

**ANNOTATED AGENDA  
BERKELEY CITY COUNCIL MEETING**

**Tuesday, February 27, 2018**

**6:00 P.M.**

COUNCIL CHAMBERS - 2134 MARTIN LUTHER KING JR. WAY

TELECONFERENCE LOCATION:

OASIA HOTEL NOVENA - 8 SINARAN DRIVE, SINGAPORE, 307470

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:** 6:04 p.m.

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

**Absent:** Worthington

Councilmember Worthington present at 6:10 p.m.

**Ceremonial Matters:**

1. Proclamation recognizing Winston Burton
2. Proclamation recognizing Center for Early Intervention for Deafness
3. Adjourned in Memory of the Victims of the Parkland, Florida School Shooting
4. Adjourned in Memory of Zachary Cruz, on the 9<sup>th</sup> anniversary of his fatality as a pedestrian

**City Auditor Comments:**

The City Auditor provided updates on Items 25 and 28 related to audit status reports; noted the importance of monitoring program and service impacts and informing Council; noted the quick completion of audit recommendations by Parks, Recreation and Waterfront on the parks tax audit.

**City Manager Comments:**

1. Reopening ceremony for Tom Bates Sports Fields on March 2 at 8:50 a.m.

**Public Comment on Non-Agenda Matters:** 6 speakers.

**Public Comment on Consent Calendar and Information Items Only:** 3 speakers.

## Consent Calendar

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

**Vote:** All Ayes.

- 1. Amending BMC Chapter 9.04: Tax Rate for Non-Medical Cannabis Businesses**  
**From: Mayor Arreguin**  
**Recommendation:** Adopt second reading of Ordinance No. 7,590-N.S. amending Berkeley Municipal Code Chapter 9.04 to modify the business license tax rate for Non-Medical Cannabis Businesses to \$50/\$1,000 gross receipts (or 5%).  
**First Reading Vote:** Ayes – Maio, Davila, Bartlett, Harrison, Worthington, Droste, Arreguin; Noes – None; Abstain – Hahn, Wengraf.  
**Financial Implications:** See report  
Contact: Jesse Arreguin, Mayor, 981-7100  
**Action:** Adopted second reading of Ordinance No. 7,590-N.S.
- 2. Minutes for Approval**  
**From: City Manager**  
**Recommendation:** Approve the minutes for the Council meetings of January 8, 2018 (special closed), January 16, 2018 (special), January 22, 2018 (special closed), January 23, 2018 (special closed and regular), and January 30, 2018 (regular).  
**Financial Implications:** None  
Contact: Mark Numainville, City Clerk, 981-6900  
**Action:** Approved minutes as submitted.
- 3. Designate the Line of Succession for the Director of Emergency Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution approving the designated line of succession to the position of Director of Emergency Services in the event of an officially declared disaster, and rescinding Resolution No. 67,773-N.S.  
**Financial Implications:** None  
Contact: David Brannigan, Fire, 981-3473  
**Action:** Adopted Resolution No. 68,336–N.S.
- 4. Donation of Fire Apparatus and Equipment**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution donating surplus fire apparatus and equipment, including three surplus fire engines to the Bomberos de Tonalá and Bomberos de Yahualica.  
**Financial Implications:** See report  
Contact: David Brannigan, Fire, 981-3473  
**Action:** Adopted Resolution No. 68,337–N.S.

