

**ANNOTATED AGENDA
BERKELEY CITY COUNCIL MEETING**

Tuesday, March 13, 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: 6:04 p.m.

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

Absent: Davila

Councilmember Davila present at 6:05 p.m.

Ceremonial Matters:

1. Recognition of Tamara Perkins, Local Yoga Teacher
2. Recognition of Faye Carol, Local Musician
3. Recognition of the Women Weavers of Jolom Mayaetik Cooperative

City Auditor Comments:

The City Auditor noted the accomplishments of Planning Department staff in implementing the audit recommendations and better performance measures; Noted the Snapshot update issued by the Auditor's Office; Noted the impact of the housing shortage on retaining talented city employees.

City Manager Comments: None

Public Comment on Non-Agenda Matters: 5 speakers.

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

Consent Calendar

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

Vote: All Ayes.

Consent Calendar

1. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on March 13, 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 - \$630,000

Contact: Henry Oyekanmi, Finance, 981-7300

Action: Approved recommendation.

2. Contract No 9709C Amendment: Pacific Site Management for the Provision of Landscape Maintenance Services

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No. 9709C with Pacific Site Management for the provision of landscape maintenance services at the North Berkeley Senior Center, South Berkeley Senior Center, West Berkeley Service Center, Berkeley Mental Health Clinics and the Ann Chandler Public Health Center, increasing the not to exceed amount by \$50,788 for a total not to exceed amount of \$209,518 through June 30, 2019.

Financial Implications: Various Funds - \$50,788

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

Action: Adopted Resolution No. 68,347–N.S.

3. Memorandum Agreement: International Brotherhood of Electrical Workers Local 1245

From: City Manager

Recommendation: Adopt two Resolutions:

1. Approving a new 16-month Memorandum Agreement with the International Brotherhood of Electrical Workers Local 1245 (hereinafter referred to as the "Union") with a term of June 18, 2017 through October 20, 2018, by authorizing the City Manager to execute and implement the new labor agreement that includes certain adjustments to salaries and benefits as set forth in the contract; and
2. Approving a new salary resolution for Representation Unit C that implement the new salary levels negotiated in the new labor agreement and rescinding Resolution No. 67,340–N.S.

Financial Implications: See report

Contact: LaTanya Bellow, Human Resources, 981-6800

Action: Adopted Resolution No. 68,348–N.S. (Agreement) and Resolution No. 68,349–N.S. (Salary).

Consent Calendar

- 4. Donation from Microsoft Dynamics: One (1) Surface Pro 4 128GB, Approximate Retail Value (ARV) \$999.00 and One (1) Surface Pro 4 Keyboard, Approximate Retail Value (ARV) \$129.99**
From: City Manager
Recommendation: Adopt a Resolution accepting one Surface Pro 4 128GB and one Surface Pro 4 Keyboard with a combined value of \$1128.99 from Microsoft Dynamics.
Financial Implications: None
Contact: Savita Chaudhary, Information Technology, 981-6500
Action: Adopted Resolution No. 68,350–N.S.
- 5. Lease Amendment: 200 Seawall Drive, RUI One Corporation (Skates Restaurant)**
From: City Manager
Recommendation: Adopt first reading of an Ordinance amending the City’s ground lease with RUI One Corporation, to extend it through December 31, 2018, to allow both parties to continue negotiations on a future lease, and add a holdover clause to follow standard leasing practices.
Financial Implications: See report
Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700
Action: Adopted first reading of Ordinance No. 7,591–N.S. revised as written below. Second reading scheduled for March 27, 2018.

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. FINDINGS

The City and Lessee are parties to a Ground Lease agreement between the City and Manning’s Inc., the Lessee’s predecessor-in-interest, dated March 23, 1967 (Ord. 4247-N.S.). This initial agreement has been amended by the City of Berkeley City Council on May 18, 1967; July 6, 1967; May 7, 1974 (Ord. 4697– N.S.); June 6, 1974; February 14, 1978 (Ord. 5027 – N.S.); and September 24, 1996 (Ord. 6341-N.S.). The Lease, as amended and assigned is set to expire on March 31, 2018. The City now wishes to extend the term of the Lease to December 31, 2018, and add a standard holdover provision to the agreement.

