

**ANNOTATED AGENDA
SPECIAL MEETING OF THE
BERKELEY CITY COUNCIL**

Tuesday, October 3, 2017

4:00 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: 4:14 p.m.

Present: Maio, Davila, Harrison, Hahn, Wengraf, Worthington, Droste, Arreguin

Absent: Bartlett

Councilmember Bartlett present at 4:18 p.m.

Public Comment on Consent Calendar Items: 5 speakers.

Consent Calendar

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

Vote: All Ayes.

Consent Calendar

1. Amendments to BMC Chapter 12.26 Regarding Recreational Cannabis Businesses

From: City Manager

Recommendation: Adopt second reading of Ordinance No. 7,570-N.S. modifying Section 12.26.035 of the Berkeley Municipal Code to require City Council approval of zoning regulations, a licensing process, and standards for recreational cannabis businesses prior to approval of any such businesses.

First Reading Vote: All Ayes.

Financial Implications: None

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

Action: Moved to Action Calendar. 2 speakers. M/S/C (Arreguin/Maio) to adopt first reading of Ordinance No. 7,570-N.S. as amended below.

Section 12.26.035 Recreational Cannabis

No recreational cannabis use may be approved in the City of Berkeley until the City Council adopts zoning regulations, a licensing process, and standards for such uses.

(a) Notwithstanding Section 12.26.035, medical cannabis Dispensaries authorized under 12.26.130 may also conduct adult-use Cannabis sales if they meet the following requirements: comply with all requirements set forth in Sections 12.26 and 12.27 of the Berkeley Municipal Code; obtain State licenses (temporary) for both Medical and Adult Use commercial sales; obtain a City of Berkeley Temporary License. Temporary Adult Use Cannabis licenses are valid until such time as the City of Berkeley adopts comprehensive Cannabis regulations in compliance with State law.

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

Councilmember Droste absent 6:40 p.m – 7:01 p.m.

Councilmember Harrison absent 6:42 p.m. – 7:01 p.m.

Pursuant to Government Code Section 54955.1, at 7:01 p.m. the Special Meeting was continued to reconvene at the conclusion of the 6:00 p.m. Regular Meeting.

Consent Calendar

- 2. Expedited Electric Vehicle Charging Station Permitting, and Adding BMC Chapter 19.15**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,571-N.S. adding Berkeley Municipal Code Chapter 19.15, to create an expedited, streamlined permitting process for electric vehicle charging stations, as mandated by State Assembly Bill No. 1236 (2015, Chiu) codified in Section 65850.7 of the California Government Code.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Timothy Burroughs, Planning and Development, 981-7400
Action: Amended to remove the effective date in Section 2 of the ordinance. Adopted first reading of Ordinance No. 7,571-N.S. Second reading scheduled for October 17, 2017.
- 3. Expedited Review for Affordable Housing Projects**
From: Councilmembers Hahn, Davila, Bartlett, and Harrison
Recommendation: Adopt second reading of Ordinance No. 7,573-N.S. amending Berkeley Municipal Code Chapter 19.62, to automatically confer priority status and provide expedited review to affordable housing projects that receive City of Berkeley Housing Trust Fund monies.
First Reading Vote: All Ayes.
Financial Implications: Staff time
Contact: Sophie Hahn, Councilmember, District 5, 981-7150
Action: Adopted second reading of Ordinance No. 7,573-N.S.
- 4. Minutes for Approval**
From: City Manager
Recommendation: Approve the minutes for the Council meetings of August 18, 2017 (special) and August 28, 2017 (special closed).
Financial Implications: None
Contact: Mark Numainville, City Clerk, 981-6900
Action: Approved minutes as submitted.
- 5. City Dog Licensing Conditions**
From: City Manager
Recommendation: Adopt first reading of an Ordinance amending Berkeley Municipal Code Section 10.04.030, Dog License-Terms-Conditions-Exceptions, to change the age at which dogs must be licensed from six (6) months to four (4) months in order to conform to California Health and Safety Code 121690 (a).
Financial Implications: See report
Contact: Jovan Grogan, City Manager's Office, 981-7000
Action: Adopted first reading of Ordinance No. 7,574-N.S. Second reading scheduled for October 17, 2017.

