

**ANNOTATED AGENDA  
BERKELEY CITY COUNCIL MEETING**

**Tuesday, July 25, 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 – KATE HARRISON

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:** Davila, Droste, Harrison, Maio, Wengraf, Worthington, Arreguin

**Absent:** Bartlett, Hahn

Councilmember Hahn present at 6:04 p.m.

Councilmember Bartlett present at 6:04 p.m.

**Ceremonial Matters:**

1. Recognition of Plastic Free Month – July 2017
2. Recognition of Betsy Rose, Local Musician
3. Adjourn In Memory of Former Councilmember Betty Olds
4. Adjourn In Memory of Alan Roberds, Berkeley Police Officer
5. Adjourn In Memory of Michael Fuse, Berkeley Community Member
6. Adjourn In Memory of Nick Bertoni, Berkeley Community Member
7. Adjourn In Memory of Allen Strauss, Berkeley Community Member

**City Auditor Comments:**

1. Update on Parks Tax Audit, Line of Business Experts Audit, and ERP Replacement Project; Comments on Information Reports and Workplans.

**City Manager Comments:**

1. Recognition of Zachary Cowan, City Attorney, for his years of service to the City of Berkeley.

## Report from Closed Session

On July 24th, in closed session, the Council approved a settlement of \$70,000 in the case of Susie Schevill v. City of Berkeley and Eva Hayes, et al. (Alameda County Superior Court Case No. RG 16 801622) for property damage sustained as the result of an alleged failure of a City culvert. Each party will bear its own attorneys' fees and costs.

**Public Comment on Non-Agenda Matters:** 9 speakers.

**Public Comment on Consent Calendar and Information Items Only:** 10 speakers.

## Consent Calendar

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

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

Councilmember Worthington absent 6:30 p.m. – 8:24 p.m.

- 1. Amending the Berkeley Election Reform Act to Implement Public Financing From: Fair Campaign Practices Commission**  
**Recommendation:** Adopt second reading of Ordinance No. 7,564 amending Berkeley Municipal Code 2.12 to make changes facilitating the implementation of the Berkeley Fair Elections Act of 2016.  
**First Reading Vote:** All Ayes.  
**Financial Implications:** None  
Contact: Jessica Mar, Commission Secretary, 981-6950  
**Action:** Adopted second reading of Ordinance No. 7,564-N.S.
- 2. Establish 2018 City Council Meeting Schedule From: City Manager**  
**Recommendation:** Adopt a Resolution establishing the City Council regular meeting schedule for 2018, with starting times of 6:00 p.m.  
**Financial Implications:** None  
Contact: Mark Numainville, City Clerk, 981-6900  
**Action:** Adopted Resolution No. 68,096–N.S.
- 3. Minutes for Approval From: City Manager**  
**Recommendation:** Approve the minutes for the Council meetings of June 13, 2017 (regular), June 20, 2017 (special), June 26, 2017 (special closed), and June 27, 2017 (special and regular).  
**Financial Implications:** None  
Contact: Mark Numainville, City Clerk, 981-6900  
**Action:** Approved minutes as submitted.

## Consent Calendar

- 4. Referral Response: Berkeley Municipal Code Section 2.04.145 Amendment Related to Commissioners**  
**From: City Manager**  
**Recommendation:** Adopt first reading of an Ordinance amending Berkeley Municipal Code Chapter 2.04.145 to modify the requirements for affirming the residency status of City commissioners.  
**Financial Implications:** None  
Contact: Mark Numainville, City Clerk, 981-6900  
**Action:** Adopted first reading of Ordinance No. 7,565–N.S. Second reading scheduled for September 12, 2017.
- 5. Contract: BugID Audio Video Design & Integration for Downtown Berkeley BART Plaza Sound and Light Poles**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with BugID Audio Video Design & Integration to design and install equipment for the public art sound and light poles for the redesigned Downtown Berkeley BART Plaza, for a total not to exceed \$300,000.  
**Financial Implications:** Public Art Fund - \$300,000  
Contact: Jordan Klein, Economic Development, 981-7530  
**Action:** Adopted Resolution No. 68,097–N.S.
- 6. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on July 25, 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 - \$1,545,000  
Contact: Henry Oyekanmi, Finance, 981-7300  
**Action:** Approved recommendation.
- 7. Purchase Order: AllStar Fire Equipment Inc. for Self-Contained Breathing Apparatus**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a purchase order with AllStar Fire Equipment Inc. in an amount not to exceed \$499,486 for the purchase of self-contained breathing apparatus (SCBA) and related accessories. AllStar Fire Equipment Inc. is an authorized distributor and authorized service center for testing and repair of the SCBA products for the State of California.  
**Financial Implications:** General Fund - \$499,486  
Contact: Gil Dong, Fire, 981-3473  
**Action:** Adopted Resolution No. 68,098–N.S.

## Consent Calendar

8. **Rescind Resolution No. 62,957-N.S. and Adopt a Resolution for Continual Participation in the Alameda County Operational Area**  
**From: City Manager**  
**Recommendation:** Rescind Resolution No. 62,957-N.S. and adopt a Resolution authorizing the City Manager to execute an agreement with the Alameda County Operation Area Emergency Management Organization.  
**Financial Implications:** None  
Contact: Gil Dong, Fire, 981-3473  
**Action:** Adopted Resolution No. 68,099–N.S.
9. **Alameda County Coordinated Entry System (CES) Grant**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to receive funds and execute any agreements and amendments resulting from a three year grant from Alameda County Health Care Services Agency (HCSA) to fund a Housing Resource Center and Coordinated System to Prevent and End Homelessness, and execute resulting contracts for services with Berkeley Food and Housing Project (BFHP) and the City of Albany.  
**Financial Implications:** See report  
Contact: Paul Buddenhagen, Housing and Community Services, 981-5400  
**Action:** Adopted Resolution No. 68,100–N.S.
10. **Authorizing City Manager Approval for Community Development Block Grant (CDBG) Community Facility Improvement Contracts Under \$200,000; Amending BMC Chapter 7.18**  
**From: City Manager**  
**Recommendation:** Adopt first reading of an Ordinance, by two-thirds vote of the Council, amending Chapter 7.18 of the Berkeley Municipal Code to authorize the City Manager to enter into and amend contracts of up to \$200,000 with applicants recommended for funding by staff and the Housing Advisory Commission under the City’s Community Development Block Grant (CDBG) program for community facility improvements.  
**Financial Implications:** See report  
Contact: Paul Buddenhagen, Housing and Community Services, 981-5400  
**Action:** Moved to Action Calendar. 0 speakers. M/S/C (Hahn/Maio) to:  
1) Adopt first reading of Ordinance No. 7,566–N.S. Second reading scheduled for September 12, 2017.  
2) Direct staff to report back to Council in one year on the status of the program, commission capacity concerns, and lobbying issues, with input from staff and Housing Advisory Commission members; and conduct a yearly expanded outreach effort to likely eligible organizations about the change from a fixed deadline to a rolling application process.  
**Vote:** Ayes – Maio, Davila, Bartlett, Harrison, Hahn, Wengraf, Droste, Arreguin; Noes – None; Abstain – None; Absent – Worthington.