Section 2. AUTHORIZATION FOR CITY MANAGER TO ENTER INTO A GROUND LEASE AMENDMENT FOR 100 SEAWALL DRIVE

The City Manager is hereby authorized to enter into an Amendment to the Lease with RUI One Corporation for the premises at 100 Seawall Drive in Berkeley, which will extend the term of the lease from March 31, 2018, to December 31, 2018, and add a holdover provision. The terms of the amendment shall be substantially the same terms set forth in Exhibit A.

Consent Calendar

6. **Contract No. 9044 Amendment: Building Opportunities for Self-Sufficiency for Leaf and Litter Removal of City Streets and Sidewalks**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 9044 with Building Opportunities for Self-Sufficiency for leaf and litter removal of City streets and sidewalks, for an additional \$47,542 for a total contract amount not to exceed \$1,650,042.
Financial Implications: Zero Waste Fund - \$47,542
Contact: Phillip Harrington, Public Works, 981-6300
Action: Adopted Resolution No. 68,351–N.S.
7. **Contract: Mosto Construction, Inc. for Sanitary Sewer Rehabilitation - Urgent Sewer Repair Project FY 2018**
From: City Manager
Recommendation: Adopt a Resolution approving plans and specifications for the Urgent Sewer Repair Project FY 2018 with sites located throughout the City; accepting the bid of the lowest responsible bidder, Mosto Construction, Inc.; and, authorizing execution of a contract and any amendments, extensions, or change orders until completion of the project in accordance with approved plans and specifications, in an amount not to exceed \$412,078.
Financial Implications: Sanitary Sewer Operation - \$412,078
Contact: Phillip Harrington, Public Works, 981-6300
Action: Adopted Resolution No. 68,352–N.S.
8. **Contracts: On-Call Structural Engineering Services, IDA Structural Engineers, Inc. and KPW Structural Engineers, Inc.**
From: City Manager
Recommendation: Adopt two Resolutions authorizing the City Manager to execute the following contracts and any amendments for on-call structural engineering services for capital improvement projects, each for a period of July 1, 2018 through June 30, 2021:
1. IDA Structural Engineers, Inc. (IDA), for an amount not to exceed \$150,000.
2. KPW Structural Engineers, Inc. (KPW), for an amount not to exceed \$150,000.
Financial Implications: See report
Contact: Phillip Harrington, Public Works, 981-6300
Action: Adopted Resolution No. 68,353–N.S. (IDA) and Resolution No. 68,354–N.S. (KPW).

Consent Calendar

- 9. Major Encroachment Permit: 0 Panoramic Way**
From: City Manager
Recommendation: Adopt a Resolution authorizing the issuance of a major encroachment permit to East Bay Municipal Utility District, for a turnout constructed in the public right-of-way fronting 0 Panoramic Way (Assessor's Parcel Number 055-1862-053).
Financial Implications: None
Contact: Phillip Harrington, Public Works, 981-6300
Action: Adopted Resolution No. 68,355–N.S.
- 10. Festival Grants Program**
From: Civic Arts Commission
Recommendation: Refer to the City Manager the establishment of the City of Berkeley Festival Grants Program to allocate General Fund grants for special events and festivals via a regular and transparent process, for implementation beginning in the FY2020 budget year.
Financial Implications: See report
Contact: Mary Ann Merker, Commission Secretary, 981-7530
Action: Approved recommendation revised to include direction that the commission will include geographic and racial entity when considering funding requests.
- 11. Re-appointment of Paul Kealoha-Blake to the Mental Health Commission**
From: Mental Health Commission
Recommendation: Adopt a Resolution for the re-appointment of Paul Kealoha-Blake to the Mental Health Commission, as a representative of the General Public Interest category, to complete his third term ending March 21, 2021.
Financial Implications: None
Contact: Karen Klatt, Commission Secretary, 981-5400
Action: Adopted Resolution No. 68,356–N.S.

Council Consent Calendar

- 12. Supporting FairVote California's Proposed Changes to Ranked Choice Voting Reporting**
From: Mayor Arreguin, and Councilmembers Hahn and Harrison
Recommendation: Send a Letter to the Alameda County Registrar of Voters asking them to implement FairVote California's proposal to process the redistribution of votes in ranked choice elections until only two candidates remain.
Financial Implications: None
Contact: Jesse Arreguin, Mayor, 981-7100
Action: Councilmember Davila added as a co-sponsor. Approved recommendation.