Consent Calendar

- 6. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on September 26, 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 - \$3,080,840
Contact: Henry Oyekanmi, Finance, 981-7300
Action: Approved recommendation.
- 7. Contract No. 10580 Amendment: Easy Does It (EDI) for Purchase of a Wheelchair-Lift-Equipped, Accessible Van**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 10580 with Easy Does It (EDI) by adding \$60,000 to purchase a wheelchair-lift-equipped, accessible van to support the operations of emergency and on-demand transportation services provided to Berkeley residents for a total contract amount not to exceed \$1,376,408.
Financial Implications: Various Funds - \$60,000
Contact: Paul Buddenhagen, Housing and Community Services, 981-5400
Action: Adopted Resolution No. 68,164–N.S.
- 8. License Agreement with Northern California Land Trust**
From: City Manager
Recommendation: Adopt first reading of an Ordinance affirming the City Manager's execution of a license agreement with Northern California Land Trust (NCLT) on September 1, 2017 to permit NCLT's continued use of an existing driveway at 1340 Blake Street that partially encroaches onto the adjacent City-owned parcel (APN: 054-1790-028). The driveway has provided vehicular and pedestrian access to four residential units since the 1950s. This arrangement predates both the City's acquisition of the adjacent parcel in 1977 and NCLT's acquisition of 1340 Blake in 1994.
Financial Implications: None
Contact: Paul Buddenhagen, Housing and Community Services, 981-5400
Action: Adopted first reading of Ordinance No. 7,575-N.S. Second reading scheduled for October 17, 2017.

Consent Calendar

9. No Place Like Home Program Technical Assistance Grant Funds

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to submit an application for a No Place Like Home (NPLH) Program technical assistance grant to the Department of Housing and Community Development (HCD) for the State of California, to accept the grant and execute any resultant revenue agreements and amendments to conduct activities specified in that grant in the projected amount of \$75,000 total in Fiscal Year 2018 and Fiscal Year 2019.

Financial Implications: See report

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

Action: Adopted Resolution No. 68,165–N.S.

10. Unrepresented Employee Manual Amendment

From: City Manager

Recommendation: Adopt a Resolution amending Resolution No. 68,000-N.S. (Unrepresented Employee Manual) to more closely align unrepresented employees retirement benefits with the benefits provided to represented classifications.

Financial Implications: None

Contact: Sarah Reynoso, Human Resources, 981-6800

Action: Adopted Resolution No. 68,166–N.S.

11. Contract: Cratus, Inc. for Sanitary Sewer Rehabilitation and Replacement at Various Locations

From: City Manager

Recommendation: Adopt a Resolution approving plans and specifications for the Sanitary Sewer Project, located on Haste Street, Telegraph Avenue, Ellsworth Street, Dana Street, Gilman Street, Second Street, Cedarwood Lane, Fourth Street, Sixth Street, Bancroft Way, Sacramento Street, Visalia Avenue and Backline, Colusa Avenue, and Vincente Backline; accepting the bid of the lowest responsive and responsible bidder, Cratus, Inc.; 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 \$6,088,755.

Financial Implications: Sanitary Sewer Operation - \$6,088,755

Contact: Phillip Harrington, Public Works, 981-6300

Action: Adopted Resolution No. 68,167–N.S.