## Consent Calendar

### 11. **Contract Amendments: Mental Health Services Act Community Services and Supports, and Prevention and Early Intervention**

**From: City Manager**

**Recommendation:** Adopt seven Resolutions authorizing the City Manager to execute amendments for the following contracts that are funded through Mental Health Services Act (MHSA) Prevention and Early Intervention (PEI), and Community Services and Supports (CSS) increasing the contract amounts as outlined below, and extending the contracts through June 30, 2018:

1. Increasing PEI Contract No. 8573G with Albany Unified School District (AUSD) by \$64,192 for a total contract amount not to exceed \$438,124 for services to Asian Pacific Islander, Latino, and African American youth;
2. Increasing PEI Contract No. 8801F with Center for Independent Living (CIL) in the amount of \$32,046 for a total contract amount not to exceed \$192,492 for supports for senior citizens;
3. Increasing PEI Contract No. 8560G with G.O.A.L.S. For Women, Inc. in the amount of \$32,046 for a total amount not to exceed \$219,012 to serve African American women and their families;
4. Increasing PEI Contract No. 8516G with Pacific Center for Human Growth in the amount of \$32,046 for a total contract amount not to exceed \$219,012 to serve Lesbian, Gay, Bi-sexual, Transgender, Queer/Questioning, and Intersex (LGBTQI) individuals;
5. Increasing PEI Contract No. 8606G with Youth Engagement Advocacy Housing (YEAH), in the amount of \$32,046 for a total contract amount not to exceed \$219,012 for support groups for Transition Age Youth (TAY);
6. Increasing PEI Contract No. 8975E with Berkeley Unified School District (BUSD) in the amount of \$55,000 for a total contract amount not to exceed \$325,000 for elementary school youth; and
7. Increasing CSS Contract No. 9553C with Youth Engagement Advocacy Housing (YEAH) by \$122,856 for a total contract amount not to exceed \$509,574 for services for transition age youth.

**Financial Implications:** See report

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

**Action:** Adopted Resolution No. 68,101–N.S. (AUSD), Resolution No. 68,102–N.S. (CIL), Resolution No. 68,103–N.S. (G.O.A.L.S.), Resolution No. 68,104–N.S. (LGBTQI), Resolution No. 68,105–N.S. (TAY), Resolution No. 68,106–N.S. (BUSD), and Resolution No. 68,107–N.S. (YEAH).

## Consent Calendar

- 12. Contract No. 9111C Amendment: City Data Services for Maintenance of the Community Agency Online Application and Reporting System**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to amend Contract No. 9111C with City Data Services (CDS) to provide its online data management system to the Health, Housing and Community Services Department through June 30, 2018 to add \$28,560 bringing the total contract amount to \$134,210 and authorizing the City Manager to extend the contract for an additional three years, and execute any amendments with CDS for ongoing maintenance of the community agency online applications and reporting systems for an annual service fee of \$28,560.  
**Financial Implications:** See report  
Contact: Paul Buddenhagen, Housing and Community Services, 981-5400  
**Action:** Adopted Resolution No. 68,108–N.S.
- 13. Mental Health Services Act Fiscal Years 2017-2018, 2018-2019, 2019-2020 Three Year Program and Expenditure Plan**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution approving the Mental Health Services Act (MHSA) Fiscal Year (FY) 2018, 2019 and 2020 Three Year Program and Expenditure Plan which provides information on current and proposed uses of funds on mental health programming, and submitting the MHSA FY 2018 – 2020 Three Year Plan to appropriate state officials.  
**Financial Implications:** See report  
Contact: Paul Buddenhagen, Housing and Community Services, 981-5400  
**Action:** Adopted Resolution No. 68,109–N.S. Request that staff work with Council over the next year to enhance mental health outreach and housing.
- 14. Revenue Contracts: FY 2018 Aging Services Programs**  
**From: City Manager**  
**Recommendation:** Adopt five Resolutions authorizing the City Manager or her designee to execute any resultant revenue agreements and amendments with Alameda County to provide congregate and home-delivered meals, family caregiver support, senior center activities and information and assistance services to seniors for the following programs for Fiscal Year 2018:  
a. Congregate Meals in the amount of \$33,481;  
b. Home Delivered Meals in the amount of \$39,846;  
c. Family Caregiver Support Program in the amount of \$33,972;  
d. Senior Center Activities in the amount of \$29,854; and  
e. Information and Assistance Services in the amount of \$51,740.  
**Financial Implications:** See report  
Contact: Paul Buddenhagen, Housing and Community Services, 981-5400  
**Action:** Adopted Resolution No. 68,110–N.S. (CM), Resolution No. 68,111–N.S. (HDM), Resolution No. 68,112–N.S. (FCSP), Resolution No. 68,113–N.S. (SCA), and Resolution No. 68,114–N.S. (IAS).

