

**ANNOTATED AGENDA  
BERKELEY CITY COUNCIL MEETING  
Tuesday, January 23, 2018  
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:** 6:03 p.m.

**Present:** Bartlett, Davila, Droste, Hahn, Harrison, Maio, Wengraf, Worthington, Arreguin.

**Absent:** None.

### **Ceremonial Matters:**

1. Recognition of Daniel Maher, Ecology Center
2. Adjournments In Memory Of (see adjournment section)

### **City Auditor Comments:**

1. Update on the Zero Waste 2020 Goal report from the Public Works Department

**City Manager Comments:** None

**Public Comment on Non-Agenda Matters:** 10 speakers.

**Public Comment on Consent Calendar and Information Items Only:** 12 speakers.

### **Consent Calendar**

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

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

Councilmember Bartlett absent 7:03 p.m. – 9:46 p.m.

Recess 7:08 p.m. – 7:12 p.m.

## Consent Calendar

- 1. Amending Open Government Ordinance Regarding Submission of Revised or Supplemental Agenda Material**  
**From: Mayor Arreguin and Councilmembers Droste, Wengraf, and Hahn**  
**Recommendation:** Adopt second reading of Ordinance No. 7,588-N.S. amending Berkeley Municipal Code Section 2.06.070.E to require the submission of revised or supplemental agenda material by noon the day prior to the City Council meeting at which the item will be considered.  
**First Reading Vote:** Ayes – Maio, Davila, Bartlett, Harrison, Wengraf, Worthington, Droste, Arreguin; Noes – None; Absent – Hahn.  
**Financial Implications:** Staff time  
Contact: Jesse Arreguin, Mayor, 981-7100  
**Action:** Adopted second reading of Ordinance No. 7,588-N.S.
- 2. Minutes for Approval**  
**From: City Manager**  
**Recommendation:** Approve the minutes for the Council meetings of November 7, 2017 (special), December 5 (regular), December 7, 2017 (special), December 11, 2017 (special), December 18, 2017 (special closed), and December 19, 2017 (special).  
**Financial Implications:** None  
Contact: Mark Numainville, City Clerk, 981-6900  
**Action:** Approved minutes as submitted.
- 3. Appointment of Director of Human Resources**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution confirming the appointment of LaTanya Bellow as the Director of Human Resources to be effective January 29, 2018 at an annual salary of \$206,950.  
**Financial Implications:** See report  
Contact: Dee Williams-Ridley, City Manager, 981-7000  
**Action:** Adopted Resolution No. 68,281–N.S. as amended in Supplemental Reports Packet #2 to change the built-in raise from 5% to 2.5%.
- 4. Appointment of Fire Chief**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution confirming the appointment of David Brannigan as the Fire Chief to be effective January 28, 2018 at an annual salary of \$194,472.  
**Financial Implications:** See report  
Contact: Dee Williams-Ridley, City Manager, 981-7000  
**Action:** Adopted Resolution No. 68,282–N.S.

## Consent Calendar

- 5. Donation to the Animal Shelter from the Stephen and Mary Birch Foundation**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution accepting a donation from the estate of Stephen and Mary Birch in the sum of \$10,000.  
**Financial Implications:** \$10,000 (Donation)  
Contact: Jovan Grogan, City Manager's Office, 981-7000  
**Action:** Adopted Resolution No. 68,283–N.S.
- 6. Activation of Downtown Berkeley BART Plaza**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to implement programs to activate Downtown Berkeley BART Plaza, including: 1) implementing a pilot program to permit two food vendors at Downtown Berkeley BART Plaza for one year, and 2) executing a contract with Downtown Berkeley Association for the production of arts and cultural activities at Downtown Berkeley BART Plaza in an amount not to exceed \$50,000, and authorizing renewal of that contract for up to two years, for a total amount not to exceed \$150,000.  
**Financial Implications:** See report  
Contact: Jordan Klein, Economic Development, 981-7530  
**Action:** Moved to Action Calendar. 6 speakers. M/S/C (Worthington/Arreguin) to adopt Resolution No. 68,284–N.S. as revised in Supplemental Reports Packet #2 to reduce the contract amount to \$10,000 per year for up to three years with the amendment in the Resolved clause to state "...with Downtown Berkeley Association for the non-exclusive production of arts and cultural programming..."  
**Vote:** All Ayes.
- 7. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on January 23, 2018**  
**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 - \$865,000  
Contact: Henry Oyekanmi, Finance, 981-7300  
**Action:** Approved recommendation.
- 8. Fire Department Donation**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution accepting a donation in the amount of \$62,154.42 from the Fusako Castro Estate to the Berkeley Fire Department.  
**Financial Implications:** General Fund - \$62,154.42 (Donation)  
Contact: David Brannigan, Fire, 981-3473  
**Action:** Adopted Resolution No. 68,285–N.S.