Council Consent Items

- 13. Referral to the City Manager's Office: Amendments to Berkeley Municipal Code Title 14**
From: Councilmembers Bartlett and Hahn
Recommendation: Refer to the City Manager's office to: 1. Develop amendments to Berkeley Municipal Code Title 14 to authorize new parking meters in South Berkeley along the following areas: a. Shattuck Ave between Derby and Ward; and b. Shattuck Ave between Derby and Carleton. 2. Hold a public hearing and upon conclusion adopt the first reading of the ordinance incorporating amendments identified above.
Financial Implications: Staff time
Contact: Ben Bartlett, Councilmember, District 3, 981-7130
Action: Approved recommendation revised to delete recommendation #2.
- 14. Support for H.R. 4779, the Restricting Excessive Federal Enforcement and Regulations of Cannabis (REFER) Act of 2018**
From: Councilmembers Bartlett and Davila
Recommendation: Adopt a Resolution of support for the Restraining Excessive Federal Enforcement & Regulations of Cannabis Act (REFER) Act of 2018 introduced by Congresswoman Barbara Lee. Send a copy of the resolution to Congresswoman Barbara Lee.
Financial Implications: See report
Contact: Ben Bartlett, Councilmember, District 3, 981-7130
Action: Adopted Resolution No. 68,357–N.S.
- 15. Support for the Marijuana Justice Act of 2018**
From: Councilmembers Bartlett and Davila
Recommendation: Adopt a Resolution of support for the Marijuana Justice Act of 2018, the comprehensive marijuana reform legislation that has been introduced by Congresswoman Barbara Lee. Send a copy of the resolution to Congresswoman Barbara Lee.
Financial Implications: See report
Contact: Ben Bartlett, Councilmember, District 3, 981-7130
Action: Adopted Resolution No. 68,358–N.S.
- 16. Support for the Congresswoman Barbara Lee's Resolution (H. Con. Res. 74) Affirming the Right of All Renters to a Safe, Affordable, and Decent Home**
From: Councilmembers Bartlett, Hahn, and Davila
Recommendation: Adopt a Resolution of support for H.Con.Res.74 of 2017, a resolution that has been introduced by Congresswoman Barbara Lee. Send a copy of the resolution to Congresswoman Barbara Lee.
Financial Implications: See report
Contact: Ben Bartlett, Councilmember, District 3, 981-7130
Action: Adopted Resolution No. 68,359–N.S.

Council Consent Items

- 17. Referral to the Arts Commission and the City Manager: Cost Estimate and Plan for Installation of Sculpture Lighting into Adjacent Street Lights for the William Byron Rumford Statue on Sacramento and Julia St**
From: Councilmembers Bartlett, Harrison, Davila, and Hahn
Recommendation: Refer to the City Manager a request to develop a cost estimate and an installation plan for installing sculpture lighting into adjacent street lights for the William Byron Rumford statue on Sacramento and Julia Street. Refer the cost estimate and plan to the Arts Commission.
Financial Implications: Staff time
Contact: Ben Bartlett, Councilmember, District 3, 981-7130
Action: Approved recommendation.
- 18. Budget Referral: Installation of Traffic Lights, HAWK Lights, or Stop Sign at California St & Ashby Ave**
From: Councilmember Bartlett
Recommendation: Refer to the budget process the installation of Traffic Lights, HAWK Lights, or Stop Signs at the intersection of California St & Ashby Ave. If such an installation is approved in the budget process, direct the City Manager and Transportation staff to expedite said installation. Prior to installation of either Traffic Lights, HAWK Lights or Stop Signs in this location, a traffic study and public hearing must be held to consider the impacts of the proposed improvements. This item urges staff to expeditiously complete all steps necessary to install the improvements immediately after the budget referral is approved.
Financial Implications: \$10,000-\$400,000
Contact: Ben Bartlett, Councilmember, District 3, 981-7130
Action: Councilmember Davila added as a co-sponsor. Approved recommendation.
- 19. Budget Referral: Police Foot Patrol in Downtown**
From: Councilmember Harrison
Recommendation: Refer to the FY 2018/19 Budget Process to establish funding for police foot patrol or bicycle officers to cover the Downtown Area as defined in the Downtown Area Plan, which includes portions of Berkeley Police Department Beats 4, 3 and 5. In addition, explore the possibility of a deputized Community Service Officer, who can issue citations and make arrests. Potential revenue sources could include parking revenue if Downtown meters are extended from 6-8 p.m.
Financial Implications: See report
Contact: Kate Harrison, Councilmember, District 4, 981-7140
Action: Moved to Action Calendar. Item held over to March 27, 2018.