## Consent Calendar

- 5. Contract No. 9105E Amendment: Meyers Nave for Chief Labor Negotiations**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 9105E in the amount of \$50,000 with Meyers Nave for Chief Labor Negotiator services, for a revised total contract amount not to exceed \$300,000.  
**Financial Implications:** General Fund - \$50,000  
Contact: LaTanya Bellow, Human Resources, 981-6800  
**Action:** Adopted Resolution No. 68,338–N.S.
- 6. Contract: Redwood Engineering Construction for Becky Temko Tot Park Renovation**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution: 1. Approving the plans and specifications for Becky Temko Tot Park Renovation project, Specification No. 18-11175-C; and 2. Confirming that the bid from the lowest bidder, Alex Kushner General Contractor, has been deemed non-responsive; and 3. Accepting the bid of the second lowest responsive and responsible bidder, Redwood Engineering Construction; and 4. 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 Redwood Engineering Construction, for the Becky Temko Tot Park Renovation project at 2424 Roosevelt Avenue, Berkeley, CA 94703, in an amount not to exceed \$310,560, which includes a contract amount of \$258,800 and a 20% contingency in the amount of \$51,760.  
**Financial Implications:** Various Funds - \$310,560  
Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700  
**Action:** Adopted Resolution No. 68,339–N.S.
- 7. Establishment of a Sister City Relationship with Gongju, Republic of Korea**  
**From: Peace and Justice Commission**  
**Recommendation:** Adopt a Resolution establishing a sister city relationship with the municipality of Gongju in the South Chungcheong Province of the Republic of Korea.  
**Financial Implications:** None  
Contact: Shallon Allen, Commission Secretary, 981-7071  
**Action:** Adopted Resolution No. 68,340–N.S.

## Council Consent Items

**8. Enable Internal Renovation of a Residence That Does Not Increase the Footprint As an AUP if the Building is an Historic Non-Conforming Use in the Percent of Lot Coverage**

**From: Councilmembers Maio, Wengraf, Droste, and Harrison**

**Recommendation:** Refer to the Planning Commission to enable an AUP for the renovation of an existing residence, rather than a full public hearing, in the following circumstances: 1. The renovation does not increase the percentage of lot coverage; 2. The residence is an historic non-conforming use in the percentage of lot coverage; 3. The renovation does not appear to create an intensification of use; 4. No change to the building envelope.

**Financial Implications:** None

Contact: Linda Maio, Councilmember, District 1, 981-7110

**Action:** Approved recommendation revised to read as noted below.

*Refer to the Planning Commission to enable an AUP for the renovation of an existing residence, rather than a Use Permit, in the following circumstances: 1. The renovation does not increase the percentage of lot coverage; 2. The residence is an pre-existing non-conforming use in the percentage of lot coverage; 3. The renovation does not appear to create an intensification of use; 4. No change to the building envelope.*

**9. Restricting the Number of Vehicles Being Parked on Our Streets**

**From: Councilmembers Maio and Harrison**

**Recommendation:** Refer to the Transportation Commission to establish an ordinance that would prevent the parking of many multiples of vehicles on any given Berkeley street, or contiguous streets, by an individual owner.

**Financial Implications:** None

Contact: Linda Maio, Councilmember, District 1, 981-7110

**Action:** Councilmember Wengraf added as a co-sponsor. Approved recommendation.

**10. LifeLong Medical Care 2018 Gala: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds**

**From: Councilmember Davila**

**Recommendation:** Adopt a Resolution approving the expenditure of an amount not to exceed \$250 per Councilmember including \$150 from Councilmember Cheryl Davila, to LifeLong Medical Care, for their 2018 Gala on February 24, 2018, with funds relinquished to the City's general fund for this purpose from the discretionary Council Office Budgets of Councilmember Davila and any other Councilmembers who would like to contribute.

**Financial Implications:** Councilmember's Discretionary Funds - \$150

Contact: Cheryl Davila, Councilmember, District 2, 981-7120

**Action:** Adopted Resolution No. 68,341–N.S. revised to include contributions from the following Councilmembers up to the amounts listed: Councilmember Hahn - \$100; Councilmember Maio - \$100; Councilmember Bartlett - \$100.

