals set forth by ABAG (Association of Bay Area Governments).  
**Financial Implications:** None  
Contact: Kate Harrison, Councilmember, District 4, 981-7140

## Council Consent Items

46. **Referral to the Commission on the Status of Women and the Labor Commission: Banning Prior Salary Considerations on Job Applications in the City of Berkeley**  
**From: Councilmembers Hahn, Bartlett, and Davila**  
**Recommendation:** Refer to the Commission on the Status of Women and the Labor Commission the creation of an ordinance banning employers in the City of Berkeley, including the City of Berkeley, from considering current or past salary of an applicant in determining what salary to offer the applicant, and from asking applicants about their current or past salary.  
**Financial Implications:** Staff time  
Contact: Sophie Hahn, Councilmember, District 5, 981-7150
47. **Consideration of Universal Design Standards in City Projects**  
**From: Councilmembers Hahn and Davila**  
**Recommendation:** Refer to the City Manager to make the consideration of Universal Design features an explicit and listed criteria for all projects undertaken by the city, including the many upcoming projects to be funded through Measure T1.  
**Financial Implications:** Unknown  
Contact: Sophie Hahn, Councilmember, District 5, 981-7150
48. **Proclamation to Honor June as Lesbian Gay Bisexual Transgender and Questioning Pride Month and Authorize City Manager to Fly the Rainbow Flag for the Month of June**  
**From: Councilmember Worthington**  
**Recommendation:** Adopt a proclamation to honor June as Lesbian Gay Bisexual Transgender and Questioning Pride Month in the City of Berkeley and authorize City Manager to fly the rainbow flag for all of June.  
**Financial Implications:** See report  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170
49. **City Sponsorship of a Screening of “Hate Man” Documentary at a City Park, Facility or Another Local Venue**  
**From: Councilmembers Worthington and Harrison**  
**Recommendation:** That the City co-sponsor a community screening of “Hate Man,” which is a short documentary celebrating the life and philosophy of a beloved Berkeley resident who passed away this April at age 80.  
**Financial Implications:** See report  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170

## Council Consent Items

- 50. Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds to San Francisco Lesbian-Gay-Bisexual-Transgender Pride Parade From: Councilmembers Worthington and Droste**  
**Recommendation:** That the City of Berkeley officially co-sponsors San Francisco Pride; and Adopt a Resolution approving the expenditure of an amount not to exceed \$1,000 per Councilmember to support the Pacific Center with funds relinquished to the City's General Fund so that the City of Berkeley be represented at the San Francisco Pride Parade on June 24 & 25 and for costs of having a contingent in the Parade from Councilmember Worthington's discretionary Council Office Budget and any other Councilmembers who would like to contribute.  
**Financial Implications:** See report  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170
- 51. Economic Feasibility Analysis for New Housing Development From: Councilmember Droste**  
**Recommendation:** Recommend that the City Manager hire an independent third party consultant to conduct an economic feasibility analysis of the City of Berkeley and Berkeley Unified School District assessed fees on new housing development as well as the feasibility of inclusionary housing requirements. The economic feasibility analysis should recur every 2–2.5 years and/or concurrent with any proposed future increases to fees or inclusionary requirements, whichever occurs sooner. To the extent practicable, the Economic Feasibility Analysis should take into consideration factors outlined in the report. The Study should be completed and reported back to the City Council by November of 2017.  
**Financial Implications:** Staff time  
Contact: Lori Droste, Councilmember, District 8, 981-7180
- 52. Save Orchard Lane Stairs/Friends of Piedmont Way: Relinquishment of Council Office Budget Funds and Grant of Such Funds From: Councilmember Droste**  
**Recommendation:** Adopt a Resolution approving the expenditure of an amount not to exceed \$250 per Councilmember, including \$100 from Councilmember Droste, to the Save Orchard Lane Stairs/Friends of Piedmont Way with funds relinquished to the City's General Fund for this purpose from the discretionary Council Office Budgets of Councilmember Lori Droste and any other Councilmembers who would like to contribute.  
**Financial Implications:** Councilmember's Discretionary Funds - \$100  
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.*

### 53. **Changes to Affordable Housing Mitigation Fee; Amending Berkeley Municipal Code Section 22.20.065**

**From: City Manager**

**Recommendation:** Conduct a public hearing and upon conclusion:

1. Adopt first reading of an Ordinance amending BMC Section 22.20.065 as proposed by staff, as shown in Attachment 2; and
2. Adopt a Resolution revising the Affordable Housing Mitigation Fee by eliminating the discount in the fee when it is paid at issuance of the certificate of occupancy pursuant to Berkeley Municipal Code Section 22.20.065 and adjusting the fee each two years for inflation by reference to the California Construction Cost Index (CCI), and rescinding Resolution Nos. 65,920-N.S. and 67,614-N.S., with changes proposed by staff, as shown in Attachment 5.