## Consent Calendar

- 9. Amend Contract No. 010577: Dorothy Day House for Winter Shelter Expansion**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 010577 with Dorothy Day House to add \$180,000 to expand the existing Berkeley Emergency Storm Shelter (BESS) and operate a nightly winter shelter for up to 140 nights, potentially at two sites, through April 15, 2018 for a total contract amount not to exceed \$251,324.  
**Financial Implications:** General Fund - \$180,000  
Contact: Paul Buddenhagen, Housing and Community Services, 981-5400  
**Action:** Adopted Resolution No. 68,286–N.S.
- 10. Increase Berkeley Paratransit Services Taxi Scrip Redemption Window Cash Drawer Amount**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing Berkeley Paratransit Services (BPS) to increase the cash drawer amount for the Taxi Scrip Redemption window to \$15,000 to allow BPS to increase the daily cash redemption limit from \$400 to \$800, one day per week.  
**Financial Implications:** See report  
Contact: Paul Buddenhagen, Housing and Community Services, 981-5400  
**Action:** Adopted Resolution No. 68,287–N.S.
- 11. Memorandum of Understanding for a Winter Relief Program**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to receive funds and execute a memorandum of understanding (MOU) between Alameda County and the City of Berkeley for a new Winter Relief Program which will provide literally homeless people on the streets of Berkeley respite.  
**Financial Implications:** See report  
Contact: Paul Buddenhagen, Housing and Community Services, 981-5400  
**Action:** Adopted Resolution No. 68,288–N.S.
- 12. Memorandum of Understanding for Alameda County Unsheltered Homeless Immediate Impact Program Funding**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to receive funds and negotiate and execute any agreement and amendments with the County of Alameda’s Housing and Community Development Department to support homeless programs that provide relief to unsheltered residents.  
**Financial Implications:** See report  
Contact: Paul Buddenhagen, Housing and Community Services, 981-5400  
**Action:** Adopted Resolution No. 68,289–N.S.

## Consent Calendar

### 13. **Mental Health Adult Clinic Renovation – Allocation of Measure T1 Funds**

**From: City Manager**

**Recommendation:** Adopt a Resolution authorizing the allocation of \$2 million of Phase 1 Measure T1 funds for major renovations of the City of Berkeley's Adult Mental Health Clinic located at 2640 Martin Luther King Jr. Way.

**Financial Implications:** See report

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

**Action:** No action taken on Consent Calendar vote.

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

**Action:** M/S/C (Hahn/Arreguin) to reconsider the vote on Item 13.

**Vote:** All Ayes.

**Action:** 3 speakers. M/S/C (Arreguin/Worthington) to adopt Resolution No. 68,290–N.S. authorizing the allocation of \$2 million of Phase 1 Measure T1 funds for major renovations of the City of Berkeley's Adult Mental Health Clinic located at 2640 Martin Luther King Jr. Way.

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

### 14. **Classification and Salary: Assistant Manager of Mental Health Services**

**From: City Manager**

**Recommendation:** Adopt a Resolution amending Resolution No. 67,484-N.S. Classification and Salary Resolution for Public Employees Union - Local One, to establish the classification of Assistant Manager of Mental Health Services with a monthly salary range of \$9,304 - \$11,311 effective January 23, 2018.

**Financial Implications:** See report

Contact: Margarita Zamora, Human Resources, 981-6800

**Action:** Adopted Resolution No. 68,291–N.S.

### 15. **Contract No. 5224F Amendment: Application Associates for Citywide Computer Training**

**From: City Manager**

**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 5224F to provide Citywide Computer Training, including foundational computer skills for erma (enterprise resource management application), increasing the amount by \$20,000 for a total not to exceed \$380,000 from April 1, 2001 to June 30, 2019.

