

**ANNOTATED AGENDA
BERKELEY CITY COUNCIL MEETING
Tuesday, June 26, 2018
6:00 PM**

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: 6:05 p.m.

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

Absent: Davila

Councilmember Davila present at 6:07 p.m.

Ceremonial Matters:

1. Proclamation recognizing Daniel Galvez, Local Muralist
2. Proclamation recognizing Elder Abuse Awareness Month
3. Proclamation recognizing Tajmal Payne, Founder of Zuni Designs
4. Statement of Opposition to Supreme Court Decision Upholding the Travel Ban

City Manager Comments: None

City Auditor Comments:

Highlighted the importance of five items on tonight's agenda: Section 115 Trust for Pensions, Code Enforcement Audit, Credit Card Audit, City Budget, Fire Department Audit Response (100% implemented in six months).

Public Comment on Non-Agenda Matters: 10 speakers.

Public Comment on Consent Calendar and Information Items Only: 14 speakers.

Consent Calendar

Action: M/S/C (Arreguin/Wengraf) to accept revised material from Councilmember Worthington on Item 28.

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

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

Vote: All Ayes.

- 1. FY 2019 Tax Rate: Fund the Maintenance of Parks, City Trees and Landscaping**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,602-N.S. setting the FY 2019 tax rate for funding all improvements for the maintenance of parks, City trees, and landscaping in the City of Berkeley at \$0.1663 (16.63 cents) per square foot of improvements.
First Reading Vote: Ayes – Maio, Davila, Harrison, Hahn, Wengraf, Worthington, Droste, Arreguin; Noes – None; Abstain – None; Absent – Bartlett.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300
Action: Adopted second reading of Ordinance No. 7,602-N.S.
- 2. FY 2019 Tax Rate: Fund the Provision of Emergency Medical Services**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,603-N.S. setting the FY 2019 tax rate for funding the provision of emergency medical services to Berkeley residents at \$0.0378 (3.78 cents) per square foot of improvements.
First Reading Vote: Ayes – Maio, Davila, Harrison, Hahn, Wengraf, Worthington, Droste, Arreguin; Noes – None; Abstain – None; Absent – Bartlett.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300
Action: Adopted second reading of Ordinance No. 7,603-N.S.
- 3. FY 2019 Tax Rate: Emergency Services for the Severely Disabled**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,604-N.S. setting the FY 2019 tax rate for funding the provision of emergency services for the disabled at \$0.01575 (1.575 cents) per square foot of improvements.
First Reading Vote: Ayes – Maio, Davila, Harrison, Hahn, Wengraf, Worthington, Droste, Arreguin; Noes – None; Abstain – None; Absent – Bartlett.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300
Action: Adopted second reading of Ordinance No. 7,604-N.S.

Consent Calendar

- 4. FY 2019 Tax Rate: Business License Tax on Large Non-Profits**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,605-N.S. setting the FY 2019 tax rate for Business License Tax on large non-profits at \$0.6173 (61.73 cents) per square foot of improvements.
First Reading Vote: Ayes – Maio, Davila, Harrison, Hahn, Wengraf, Worthington, Droste, Arreguin; Noes – None; Abstain – None; Absent – Bartlett.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300
Action: Adopted second reading of Ordinance No. 7,605-N.S.
- 5. FY 2019 Tax Rate: Fund Disaster Fire Protection (Measure Q)**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,606-N.S. setting the FY 2019 tax rate for funding the procurement of disaster fire equipment at \$0.0125 (1.25 cents) per square foot of improvements.
First Reading Vote: Ayes – Maio, Davila, Harrison, Hahn, Wengraf, Worthington, Droste, Arreguin; Noes – None; Abstain – None; Absent – Bartlett.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300
Action: Adopted second reading of Ordinance No. 7,606-N.S.
- 6. FY 2019 Tax Rate: Fund the Debt Service on the Street and Watershed Improvements General Obligation Bonds (Measure M, November 2012 Election)**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,607-N.S. setting the FY 2019 tax rate funding the debt service on the Street and Integrated Watershed Improvements General Obligation Bonds (Measure M, November 2012) at 0.0090%.
First Reading Vote: Ayes – Maio, Davila, Harrison, Hahn, Wengraf, Worthington, Droste, Arreguin; Noes – None; Abstain – None; Absent – Bartlett.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300
Action: Adopted second reading of Ordinance No. 7,607-N.S.