Consent Calendar

- 12. Referral Response: Contract: Parkmobile, LLC for Parking Pay-By-Phone Services**
From: City Manager
Recommendation: Adopt a Resolution in response to a November 18, 2014 City Council referral authorizing the City Manager to execute a three-year contract with an option for two one-year extensions with Parkmobile, LLC, to provide metered parking pay-by-phone services in an amount not to exceed \$838,750 for the period October 1, 2017 through June 30, 2020.
Financial Implications: Parking Meter Fund - \$838,750
Contact: Phillip Harrington, Public Works, 981-6300
Action: Adopted Resolution No. 68,168–N.S.
- 13. Submission of an Application for Service to Pacific Gas and Electric for Bay View Place Applicant-Financed Utility Underground District**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to submit an Application for Service to Pacific Gas and Electric for project review, design work, and cost development in connection with the establishment of the Bay View Place Applicant-Financed Utility Underground District; and accept a \$10,000 payment from the property owners on the 1300 block of Bay View Place to pay for the application fee for work Pacific Gas and Electric performs and costs they incur for this Application for Service.
Financial Implications: None
Contact: Phillip Harrington, Public Works, 981-6300
Action: Adopted Resolution No. 68,169–N.S.
- 14. Amend Berkeley Municipal Code Title 14 for Parking and Transit-Only Lanes**
From: City Manager
Recommendation: Adopt first reading of an Ordinance amending Berkeley Municipal Code Title 14 Vehicles & Traffic to clarify regulations related to Driving in Transit-Only Lanes; Parallel Parking; and Diagonal Parking.
Financial Implications: See report
Contact: Phillip Harrington, Public Works, 981-6300
Action: Adopted first reading of Ordinance No. 7,576-N.S. Second reading scheduled for October 17, 2017.
- 15. Appointment of Erlinda Castro to the Mental Health Commission**
From: Mental Health Commission
Recommendation: Adopt a Resolution approving the appointment of Erlinda Castro to the Mental Health Commission, as a representative of the special public interest category, for a three year term beginning September 27, 2017 and ending September 26, 2020.
Financial Implications: None
Contact: Karen Klatt, Commission Secretary, 981-5400
Action: Adopted Resolution No. 68,170–N.S.

Consent Calendar

16. Additional Mental Health Commission Meeting in 2017

From: Mental Health Commission

Recommendation: Adopt a Resolution adding one additional Mental Health Commission meeting in 2017 in order to hold a special meeting for training purposes.

Financial Implications: See report

Contact: Karen Klatt, Commission Secretary, 981-5400

Action: Adopted Resolution No. 68,171–N.S.

Council Consent Items

17. Location and Facilities Recommendation for the Pathways Project

From: Ad Hoc Subcommittee on Homelessness

Recommendation: Direct the City Manager to:

1. Immediately establish a modular building-based facility to serve as the Bridge Living Community (hybrid STAIR/Bridge facility) on Second Street between Cedar and Virginia Streets, if such a configuration is feasible given the street dimensions and leasing conditions. If not, pursue alternative structures that align with the Pathways model and take all steps necessary to begin operations as soon as possible, and;
2. Simultaneously pursue Federal grant funding for a second phase with a preference for cabin-based tiny homes. If Federal funding is not received, Council will evaluate the possibility of other funding sources to move a second phase forward, and;
3. Include features to ensure that, to the greatest extent possible, the Bridge Living Community is a pleasant and inviting environment with amenities such as trees and other foliage, planting beds, picnic tables, shade features, recreational space, an attractive entrance, and other simple but meaningful and aesthetically pleasing features.

Financial Implications: See report

Contact: Jesse Arreguin, Mayor, 981-7100

Action: Moved to Action Calendar. 9 speakers. M/S/C (Maio/Wengraf) to approve the recommendation amended to include a request that the City Manager issue an Off-Agenda Memo on the Pathways Budget.