**Financial Implications:** FUNDS\$ Replacement Fund - \$20,000

Contact: Savita Chaudhary, Information Technology, 981-6500

**Action:** Adopted Resolution No. 68,292–N.S.

## Consent Calendar

- 16. Contract: Kimley-Horn and Associates Incorporation (Inc.) for Broadband Infrastructure Master Plan**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a contract with Kimley-Horn and Associates Inc. for Broadband Infrastructure Master Plan, for a total not to exceed \$238,157 from March 1, 2018 to December 31, 2019.  
**Financial Implications:** Capital Improvement Fund - \$238,157  
Contact: Savita Chaudhary, Information Technology, 981-6500  
**Action:** Adopted Resolution No. 68,293–N.S.
- 17. Contract No. 10632 Amendment: GHD, Inc. for Structural Condition Assessment & Ferry Transportation Feasibility Study for Berkeley Pier**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 10632 for professional consultant services from GHD, Inc. by increasing the amount by \$94,744 for a new contract amount not to exceed \$330,744.  
**Financial Implications:** Measure T1, Infrastructure & Facilities Fund - \$94,744  
Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700  
**Action:** Adopted Resolution No. 68,294–N.S.
- 18. Contract No. 9535 Amendment: Carducci and Associates, Inc. for Landscape Architectural Services for Current Parks Projects**  
**From: City Manager**  
**Recommendation:** Adopt Resolution authorizing the City Manager to execute an amendment to Contract No. 9535 for on-call landscape architecture services with Carducci and Associates, Inc. by increasing the amount by \$75,000 for a not to exceed contract amount of \$395,000.  
**Financial Implications:** Various Funds - \$75,000  
Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700  
**Action:** Adopted Resolution No. 68,295–N.S.
- 19. DBW Loan Application: Dock Replacement at the Berkeley Marina**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee to submit a loan application to the California Department of Boating and Waterways (DBW) for a loan not to exceed \$5,000,000 for replacement docks at the Berkeley Marina.  
**Financial Implications:** See report  
Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700  
**Action:** Adopted Resolution No. 68,296–N.S.

## Consent Calendar

20. **Donation: Friends of Becky Temko Tot Park for Becky Temko Tot Park Renovation Project**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution accepting a cash donation from the Friends of Becky Temko Tot Park in the amount of \$7,000 for the Becky Temko Tot Park Renovation Project.  
**Financial Implications:** \$7,000 (Donation)  
Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700  
**Action:** Adopted Resolution No. 68,297–N.S.
21. **\*\*\*Removed from Agenda by City Manager\*\*\* Grant Applications: Land and Water Conservation Fund for up to Five Parks Improvement Projects**  
**From: City Manager**  
Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700
22. **Referral Response: Location Approval Process for Apothecarium Dispensary**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution establishing an approval process for a new location for the Apothecarium, a previously approved medical cannabis dispensary.  
**Financial Implications:** See report  
Contact: Timothy Burroughs, Planning and Development, 981-7400  
**Action:** Adopted Resolution No. 68,298–N.S.
23. **Community Workforce Agreement with Building Trades Council, et.al. for Construction Projects Over \$500,000**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a contract with the Building Trades Council and twenty-two labor organizations regarding the provision of labor to construction projects in Berkeley with an estimated value in excess of \$500,000 for a three-year term that will expire June 30, 2020.  
**Financial Implications:** See report  
Contact: Phillip Harrington, Public Works, 981-6300  
**Action:** Adopted Resolution No. 68,299–N.S. amended to change the title to “COMMUNITY WORKFORCE AGREEMENT WITH BUILDING TRADES COUNCIL, ET. AL., FOR CITY OF BERKELEY CONSTRUCTION PROJECTS OVER \$500,000” and amend the second Whereas clause and the Resolved clause to change “construction projects” to “City of Berkeley construction projects”
24. **Re-Appointment of Vylma Ortiz to the Mental Health Commission**  
**From: Mental Health Commission**  
**Recommendation:** Approve the re-appointment of Vylma Ortiz to the Mental Health Commission, as a representative of the General Public Interest category, to complete her three year term ending June 27, 2020.  
**Financial Implications:** None  
Contact: Karen Klatt, Commission Secretary, 981-5400  
**Action:** Adopted Resolution No. 68,300–N.S.

## Consent Calendar

25. **Freedom from Domestic Violence as a Human Right Resolution**  
**From: Commission on the Status of Women and Peace and Justice Commission**  
**Recommendation:** Adopt the Freedom from Domestic Violence as a Human Right Resolution.  
**Financial Implications:** None  
Contact: Shallon Allen, Commission Secretary, 981-7071  
**Action:** Adopted Resolution No. 68,301–N.S.
26. **Calling on the Federal Government to Extend Temporary Protected Status for All Nations Currently Under the Program, and to Establish a Pathway to Permanent Residency for Current Beneficiaries**  
**From: Peace and Justice Commission**  
**Recommendation:** Adopt a Resolution calling on the federal government to extend Temporary Protected Status (TPS) for all nations currently under the program, and to establish a pathway to permanent residency for current beneficiaries.  
**Financial Implications:** None  
Contact: Shallon Allen, Commission Secretary, 981-7071  
**Action:** Adopted Resolution No. 68,302–N.S.