## Council Consent Items

11. **Berkeley Youth Alternatives' 14th Annual Crab Feed Fundraiser: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds**  
**From: Councilmember Davila**  
**Recommendation:** Adopt a Resolution approving the expenditure of an amount not to exceed \$250 per Councilmember including \$100 from Councilmember Cheryl Davila, to Berkeley Youth Alternatives, for their 14th Annual Crab Feed Fundraiser on February 22, 2018, with funds relinquished to the City's general fund for this purpose from the discretionary Council Office Budgets of Councilmember Davila and any other Councilmembers who would like to contribute.  
**Financial Implications:** Councilmember's Discretionary Funds - \$100  
Contact: Cheryl Davila, Councilmember, District 2, 981-7120  
**Action:** Adopted Resolution No. 68,342–N.S. revised to increase Councilmember Davila's contribution from \$100 to \$150 and to include contributions from the following Councilmembers up to the amounts listed: Councilmember Hahn - \$100; Councilmember Maio - \$100; Councilmember Bartlett - \$100.
12. **Support Assembly Bill 403: Legislative Employee Whistleblower Protection Act**  
**From: Councilmember Worthington**  
**Recommendation:** That the Council support Assembly Bill 403 which ensures whistleblower protections for all legislative employees and send a letter to Governor Jerry Brown urging him to sign the bill into law.  
**Financial Implications:** Minimal  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170  
**Action:** Councilmember Davila added as a co-sponsor. Approved recommendation revised to read as noted in Supplemental Reports Packet #1.
- That the Council send a letter to Governor Jerry Brown appreciating him for signing the bill into law.*
13. **Request the DA to Drop the Charges Against AFSCME Worker, David Cole**  
**From: Councilmembers Worthington and Bartlett**  
**Recommendation:** That the Council send a letter requesting Alameda County DA to drop the charges against AFSCME worker David Cole.  
**Financial Implications:** Minimal  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170  
**Action:** Councilmember Davila added as a co-sponsor. Approved recommendation.

## Council Consent Items

14. **Repairing Claremont Court Gates at Russell St. and Claremont Blvd.: Relinquishment of Council Office Budget Funds**  
**From: Councilmember Droste**  
**Recommendation:** Adopt a Resolution approving the expenditure of an amount not to exceed \$250 per sponsoring Councilmember, with funds relinquished from the discretionary Council Office Budgets of Councilmember Droste and any other Councilmembers who would like to contribute. Funds would go to the Claremont Elmwood Neighborhood Association.  
**Financial Implications:** Councilmember's Discretionary Funds - \$250  
Contact: Lori Droste, Councilmember, District 8, 981-7180  
**Action:** Adopted Resolution No. 68,343–N.S. revised to include a contribution from Mayor Arreguin in the amount of \$250.

## Action Calendar – Public Hearings

15. **Residential Preferential Parking (RPP) Program Reform and Expansion**  
*(Continued from February 13, 2018.)*  
**From: City Manager**  
**Recommendation:** Conduct a public hearing and upon conclusion:  
1. Adopt second reading of Ordinance No. 7,589-N.S. amending Berkeley Municipal Code Title 14 to expand eligibility for Residential Preferential Parking to specified areas, allow Residential Preferential Parking in areas zoned Mixed Use Residential, authorize new meters in West Berkeley to manage commercial parking adjacent to residences in mixed-use areas, add a cap on the number of annual permits residents may purchase, and  
2. Adopt a Resolution raising permit fees to eliminate the Program's operating deficit and rescinding Resolution No. 66,895-N.S. effective March 1, 2018.  
**First Reading Vote:** All Ayes.  
**Financial Implications:** See report  
Contact: Phillip Harrington, Public Works, 981-6300
- Public Testimony:** The Mayor opened the public hearing. 3 speakers.  
M/S/C (Maio/Wengraf) to close the public hearing.  
**Vote:** Ayes – Maio, Davila, Bartlett, Harrison, Hahn, Wengraf, Droste, Arreguin;  
Noes – None; Abstain – None; Absent – Worthington.
- Councilmember Worthington absent 7:02 p.m. – 11:07 p.m.
- 3 speakers on second reading of ordinance.
- Action:** M/S/C (Maio/Hahn) to:  
1. Adopt second reading of Ordinance No. 7,589-N.S.  
2. Adopt Resolution No. 68,344–N.S.  
**Vote:** Ayes – Maio, Davila, Bartlett, Harrison, Hahn, Wengraf, Droste, Arreguin;  
Noes – None; Abstain – None; Absent – Worthington.