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

Council Consent Items

- 18. Berkeley Community Fund: Relinquishment of Council Office Budget Fund to General Fund and Grant of Such Funds**
From: Councilmembers Maio and Wengraf
Recommendation: Adopt a Resolution approving the expenditure of an amount not to exceed \$250 per councilmember, including \$250 from Councilmember Maio and \$250 from Councilmember Wengraf, to the Berkeley Community Fund, on the occasion of their annual dinner to be held on Saturday, October 28, 2017, honoring Dr. Vicki Alexander, M.D., with the 2017 Benjamin Ide Wheeler Award for “Berkeley’s Most Useful Citizen,” (more information is available at <http://bcfannualdinner.org>), 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: Councilmembers' Discretionary Funds - \$250
Contact: Linda Maio, Councilmember, District 1, 981-7110
Action: Adopted Resolution No. 68,172–N.S. revised to include contributions from the following Councilmembers up to the amounts listed: Councilmember Maio - \$250; Councilmember Wengraf - \$250; Councilmember Harrison - \$250; Councilmember Bartlett - \$100; Mayor Arreguin - \$250; Councilmember Davila - \$100.
- Action:** M/S/C (Worthington/Hahn) to reconsider Item #18.
Vote: All Ayes.
- Action:** M/S/C (Maio/Hahn) to approve the item with the addition of a donation from Councilmember Davila of \$100.
Vote: All Ayes.
- 19. BrasArte’s 13th Annual Brazilian Day / Lavagem Festival: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds**
From: Councilmembers Davila and Maio
Recommendation: Adopt a Resolution approving the expenditure of an amount up to \$250 by the Mayor and Councilmembers from their discretionary Council Office Budgets to BrasArte allowing for an optional contribution to the fundraising efforts associated with the 13th Annual Brazilian Day/Lavagem Festival.
Financial Implications: Councilmember's Discretionary Funds - \$250
Contact: Cheryl Davila, Councilmember, District 2, 981-7120
Action: Adopted Resolution No. 68,173–N.S. revised to include contributions from the following Councilmembers up to the amounts listed: Councilmember Maio - \$100; Councilmember Wengraf - \$100; Councilmember Hahn - \$100; Councilmember Bartlett - \$100.

Council Consent Items

- 20. Oppose the Ending of Deferred Action for Childhood Arrivals (DACA)**
From: Councilmember Harrison, Mayor Arreguin, and Councilmembers Hahn and Maio
Recommendation: Adopt a Resolution opposing the ending of the Deferred Action for Childhood Arrivals (DACA) Program. Send a letter to Senators Dianne Feinstein and Kamala Harris, Congresswoman Barbara Lee and Attorney General Jeff Sessions.
Financial Implications: None
Contact: Kate Harrison, Councilmember, District 4, 981-7140
Action: Adopted Resolution No. 68,174–N.S.
- 21. Referral to the City Manager to Provide a Public Master List of the Legislation on which the City Council Has Taken a Position**
From: Councilmembers Harrison, Hahn, and Davila
Recommendation: Request that the City Manager work with the City’s lobbyist to create and maintain a master list of the legislation on which the City Council has taken a formal position of support or opposition through passage of an item.
Financial Implications: Staff time
Contact: Kate Harrison, Councilmember, District 4, 981-7140
Action: Moved to Action Calendar. 1 speaker. M/S/C (Maio/Worthington) to approve the recommendation.
Vote: All Ayes.
- 22. Amendments to the Signage Ordinance, Berkeley Municipal Code Chapter 20.16**
From: Councilmembers Hahn, Harrison, and Davila
Recommendation: Adopt first reading of an Ordinance amending BMC Chapter 20.16 to prohibit signs above three stories or 40 feet, whichever is less, in Commercial Districts.
Financial Implications: None
Contact: Sophie Hahn, Councilmember, District 5, 981-7150
Action: Moved to Action Calendar. 4 speakers. M/S/C (Hahn/Davila) to adopt first reading of Ordinance No. 7,577-N.S. amending BMC Chapter 20.16, and Ordinance No. 7,578-N.S. as written in Supplemental Reports Packet #1 to amend Chapter 20.08 to include building identification in the definition of a sign. Second reading scheduled for October 17, 2017.
Vote: Ayes – Maio, Davila, Bartlett, Harrison, Hahn, Arreguin; Noes – Wengraf, Worthington, Droste.