## Council Consent Items

27. **Open the West Campus Pool All Year Round and Start the Shower Program at the West Campus Pool**  
**From: Councilmembers Davila and Bartlett**  
**Recommendation:** Short Term Referral to City Manager to assess the feasibility to keep the West Campus Pool open all year round and to start COB Shower Program at the West Campus Pool. Keeping the West Campus Pool open all year round will provide equitable swimming options in both North Berkeley and in South/West Berkeley and provide another location available for our community to shower.  
**Financial Implications:** Unknown  
Contact: Cheryl Davila, Councilmember, District 2, 981-7120  
**Action:** Councilmembers Harrison and Hahn added as co-sponsors. Approved recommendation.



## Council Consent Items

- 28. Budget Referral: Hopkins Street Corridor Traffic and Placemaking Study**  
**From: Councilmember Hahn**  
**Recommendation:** Refer to the Budget Process the funds necessary to undertake a traffic and placemaking study of the Hopkins/Monterey/Sacramento corridor; specifically, Sacramento Street from the southern approach of Rose Street to Hopkins, Hopkins from Gilman Avenue to Sutter/Henry, and the Monterey Avenue approach to Hopkins from the North. The study should include all intersections and use a “complete streets” approach to identify improvements to be integrated into the paving and bicycle infrastructure work already scheduled for this area and to identify additional projects to be undertaken over time, with an emphasis on pedestrian safety, bike and vehicle safety and flow, community-building and placemaking, parking, support for local businesses, green infrastructure and aesthetics. Include cost estimates, potential sources of funding and a proposed timeline for implementation of recommended improvements.  
**Financial Implications:** \$200,000  
Contact: Sophie Hahn, Councilmember, District 5, 981-7150  
**Action:** Approved recommendation.
- 29. Proclamation Reaffirming the City of Berkeley’s Commitment to Roe v. Wade**  
**From: Councilmembers Wengraf, Droste, Maio, and Worthington**  
**Recommendation:** Adopt a Proclamation reaffirming the City of Berkeley’s commitment to Roe v. Wade, honoring the 45th anniversary of its passage.  
**Financial Implications:** None  
Contact: Susan Wengraf, Councilmember, District 6, 981-7160  
**Action:** Adopted Resolution No. 68,303–N.S.
- 30. Adopt a More Student Housing Now Resolution to Facilitate Both University and Private Housing Investment in the Campus Area as Soon as Possible**  
**From: Councilmembers Worthington and Harrison, and Mayor Arreguin**  
**Recommendation:** Adopt a More Student Housing Now Resolution, to facilitate both University and private housing investment in the campus area as soon as possible, by prioritizing Planning Commission and City Council action to remove impediments.  
**Financial Implications:** Minimal  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170  
**Action:** Councilmember Bartlett added as a co-sponsor. Adopted Resolution No. 68,304–N.S.

## Council Consent Items

31. **Amend the Council Rules and Procedures to Address the Unintended Consequences Regarding the Operations of Ad-Hoc Committees From: Councilmembers Worthington and Davila, and Mayor Arreguin**  
**Recommendation:** Adopt a Resolution revising the City Council Rules of Procedure and Order regarding subcommittees to ensure the following changes: 1. The Ad-hoc Committee meetings must be open to public. 2. The public will be permitted to comment on agenda items but public comments may be limited to one minute if deemed necessary by the Committee Chair. 3. Agenda and the minutes of the meeting must be maintained and made available upon request.  
**Financial Implications:** Minimal  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170  
**Action:** Adopted Resolution No. 68,305–N.S. as written in Supplemental Reports Packet #2 and further amended to add parts 2 and 3 from the recommendation as noted below.