## Action Calendar – Public Hearings

### 16. Residential Curbside Electric Vehicle Charging Pilot Extension and Application Fee

**From: City Manager**

**Recommendation:**

1. Adopt a Resolution extending the Residential Curbside Electric Vehicle Charging Pilot (Pilot) through December 31, 2020, in conjunction with other efforts to plan for and increase electrical vehicle adoption. This Pilot, which allows Berkeley residents who lack off-street parking to install a space for charging an electric vehicle (EV) on their property or in the public right-of-way adjacent to their property, was originally approved by City Council on July 1, 2014, Resolution No. 66,707-N.S, for a three-year duration that concluded in December 2017; and
2. Conduct a public hearing and upon conclusion, adopt a Resolution establishing an administrative fee for processing Pilot applications to determine eligibility.

**Financial Implications:** See report

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

**Public Testimony:** The Mayor opened the public hearing. 3 speakers.

M/S/C (Wengraf/Hahn) to close the public hearing.

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

Councilmember Maio absent 7:31 p.m. – 7:36 p.m.

**Action:** M/S/C (Arreguin/Droste) to:

1. Adopt Resolution No. 68,345–N.S. (Extending Pilot)

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

**Action:** M/S/C (Arreguin/Droste) to:

2. Adopt Resolution No. 68,346–N.S. (Administrative Fee)

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

Councilmember Bartlett absent 7:52 p.m. – 8:00 p.m.

### 17. ZAB Appeal: 739 Channing Way, Use Permit ZP No. 2017-0039

**From: City Manager**

**Recommendation:** Conduct a public hearing and, upon conclusion, adopt a Resolution affirming the Zoning Adjustments Board decision to approve Use Permit No. ZP2017-0039 to construct three detached, three-story buildings with ten dwelling units, four live-work units for arts and crafts, one office space, and 16 off-street parking spaces.

**Financial Implications:** None

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

**Action:** Appeal withdrawn by appellant prior to meeting. 2 speakers. No action taken.

## Action Calendar – Old Business

18. **Letter of Support for SB 831 (Wieckowski) Land Use: Accessory Dwelling Units**  
(Continued from February 13, 2018.)

**From: Councilmembers Droste, Bartlett, and Harrison**

**Recommendation:** Send a letter of support to State Senator Nancy Skinner and State Assemblymember Tony Thurmond urging them to support SB 831 (Wieckowski) Land Use: Accessory Dwelling Units.

**Financial Implications:** Staff time

Contact: Lori Droste, Councilmember, District 8, 981-7180

**Action:** Item removed from the agenda by Councilmember Droste.

19. **Small Business Subcommittee Creation** (Continued from February 13, 2018.)

**From: Councilmember Droste, Mayor Arreguin, and Councilmembers Wengraf and Maio**

**Recommendation:** Form a four-person Mayor-Council ad-hoc subcommittee consisting of Mayor Arreguín, Councilmember Droste, Councilmember Maio, and Councilmember Hahn to explore issues related to Berkeley's small businesses.

**Financial Implications:** Staff time

Contact: Lori Droste, Councilmember, District 8, 981-7180

**Action:** M/S/C (Wengraf/Arreguin) to suspend the rules and extend the meeting to 11:10 p.m.

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

**Action:** 1 speaker. M/S/C (Droste/Arreguin) to approve the recommendation with the following revisions:

- Councilmember Harrison to replace Mayor Arreguin on the subcommittee
- Scope of subcommittee work limited to addressing the issues in the Worksession report by the Office of Economic Development and examining the feasibility of creating a new Fair Representation Ordinance commission for small business
- Subcommittee report back to Council due in September 2018

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

Councilmember Davila absent 10:59 p.m. – 11:07 p.m.