Council Consent Items

- 20. Support for AB 1796 (Muratsuchi) to Remove Impediments to the Installation of Electric Vehicle Charging Stations**
From: Councilmembers Wengraf, Bartlett, Harrison, and Hahn
Recommendation: Send a letter of support of AB 1796 (Muratsuchi) to Assemblymember Thurmond, State Senator Skinner and Governor Brown.
Financial Implications: None
Contact: Susan Wengraf, Councilmember, District 6, 981-7160
Action: Approved recommendation.
- 21. Referral to the Energy Commission: Strategies to Improve EV Usage**
From: Councilmembers Wengraf, Harrison, Bartlett, and Hahn
Recommendation: Refer to the Energy Commission and the City Manager to research best practices to encourage and support the use of electric vehicles, and develop a draft EV Plan for Berkeley that City Council can adopt. The plan should include realistic goals supported by city-wide initiatives to improve EV infrastructure and incentivize EV use for Berkeley's residents and workers.
Financial Implications: None
Contact: Susan Wengraf, Councilmember, District 6, 981-7160
Action: Approved recommendation.
- 22. Supporting the California Clean Water and Safe Parks Act**
From: Councilmember Worthington, Mayor Arreguin, and Councilmembers Hahn and Harrison
Recommendation: That the Council adopts a Resolution supporting Proposition 68, formerly SB 5, the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018, that the City of Berkeley supports and can be listed as a member of the Californians for Clean Water and Safe Park coalition, and directs staff to email a copy of this adopted resolution to the League of California Cities.
Financial Implications: Minimal
Contact: Kriss Worthington, Councilmember, District 7, 981-7170
Action: Adopted Resolution No. 68,360–N.S.
- 23. City Manager Referral: Improving the City's Elevator Ordinance**
From: Councilmembers Worthington, Maio, Hahn, and Harrison
Recommendation: Referral to the City Manager and Commission on Disability to improve the City's Elevator Ordinance by addressing the concerns of the disabled community.
Financial Implications: Minimal
Contact: Kriss Worthington, Councilmember, District 7, 981-7170
Action: Approved recommendation.

Council Consent Items

24. **Send Ford Bikes a 90 Day Notice to Provide Electric Bikes Based on Agreement, Refer the Transportation Commission to Look at Additional Share Bike Alternatives, and Electric Motor Scooter and Electric Bike Share Programs**

From: Councilmember Worthington

Recommendation: Have the City Manager give Ford Bikes a 90 days notice to provide electric bikes based on their agreement with the city. Refer to the transportation commission to see if the city can look into alternative bike share programs, motor scooter share program, and electric bike programs to explore more affordable and accessible rideshare programs for a more equitable and environmental friendly Berkeley.

Financial Implications: Minimal

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

Action: Item held over to April 3, 2018.

Action Calendar – Public Hearings

25. **ZAB Appeal: 2212 Tenth Street, Use Permit No. ZP2016-0129**

From: City Manager

Recommendation: Conduct a public hearing and, upon conclusion, adopt a Resolution to dismiss the appeal and uphold the Zoning Adjustments Board decision to approve Use Permit No. ZP2016-0129 to (1) demolish an existing 1,080 square foot, single-family dwelling and an approximately 120 sq. ft. detached one-car garage, and (2) construct two new detached, two-story dwellings.

Financial Implications: None

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

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

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

Vote: Ayes – Maio, Bartlett, Harrison, Hahn, Wengraf, Worthington, Droste, Arreguin; Noes – None; Abstain – None; Absent – Davila (Recused – lives within 500 feet)

Action: M/S/C (Droste/Wengraf) to adopt Resolution No. 68,361–N.S. to uphold the Zoning Adjustments Board decision to approve Use Permit No. ZP2016-0129, to (1) demolish an existing 1,080 square foot, single-family dwelling and an approximately 120 sq. ft. detached one-car garage, and (2) construct two new detached, two-story dwellings, including approval of the applicant’s revised proposal to ZAB for the rear unit (the ZAB Condition of Approval #16 requiring additional revisions is deleted).