*Subcommittees shall conduct their meetings in public and in accessible locations that are open to the public. Meetings may be held at privately owned facilities provided that the location is open to all that wish to attend and that there is no requirement for purchase to attend. Agendas for subcommittee meetings must be posted in the same manner as the agendas for regular Council meetings except that subcommittee agendas may be posted with 24-hour notice. The public will be permitted to comment on agenda items but public comments may be limited to one minute if deemed necessary by the Committee Chair. Agendas and minutes of the meetings must be maintained and made available upon request.*

## Action Calendar – Public Hearings

### 32. ZAB Appeal: 2527 San Pablo Avenue

**From:** City Manager

**Recommendation:** Conduct a public hearing and upon conclusion, adopt a Resolution affirming the Zoning Adjustments Board (ZAB) decision, with revisions, to approve Use Permit No. ZP2016-0207 to demolish an existing vacant service station building and construct a six-story, mixed use building with 63 dwelling units, including 12 below market rate units for qualified persons with intellectual and developmental disabilities (I/DD); 3,179 square feet of combined ground floor commercial space for restaurant use including incidental service of beer and wine; and ground level parking for 49 vehicles; and dismissing the appeal.

**Financial Implications:** None

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

**Public Testimony:** The Mayor opened the public hearing. 34 speakers. M/S/C (Maio/Worthington) to close the public hearing.

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

**Action:** M/S/C (Hahn/Davila) to adopt Resolution No. 68,306–N.S. amended to add the conditions listed below affirming the Zoning Adjustments Board (ZAB) decision, with revisions, to approve Use Permit No. ZP2016-0207 to demolish an existing vacant service station building and construct a six-story, mixed use building with 63 dwelling units, including 12 below market rate units for qualified persons with intellectual and developmental disabilities (I/DD); 3,179 square feet of combined ground floor commercial space for restaurant use including incidental service of beer and wine; and ground level parking for 49 vehicles; and dismissing the appeal.

- Bedrooms without a window will not be counted as a bedroom and the names of the rooms on the plans must accurately reflect the type of room.
- Discounted (50%) laundry services will be provided to BMR units in perpetuity.
- Correct the number of BMR units in the Conditions to 12.
- Add a condition that requires an on-site manager.
- Approve concession to waive the remainder 0.6 unit Affordable Housing Mitigation Fee.

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

Recess 9:28 p.m. – 9:46 p.m.

## Action Calendar – Public Hearings

**33. Extend Residential Preferential Parking Permit Program on Sections of Blake Street, Ashby Avenue, and Prince Street**

**From: City Manager**

**Recommendation:** Conduct a public hearing and upon its conclusion, adopt a Resolution amending Resolution No. 56,508-N.S. Sections 25C, 25J and 25M by adding subsections to extend Residential Preferential Permit Parking on three city blocks of Blake Street, Ashby Avenue, and Prince Street.

**Financial Implications:** General Fund - \$2,543

Contact: Phillip Harrington, Public Works, 981-6300

**Public Testimony:** The Mayor opened the public hearing. 0 speakers.

M/S/C (Maio/Worthington) to close the public hearing.

**Vote:** All Ayes.

**Action:** M/S/C (Worthington/Maio) to adopt Resolution No. 68,307–N.S.

**Vote:** All Ayes.

## Action Calendar – Old Business

**34a. Proposed Ordinance: Surveillance Technology Use and Community Safety**  
*(Continued from December 5, 2017)*

**From: Police Review Commission**

**Recommendation:** Adopt first reading of an ordinance governing the approval, acquisition, and use of surveillance technology by the City of Berkeley.

**Financial Implications:** Staff time

Contact: Katherine Lee, Commission Secretary, 981-4950

**34b. Companion Report: Proposed Ordinance: Surveillance Technology and Community Safety**  
*(Continued from December 5, 2017)*

**From: City Manager**

**Recommendation:** Refer this item to the City Council Agenda Committee for scheduling to return to the City Council no later than January 30, 2018 to allow additional time for City staff to resolve differences with the Police Review Commission's recommendations or develop alternative recommendations for the City Council to consider.

**Financial Implications:** Staff time

Contact: Andrew Greenwood, Police, 981-5900 and David Brannigan, Fire, 981-3473

**Action:** 6 speakers. M/S/C (Arreguin/Worthington) to hold over Items 34a and 34b to January 30, 2018 including revised materials submitted by the City Manager.

## Action Calendar – Old Business

- 35. Strengthening Provisions of Significant Community Benefits in the Downtown**  
*(Continued from December 5, 2017. Item contains revised materials.)*  
**From: Councilmember Harrison and Mayor Arreguin**  
**Recommendation:** Adopt a Resolution establishing a more specific process and more precise standards for evaluating “Significant Community Benefit” packages for buildings exceeding 75 feet in the Downtown area, and rescinding Resolution No. 67,172-N.S.  
**Financial Implications:** See report  
Contact: Kate Harrison, Councilmember, District 4, 981-7140  
**Action:** Item moved to Consent Calendar and held over to February 13, 2018. Created Ad-Hoc Subcommittee of Councilmembers Worthington, Harrison, Droste, and Mayor Arreguin tasked with analyzing the issue and reporting to Council on February 13, 2018.