Councilmember Hahn absent 11:01 p.m. – 11:07 p.m.



## Action Calendar – Old Business

20. **Housing Advisory Commission’s U1 Recommendations** *(Continued from February 13, 2018.)*

**From: Housing Advisory Commission**

**Recommendation:** Targeting of U1 Funds: The City should consider establishing a household income targeting goal regarding U1 expenditures and housing affordability. To set this goal, the City could consider the use of progress made towards meeting the City’s Housing Element RHNA numbers. At present, the most under-served income groups are households with extremely low-incomes, low-incomes, and moderate-incomes. A second issue is how income groups are defined for purposes of allocating U1 funds. In general, affordable housing programs use Alameda County incomes defined by household size to determine program eligibility. While it can be argued that very low-income should be defined with a higher income threshold in Berkeley than in some other areas of Alameda County (considering differentials in the cost of living), there really are few other options, particularly if the City and its partners use U1 funds to leverage other funding from state and federal sources. Recommendations for Allocation of U1 Funds: 1. Initially allocate 15% for anti-displacement activities. These activities could include eviction defense and housing counseling, funding the housing retention program, and additional funds for a flexible housing subsidies pool. Remainder of funds to be used to maintain and increase the supply of permanently affordable housing; this may include co-operative housing. 2. Do not allocate all U1 revenues in a given fiscal year to a single project. Administrative Recommendations: 1. City to determine what percentage of U1 funds to be allocated for administration of U1 funds. 2. When appropriate, use the Housing Trust Fund process to allocate funds. 3. Track U1 deposits and expenditures – as promised in the ballot measure. 4. City needs to establish a way to track U1 Funds and expenditures. 5. City should prepare an annual report by May of each year for the HAC and public that reports on revenues and expenditures related to U1 funds.

**Financial Implications:** None

Contact: Amy Davidson, Commission Secretary, 981-5400

**Action:** Item held over to March 27, 2018.

## Action Calendar – New Business

### 21. Discussion and Direction Regarding Potential Ballot Measures for the November 6, 2018 General Municipal Election

**From:** City Manager

**Recommendation:** Discuss possible ballot measures for November 2018, and provide direction to the City Manager about which issues to include in a community survey.

**Financial Implications:** See report

Contact: Matthai Chakko, City Manager's Office, 981-7000

**Action:** M/S/C (Arreguin/Maio) to accept supplemental materials from staff on item 21.

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

**Action:** M/S/Failed (Davila/Harrison) to amend the main motion to include increasing councilmember salaries in the community survey.

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

**Action:** 1 speaker. M/S/C (Arreguin/Maio) to provide direction to staff to poll on the following potential measures:

- \$100M Bond for Affordable Housing for extremely low, very low, low, and moderate income households, including teachers.
- \$50M Bond for Affordable Housing for extremely low, very low, low, and moderate income households, including teachers.
- Graduated Transfer Tax for Affordable Housing for extremely low, very low, low, and moderate income households, including teachers – raised to 2% for homes sold for over \$750,000; and raised to 3% for homes sold for over \$2,000,000.
- Increase city sales tax by 0.5 percentage points to 9.75% for community safety – police staffing, retention, recruitment, and community policing, as well as mental health outreach services and transport.
- \$5M parcel tax, for a 12 year term, for homeless services including shelters, navigation center, and rapid rehousing.