Consent Calendar

- 7. FY 2019 Tax Rate: Fund Fire Protection and Emergency Response and Preparedness (Measure GG)**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,608-N.S. setting the FY 2019 tax rate for funding Fire Protection and Emergency Response and Preparedness in the City of Berkeley at the rate of \$0.05594 (5.594 cents) per square foot of improvements for dwelling units and setting the rate for all other property at \$0.08465 (8.465 cents) per square foot of improvements.
First Reading Vote: Ayes – Maio, Davila, Harrison, Hahn, Wengraf, Worthington, Droste, Arreguin; Noes – None; Abstain – None; Absent – Bartlett.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300; David Brannigan, Fire, 981-3473
Action: Adopted second reading of Ordinance No. 7,608-N.S.
- 8. FY 2019 Tax Rate: Fund Debt Service on 2015 Refunding General Obligation Bonds (Measures G, S & I)**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,609-N.S. setting the FY 2019 tax rate for funding the debt service on the 2015 consolidation of Measures G, S and I (General Obligation Bonds - Elections of 1992, 1996 and 2002) at 0.0205%.
First Reading Vote: Ayes – Maio, Davila, Harrison, Hahn, Wengraf, Worthington, Droste, Arreguin; Noes – None; Abstain – None; Absent – Bartlett.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300
Action: Adopted second reading of Ordinance No. 7,609-N.S.
- 9. FY 2019 Tax Rate: Fund the Debt Service on the Infrastructure and Facilities General Obligation Bonds (Measure T1, November 2016 Election)**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,610-N.S. setting the FY 2019 tax rate funding the debt service on the Infrastructure and Facilities Improvements General Obligation Bonds (Measure M, November 2016) at 0.0127%.
First Reading Vote: Ayes – Maio, Davila, Harrison, Hahn, Wengraf, Worthington, Droste, Arreguin; Noes – None; Abstain – None; Absent – Bartlett.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300
Action: Adopted second reading of Ordinance No. 7,610-N.S.

Consent Calendar

- 10. FY 2019 Tax Rate: Fund Debt Service on Neighborhood Branch Library Improvements Project General Obligation Bonds (Measure FF, November 2008 Election)**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,611-N.S. setting the FY 2019 tax rate for funding the debt service on the Neighborhood Branch Library Improvements Project General Obligation Bonds (Measure FF, November 2008 Election) at 0.0085%.
First Reading Vote: Ayes – Maio, Davila, Harrison, Hahn, Wengraf, Worthington, Droste, Arreguin; Noes – None; Abstain – None; Absent – Bartlett.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300
Action: Adopted second reading of Ordinance No. 7,611-N.S.
- 11. FY 2019 Special Tax Rate: Fund the Provision of Library Services**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,612-N.S. setting the FY 2019 tax rate for funding the provision of Library Services in the City of Berkeley at \$0.2185 (21.85 cents) per square foot for dwelling units and \$0.3303 (33.03 cents) per square foot for industrial, commercial, and institutional buildings.
First Reading Vote: Ayes – Maio, Davila, Harrison, Hahn, Wengraf, Worthington, Droste, Arreguin; Noes – None; Abstain – None; Absent – Bartlett.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300; Elliot Warren, Library, 981-6100
Action: Adopted second reading of Ordinance No. 7,612-N.S.
- 12. Contract: Downtown Berkeley YMCA for Fitness Center Memberships for City Employees**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with the Downtown Berkeley YMCA in the amount of \$221,184 for fitness center memberships for City employees for the period of July 1, 2018 through June 30, 2019.
Financial Implications: See report
Contact: Teresa Berkeley-Simmons, Budget Manager, 981-7000
Action: Adopted Resolution No. 68,488–N.S.
- 13. Minutes for Approval**
From: City Manager
Recommendation: Approve the minutes for the Council meetings of April 30, 2018 (special closed), May 1, 2018 (regular), May 8, 2018 (special), May 15, 2018 (regular), and May 29, 2018 (special closed and regular).
Financial Implications: None
Contact: Mark Numainville, City Clerk, 981-6900
Action: Approved minutes as submitted.