Vote: Ayes – Maio, Bartlett, Harrison, Wengraf, Worthington, Droste, Arreguin; Noes – Hahn; Abstain – None; Absent – Davila (Recused – lives within 500 feet)

Recess 7:42 p.m. – 7:59 p.m.

Action Calendar – Old Business

26. **“To Achieve Fairness and Impartiality” – Report and Recommendations from the Berkeley Police Review Commission** *(Continued from January 23, 2018.)*
From: Police Review Commission
Contact: Katherine Lee, Commission Secretary, 981-4950
Action: Item held over to April 24, 2018.
- 27a. **Proposed Ordinance: Surveillance Technology Use and Community Safety** *(Continued from January 30, 2018.)*
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
- 27b. **Companion Report: Proposed Ordinance: Surveillance Technology and Community Safety** *(Continued from January 30, 2018. Item contains supplemental material.)*
From: City Manager
Recommendation: Adopt first reading of the Surveillance Technology Use Ordinance as proposed by the City Manager, adding a new chapter to the Berkeley Municipal Code.
Financial Implications: See report
Contact: Andrew Greenwood, Police, 981-5900 and David Brannigan, Fire, 981-3473

Action Calendar – Old Business

**27c. Proposed Ordinance: Surveillance Technology Use and Community Safety
From: Mayor Arreguin**

Recommendation: Adopt first reading of the Acquisition and Use of Surveillance Technology Ordinance as proposed by the Mayor, adding a new chapter to the Berkeley Municipal Code.

Financial Implications: See report

Contact: Jesse Arreguin, Mayor, 981-7100

Action: M/S/C (Arreguin/Worthington) to accept supplemental material from Councilmember Maio on Item 27.

Vote: All Ayes.

Action: M/S/C (Wengraf/Maio) to amend the main motion to strike “willful” from Section 2.99.090 and replace it with “arbitrary and capricious action.”

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

Action: 20 speakers. Councilmembers Hahn, Harrison, and Davila added as co-sponsors. M/S/C (Harrison/Arreguin) to adopt first reading of Ordinance No. 7,592–N.S. as amended in Supplemental Reports Packet #2 and further amended by action of the Council. Second reading scheduled for March 27, 2018.

Vote: All Ayes.

Action: M/S/C (Arreguin/Maio) to suspend the rules and extend the meeting to 11:15 p.m. to hear public comment on Item 29.

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

Councilmember Harrison absent 10:51 p.m. – 11:14 p.m.

Councilmember Worthington absent 10:52 p.m. – 11:14 p.m.

**28. Strengthening Provisions of Significant Community Benefits in the Downtown
(Continued from February 13, 2018. Item contains revised material.)**

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 referred to the Agenda Committee for scheduling.

Action Calendar – Old Business

- 29a. Supplemental Paid Family Leave** *(Continued from February 13, 2018.)*
From: Commission on the Status of Women, Commission on Labor
Recommendation: Adopt first reading of an Ordinance adding Berkeley Municipal Code Chapter 9.90 with the following changes: 1. Add Job Protection Language to ensure workers cannot be fired for using paid family leave. 2. Include the City of Berkeley as a “covered employer” in Chapter 9.90.030 of the Ordinance. 3. Allocate financial resources for outreach, education, and enforcement of the provisions provided by Ordinance.
Financial Implications: Unknown
Contact: Shallon Allen, Commission Secretary, 981-7071, Delfina Geiken, Commission Secretary, 981-5400
- 29b. Companion Report: Supplemental Paid Family Leave** *(Continued from February 13, 2018.)*
From: City Manager
Recommendation: Since the Commissions’ action would result in City costs of approximately \$945,485, recommend that the Council refer the Commission on the Status of Women and Commission on Labor’s recommendations to the City’s referral prioritization process.
Financial Implications: See report
Contact: LaTanya Bellow, Human Resources, 981-6800
- Action:** 9 speakers. M/S/C (Arreguin/Maio) to hold over Items 19 and 30 to March 27, 2018 and to hold over Item 29 to April 3, 2018.
Vote: Ayes – Maio, Davila, Bartlett, Hahn, Wengraf, Droste, Arreguin; Noes – None; Abstain – None; Absent – Harrison, Worthington.
- 30a. Storage at Premier Cru** *(Continued from February 13, 2018.)*
From: Homeless Commission
Recommendation: Adopt a Resolution to provide storage for unhoused persons at the Premier Cru complex.
Financial Implications: See report
Contact: Peter Radu, Commission Secretary, 981-5400
- 30b. Companion Report: Storage at Premier Cru** *(Continued from February 13, 2018.)*
From: City Manager
Recommendation: Take no action on the Homeless Commission’s resolution to provide storage for unhoused persons at the Premier Cru complex, and instead allow staff to explore various locations that would be feasible given the available budget.
Financial Implications: None
Contact: Paul Buddenhagen, Housing and Community Services, 981-5400
Action: Item held over to March 27, 2018.