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

## Action Calendar – New Business

### 22a. Wildland Urban Interface Fire Safety and Fire Safety Education

#### From: Disaster and Fire Safety Commission

**Recommendation:** Approve specific measures described to support the recommendations to: 1. Strengthen existing fire safety measures utilized by the City of Berkeley for the safety and wellbeing of its residents. 2. Strengthen existing fire education outreach efforts to make contact with more citizens by using both digital and paper media platforms. Proposed measures include: 1. Programmable alert sirens; 2. Form a subcommittee or workgroup comprised of members of both the Disaster Fire Safety and Parks and Waterfront Commissions to review the efficacy of the Fire Fuel Chipper and Debris Program as it is currently implemented; 3. Take advantage of federal, state, local, non-profit or PG&E grant opportunities for fire mitigation and education; 4. Clarify when to initiate the Red Flag Nixle warning; 5. Temporarily suspend the addition of Auxiliary Dwelling Units (ADUs) in the Very High Hazard Fire Zone to review public safety issues especially relevant to the risk of WUI fires. Amend Section 23D.10 to incorporate greater public safety considerations to be met before issuing an Auxiliary Unit Permit (AUP); 6. Enforce California Vehicle Code 22514 for stopping or parking near a fire hydrant; 7. Adopt parking restrictions on narrow streets in the Berkeley hills fire zone; and 8. The aforementioned subcommittee or workgroup (#2 above) will interface with Berkeley Path Wanderers Association to further encourage path restoration and maintenance with the goal of evacuation in mind.

**Financial Implications:** See report

Contact: Keith May, Commission Secretary, 981-3473

## Action Calendar – New Business

### 22b. Companion Report: Wildland Urban Interface Fire Safety and Fire Safety Education

**From: City Manager**

**Recommendation:** Recommend that City Council refer the specific operational items in the Disaster and Fire Safety Commission report to the budget process for consideration and review by impacted City departments.

**Financial Implications:** See report

Contact: David Brannigan, Fire, 981-3473

**Action:** 2 speakers. M/S/C (Hahn/Wengraf) to:

**A. Commend** the Disaster and Fire Safety Commission for their outstanding work in researching and putting together this set of recommendations.

#### **B. Take the following Action:**

##### 1. To address long term fire, earthquake and disaster preparedness, response, and safety:

Refer all of the Proposed Measures from the Commission's report to the City Manager for review by the Fire Department, Public Works, Parks, Recreation & Waterfront and other affected departments to be considered and prioritized along with:

- Councilmember Bartlett's November 28, 2017 referrals,
- Councilmember Hahn's January 30, 2018 referrals, and
- The January 2018 Conceptual Study to Underground Utility Wires

All of these measures should be reviewed, evaluated and prioritized by the City Manager. Report the City Manager's prioritization to Council.

Commission Referral #5 revised to read: 5. Refer to the Planning Commission to consider Accessory Dwelling Units (ADUs) in the Very High Hazard Fire Zone to review public safety issues especially relevant to the risk of WUI fires. Amend Section 23D.10 to incorporate greater public safety considerations to be met before issuing an Administrative Use Permit (AUP);

##### 2. To address the urgent firestorm risk demonstrated by the recent, devastating fires in Northern and Southern California:

Direct the City Manager to report back to Council identifying the most important, financially feasible measures that can be deployed immediately or with relative speed and will have the greatest impact on prevention and/or on the safety of both people and property in the event of a catastrophic fire, earthquake or other disaster. Include general information about existing sources of funding for each measure and an estimate of additional funds that might be required, as well as potential funding sources.

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

Recess 8:59 p.m. – 9:19 p.m.