## Consent Calendar

- 15. Revenue Grant Agreement: Funding Support from the State of California to Distribute Naloxone**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a contract valued at \$10,631 with the State of California, Department of Public Health, and execute any resultant agreements and amendments to partner with Needle Exchange Emergency Distribution (NEED) to distribute Naloxone to reduce the rate of fatal overdose from opioid drugs including heroin and prescription opioids.  
**Financial Implications:** See report  
Contact: Paul Buddenhagen, Housing and Community Services, 981-5400  
**Action:** Adopted Resolution No. 68,115–N.S.
- 16. Contract: 5 BARS Communities dba XG Communities, LLC (“5 BARS”) for Wireless Marketing and License Agreement, Small Cell Program**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a contract with 5 BARS Communities a dba of XG Communities, LLC (“5 BARS”) for Wireless Marketing and License Agreement, Small Cell Program at no capital investment cost to the City to market City designated sites for wireless service infrastructure. The contract is for an initial five-year period with four five-year renewals for a potential total contract term of 25 years.  
**Financial Implications:** None  
Contact: Savita Chaudhary, Information Technology, 981-6500  
**Action:** Adopted Resolution No. 68,116–N.S.
- 17. Contract: FieldTurf USA, Inc. for the Replacement of Artificial Turf at Tom Bates Regional Sports Complex**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution: 1. Pursuant to City Charter Article XI Section 67.2 requirements, accepting the California Multiple Award Schedule (CMAS) bid procedures, 2. Approving the CMAS contract with FieldTurf USA, Inc. for the artificial turf replacement at Tom Bates Regional Sports Complex; and 3. Authorizing the City Manager to execute a contract and any amendments, extensions or other change orders until completion of the project in accordance with the terms and conditions of the agreements with FieldTurf USA, Inc. in an amount not to exceed \$1,418,629.  
**Financial Implications:** Gilman Fields Reserve Account - \$1,418,629  
Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700  
**Action:** Adopted Resolution No. 68,117–N.S.

## Consent Calendar

- 18. Contract: Team Ghilotti for Cazadero Camp Landslide Repair**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution: 1. Approving the plans and specifications for Cazadero Landslide Repair project, Specification No. 17-11142-C; and 2. Accepting the bid of Team Ghilotti as the lowest responsive and responsible bidder for the amount of their Base Bid of \$674,877.32; and 3. Authorizing the City Manager to execute a contract and any amendments, extensions or other change orders until completion of the project in accordance with the approved plans and specifications, with Team Ghilotti, for the Cazadero Landslide Repair project at the City owned Cazadero Camp located at 5000 Austin Creek Road, 2828 Martin Luther King Jr. Way, in an amount not to exceed \$809,853, which includes a contract amount of \$674,877 and a 20% contingency in the amount of \$134,976.  
**Financial Implications:** Capital Improvement Fund - \$809,853  
Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700  
**Action:** Adopted Resolution No. 68,118–N.S.
- 19. Contract Amendments: Contract No. 10469 Harrison Engineering Incorporated and Contract No. 10397 Nichols Consulting Engineers for On-Call Civil Engineering Services**  
**From: City Manager**  
**Recommendation:** Adopt two Resolutions authorizing the City Manager to execute amendments to:  
1. Contract No. 10469 with Harrison Engineering Incorporated, increasing the original contract amount by \$500,000 for a total not-to-exceed amount of \$1,200,000; and  
2. Contract No. 10397 with Nichols Consulting Engineers increasing the original contract amount by \$800,000 for a total not-to-exceed amount of \$1,200,000, for on-call civil engineering services.  
**Financial Implications:** See report  
Contact: Phillip Harrington, Public Works, 981-6300  
**Action:** Adopted Resolution No. 68,119–N.S. (Harrison) and Resolution No. 68,120–N.S. (Nichols).
- 20. Contract No. 10084 Amendment: Harrison Engineering, Inc. for On-Call Civil Engineering Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 10084 with Harrison Engineering, Inc. for on-call engineering services in an amount not to exceed \$150,000 for a total contract amount not to exceed \$450,000.  
**Financial Implications:** Various Funds - \$150,000  
Contact: Phillip Harrington, Public Works, 981-6300  
**Action:** Adopted Resolution No. 68,121–N.S.



## Consent Calendar

21. **Contract No. 10461 Amendment: Andes Construction, Inc. for Sanitary Sewer Rehabilitation on Martin Luther King Jr. Way et al.**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 10461 with Andes Construction, Inc. for Sanitary Sewer Rehabilitation Project on Martin Luther King Jr. Way, Vine Street, Jefferson Avenue, Bancroft Way, Milvia Street, Spruce Street Backline, La Loma Avenue and Vincente Avenue Backline, increasing the original contract amount by \$121,135 for a total contract amount not to exceed \$1,413,993.  
**Financial Implications:** Capital Improvement Fund - \$121,135  
Contact: Phillip Harrington, Public Works, 981-6300  
**Action:** Adopted Resolution No. 68,122–N.S.
22. **Contract: Peacock Interiors and Gallery, Inc. for Civic Center and Public Safety Building Carpet Replacement Project**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution approving plans and specifications for the Civic Center and Public Safety Building Carpet Replacement Project, Specification No. 17-11133-C; accepting the bid of Peacock Interiors and Gallery, Inc. as the lowest responsive and responsible bidder; and authorizing the City Manager to execute a contract and any amendments, extensions, or other change orders until completion of the project in accordance with the approved plans and specifications in an amount not to exceed \$546,063.  
**Financial Implications:** Various Funds - \$546,063  
Contact: Phillip Harrington, Public Works, 981-6300  
**Action:** Adopted Resolution No. 68,123–N.S.
23. **Contracts: On-Call Engineering Survey Services**  
**From: City Manager**  
**Recommendation:** Adopt three Resolutions authorizing the City Manager to execute contracts and any amendments, extensions or other change orders with the following firms to provide on-call survey services for various Department of Public Works projects and requests from other departments for a three year term expiring June 30, 2020 in a total amount not to exceed \$1,200,000 as follows:  
1. BKF Engineers in an amount not to exceed \$500,000;  
2. Kister, Savio & Rei, Inc. in an amount not to exceed \$350,000; and  
3. MNS Engineers, Inc. in an amount not to exceed \$350,000.  
**Financial Implications:** Various Funds - \$1,200,000  
Contact: Phillip Harrington, Public Works, 981-6300  
**Action:** Adopted Resolution No. 68,124–N.S. (BKF), Resolution No. 68,125–N.S. (KSR), and Resolution No. 68,126–N.S. (MNS).