Action Calendar – New Business

31. BRIDGE's Berkeley Way Development: Funding and Public Parking Requirements

From: City Manager

Recommendation: Provide direction on the next steps to further the City's partnership with the BRIDGE Housing Corporation (BRIDGE) and the Berkeley Food and Housing Project (BFHP) for the Berkeley Way development project. Specifically:

1. Direct the City Manager to work with BRIDGE and BFHP to finalize the design with the City's preferred amount of public parking. Staff have identified a single level of subterranean parking using puzzle lifts to provide approximately 200 spaces as the most financially feasible model.

2. Direct the City Manager on how to respond to the remaining \$15M gap in the homeless shelter and affordable housing budget that BRIDGE and BFHP have proposed for City funding. At this point, the most feasible financing strategy that staff has identified which would yield sufficient funding is using the available \$2.2M in the Housing Trust Fund and bond financing using increased business license revenues from Measure U1. In consultation with the City's bond counsel, staff estimates that the City could attain \$15M in bond financing for an annual debt payment of approximately \$2M for 10 years.

3. Direct the City Manager on how to respond to the \$1.5M in parking mitigation fees that will be required as a result of the Downtown Area Plan parking fee requirements because the project does not provide resident parking.

4. Direct the City Manager on how to address the additional gap of up to \$8.5M in the project that BRIDGE and BFHP initially proposed filling with 49 project-based Section 8 vouchers from the Berkeley Housing Authority (BHA). BHA staff indicated they will be unable to award project-based vouchers in 2018 because they are facing a budget shortfall.

Financial Implications: See report

Contact: Jovan Grogan, City Manager's Office, 981-7000; Paul Buddenhagen, Housing and Community Services, 981-5400; Phillip Harrington, Public Works, 981-6300

Action: Moved to Consent Calendar. Approved recommendation as written below.

Action Calendar – New Business

1. *Reaffirm the City Council May 30, 2017 commitment to expedite BRIDGE/BFHP as a top priority for the Planning Department, and prioritize all City actions needed to meet Cap and Trade (Affordable Housing and Sustainable Communities) grant deadlines.*
2. *Refer to the Housing Advisory Commission to consider recommendation on use of a lease revenue bond for the creation of the Berkeley Way Development Project. Additionally, refer to the Housing Advisory Commission to consider increasing lease revenue bond amount in order to facilitate the start and advancement of other affordable housing projects, which could enable them to attract more investment and deliver affordable housing sooner.*
3. *Direct the City Manager to consult with our Bond Counsel to initiate the process of preparing a Lease Revenue Bond of 24.8 Million Dollars in order for the city to meet the current estimated funding gap and contribute the direct city portion to the Berkeley Way Development Project,*
4. *Direct the City Manager to provide project partners with specific new parking requirements to incorporate as much public parking as needed to separately finance the subterranean parking with no affordable housing funds going to the parking structure and no loss of affordable housing units. Staff have identified a single level of subterranean parking using puzzle lifts providing approximately 200 public parking spaces as the most financially feasible number.*
5. *Direct the City Manager to prepare a resolution waiving the parking mitigation fee for this project, due to the unique features of this project including providing permanent homeless housing with comprehensive wraparound services and provision of 200 public parking spaces.*

Information Reports

32. *****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
33. **Audit Update: Construction Permits: Monitor Performance and Fee Assessments to Ensure Excellent and Equitable Customer Service**
From: City Manager
Contact: Timothy Burroughs, Planning and Development, 981-7400
Action: Received and filed.
34. **City Auditor’s Snapshot: Quarterly Summary Report on Audit Recommendations**
From: Auditor
Contact: Ann-Marie Hogan, Auditor, 981-6750
Action: Received and filed.

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

Adjournment

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

1. Shelley Rideout, Berkeley Historical Activist
2. Brigitte McKenzie, YEAH Volunteer
3. Bob Piper, Local Environmentalist

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

Adjourned at 11:14 p.m.