## Action Calendar – New Business

23. **Conceptual Study for Undergrounding Utility Wires in Berkeley**  
**From: Public Works Commission, Disaster and Fire Safety Commission, and Transportation Commission**  
**Recommendation:** That Council approve the following items: 1. Conceptual Study for undergrounding utility wires in Berkeley (the “Undergrounding Plan”). 2. Proceed with Phase 3 of the Undergrounding Plan. We want to emphasize the importance for Berkeley to actively participate in the current California Public Utilities Commission review of the Rule 20 program.  
**Financial Implications:** See report  
Contact: Nisha Patel, Commission Secretary, 981-6300, Keith May, Commission Secretary, 981-3473, and Farid Javandel, Commission Secretary, 981-6300  
**Action:** 1 speaker. M/S/C (Maio/Wengraf) to accept the Conceptual Study for undergrounding utility wires in Berkeley (the “Undergrounding Plan”); and approve the commencement of further study in Phase 3 of the Undergrounding Plan as investigation, with amendments to Task 2 to read “Develop Financing Options,” and Task 5 to state “Consider implementation issues, barriers, and potential timing in the implementation of Phase 3.” Budget for staff assistance to be referred to the budget process. Request report back to Council after Task 5.  
**Vote:** Ayes – Maio, Davila, Bartlett, Harrison, Hahn, Wengraf, Droste, Arreguin; Noes – None; Abstain – None; Absent – Worthington.

## Information Reports

24. **\*\*\*Removed from the Agenda by the City Manager\*\*\* FY 2018 Mid-Year Budget Update**  
**From: City Manager**  
Contact: Teresa Berkeley-Simmons, Budget Manager, 981-7000
25. **Status Update: Audit Report on Written Guidance and Improved Monitoring Can Help Prevent Unnecessary Overtime at the Animal Shelter and Help Manage Citywide Comp Time at the Animal Shelter from October 1, 2014 – December 31, 2017**  
**From: City Manager**  
Contact: Jovan Grogan, City Manager's Office, 981-7000  
**Action:** Received and filed.
26. **Berkeley Economic Dashboards**  
**From: City Manager**  
Contact: Jordan Klein, Economic Development, 981-7530  
**Action:** Received and filed.

## Information Reports

27. **FY 2018 First Quarter Investment Report: Ended September 30, 2017**  
**From: City Manager**  
Contact: Henry Oyekanmi, Finance, 981-7300  
**Action:** Received and filed.
28. **Audit Status Report - Parks Tax: Good Practices in Place, Fiscal Year 2016 Expenditure Review**  
**From: City Manager**  
Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700  
**Action:** Received and filed.
29. **goBerkeley Parking Management Program - Recommended Adjustments for April 1, 2018**  
**From: City Manager**  
Contact: Phillip Harrington, Public Works, 981-6300  
**Action:** Received and filed.

## Public Comment on Non-Agenda Matters – 2 speakers

### Adjournment

**Action:** M/S/C (Droste/Maio) to adjourn the meeting in memory of:

1. Victims of the Parkland, Florida School Shooting
2. Zachary Cruz, on the 9<sup>th</sup> anniversary of his fatality as a pedestrian

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

Councilmember Harrison absent 11:05 p.m. – 11:07 p.m.

Adjourned at 11:07 p.m.