## Consent Calendar

- 24. Cooperative Agreement with Bay Area Rapid Transit District (BART) for the Downtown Berkeley Bike Station**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a two-year cooperative agreement with the Bay Area Rapid Transit District for continued operation of the Downtown Berkeley Bike Station, in an amount not to exceed \$120,000 through June 30, 2018.  
**Financial Implications:** Various Funds - \$120,000  
Contact: Phillip Harrington, Public Works, 981-6300  
**Action:** Adopted Resolution No. 68,127–N.S.
- 25. Amending the Sweatshop-Free Procurement Ordinance, BMC 13.97**  
**From: Commission on Labor**  
**Recommendation:** Adopt first reading of an Ordinance amending Berkeley Municipal Code Chapters 13.97.020 and 13.97.030 to reduce the current purchasing threshold of \$1,000 to \$0 for the Sweatshop-Free Procurement Ordinance No. 7,099–N.S.  
**Financial Implications:** None  
Contact: Delfina Geiken, Commission Secretary, 981-5400  
**Action:** Adopted first reading of Ordinance No. 7,567–N.S. Second reading scheduled for September 12, 2017.
- 26. Resolution Requesting that PG&E’s Billing System Allow the Utility User Tax (UUT) to Reflect Greenhouse Gas Pollution**  
**From: Energy Commission**  
**Recommendation:** Adopt a Resolution requesting that PG&E’s billing system allow Utility User Tax (UUT) rates to reflect greenhouse pollution, to be sent to both PG&E and the California Public Utilities Commission (CPUC) with a request to take action, and committing to considering a restructuring of utility users taxes to reflect greenhouse pollution if this capability becomes available in the future.  
**Financial Implications:** See report  
Contact: Billi Romain, Commission Secretary, 981-7400  
**Action:** Adopted Resolution No. 68,128–N.S.
- 27. Approval of Six Additional Meetings of the Public Works Commission in Calendar Year 2017**  
**From: Public Works Commission**  
**Recommendation:** Adopt a Resolution approving six additional meetings of the Public Works Commission in calendar year 2017.  
**Financial Implications:** None  
Contact: Andrew Brozyna, Commission Secretary, 981-6300  
**Action:** Adopted Resolution No. 68,129–N.S.

## Consent Calendar

- 28. Renaming Keeler Walk (Path #32) John Muir Path, and Renaming The Short Cut (Path #45) Oxford School Path**  
**From: Public Works Commission**  
**Recommendation:** Adopt a Resolution renaming Keeler Path as John Muir Path and renaming The Short Cut as Oxford School Path.  
**Financial Implications:** Capital Improvement Fund - \$500  
Contact: Andrew Brozyna, Commission Secretary, 981-6300  
**Action:** Adopted Resolution No. 68,130–N.S.
- 29. Support of Assembly Bills 509, 954, & 1219**  
**From: Zero Waste Commission**  
**Recommendation:** 1. Support Assembly Bill 509, which would develop an incentive payment program that pays directly for tire recycling, and send a letter expressing the City Council's support to Assembly Member Jim Frazier;  
2. Support Assembly Bill 954, which would encourage food manufacturers, processors, and retailers responsible for the labeling of food products to voluntarily use uniform quality dates and safety dates on food product labels, and send a letter expressing the City Council's support to Assembly Member David Chiu; and  
3. Support Assembly Bill 1219, which would clarify and expand on the scope of current food donor protection laws, which will assist the State in meeting organic waste diversion and food recovery goals, and send a letter expressing the City Council's support to Assembly Member Susan Talamantes Eggman.  
**Financial Implications:** None  
Contact: Heidi Obermeit, Commission Secretary, 981-6300  
**Action:** Approved recommendation.
- 30. Support of Assembly Budget Committee Bottle Bill Fix Proposal**  
**From: Zero Waste Commission**  
**Recommendation:** Support the Assembly Budget Committee Bottle Bill Fix Proposal, which would address the causes and consequences of California's 16 month Recycling Center Closure Crisis, and send a letter expressing the City Council's support to the Assembly Budget Committee.  
**Financial Implications:** None  
Contact: Heidi Obermeit, Commission Secretary, 981-6300  
**Action:** Approved recommendation.
- 31. Audit Report – Parks Tax: Good Practices in Place Fiscal Year 2016 Expenditures Review**  
**From: Auditor**  
**Recommendation:** Request that the City Manager report back by January 30, 2018, and every six months thereafter, regarding the status of recommendations until reported fully implemented.  
**Financial Implications:** See report  
Contact: Ann-Marie Hogan, Auditor, 981-6750  
**Action:** Approved recommendation.

## Council Consent Items

- 32. Amending City of Refuge Policy Regarding Procedures during ICE Interaction**  
**From: Mayor Arreguin and Councilmembers Hahn, Davila, and Harrison**  
**Recommendation:** Adopt a Resolution amending the City of Refuge policy (Resolution 63,711-N.S.) specifying procedures regarding staff interaction with U.S. Immigration and Customs Enforcement related to enforcement of federal immigration law.  
**Financial Implications:** Staff time  
Contact: Jesse Arreguin, Mayor, 981-7100  
**Action:** Adopted Resolution No. 68,131–N.S.
- 33. Authorizing Transfer of Funds to Rent Board for Eviction Defense Contracts**  
**From: Mayor Arreguin and Councilmembers Hahn, Davila, and Harrison**  
**Recommendation:** Adopt a Resolution authorizing the transfer of \$300,000 for Fiscal Years 2018 and 2019 to the Rent Stabilization Board to amend its contracts with the Eviction Defense Center and East Bay Community Law Center to provide eviction defense services to low and moderate-income Berkeley residents.  
**Financial Implications:** General Fund - \$300,000 (Annually)  
Contact: Jesse Arreguin, Mayor, 981-7100  
**Action:** Moved to Action Calendar. 17 speakers. M/S/C (Arreguin/Harrison) to adopt Resolution No. 68,132–N.S. as revised in Supplemental Reports Packet #2 to make minor edits, including the addition of “extremely low and very low” to the second resolved clause, and to add a requirement for a semi-annual report from the Rent Board on the number of Berkeley residents served and the outcomes.  
**Vote:** Ayes – Maio, Davila, Bartlett, Hahn, Harrison, Worthington, Droste, Arreguin; Noes – None; Abstain – Wengraf.

Recess 10:30 p.m. – 10:35 p.m.