Consent Calendar

- 14. Voting Delegates – League of California Cities Annual Conference**
From: City Manager
Recommendation: Designate, by motion, a voting delegate and alternate for the business meeting of the Annual League of California Cities meeting to be held on Friday, September 14, 2018, at the Long Beach Convention Center.
Financial Implications: See report
Contact: Mark Numainville, City Clerk, 981-6900
Action: To designate Councilmember Harrison as the City’s delegate and to designate Councilmember Hahn as the alternate.
- 15. License Agreement: Berkeley Community Media for Storage at Maudelle Shirek Building**
From: City Manager
Recommendation: Adopt first reading of an Ordinance authorizing the City Manager to execute a license agreement with Berkeley Community Media to use City property at 2134 Martin Luther King, Jr. Way for one year and subject to future extensions by the City Manager.
Financial Implications: See report
Contact: Mark Numainville, City Clerk, 981-6900
Action: Adopted first reading of Ordinance No. 7,614–N.S. Second reading scheduled for July 10, 2018.
- 16. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on June 26, 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 - \$1,466,000
Contact: Henry Oyekanmi, Finance, 981-7300
Action: Approved recommendation.
- 17. Appropriations Limit for FY 2019**
From: City Manager
Recommendation: Adopt a Resolution establishing the appropriations limit at \$262,610,330 for FY 2019 pursuant to Article XIII B of the Constitution of the State of California based on the calculations for the appropriations limit
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300
Action: Adopted Resolution No. 68,489–N.S.

Consent Calendar

- 18. Revisions to the Investment Policy and Designation of Investment Authority**
From: City Manager
Recommendation: Adopt a Resolution accepting the changes to the Investment Policy and to confirm the delegation of investment authority to make investments to the Director of Finance for FY 2019.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300
Action: Adopted Resolution No. 68,490–N.S.
- 19. Authorization to Establish IRS Section 115 Trust Fund and Appoint the City Manager as the Plan Administrator**
From: City Manager
Recommendation: Adopt a Resolution appointing the City Manager as the Plan Administrator and authorizing the City Manager to take the necessary steps to negotiate and execute the documents to establish a Section 115 Trust Fund to use as a pension rate stabilizing fund, and delegate authority for managing the Section 115 Trust Fund investments.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300
Action: Adopted Resolution No. 68,491–N.S.
- 20. Purchase Order: Physio-Control for 11 LUCAS 3.1 Cardiac Compression Systems**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a purchase order with Physio-Control in an amount not to exceed \$250,000 for the purchase of 11 LUCAS 3.1 systems, accessories and warranties. Physio-Control is the authorized distributor for this equipment related to pre-hospital management of patients in cardiac arrest.
Financial Implications: See report
Contact: David Brannigan, Fire, 981-3473
Action: Adopted Resolution No. 68,492–N.S.
- 21. Mental Health Services Act (MHSA) Innovations (INN) Technology Suite Project Plan**
From: City Manager
Recommendation: Adopt a Resolution approving the Mental Health Services Act (MHSA) Innovations (INN) Technology Suite Project Plan, which proposes allocating \$462,916 of INN funds over a three year period to be utilized for a new mental health technology pilot project that will be accessible to Berkeley and Albany residents through June 30, 2021, and sending the MHSA INN Draft Plan to the Mental Health Services Oversight and Accountability Commission (MHSOAC) for final State approval.
Financial Implications: See report
Contact: Paul Buddenhagen, Housing and Community Services, 981-5400
Action: Adopted Resolution No. 68,493–N.S.