Council Consent Items

- 23. Letter Expressing the City of Berkeley's Support for the Formation and Continuation of Community Choice Aggregation (CCA) Programs in California**
From: Councilmembers Hahn, Harrison, Maio, and Mayor Arreguin
Recommendation: Send a letter to Governor Jerry Brown urging opposition to legislation or language that restricts the formation or operation of CCAs or the ability of cities and other jurisdictions to join existing CCAs.
Financial Implications: None
Contact: Sophie Hahn, Councilmember, District 5, 981-7150
Action: Recommendation approved.
- 24. Parallel Permitting Process**
From: Councilmembers Wengraf, Maio, Droste, and Mayor Arreguin
Recommendation: Request that the City Manager in coordination with the Director of Planning and the Chief Building Official work to establish a voluntary parallel permitting process for applications to construct housing in the City of Berkeley.
Financial Implications: Minimal
Contact: Susan Wengraf, Councilmember, District 6, 981-7160
Action: Recommendation approved.
- 25. Letters of Support for AB 18 and SB 5 - Park Bond Funding Bills**
From: Councilmembers Wengraf, Maio, and Hahn
Recommendation: Approve letters to State Assemblymember Tony Thurmond and State Senator Nancy Skinner in support of AB 18 and SB 5, 2018 Park Bond Funding bills. The letters encourage both bills to move forward, and urge lawmakers to use the higher level of funding in AB 18 (\$425 million), rather than the lower amount (\$200 million) proposed for SB 5.
Financial Implications: None
Contact: Susan Wengraf, Councilmember, District 6, 981-7160
Action: Recommendation approved.

Action Calendar – Old Business

- 26a. Automatic Door Openers in Multi-Unit Residential Buildings** (*Item continued from September 12, 2017*)
From: Commission on Disability
Recommendation: Adopt a Resolution requiring: all new construction of multi-unit residential buildings (four or more units) with a common entryway in the City of Berkeley to include automatic door openers; significant remodeling or conversion of residential multi-unit buildings with four or more units and a common entryway to include automatic door openers; and owners of existing multi-unit residential buildings (four or more units) with a common entryway must install automatic door openers at the request of a resident.
Financial Implications: Unknown
Contact: Ella Callow, Commission Secretary, 981-6300

Council Consent Items

26b. Companion Report: Automatic Door Openers in Multi-Unit Residential Buildings *(Item continued from September 12, 2017)*

From: City Manager

Recommendation: The City Manager recommends the City Council evaluate the resolution requested by the Commission on Disability as an amendment to BMC § 19.28.010. If Council agrees with the substantive recommendations in the Commission on Disability (CoD) report entitled “Recommendations to Require Inclusion of Automatic Door Openers in Residential Buildings with Four or More Units and a Common Entryway,” the City Manager recommends Council consider a stand-alone ordinance (similar to BMC § 19.80) that would (1) limit the scope to privately owned buildings with four or more units and a common entryway; (2) not subsidize installation of automatic door openers by building owners/builders; (3) include language that limits the City’s responsibility to conduct inspections to ensure compliance; and (4) limit the City’s liability for torts related to automatic door openers that are installed.

Financial Implications: See report

Contact: Phillip Harrington, Public Works, 981-6300

Action: 2 speakers. M/S/C (Arreguin/Davila) to adopt the City Manager recommendation in Item 26b. specifically applicable to new construction; create an ad hoc subcommittee of Councilmembers Hahn, Worthington, Harrison, and Wengraf to review the item and the question of applicability to existing buildings.

Vote: All Ayes.

27. Adopt an Ordinance Banning the Use of Live Animals as Prizes *(Item continued from September 12, 2017)*

From: Councilmember Worthington

Recommendation: Adopt an ordinance banning the use of live animals as prizes or awards at fairs and/or by any other person, firm, or corporation whose main purpose is amusement and/or retail sales that do not specifically promote and support the proper care of live animals.

Financial Implications: None

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

Action: Item held over to October 17, 2017.