## Council Consent Items

- 34. Land Value Recapture Policy and Inclusion in the Adeline Corridor Plan**  
**From: Mayor Arreguin and Councilmembers Harrison, Hahn, and Bartlett**  
**Recommendation:** 1. Adopt a Resolution establishing a policy requiring that land value recapture is included in the preparation and implementation of all area plans. Doing so will result in revenue to fund community benefits, such as affordable housing.  
2. Refer to the City Manager and Planning Department the inclusion of the following in the Adeline Corridor planning process: a. Conduct a residual land value analysis to determine land value increases and appropriate possible exactions. b. Notify residents, land owners and developers that land value recapture will be part of the Plan implementation.  
**Financial Implications:** Staff time  
Contact: Jesse Arreguin, Mayor, 981-7100  
**Action:** Moved to Action Calendar. 2 speakers. M/S/C (Arreguin/Harrison) to adopt Resolution No. 68,133–N.S. amended to include “all zoning considerations” in addition to all area plans; and include the provisions that down-zoning is not an option and that intensive uses will not be dis-incentivized, especially on transit corridors. Approved recommendation #2.  
**Vote:** Ayes – Maio, Davila, Bartlett, Harrison, Hahn, Wengraf, Droste, Arreguin; Noes – None; Abstain – None; Absent – Worthington.
- 35. Study of Civic Center Revitalization, Including the Veteran’s Memorial and Old City Hall Buildings and Civic Center Park**  
**From: Mayor Arreguin and Councilmembers Hahn, Harrison, and Davila**  
**Recommendation:** 1. Direct the City Manager to merge the Old City Hall and Veterans Building Conceptual Design Projects approved for Phase 1 of Measure T1 implementation and add Civic Center Park to create a single, unified conceptual design project for these three Civic Center elements, at a cost of \$300,000, the combined amounts already allocated by Council. The project will focus on: a. A retrofit study of the Veteran’s Memorial and Old City Hall Buildings. The study should include, but not be limited to, an updated inventory of needed repairs, potential methods for seismic reinforcement and ADA accessibility, and strategies for making the buildings safe to re-occupy at a cost that is viable. b. Design and uses for these three elements and also consider the context of other civic center buildings and features. c. “Place-making,” historic preservation/adaptation and the celebration and enjoyment of the public commons by all Berkeley residents will be central to concepts presented. All proposals shall conform to the existing Civic Center Overlay zoning requirements and achieve the highest green building standards possible, with reference to the Berkeley Deep Green Building proposal and other local, state and national green building standards.  
**Financial Implications:** See report  
Contact: Jesse Arreguin, Mayor, 981-7100  
**Action:** Moved to Action Calendar. 3 speakers. M/S/C (Wengraf/Maio) to approve the recommendation.  
**Vote:** All Ayes.

## Council Consent Items

- 36. Support SB 169: Strengthening Enforcement of Sex Equity in Schools Receiving State Financial Assistance**  
**From: Mayor Arreguin and Councilmembers Hahn, Davila, and Bartlett**  
**Recommendation:** That the Berkeley City Council send a letter supporting SB 169 to Assemblymember Tony Thurmond, State Senator Nancy Skinner, and Governor Jerry Brown.  
**Financial Implications:** None  
Contact: Jesse Arreguin, Mayor, 981-7100  
**Action:** Approved recommendation.
- 37. Reviewing the GIG Car Share Pilot Program**  
**From: Councilmembers Maio and Wengraf**  
**Recommendation:** Refer to the City Manager and Transportation Department a review of the concerns, emerging regarding some features of the recently implemented GIG Car Share pilot program, request adjustments before the two-year pilot program from staff.  
**Financial Implications:** Staff time  
Contact: Linda Maio, Councilmember, District 1, 981-7110  
**Action:** Approved recommendation.
- 38. Referral to the City Manager and the Planning Commission: Adeline Corridor Community Benefits Ordinance**  
**From: Councilmember Bartlett**  
**Recommendation:** Refer to the Planning Commission to: Establish a zoning overlay for properties designated as part of the Adeline Corridor Plan in order to promote innovations in housing policy; and Develop regulations for the Adeline Corridor zoning overlay. This overlay district should be adopted in conjunction with the Adeline Corridor plan or incorporated into it directly.  
**Financial Implications:** Staff time  
Contact: Ben Bartlett, Councilmember, District 3, 981-7130  
**Action:** Approved recommendation.
- 39. Referral to the Civic Arts Commission and City Manager to Identify All Funds Attributed to Festivals**  
**From: Councilmember Harrison, Hahn, and Davila**  
**Recommendation:** Request that the Civic Arts Commission and City Manager to provide a report identifying all City of Berkeley funds being attributed to festivals and develop a clear policy concerning insurance and permit waivers and providing City security for these events.  
**Financial Implications:** Staff time  
Contact: Kate Harrison, Councilmember, District 4, 981-7140  
**Action:** Moved to Action Calendar. M/S/C (Harrison/Arreguin) to hold the item over to September 12, 2017.  
**Vote:** Ayes – Maio, Davila, Bartlett, Harrison, Hahn, Wengraf, Droste, Arreguin; Noes – None; Abstain – None; Absent – Worthington.

## Council Consent Items

**40. Expediting Elements of Previous Council Referral to Study Possible Scenarios of the Loss of Federal Funds**

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

**Recommendation:** Direct the City Manager to expedite the compilation and delivery of a list of federal funds that the City of Berkeley receives and the programs and facilities supported by such funds.

**Financial Implications:** Staff time

Contact: Sophie Hahn, Councilmember, District 5, 981-7150

**Action:** Approved recommendation.

**41. Referral to the Housing Advisory Commission Consideration of an Ordinance to Establish a Waiver of Administrative and Permit Fees for Certain Affordable Housing Projects**

**From: Councilmembers Hahn and Harrison**

**Recommendation:** Refer to the Housing Advisory Commission and City Manager the creation of an ordinance to establish an automatic waiver of administrative and permit fees for certain affordable housing projects, in particular those projects qualifying for Housing Trust Fund or other Berkeley affordable housing monies. A proposed ordinance is attached for consideration as one possible model.

**Financial Implications:** Staff time

Contact: Sophie Hahn, Councilmember, District 5, 981-7150

**Action:** Moved to Action Calendar. M/S/C (Arreguin/Worthington) to hold over Items 41 and 47 to September 12, 2017 including revised materials in Supplemental Reports Packet #2.

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

Councilmember Davila absent 10:35 p.m. – 10:37 p.m.

Councilmember Bartlett absent 10:35 p.m. – 10:37 p.m.

Councilmember Harrison absent 10:35 p.m. – 10:37 p.m.