**Financial Implications:** See report

Contact: Zach Cowan, City Attorney, 981-6950



## Action Calendar – Public Hearings

54. **Fiscal Year 2018 and Fiscal Year 2019 Proposed Biennial Budget Public Hearing #3**  
**From: City Manager**  
**Recommendation:** Conduct a third public hearing regarding the FY 2018 and FY 2019 Proposed Biennial Budget.  
**Financial Implications:** See FY 2018 and FY 2019 Proposed Biennial Budget  
Contact: Teresa Berkeley-Simmons, Budget Manager, 981-7000
55. **ZAB Appeal: 2212 Tenth Street Use Permit No. ZP2016-0129**  
**From: City Manager**  
**Recommendation:** Conduct a public hearing and upon conclusion, adopt a Resolution dismissing the appeal and upholding the Zoning Adjustments Board decision to approve Use Permit No. ZP2016-0129 to (1) demolish an existing 1,080 square foot, single-family dwelling and an approximately 120 sq. ft. detached one-car garage, (2) construct two new detached, two-story dwellings totaling approximately 3,991 square feet with a reduced rear yard setback, and (3) increase the number of bedrooms on the site from two to eight.  
**Financial Implications:** None  
Contact: Timothy Burroughs, Planning and Development, 981-7400
56. **Open Space In-Lieu Fee for New Downtown Buildings**  
**From: City Manager**  
**Recommendation:** Conduct a public hearing and upon conclusion, adopt a Resolution setting the Open Space In-Lieu Fee for the Downtown Mixed-Use Zoning District at \$196 per square foot of required on-site open space that is waived or reduced.  
**Financial Implications:** See report  
Contact: Phillip Harrington, Public Works, 981-6300

## Action Calendar – Old Business

57. **Amend BMC Sections 3.78.030, 040, and 050 Related to Commission Procedures** *(Continued from May 16, 2017)*  
**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

## Action Calendar – Old Business

58. **Ordinance to Ban the Sale of Fur in Berkeley; Adding BMC Chapter 9.22**  
*(Continued from May 16, 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
59. **Housing Accountability Act** *(Continued from May 30, 2017. Item includes supplemental material)*  
**From: City Manager**  
Contact: Zach Cowan, City Attorney, 981-6950

## Action Calendar – New Business

60. **Referral Response: Council Questions Regarding Medical Cannabis**  
**From: City Manager**  
Contact: Timothy Burroughs, Planning and Development, 981-7400
61. **Medical Cannabis Cultivation Ordinance Revisions**  
**From: City Manager**  
**Recommendation:** Consider the responses provided by the Planning Commission and Medical Cannabis Commission (MCC) to Council’s referral regarding the desired maximum number of Medical Cannabis Cultivation locations (Zoning Ordinance/BMC Section 23E.72.040.A) and give direction to staff regarding any recommended changes to the Zoning Ordinance.  
**Financial Implications:** See report  
Contact: Timothy Burroughs, Planning and Development, 981-7400
- 62a. **Funding Recommendation for Creation of Mental Health Peer Education Program (Mental and Emotional Education Team)**  
**From: Youth Commission**  
**Recommendation:** Allocate joint (City of Berkeley and Berkeley Unified School District) funding totaling \$92,778 to Berkeley Mental Health in order to create the Mental and Emotional Education Team (MEET) pilot program, modeled off of the Sexual Health Information From Teens (SHIFT) program, for implementation in the 2017-2018 school year at the Berkeley High School Health Center.  
**Financial Implications:** See report  
Contact: Ginsi Bryant, Commission Secretary, 981-6700

## Action Calendar – New Business

**62b. Companion Report: Funding Recommendation for Creation of Mental Health Peer Education Program (Mental and Emotional Education Team)**

**From: City Manager**

**Recommendation:** Refer the City of Berkeley Youth Commission's recommendations to the 2x2 Committee of the City Council and Board of Education.