## Communications

### Centralized Location with Voicemail for Homeless

1. Homeless Commission

### Support CPUC Draft Resolution E-4907

2. Foothill Tax Payers Association

### Surveillance Technology Ordinance

3. Tree Fitzpatrick
4. Robert Byrne

### Places for the Homeless

5. Sarah Watson

**Alta Bates Campus**

6. Stacey Wells

**Police Staffing**

7. Janice Greenberg

8. Eric Perney

**2301 Bancroft Way**

9. Lorraine Mole

**Encampment Fire / Removal at Old City Hall**

10. Will Starr

11. Anne-Lise Francois

12. Carol Denney

13. Margy Wilkinson

14. Diana Bohn

15. Mike Zint

**Piles of Trash @ MLK Jr Way / Hearst**

16. David Lerman

**Illegal Camping at Public Parks**

17. David Lerman

**Municipal Bonds Suggestions**

18. Diego Aguilar-Canabal

**Encampment Along Ohlone Greenway**

19. Sandy Steinman

**Photos of Dare2Change Encampment**

20. Avram Gur Arye

**Albany Bown**

21. Thea Kelley

**Abandoned Properties**

22. Jack Kurzweil

23. Stephanie Allan

24. Nancy Chimmel

**Shelter at 9<sup>th</sup>/ University**

25. Rachel Crossman / Cheryl Davila

**Hours of Operation**

26. Mike Zint

**Power Washing on Shattuck**

27. Marc Bernasconi

**Rebecca Caplan / Bay Area Air Quality Management District**

28. 12 form letters submitted by Mary Rose, Joanna Katz, Janet Perlman, Sudia McCaleb, Nancy Feinstein, Margaret Norman, Walter Bankovitch, Todd Jailer, Caryn Graves, Laura Leipzig, Jane Harada, Randall G.

**Vacancy Registration Form**

29. W.B.C.

**Rent Ceilings**

30. W.B.C.

**Notice of Violation**

31. W.B.C.

**Copy of Cashier's Check**

32. W.B.C.

**Subpoena**

33. W.B.C.

**Request for Service**

34. W.B.C.

**Supplemental Communications and Reports 1**

**Item 12: Support Assembly Bill 403: Legislative Employee Whistleblower Protection Act**

35. Revised materials, submitted by Councilmember Worthington

**Supplemental Communications and Reports 2**

**Item 15: Residential Preferential Parking (RPP) Program Reform and Expansion**

36. Alfred Twu

**Item 17: ZAB Appeal: 739 Channing Way, Use Permit ZP No. 2017-0039**

37. Gordon Larks

**Item 23: Conceptual Study for Undergrounding Utility Wires in Berkeley**

38. Supplemental materials, submitted by Councilmember Wengraf

39. Judith Bloom

40. Jill Dodd

41. Martin Dodd

42. Judith Tabb

43. David Tabb

44. Alan Sanstad

45. Hilary Goldstine

46. Daniel Goldstine

47. Harry Pollack and Joanne Backman

48. Joy Carlin

49. Greg Murphy

50. Henry Abarbanel

51. Raymond Jeanloz

52. Shirley Issel

53. Jane Wenger

**Item 15: Residential Preferential Parking (RPP) Program Reform and Expansion**

54. 172 Communications submitted via Berkeley Considers, includes summary



information.

### **Supplemental Communications and Reports 3**

#### **Item 15: Residential Preferential Parking (RPP) Program Reform and Expansion**

55. Presentation, submitted by Public Works

56. Sandy Campbell

57. Carli Jipsen

58. Christine Schwartz

#### **Item 16: Residential Curbside Electric Vehicle Charging Pilot Extension and Application Fee**

59. Presentation, submitted by Planning & Development

#### **Item 17: ZAB Appeal: 739 Channing Way, Use Permit ZP No. 2017-0039**

60. Steven Goldin

#### **Item 19: Small Business Subcommittee Creation**

61. Ellen Jacobs

#### **Item 21: Discussion and Direction Regarding Potential Ballot Measures for the November 6, 2018 General Municipal Election**

62. Supplemental materials, submitted by City Manager's Office

#### **Item 22: Wildland Urban Interface Fire Safety and Fire Safety Education**

63. Victoria Legg

#### **Item 23: Conceptual Study for Undergrounding Utility Wires in Berkeley**

64. Nancy Turak

65. Marc Davis

66. Marvin Snow

67. Marissa Moss

68. Peter Schwab

69. Andrea Lewis

70. Jane Henderson

71. Diane Webershapiro

72. Marian Wolfe

73. Gail Machlis

74. Changiz Faizbakhsh

75. Charlotte & Kevin Gray

76. Grant Culter

77. Lynn Glaser

78. Robin Hollenberg

79. Kori Kody

80. Frederique Wynberg

81. Otto & Jessica Williams

82. Michael Frantz

83. Melanie Cornwell

84. Michael Cassidy

85. Terry Roberts

86. April Gilbert

87. Laura Louis

88. Vladimir Bazjanac

89. Terry Mandel

**Zachary Cruz Pedestrian Safety Month**

90. Frank Cruz