**42. Ordinance to Clarify City Policy on Cannabis Nurseries**

**From: Councilmember Worthington**

**Recommendation:** That the Planning Commission and Medical Cannabis Commission create an ordinance to clarify city policy on cannabis and existing nurseries.

**Financial Implications:** Minimal

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

**Action:** Approved recommendation with additional background information in Supplemental Reports Packet #2.

## Council Consent Items

### 43. Referral to the City Manager, City Attorney, and Police Review Commission for Police Accountability Reform

**From:** Councilmember Worthington

**Recommendation:** 1) Refer to the City Manager and City Attorney to review the Berkeley Police Review Commission's suggestions for short-term reforms and detail the steps that may be taken.

2) Refer to the Police Review Commission to review the Oakland Ballot Measure LL and develop a similar full-fledged ballot measure to reform police accountability.

**Financial Implications:** Staff time

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

**Action:** M/S/C (Hahn/Wengraf) to hold over the item (with revised materials) to September 12, 2017.

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

Recess 8:05 p.m. – 8:24 p.m.

## Urgency Items

*Items added to the agenda pursuant to Government Code Section 54952(b)(2).*

### Urgency Item: Placement of Portable Restroom at City Parking Lot at Alcatraz and MLK

**From:** Mayor Arreguin

**Recommendation:**

1) Pursuant to Government Code Section 54952(b)(2), find that there is a need to take immediate action and place this item on the July 25, 2017 agenda.

2) Direct the placement of a porta potty to be placed in a city parking lot at Alcatraz and MLK for general public use. This porta potty may remain until a "neighborhood public toilet policy" is in place. The community organization making the request shall comply with the new policy within 30 days of new policy. The porta potty shall be paid for and maintained at the expense of the community organization that has made the request.

**Financial Implications:** See report

Contact: Jesse Arreguin, Mayor, 981-7100

**Action:** M/S/C (Worthington/Arreguin) to make the findings that there is a need to take immediate action and that the need to take action came to the attention of the local agency after the agenda was published.

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

**Action:** 14 speakers. Councilmember Davila added as a co-sponsor. M/S/C (Arreguin/Davila) to adopt recommendation #2 amended to change "Direct" to "Permit."

**Vote:** All Ayes.



## Urgency Items

### Referral to the City Manager: Public Toilet Policy

**From: Councilmember Bartlett**

**Recommendation:** Refer to the City Manager to develop the following “Neighborhood Public Toilet Policy”:

- Develop a process in which residents can obtain a permit for a neighborhood public toilet via an official petition.
- Residents should contact the City via 311 to obtain an official petition form to apply for a permit.
- In order to obtain the permit, the petition should be signed by at least 51% of residential addresses and business owners within the nearest two block radius of the proposed public toilet site.
- The City shall not fund or contribute to the financing of the public toilets or their maintenance.

**Financial Implications:** See report

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

**Action:** M/S/C (Bartlett/Maio) to make the findings that there is a need to take immediate action and that the need to take action came to the attention of the local agency after the agenda was published.

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

**Action:** Councilmember Davila added as a co-sponsor. M/S/C (Arreguin/Davila) to adopt the recommendation.

**Vote:** All Ayes.

## 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.*

### 44. ZAB Appeal: 2150 Shattuck Avenue

**From:** City Manager

**Recommendation:** Conduct a public hearing and upon conclusion, adopt a Resolution upholding the Zoning Adjustments Board decision to approve Design Review Sign approval #DRSA2016-0024 to install two signs, each sign made up of one set of channel letters with exposed neon, or comparable LED lighting, located on the rooftop equipment enclosure of a building determined eligible for National Register designation on the State Historic Resources Inventory (SHRI).

**Financial Implications:** None

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

**Public Testimony:** The Mayor opened the public hearing. 9 speakers. M/S/C (Arreguin/Worthington) to close the public hearing.

**Vote:** All Ayes.

**Action:** M/S/C (Worthington/Wengraf) to adopt Resolution No. 68,134–N.S. upholding the Zoning Adjustments Board decision to approve Design Review Sign approval #DRSA2016-0024 to install two signs, each sign made up of one set of channel letters with exposed neon, or comparable LED lighting, located on the rooftop equipment enclosure of a building determined eligible for National Register designation on the State Historic Resources Inventory (SHRI).

**Vote:** All Ayes.

## Action Calendar – Old Business

- 45a. Referral Response: Create an Ordinance to Prohibit Housing Discrimination Based on the Source of a Tenant’s Income; Amending Berkeley Municipal Code Chapter 13.24** *(Continued from May 30, 2017)*  
**From: City Manager**  
**Recommendation:** Adopt first reading of an Ordinance amending Chapter 13.24 of the Berkeley Municipal Code, to prohibit discrimination in the rental of housing based on source of income.  
**Financial Implications:** None  
Contact: Zach Cowan, City Attorney, 981-6950
- 45b. Adopt an Ordinance Adding to the Berkeley Municipal Code Chapter 13.31 to Address the Affordable Housing Crisis in Berkeley and Increase the Usability of Programs that Subsidize Housing Cost for Low-Income Tenants**  
**From: Councilmember Worthington**  
**Recommendation:** To adopt an Ordinance adding to the Berkeley municipal code chapter 13.31 to address the affordable housing crisis in Berkeley and increase the usability of programs that subsidize housing cost for low-income tenants.  
**Financial Implications:** Staff time  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170  
**Action:** Item 45.b. moved to Consent Calendar. Adopted first reading of Ordinance No. 7,568-N.S. Second reading scheduled for September 12, 2017.
- 46. Ordinance to Ban the Sale of Fur in Berkeley; Adding BMC Chapter 9.22**  
**From: Councilmember Worthington** *(Continued from July 11, 2017)*  
**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:** Moved to Consent Calendar. Adopted second reading of Ordinance No. 7,539-N.S.