## Action Calendar – New Business

- 36a. Referral Response - Summer Learning Loss**  
**From: Children, Youth, and Recreation Commission**  
**Recommendation:** The Children, Youth and Recreation Commission recommends that the City Council direct the City Manager to assign the appropriate City staff to meet with appropriate Berkeley Unified School District staff as a first step toward understanding the issue of summer learning loss in Berkeley, and the existing summer learning activities available to elementary school students.  
**Financial Implications:** Staff time  
Contact: Stephanie Chu, Commission Secretary, 981-6700

## Action Calendar – New Business

### 36b. Companion Report: Referral Response - Summer Learning Loss

**From: City Manager**

**Recommendation:** Refer to the City Manager to work with community partners that support the City's 2020 Vision Program to determine the appropriateness of addressing the youth summer learning loss in Berkeley, and the existing summer learning activities available to elementary school students, as a part of the goals and objectives of the 2020 Vision Program.

**Financial Implications:** See report

Contact: Dee Williams-Ridley, City Manager, 981-7000

**Action:** 2 speakers. M/S/C (Harrison/Davila) to refer Item 36a to the City Manager, removing the reference to assigning to staff, and referring the item to the 2 x 2 Committee and request that the 2 x 2 Committee invite the Board of Library Trustees and the Commission to present information.

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

Councilmember Worthington absent 10:40 p.m. – 11:30 p.m.

**Action:** M/S/C (Arreguin/Davila) to suspend the rules and extend the meeting to 11:30 p.m. to hear Items 37 and 39.

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

### 37a. Addressing Critical Concerns of the Homeless - Port-a-Potties, Wash Stations and Trash Removal at Encampments/Hepatitis A Vaccine Distribution

**From: Homeless Commission**

**Recommendation:** Adopt a Resolution to 1. Develop a quick, barrier-free process to provide port-a-potties, wash stations, and trash pick-up for unsheltered homeless residents, prioritizing the largest encampments and taking into consideration proximity, safety and accessibility; and 2. Support the City's securing and administration of Hepatitis A vaccines; have them provided where homeless persons generally congregate; and have community-based organizations that receive funding from the City distribute information about where homeless persons can access these vaccines.

**Financial Implications:** See report

Contact: Peter Radu, Commission Secretary, 981-5400

## Action Calendar – New Business

**37b. Companion Report: Addressing Critical Concerns of the Homeless - Port-a-Potties, Wash Stations and Trash Removal at Encampments/Hepatitis A Vaccine Distribution**

**From: City Manager**

**Recommendation:** Take no action on the Homeless Commission's resolution, and instead allow City staff to continue making progress on current efforts to distribute port-a-potties, handwashing stations, trash pick-up, and Hepatitis A vaccine.

**Financial Implications:** See report

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

**Action:** 2 speakers. No action taken. Item held over to February 13, 2018.

## Council Action Items

**38. Establishing a Joint Subcommittee for the Implementation of Housing Laws**

**From: Mayor Arreguin**

**Recommendation:** Adopt a Resolution establishing the formation of a Joint Subcommittee that will focus on the implementation of the California Housing Package, the Housing Accountability Act, and the recently prioritized city Short-Term Housing Action Plan (HAP). The Joint Subcommittee will be subject to the Fair Representation Ordinance and will consist of members appointed from the Zoning Adjustment Board, Housing Advisory Commission, and Planning Commission.

**Financial Implications:** Unknown

Contact: Jesse Arreguin, Mayor, 981-7100

**Action:** Moved to Consent Calendar. Adopted Resolution No. 68,308–N.S. as amended in Supplemental Reports Packet #2 to allow Councilmembers to appoint any commissioner from the designated commissions.

## Council Action Items

39. **Replace Berkeley City Limit Signs to Read: “Welcome to Berkeley”, “LOVE LIFE!”, “Sanctuary City” and “Ohlone Territory”**  
**From: Councilmember Davila and Mayor Arreguin**  
**Recommendation:** Short Term Referral to the City Manager to replace Berkeley City Limit Signs to read: "Welcome to Berkeley", "LOVE LIFE!", "Sanctuary City" and "Ohlone Territory".  
**Financial Implications:** See report  
Contact: Cheryl Davila, Councilmember, District 2, 981-7120  
**Action:** 8 speakers. M/S/C (Arreguin/Wengraf) to refer the item to the Transportation Commission and request that the Commission’s recommendation appear on the Council agenda no later than six months from January 23, 2018.  
**Vote:** Ayes – Davila, Bartlett, Harrison, Hahn, Wengraf, Arreguin; Noes – None; Abstain – None; Absent – Maio, Worthington, Droste.
- Councilmember Droste absent 10:55 p.m. – 11:30 p.m.
- Councilmember Maio absent 11:03 p.m. – 11:30 p.m.