**Financial Implications:** See report

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

## Information Reports

**63. Investment Report: Quarter Ended December 31, 2016**

**From: City Manager**

Contact: Henry Oyekanmi, Finance, 981-7300

**64. LPC - NOD: 2126 Center Street**

**From: City Manager**

Contact: Timothy Burroughs, Planning and Development, 981-7400

## 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.*

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Archived indexed video streams are available at <http://www.cityofberkeley.info/citycouncil>. Channel 33 rebroadcasts the following Wednesday at 9:00 a.m. and Sunday at 9:00 a.m.

Communications to the City Council are public record and will become part of the City's electronic records, which are accessible through the City's website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to the City Council, will become part of the public record.** If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the City Clerk Department at 2180 Milvia Street. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the City Clerk Department for further information.

Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at the public counter at the City Clerk Department located on the first floor of City Hall located at 2180 Milvia Street as well as posted on the City's website at <http://www.cityofberkeley.info>.

Agendas and agenda reports may be accessed via the Internet at <http://www.cityofberkeley.info/citycouncil> and may be read at reference desks at the following locations:

City Clerk Department  
2180 Milvia Street  
Tel: 510-981-6900  
TDD: 510-981-6903  
Fax: 510-981-6901  
Email: [clerk@cityofberkeley.info](mailto:clerk@cityofberkeley.info)

Libraries:  
Main - 2090 Kittredge Street  
Claremont Branch – 2940 Benvenue  
West Branch – 1125 University  
North Branch – 1170 The Alameda  
South Branch – 1901 Russell

**COMMUNICATION ACCESS INFORMATION:**

This meeting is being held in a wheelchair accessible location.

To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6346(V) or 981-7075 (TDD) at least three business days before the meeting date.

Attendees at public meetings are reminded that other attendees may be sensitive to various scents, whether natural or manufactured, in products and materials. Please help the City respect these needs.



Captioning services are provided at the meeting, on B-TV, and on the Internet. In addition, assisted listening devices for the hearing impaired are available from the City Clerk prior to the meeting, and are to be returned before the end of the meeting.

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*I hereby certify that the agenda for this meeting of the Berkeley City Council was posted at the display case located near the walkway in front of Council Chambers, 2134 Martin Luther King Jr. Way, as well as on the City's website, on June 1, 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 53: Changes to Affordable Housing Mitigation Fee; Amending Berkeley Municipal Code Section 22.20.065**

1. Kelly Hammargren
2. Tree Fitzpatrick
3. Matt Regan, on behalf of Bay Area Council

### **Item 55: ZAB Appeal: 2212 Tenth Street Use Permit No. ZP2016-0129**

4. Adam Fuchs

### **Community Choice Contracts**

5. Josie Camacho, on behalf of the Alameda Labor Council

**Urban Shield / Armored Van**

- 6. Abigail Surasky
- 7. Rosemary Hardy
- 8. David Coolidge
- 9. Irene Forster
- 10. Brenda Hillman

**Attorney General's Legal Opinion No. 17-108**

- 11. Diane Eisenberg

**Board of Library Trustees**

- 12. John Doyle
- 13. Liz Ruhland

**Berkeley Pier**

- 14. Jim Thomas

**Allston Way & California Street Intersection**

- 15. Cihan Tugal
- 16. Jonathan Walden

**Cell Antennae Policy**

- 17. Monique Webster

**Adeline Corridor Proposal**

- 18. East Bay Forward

**Holly Street Improvements**

- 19. Holly Street residents

**Center for Policing Equity Report**

- 20. Police Review Commission

**Safety Concerns**

- 21. Marilyn Sarig

**Sanctuary Cities**

- 22. Hayward Unified School District Board of Education

**Family Leave**

- 23. Patricia Hill

**Housing Models for Homeless**

- 24. Avram Gur Arye (2)

**Millennials**

- 25. Diego Aguilar-Canabal

**Berkeley Animal Rights Center**

- 26. Wayne Hsiung

**1524 University Avenue**

- 27. W.B.C.

**1528 University Avenue**

- 28. W.B.C.

## **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.