28. LPC Requests Early Involvement in Measure T1-Funded Projects Affecting Historic Resources *(Item continued from September 12, 2017)*

From: Landmarks Preservation Commission

Contact: Fatema Crane, Commission Secretary, 981-7400

Action: 2 speakers. M/S/C (Hahn/Arreguin) to direct staff to confer with the LPC to determine an appropriate role for the Commission in the T1 process as individual projects that were listed in the letter from the Commission move forward.

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

Councilmember Droste absent 10:29 p.m. – 10:39 p.m.

Action Calendar – New Business

- 29. Bi-Annual Report on Workers' Compensation**
From: City Manager
Recommendation: Review and discuss the presentation on Workers' Compensation for claims activity covering the first half of Fiscal Year 2017 (July 1, 2016 to December 31, 2016).
Financial Implications: None
Contact: Sarah Reynoso, Human Resources, 981-6800
Action: Item removed from the agenda. City Manager will submit an Off-Agenda Memo to respond to City Council questions.
- 30. Amend the One-Percent for Art on Private Projects Ordinance to Increase the Required Valuation of On-Site Public Art**
From: City Manager
Recommendation: Adopt first reading of an Ordinance amending the One-Percent for Art on Private Projects provisions in Chapter 23C.23 of the Berkeley Municipal Code by increasing the required valuation of on-site public art from 1% to 1.75%.
Financial Implications: See report
Contact: Timothy Burroughs, Planning and Development, 981-7400
Action: 1 speaker. M/S/C (Worthington/Hahn) to adopt first reading of Ordinance No. 7,579-N.S. as revised in Supplemental Reports Packet #2 to change which projects are subject to the fee. Second reading scheduled for October 17, 2017.
Vote: Ayes – Maio, Davila, Bartlett, Harrison, Hahn, Wengraf, Worthington, Arreguin; Noes – None; Abstain – None; Absent – Droste.
- 31. Reordering of Council Agenda Items**
From: Open Government Commission
Recommendation: That the Council revisit its agenda-setting policies with the goal of limiting the reordering of agenda items.
Financial Implications: Staff time
Contact: Jessica Mar, Commission Secretary, 981-6950
Action: Moved to Consent Calendar. No action taken.

Council Action Items

32. **Adopt an Ordinance Prohibiting the Sale of All Tobacco Flavored Products, Including but Not Limited to Cigarettes, Cigars, Little Cigars, Chewing Tobacco, Pipe Tobacco, Lozenges, Snuff, E-Liquid and Any Electronic Nicotine Delivery System**
From: Councilmembers Davila, Hahn, and Harrison
Recommendation: Direct the City Manager to adopt an ordinance prohibiting the sale of all tobacco flavored products, including but not limited to cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, lozenges, snuff, e-liquid and any electronic nicotine delivery system.
Financial Implications: Unknown
Contact: Cheryl Davila, Councilmember, District 2, 981-7120
Action: Item removed from the agenda by Councilmember Davila.
33. **Adopt an Ordinance Requiring All City of Berkeley Employees, Councilmembers, the Mayor and Their Respective Staff ("Mandated Employees") to Complete a Minimum of Three City Sponsored CERT Training Courses Offered by the City of Berkeley Fire Department**
From: Councilmembers Davila and Harrison
Recommendation: Direct the City Manager to adopt an ordinance requiring that all City of Berkeley employees, Councilmembers, the Mayor and their respective staff (hereinafter referred to as "mandated employees") complete a minimum of three city sponsored CERT training courses offered by the City of Berkeley Fire Department. The ordinance should be implemented within the next 6 months and email notifications should go out to the mandated employees notifying them of the ordinance. The mandated employees should be given a one year deadline to complete the trainings. A printout of the ordinance should be placed in onboarding binders for new hires and the ordinance should be presented to the new hires at the time of onboarding. Second, it should also be highly recommended that commissioners complete a CERT course. Third, Councilmembers and the Mayor should work with the City of Berkeley Fire Department to promote the free classes throughout their districts so that individuals in the communities of Berkeley are made aware of this service and are encouraged to attend. Fourth, there should be consideration regarding user experience when registering online for CERT trainings. CERT class notifications should be highly visible in numerous places within the City of Berkeley website. The notification should appear on the City of Berkeley's home page and on the Fire Department's home page within the body text. The website should also include a full catalog of courses along with the descriptions. Finally, CERT classes should be made available as part of the City of Berkeley's Citywide Training program occurring during regular business hours.
Financial Implications: None
Contact: Cheryl Davila, Councilmember, District 2, 981-7120
Action: Item removed from the agenda by Councilmember Davila.