## Information Reports

40. **Referral Response: Creation of a New Classification - Housing Inspection and Community Services Manager**  
**From: City Manager**  
Contact: Timothy Burroughs, Planning and Development, 981-7400  
**Action:** Received and filed.
41. **Audit Status Report: Unified Vision of Zero Waste Activities Will Help Align Service Levels with Billing and Ensure Customer Equity**  
**From: City Manager**  
Contact: Phillip Harrington, Public Works, 981-6300  
**Action:** Received and filed.
42. **Underfunded Mandate: Resources, Strategic Plan, and Communication Needed to Continue Progress Towards the Year 2020 Zero Waste Goal Public Works Zero Waste Division Update Status Report**  
**From: City Manager**  
Contact: Phillip Harrington, Public Works, 981-6300  
**Action:** Received and filed.
43. **“To Achieve Fairness and Impartiality” – Report and Recommendations from the Berkeley Police Review Commission**  
**From: Police Review Commission**  
Contact: Katherine Lee, Commission Secretary, 981-4950  
**Action:** Item held over to March 13, 2018.



## Information Reports

### 44. Update On Berkeley Homeless Task Force Recommendations

**From: Mayor Arreguin**

Contact: Jesse Arreguin, Mayor, 981-7100

**Action:** Received and filed, including materials submitted in Supplemental Reports Packet #2.

**Public Comment – Items Not Listed on the Agenda – 0 speakers.**

## Adjournment

Adjourned the meeting in memory of:

1. Shelley Rideout, Local Activist
2. Sandra Hunt, Local Activist
3. John Oliver Simon, Local Poet
4. Dorothy Bryant, Local Artist
5. Hugh Masekela, Musician
6. Edwin Hawkins, Musician

Adjourned at 11:30 p.m.

## Communications – 01/23/18

**Item 26: Calling on the Federal Government to Extend Temporary Protected Status for All Nations Currently Under the Program, and to Establish a Pathway to Permanent Residency for Current Beneficiaries**