Consent Calendar

- 22. Reserving Up To \$11M in Housing Trust Funds for the Berkeley Way Development**
From: City Manager
Recommendation: Adopt a Resolution reserving up to \$11M in Housing Trust Funds for the potential Berkeley Way development, contingent on the development's securing full funding and any required land use approvals and permits in the next twenty-four months.
Financial Implications: See report
Contact: Paul Buddenhagen, Housing and Community Services, 981-5400
Action: Moved to Action Calendar. 2 speakers. M/S/C (Worthington/Hahn) to adopt Resolution No. 68,494–N.S. amended to add a Resolved clause that states “BE IT FURTHER RESOLVED that none of the Housing Trust Fund funds will be used for parking.”
Vote: All Ayes.
- 23. Contract No. 8460C Amendment: NextGen Health Care Information Systems Inc. for Electronic Health Records**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No. 8460C with NextGen Healthcare Information Systems, Inc., increasing the amount by \$111,291, for a total amount not to exceed \$702,327, and extending the term to September 30, 2010 through June 30, 2020.
Financial Implications: General Fund - \$111,291
Contact: Savita Chaudhary, Information Technology, 981-6500
Action: Adopted Resolution No. 68,495–N.S.
- 24. Weekdays' Lunchtime Closure of Ward Street Mid-block Between Sacramento Street and California Street**
From: City Manager
Recommendation: Adopt a Resolution authorizing weekdays' lunchtime closure of Ward Street mid-block between Sacramento Street and California Street between the hours of 11:30am to 1:30pm on school days in order to enhance safety of school children crossing between buildings of Longfellow Middle School.
Financial Implications: See report
Contact: Phillip Harrington, Public Works, 981-6300
Action: Adopted Resolution No. 68,496–N.S.

Consent Calendar

25. Contract: Downtown Streets Team Hand Sweeping, Graffiti Abatement, and Poster Removal Services

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract with Downtown Streets Team to provide supplemental hand sweeping, graffiti abatement, and poster removal services to support the City's Clean City Division. Contract amount is not to exceed \$645,304 for the two-year period from July 1, 2018 through June 30, 2020.

Financial Implications: Zero Waste Fund - \$645,304

Contact: Phillip Harrington, Public Works, 981-6300

Action: Adopted Resolution No. 68,497–N.S.

26. Audit Report: Code Enforcement Resources Significantly Constrained and Improvements Needed in Case Management and Oversight

From: Auditor

Recommendation: We request that Council and the Agenda Committee agree to implement a resource analysis process and that Council request the City Manager report back by January 29, 2019, and annually thereafter, regarding the status of audit recommendations until reported fully implemented by the City Manager's Office Code Enforcement Unit (CEU).

Financial Implications: See report

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

Action: Approved recommendation.

27. Credit Card Use Audit: Clearer Guidance Needed

From: Auditor

Recommendation: Request that the City Manager report back by May 1, 2019, and every six months thereafter, regarding the status of recommendations until reported fully implemented.

Financial Implications: See report

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

Action: Approved recommendation.

Council Consent Items

- 28. Fee Waivers for Berkeley Repertory Theatre Live/Work Artist Housing**
From: Mayor Arreguin and Councilmembers Wengraf and Maio
Recommendation: Pursuant to Berkeley Municipal Code Section 22.20.070 Exemption/limit where applicant establishes inapplicability or unconstitutionality of general requirements, waive the following fees for the Berkeley Repertory Theatre Live/Work Artist Housing at 2009 Addison Street, totaling \$570,000: 1. \$485,000 In Lieu Fee for On-Site Parking: Artists and theater professionals residing in the building will work on site and be able to walk to the theater each day. Cars will not be brought with them for the season they are in residence, and ample bike parking is being provided. 2. \$77,800 SOSIP Impact Fee: Commercial developers typically absorb this fee into residential rents, but because Berkeley Rep will be solely financially responsible for the rents of residents, this waiver is essential to keeping costs of the project down. 3. \$5,400 Housing Impact Fee – Commercial: Similar to other impact fees, this waiver would act as additional relief to the project budget, and directly impacts the organization’s ability to finance its construction and annual debt service costs. This project will be providing rent free housing to artists, therefore the Housing Impact Fee should not be imposed. 4. \$1,800 Childcare Impact Fee – Commercial: This building will not result in an increased demand for childcare. Resident artists and theater professionals will visit for a season and units will be built to house individuals only.
Financial Implications: \$570,000 (Waived fees)
Contact: Jesse Arreguin, Mayor, 981-7100
Action: Approved recommendation with the with following addition:
- Direct the City Manager to execute a side letter with Berkeley Repertory Theater to memorialize Council’s direction for the new terms regarding use of the Lessee’s public spaces by other arts organizations.*
- 29. Budget Referral: \$120,000 for Enhanced Lighting Along Ohlone Park in Key Areas**
From: Councilmembers Maio and Harrison
Recommendation: Refer to the budget process \$120,000 for the funding of enhanced lighting along Ohlone Park in key areas.
Financial Implications: \$120,000
Contact: Linda Maio, Councilmember, District 1, 981-7110
Action: Approved recommendation.
- 30. Budget Referral: Funding a Pedestrian-Activated Crosswalk Across Gilman at Peralta**
From: Councilmember Maio
Recommendation: Refer to the budget process the funding of pedestrian-activated crosswalk across Gilman Street at Peralta Avenue.
Financial Implications: \$100,000
Contact: Linda Maio, Councilmember, District 1, 981-7110
Action: Approved recommendation.