Communications

Item 27: Proposed Ordinance: Surveillance Technology Use and Community Safety

1. John Heaton
2. Chris Mathis

Berkeley Police

3. Erik Schmitt
4. Carol Denney

Article on Free Public Transport

5. Donald Goldmacher / Sophie Hahn

Article on Copenhagen

6. Donald Goldmacher

Council Meeting Concerns

7. Tree Fitzpatrick

Berkeley Concerns

8. Eric Friedman

Allocation of Measure T1 Funds

9. Eric Friedman

Support for West Berkeley Shellmound

10. Christie Keith
11. Jessie Barker
12. Aram Krikorian
13. Jillian Bautista
14. Jae Hee Kim
15. Vicki Legion
16. Amy Shoemaker

Lights on Vine Street

17. Jenniffer Hamilton

Storm Water Fee Protest / Pollution

18. David Lerman (3)

Parcel Tax

19. David Lerman

City Liabilities

20. David Lerman

Power Washing on Shattuck

21. Marc Bernasconi

Proposed Good Governance Police Accountability Plan

22. Police Review Commission

Bike Path/Crossing at Cedar Street

23. Kelly Phillips

Housing vs. Shelter

24. Avram Gur Arye

Housing Loophole

25. Carol Denney

Cashless Businesses in Berkeley

26. Cassia

Elmwood Retail

27. Sara Hartley

Persian New Year Festival

28. Lisa Bullwinkel

Ban on Offshore Oil and Gas Drilling Resolution

29. Delia Ridge Creamer

Supplemental Communications and Reports 1

Item 12: Supporting FairVote California's Proposed Changes to Ranked Choice Voting Reporting

30. League of Women Voters of Berkeley, Albany, Emeryville

Item 25: ZAB Appeal: 2212 Tenth Street, Use Permit No. ZP2016-0129

31. Alon Danino

32. Adam Fuchs

33. Deborah Scott

34. Ben Kanne

35. Amy Hill

36. Fred Cosentino

37. Scout Sheys

38. Margaret Fauchier

39. Susan Springborg

40. Greg Martin

Item 27: Surveillance Technology Use and Community Safety

41. Revised materials, submitted by Mayor Arreguin

42. Wayne Meadows

43. Jane Welford

Supplemental Communications and Reports 2

Item 13: Referral to the City Manager's Office: Amendments to Berkeley Municipal Code Title 14

44. Christine Schwartz

Item 27: Proposed Ordinance: Surveillance Technology Use and Community Safety

45. Revised materials, submitted by Mayor Arreguin and Councilmember Harrison

46. Ellie Brumbaum

47. Carolyn Scarr

48. Adam Krause

49. Sameena Usman

50. Sam McRoberts

Item 29: Supplemental Paid Family Leave

51. Diana Gordon

Item 31: BRIDGE's Berkeley Way Development: Funding and Public Parking Requirements

52. Supplemental materials, submitted by Councilmembers Worthington, Harrison and Mayor Arreguin

53. Christina Oatfield

54. Rob Wrenn

55. Nancy Carleton

56. Janet Hurley

57. Emily Kenyon

58. Linda Franklin

59. Phoebe Sorgen

60. Stanley Klein

61. Brenda Richardson

62. Alfred Twu

63. 107 'in support of' form letters

Item 28: Strengthening Provisions of Significant Community Benefits in the Downtown

64. 125 Communications submitted via Berkeley Considers, includes summary information.

Supplemental Communications and Reports 3

Item 20: Support for AB 1796 (Muratsuchi) to Remove Impediments to the Installation of Electric Vehicle Charging Stations

65. Igor Tregub

Item 25: ZAB Appeal: 2212 Tenth Street, Use Permit No. ZP2016-0129

66. Presentation, submitted by Planning & Development

Item 27: Proposed Ordinance: Surveillance Technology Use and Community Safety

67. Supplemental materials, submitted by Councilmember Maio

68. Kendra Levine

69. Ramin Firoozye

70. Sydney Ji

71. Preethi Kembaiyan

Item 31: BRIDGE's Berkeley Way Development: Funding and Public Parking Requirements

72. Norman & Mary Anne Litell

73. Lori Hines

74. Thomas Lord

75. Sophia DeWitt

76. Charlotte Strem

77. 16 'in support of' form letters