## Action Calendar – Old Business

- 47. Expedited Review for Affordable Housing Projects** *(Continued from July 11, 2017. Item contains revised materials.)*  
**From: Councilmembers Hahn, Davila, Bartlett, and Harrison**  
**Recommendation:** 1. Refer to the City Manager the creation of an expedited review process for housing projects in which Affordable Housing units make up more than 20% of the proposed on-site units; and  
2. Direct the City Manager to immediately confer priority status and offer expedited review to 100% Affordable projects, pending adoption of a more formal and widely applicable expedited review process.  
**Financial Implications:** Staff time  
Contact: Sophie Hahn, Councilmember, District 5, 981-7150  
**Action:** Item held over to September 12, 2017 with revised materials in Supplemental Reports Packet #2.
- 48a. Use of U1 Funds for Property Acquisition at 1001, 1007, and 1011 University Avenue and 1925 Ninth Street, Berkeley** *(Continued from July 11, 2017)*  
**From: Housing Advisory Commission**  
**Recommendation:** That the City Council not use U1 funds to backfill the Workers' Compensation Fund for the acquisition of the properties located at 1001, 1007, and 1011 University Avenue, and 1925 Ninth Street, City of Berkeley.  
**Financial Implications:** See report  
Contact: Amy Davidson, Commission Secretary, 981-5400
- 48b. Companion Report: Use of U1 Funds for Property Acquisition at 1001, 1007, and 1011 University Avenue and 1925 Ninth Street, Berkeley** *(Continued from July 11, 2017)*  
**From: City Manager**  
**Recommendation:** Accept staff's recommendation to use \$4,730,815 of Measure U1 revenue over a 5 year period (\$946,163 annually) to repay the Workers' Compensation Fund for the acquisition of the properties located at 1001, 1007, and 1011 University Avenue and 1925 Ninth Street, Berkeley.  
**Financial Implications:** See report  
Contact: Jovan Grogan, City Manager's Office, 981-7000  
**Action:** Items 48.a. and 48.b. held over to September 12, 2017.

## Action Calendar – New Business

- 49. Borrowing of Funds and the Sale and Issuance of FY 2018 Tax and Revenue Anticipation Notes**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution approving the borrowing of \$26,000,000 and the sale and issuance of Fiscal Year 2018 Tax and Revenue Anticipation Notes.  
**Financial Implications:** See report  
Contact: Henry Oyekanmi, Finance, 981-7300  
**Action:** 1 speaker. M/S/C (Maio/Wengraf) to adopt Resolution No. 68,135–N.S.  
**Vote:** Ayes – Maio, Davila, Bartlett, Harrison, Hahn, Wengraf, Droste, Arreguin; Noes – None; Abstain – None; Absent – Worthington.
- 50a. Referral Response: Reassess UC Berkeley Game Day Parking Fines in RPP Areas A, B, D, F, and G Surrounding Campus**  
**From: Transportation Commission**  
**Recommendation:** Adopt a Resolution: 1) Increasing parking fines in Residential Preferential Parking zones A, B, and D to \$300 per violation on posted University of California football game days; 2) Modifying RPP zones A, B, and D on posted University of California football game days to prohibit parking without a valid Residential Preferential Parking permit; 3) Replacing existing RPP signs in zones A, B, and D with new signs clearly indicating the University of California football game day parking prohibition and listing the dates on the sign of University of California football game days; and 4) Assessing the modified University of California Football Game Day Parking Fine program within three years of implementation and recommend to Council whether to continue or modify the program.  
**Financial Implications:** See report  
Contact: Farid Javandel, Commission Secretary, 981-6300

## Action Calendar – New Business

### 50b. Companion Report: Referral Response: Reassess UC Berkeley Game Day Parking Fines in RPP Areas A, B, D, F, and G Surrounding Campus

**From:** City Manager

**Recommendation:** In order to implement the recommendation of the Transportation Commission, Adopt a Resolution: 1. Establishing a new Parking Fine Schedule including increased parking fines of \$300 per violation of BMC 14.40.090 in Residential Preferential Parking zones A, B, and D on posted University of California football game days; 2. Modifying RPP zones A, B, and D on posted University of California football game days to prohibit parking without a valid Residential Preferential Parking permit; 3. Replacing existing RPP signs in zones A, B, and D with new signs clearly indicating the University of California football game day parking prohibition and listing the dates on the sign of University of California football game days; 4. Assessing the modified University of California Football Game Day Parking Fine program within three years of implementation and recommending to Council whether to continue or modify the program; and Rescinding Resolution No. 63,800-N.S.

**Financial Implications:** See report

Contact: Contact: Phillip Harrington, Public Works, 981-6300

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

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

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

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

Councilmember Worthington absent 10:53 p.m. – 11:30 p.m.

**Action:** 4 speakers. M/S/Failed (Droste/Arreguin) to adopt the staff recommendation in Item 50.b.

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

## Information Calendar

### 51. Commercial Cannabis Regulations and Licensing

**From: Mayor Arreguin**

**Recommendation:** Refer to the City Manager and Cannabis Commission the proposed local ordinances to establish a licensing process for Commercial Cannabis operations, as permitted under Proposition 64, Adult Use of Marijuana Act. The Council requests that the City Manager and Cannabis Commission report to the City Council on its recommendations on regulations and licensing for commercial cannabis businesses before the end of 2017.

**Financial Implications:** Staff time

Contact: Jesse Arreguin, Mayor, 981-7100

**Action:** 10 speakers. M/S/C (Arreguin/Maio) to approve the recommendation; refer the revised ordinances in Supplemental Reports Packet #1 that reflect recently adopted state legislation; the City Manager and Cannabis Commission also look at rules and regulations around alcohol, tobacco and youth, including the laws around how it is sold, marketed, advertised and furnished, and how violations are addressed and incorporate similar restrictions into Berkeley's regulations of recreational marijuana.