Council Consent Items

31. Consider the Homeless: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds

From: Councilmembers Davila and Hahn

Recommendation: Adopt a Resolution approving the expenditure of an amount not to exceed \$250 per Councilmember including \$150 from Councilmember Cheryl Davila, to Consider The Homeless! (CTH), now a 501(c)(3) for their Matinee Movie "HOMELESS: The Story of America's Economic Refugees" from the internationally renowned writer and scholar, Dr. Samar Habib, a screening of the short film, "BESS - April 2018" and a Fundraiser June 30, 2018 with funds relinquished to the City's General Fund for the 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. 68,498–N.S. revised to include contributions from the following Councilmembers up to the amounts listed: Councilmember Maio - \$100; Councilmember Hahn - \$200; Councilmember Wengraf - \$100; Councilmember Bartlett - \$100; Councilmember Harrison - \$100.

32. Amending the Coast Live Oak Ordinance to Allow the Removal of Trees that Substantially Interfere with Affordable Housing Projects

From: Councilmembers Hahn and Harrison, and Mayor Arreguin

Recommendation: Adopt first reading of an Ordinance amending Ordinance 6,321-NS to allow for the removal of Coast Live Oak trees from locations where they would substantially interfere with development projects that include 60% or more of their units at Below Market Rate affordability, and requiring replacement Coast Live Oak trees to be planted.

Financial Implications: See report

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

Action: Councilmember Wengraf added as a co-sponsor. Adopted first reading of Ordinance No. 7,615–N.S. amended to change "60%" to "50%" in paragraph D. Second reading scheduled for July 10, 2018.

Council Consent Items

- 33. Women in the New Deal Conference October 5-6, 2018: Relinquishment of Council Office Budget Funds**
From: Councilmembers Wengraf, Hahn, Maio, and Droste
Recommendation: Adopt a Resolution approving the expenditure of an amount not to exceed \$250 per sponsoring Councilmember, including \$250 from Councilmember Wengraf, for the “Women in the New Deal” Conference, to be held in Berkeley on October 5-6, 2018. The two day conference will celebrate women’s involvement in the New Deal. Designated funds should be relinquished to the City’s General Fund for this purpose from the discretionary Council Office Budget of Councilmember Wengraf and all other Councilmembers who would like to contribute.
Financial Implications: Councilmember's Discretionary Funds - \$250
Contact: Susan Wengraf, Councilmember, District 6, 981-7160
Action: Adopted Resolution No. 68,499–N.S. revised to include contributions from the following Councilmembers up to the amounts listed: Councilmember Harrison - \$100; Councilmember Maio - \$200; Councilmember Hahn - \$200; Councilmember Wengraf - \$250; Councilmember Droste - \$250; Councilmember Bartlett - \$100.
- 34. Reassessing Traffic Calming Policy**
From: Councilmembers Droste, Wengraf, Maio, and Harrison
Recommendation: Refer to the Transportation Commission to re-evaluate the City’s qualifying criteria and ranking and prioritization process for traffic calming, by considering the following possibilities, among other changes that would promote safe residential streets and maximize the public health benefit of the traffic calming program: -Lowering the speed limit criteria to read “where the 85th percentile speed profile is greater than the speed limit” instead of “greater than 5 mph over the speed limit.” -Taking alignment with the City’s bicycle and pedestrian plans into account.
Financial Implications: See report
Contact: Lori Droste, Councilmember, District 8, 981-7180
Action: Approved recommendation.
- 35. Russell St. Halloween Celebration: Relinquishment of Council Funds and Sponsorship**
From: Councilmember Droste
Recommendation: Adopt a Resolution approving the expenditure of an amount up to \$828 for the 2018 Russell St. Halloween Celebration with funds relinquished for this purpose from the discretionary Council Office Budget of Councilmember Droste and any other Councilmembers who would like to contribute. The Claremont Elmwood Neighborhood Association is the fiscal sponsor of the event.
Financial Implications: Councilmember's Discretionary Funds - \$828
Contact: Lori Droste, Councilmember, District 8, 981-7180
Action: Adopted Resolution No. 68,500–N.S. revised to include contributions from the following Councilmembers up to the amounts listed: Councilmember Hahn - \$100; Councilmember Wengraf - \$100; Councilmember Bartlett - \$100; Councilmember Droste - \$528.