1. Russ Bumper

**Item 32: ZAB Appeal: 2527 San Pablo Avenue**

2. Bette Flushman
3. Penelope Cooper
4. Constantine Philipides
5. Jennifer Cooper
6. Maria Rose Keys
7. Toni Mester

**Item 34: Surveillance Technology Use and Community Safety**

8. Veterans for Peace

**Developer Bills**

9. Zelda Bronstein

**Hub Issues**

10. Mike Lee (3)

**Thank You**

11. Abigail Steckel

**Progressives**

12. Avram Gur Arye

**Telegraph / Haste**

13. Jack Kurzweil

**Encampment Fires**

14. Autumn Moon

15. Eric Friedman

**Smoke-Free Signage**

16. Carol Denney (2)

**Encampment on Median**

17. Barbara Brust

**Housing Complaint**

18. Elidia Duarte

**NCRIC / UASI**

19. Linda Franklin

**Police Staffing**

20. Victoria Legg

21. David Lerman

22. Eric Friedman

23. Paul Winsberg

24. John Prausnitz

25. Kelly Hammargren

26. Linda Stone

27. Josh Maddox

28. Matthew Monteen

29. Paula Israel

30. Anthony Marzo

**Electric Vehicles**

31. Kelly Hammargren

**CBCB Marijuana Dispensary**

32. Leah Greenblat

**LPC Concerns**

33. Tree Fitzpatrick

**Pepper Spray Article**

34. Russ Bumper

**Armed Private Security Guards**

35. Louise Rosenkrantz

**Israel Concerns**

36. George Muenz

37. Tena

## **Housing / Police Issues**

38. Lisa Nuss

## **Court Document**

39. W.B.C.

## **Supplemental Communications and Reports 1**

### **Item 13: Mental Health Adult Clinic Renovation – Allocation of Measure T1 Funds**

40. Parks & Waterfront Commission

### **Item 32: ZAB Appeal: 2527 San Pablo Avenue**

41. Jonathan Singh

42. Toni Mester

### **Item 34a: Proposed Ordinance: Surveillance Technology Use and Community Safety**

43. Supplemental materials, submitted by Police Department

44. McGee-Spaulling Neighbors in Action

### **Item 35: Strengthening Provisions of Significant Community Benefits in the Downtown**

45. Linda Franklin

46. David Ushijima

47. Nancy an Zwalenburg

48. Patrick Oh

49. Pamela Webster

50. Zipporah Collins

51. Janis Ching

52. Wellstone Democratic Renewal Club

53. Thomas Lord

54. Ryan Steinberg

55. Ken Knabb

56. Chris Schildt

57. Michael Weber

## **Supplemental Communications and Reports 2**

### **Item 3: Appointment of Director of Human Resources**

58. Revised materials, submitted by City Manager's Office

### **Item 6: Activation of Downtown Berkeley BART Plaza**

59. Supplemental materials, submitted by Councilmember Worthington

60. Carol Denney

### **Item 30: Adopt a More Student Housing Now Resolution to Facilitate Both University and Private Housing Investment in the Campus Area as Soon as Possible**

61. Christine Schwartz

62. Sheila Goldmacher

63. East Bay for Everyone

64. Associated Students of the University of California

65. 40 similarly-worded letters submitted by Connor Hughes, Holden Valentine, Calvin Nguyen, Jordan Keen, Amy Choi, Courtney Park, Angie Chen, Shasun Sulur, Salwa Meghjee, Tyler Jacobson, Iris Vold, Savannah Gray, Jung-Han Hsia, Samuel Kung, Kylie Murdock, Anna Whitney, Angelica Rodriguez, Melody Lin, Gissell Vasquez, Ella Smith, Joanna Chen, Varsha Sarveshwar, Alondra Tlatelpa, Farah Oraby, Tansy Cai, Bryan Osorio, Adam Bittenson, Anjali Nadeswaran, Dana Alpert, Tiffany Chang, Mark Green, Nelson Ke, Dominick Williams, Jyhying Chang, Elizabeth Ramirez, Madison Miller, David Ying, Nuha Khalfay, Matthew Lewis, Austin Smith

**Item 31: Amend the Council Rules and Procedures to Address the Unintended Consequences Regarding the Operations of Ad-Hoc Committees**

66. Revised materials, submitted by Councilmember Worthington

67. Kelly Hammargren

**Item 32: ZAB Appeal: 2527 San Pablo Avenue**

68. Alesia Connelly

69. Ted Dienstfrey

70. Michelle Donaldson

71. Jill Escher

72. Patrick Sheahan

73. Jim Corr

74. Homeless Commission

75. Marianne Iversen

76. Sophie Hahn

**Item 33: Extend Residential Preferential Parking Permit Program on Sections of Blake Street, Ashby Avenue, and Prince Street**

77. Meg Kunchai

**Item 34: Proposed Ordinance: Surveillance Technology Use and Community Safety**

78. Mimi Moungovan

79. Veteran for Peace, East Bay Chapter

80. 61 'in support of' form letters

**Item 35: Strengthening Provisions of Significant Community Benefits in the Downtown**

81. Luis Amezcua, on behalf of the Sierra Club

**Item 38: Establishing a Joint Subcommittee for the Implementation of Housing Laws**

82. Revised materials, submitted by Mayor Arreguin

**Item 39: Replace Berkeley City Limit Signs to Read: "Welcome to Berkeley", "LOVE LIFE!", "Sanctuary City" and "Ohlone Territory"**

83. Edward Manegold

84. Jessica Abbe

**Item 44: Update on Berkeley Homeless Task Force Recommendations**

85. Revised materials, submitted by Mayor Arreguin

## **Supplemental Communications and Reports 3**

### **Item 32: ZAB Appeal: 2527 San Pablo Avenue**

- 86. Presentation, submitted by Planning & Development
- 87. Kristen Zimmerman
- 88. Andy Forrest
- 89. Lauren Carroll
- 90. Linda Tung
- 91. Alex Krem
- 92. Emily Ahlvin
- 93. Eugenia Foon
- 94. Shelley Forrest
- 95. Lisa Rasler
- 96. Shelley Doty

### **Item 34: Proposed Ordinance: Surveillance Technology Use and Community Safety**

- 97.7 'in support of' form letters

### **Item 37b: Companion Report: Addressing Critical Concerns of the Homeless - Port-a-Potties, Wash Stations and Trash Removal at Encampments/Hepatitis A Vaccine Distribution**

- 98. Presentation, submitted by Health, Housing & Community Services