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

## Information Calendar

### 52. Lorin / Adeline Economic Development Plan

**From: City Manager**

Contact: Jordan Klein, Economic Development, 981-7530

**Action:** Moved to Action Calendar. Referred to the Agenda Committee for scheduling.

### 53. 2017 Berkeley Homeless Point-In-Time Count and Survey Data

**From: City Manager**

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

**Action:** Received and filed.

### 54. Status Report on Audit: City at Crossroads as Long-Standing Need for Structured Approach to Line of Business Experts Function Intersects with ERP Implementation

**From: City Manager**

Contact: Savita Chaudhary, Information Technology, 981-6500

**Action:** Received and filed.

### 55. FY 2018 Public Art Plan and Budget

**From: Civic Arts Commission**

Contact: Mary Ann Merker, Commission Secretary, 981-7530

**Action:** Received and filed.

## Information Calendar

**56. Berkeley Energy Commission Workplan for 2017-2018**

**From: Energy Commission**

Contact: Billi Romain, Commission Secretary, 981-7400

**Action:** Received and filed.

**57. Zero Waste Commission 2017 Work Plan**

**From: Zero Waste Commission**

Contact: Heidi Obermeit, Commission Secretary, 981-6300

**Action:** Received and filed.

**58. City Auditor Fiscal Year 2018 Audit Plan**

**From: Auditor**

Contact: Ann-Marie Hogan, Auditor, 981-6750

**Action:** Received and filed.

**Public Comment – Items Not Listed on the Agenda – 2 speakers.**

## Adjournment

Adjourned at 11:30 p.m. in memory of:

1. Former Councilmember Betty Olds
2. Alan Roberds, Berkeley Police Officer
3. Michael Fuse, Berkeley Community Member
4. Nick Bertoni, Berkeley Community Member
5. Allen Stross, Berkeley Community Member

## Communications

**Item 45a: Referral Response: Create an Ordinance to Prohibit Housing Discrimination Based on the Source of a Tenant's Income; Amending Berkeley Municipal Code Chapter 13.24**

1. Homeless Commission

**Smoking Violations / Second Hand Smoke Provisions**

2. Carol Denney (2)

**Traffic Hazards**

3. David Schindler
4. Steven Schuyler

**SB 649**

5. Soula Culver / Brandi Campbell

**Berkeley's Appearance**

6. Debbie Dennison

**Urban Shield**

7. Debra Guckenheimer
8. Emily Galpern



- 9. John Iversen
- 10. Rosie Gozali
- 11. Nora Roman

### **Museum of Capitalism**

- 12. Genevieve Wilson / Jacquelyn McCormick

### **Marijuana Legislation**

- 13. Citizens Against Legalizing Marijuana

### **Homeless & Housing**

- 14. Avram Gur Arye

### **Public Comment**

- 15. Tree Fitzpatrick

### **Berkeley Fire Department Employee Roster**

- 16. W.B.C.

### **Notice of Investigation / 1524 University Avenue**

- 17. W.B.C.

### **Vector Control Office Inspection / 1528 University Avenue**

- 18. W.B.C.

### **Exterior Elevated Elements Inspection Guidelines & FAQs**

- 19. W.B.C.

## **Supplemental Communications and Reports 1**

### **Item 33: Authorizing Transfer of Funds to Rent Board for Eviction Defense Contracts**

- 20. Housing Advisory Commission

### **Item 51: Commercial Cannabis Regulations and Licensing**

- 21. Revised materials, submitted by Mayor Arreguin

## **Supplemental Communications and Reports 2**

### **Item 26: Resolution Requesting that PG&E's Billing System Allow the Utility User Tax (UUT) to Reflect Greenhouse Gas Pollution**

- 22. Adena Ishii, on behalf of the League of Women Voters, Berkeley Albany, Emeryville

### **Item 32: Amending City of Refuge Policy Regarding Procedures during ICE Interaction**

- 23. Dorothea Dorenz
- 24. Latino Young Democrats of the East Bay
- 25. Christine Schwartz

### **Item 33: Authorizing Transfer of Funds to Rent Board for Eviction Defense Contracts**

- 26. Revised materials, submitted by Councilmember Harrison
- 27. East Bay Forward

**Item 35: Study of Civic Center Revitalization, Including the Veteran’s Memorial and Old City Hall Buildings and Civic Center Park**

28. Michael Fullerton

**Item 41: Referral to the Housing Advisory Commission Consideration of an Ordinance to Establish a Waiver of Administrative and Permit Fees for Certain Affordable Housing Projects**

29. Revised materials, submitted by Councilmember Hahn

**Item 42: Ordinance to Clarify City Policy on Cannabis Nurseries**

30. Revised materials, submitted by Councilmember Worthington

31. Rick Pfrommer

**Item 43: Referral to the City Manager, City Attorney, and Police Review Commission for Police Accountability Reform**

32. Revised materials, submitted by Councilmember Worthington

**Item 44: ZAB Appeal: 2150 Shattuck Avenue**

33. Scott Newman, on behalf of First Shattuck, LLC

**Item 47: Expedited Review for Affordable Housing Projects**

34. Revised materials, submitted by Councilmember Hahn

35. Supplemental materials, submitted by Councilmember Droste

**Item 48: Use of U1 Funds for Property Acquisition at 1001, 1007, and 1011 University Avenue and 1925 Ninth Street, Berkeley**

36. Sally Nelson

**Item 50: Reassess UC Berkeley Game Day Parking Fines in RPP Areas A, B, D, F, and G Surrounding Campus**

37. Carli Jipsen

**Item 51: Commercial Cannabis Regulations and Licensing**

38. Sabrina Fendrick, on behalf of Berkeley Patients Group

**Item 35: Study of Civic Center Revitalization, Including the Veteran’s Memorial and Old City Hall Buildings and Civic Center Park**

39. 15 Communications submitted via Berkeley Considers, includes summary information.

**Supplemental Communications and Reports 3**

**Item 16: Contract: 5 BARS Communities dba XG Communities, LLC (“5 BARS”) for Wireless Marketing and License Agreement, Small Cell Program**

40. Blair Beekman

**Item 37: Reviewing the GIG Car Share Pilot Program**

41. Dermot Hikisch

**Item 44: ZAB Appeal: 2150 Shattuck Avenue**

42. Presentation, submitted by Planning & Development

**Item 45b: Adopt an Ordinance Adding to the Berkeley Municipal Code Chapter 13.31 to Address the Affordable Housing Crisis in Berkeley and Increase the Usability of Programs that Subsidize Housing Cost for Low-Income Tenants**

43. Anthony Federico, on behalf of East Bay Housing Organizations

**Item 50: Reassess UC Berkeley Game Day Parking Fines in RPP Areas A, B, D, F, and G Surrounding Campus**

44. Tree Fitzpatrick

**Item 51: Commercial Cannabis Regulations and Licensing**

45. Wini Williams

**Placement of Portable Restroom at City Parking Lot at Alcatraz and MLK**

46. New materials, submitted by Mayor Arreguin

47. Chris Schildt

48. Unknown

**Referral to the City Manager: Public Toilet Policy**

49. New materials, submitted by Councilmember Bartlett

**Measure M Program and T1 Implementation Process**

50. Public Works Commission