Information Reports

34. **Ambulance Billing Follow-up Audit Status Report**
From: City Manager
Contact: David Brannigan, Fire, 981-3473
Action: Received and filed.
35. **Annual Report - Open Government Commission**
From: City Manager
Contact: Farimah Brown, City Attorney, 981-6950
Action: Received and filed.
36. **Status Report: Performance Audit of the Payroll Audit Division**
From: Auditor
Contact: Ann-Marie Hogan, Auditor, 981-6750
Action: Received and filed.

Adjournment in memory of:

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

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

Adjourned at 10:39 p.m.

Communications

SB 54

1. Igor Tregub

Urban Shield

2. Norma Harrison

Short-Term Rental Ordinance

3. Marcy McGaugh

Secondhand Smoke Complaint Process

4. Carol Denney

Berkeley & Urban Development

5. Irwin Jerome

Homeless Coordinated Entry System (The Hub)

6. Mike Lee / Jacquelyn McCormick

2527 San Pablo Avenue

7. Constantine Philipides and Elizabeth Kowal

Food Vendor Incident

8. Jimmy Moore

School Children & Pesticides

- 9. Nancy Byers
- 10. Dunn Morena

Protests / Free Speech

- 11. Robert Alan
- 12. Kim Linden
- 13. Eric Friedman
- 14. Carol Denney
- 15. Peter Hedglon
- 16. Malcolm Burnstein
- 17. Donald Goldmacher
- 18. Fred Dodsworth
- 19. Richard

Supplemental Communications and Reports 1

Item 2: Expedited Electric Vehicle Charging Station Permitting, and Adding BMC Chapter 19.15

- 20. Revised materials, submitted by Planning & Development Department

Item 22: Amendments to the Signage Ordinance, Berkeley Municipal Code Chapter 20.16

- 21. Revised materials, submitted by Councilmember Hahn

Item 32: Adopt an Ordinance Prohibiting the Sale of All Tobacco Flavored Products, Including but Not Limited to Cigarettes, Cigars, Little Cigars, Chewing Tobacco, Pipe Tobacco, Lozenges, Snuff, E-Liquid and Any Electronic Nicotine Delivery System

- 22. Jaime Rojas

Supplemental Communications and Reports 2

Item 3: Expedited Review for Affordable Housing Projects

- 23. Christine Schwartz

Item 20: Oppose the Ending of Deferred Action for Childhood Arrivals (DACA)

- 24. Rent Stabilization Board

Item 22: Amendments to the Signage Ordinance, Berkeley Municipal Code Chapter 20.16

- 25. Charles Kahn

Item 23: Letter Expressing the City of Berkeley's Support for the Formation and Continuation of Community Choice Aggregation (CCA) Programs in California

- 26. Linnie Drolet

Item 26b: Companion Report: Automatic Door Openers in Multi-Unit Residential Buildings

- 27. Supplemental materials, submitted by Councilmember Harrison

Item 30: Amend the One-Percent for Art on Private Projects Ordinance to Increase the Required Valuation of On-Site Public Art

28. Supplemental materials, submitted by Councilmember Harrison

Supplemental Communications and Reports 3

Item 17: Location and Facilities Recommendation for the Pathways Project

29. Councilmember Hahn