Action Calendar – Old Business

- 36. City Manager Referral; Preliminary steps towards the expansion of the GoBerkeley Transportation Program to Increase Parking Efficiency** *(Continued from May 29, 2018. Item contains revised material.)*
From: Councilmember Worthington
Recommendation: City Manager Referral; Amendment to the City of Berkeley municipal code regulating off-street parking lots in order to facilitate the expansion of the GoBerkeley Transportation Program to allow private parking vendors to charge adjustable rates for parking spaces.
Financial Implications: Minimal
Contact: Kriss Worthington, Councilmember, District 7, 981-7170
Action: Moved to Consent Calendar. Adopted item as revised in Supplemental Reports Packet #2 with additional background and amendments in the proposed ordinance.
- 37. City-Sponsored Emergency Preparedness Training and Emergency Preparedness Program** *(Continued from June 12, 2018)*
From: Councilmembers Davila and Harrison
Recommendation:
1. Direct the City Manager to adopt an ordinance requiring that all City of Berkeley employees, Councilmembers, the Mayor and their respective staff complete the following City sponsored Emergency Preparedness training courses: Disaster Preparedness/Disaster Service Worker, Area Safety Monitor, Council and staff receive additional CPR/AED/First Aid Training. Courses will be offered by the City of Berkeley Fire Department in conjunction with Public Works and Human Resources.
2. Budget Referral for the Emergency Preparedness Program and the Emergency Planning Coordinator position to oversee program.
Financial Implications: See report
Contact: Cheryl Davila, Councilmember, District 2, 981-7120
Action: M/S/C (Arreguin/Harrison) to hold over Items 37 and 48 to July 10, 2018.
Vote: All Ayes.
- 38. Budget Referral: Replace Berkeley City Limit Signs to Read “Welcome to Berkeley, LOVE LIFE! Sanctuary City and Ohlone Territory”** *(Continued from June 12, 2018)*
From: Councilmember Davila
Recommendation: Refer to the FY19 (2018/2019) Budget Process an estimate of \$3,000 to Replace Berkeley City Limit Signs to read: Welcome to Berkeley, LOVE LIFE!, Sanctuary City and Ohlone Territory.
Financial Implications: \$3,000
Contact: Cheryl Davila, Councilmember, District 2, 981-7120
Action: Moved to Consent Calendar. Approved recommendation without reference to specific language for the signs.

Action Calendar – New Business

39. Urgency Ordinance to Authorize the Issuance of General Obligation Bonds for the Purpose of Financing Affordable Housing; BMC Chapter 7.64

From: City Manager

Recommendation: Adopt an Urgency Ordinance amending Chapter 7.64 of the Berkeley Municipal Code Title 7 (Finance, Revenue and Taxes) to authorize the City to issue general obligation bonds for the purpose of financing affordable housing in the City.

Financial Implications: See report

Contact: Farimah Brown, City Attorney, 981-6950

Action: 2 speakers. M/S/C (Worthington/Maio) to adopt Ordinance No. 7,616-N.S.

Vote: All Ayes.

40. FY 2019 Budget Adoption

From: City Manager

Recommendation: Adopt a Resolution: 1. Adopting the FY 2019 Budget as contained in the City Manager's FY 2019 Proposed Budget Update presented to Council on May 8, 2018 and as amended by subsequent Council action.

2. Authorizing the City Manager to provide applicable advances to selected community agencies receiving City funds in FY 2019, as reflected in the report, and as amended by Council action.

Financial Implications: See report

Contact: Teresa Berkeley-Simmons, Budget Manager, 981-7000

Action: M/S/C (Arreguin/Harrison) to accept revised material from Mayor Arreguin on Item 40.

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

Councilmember Bartlett absent 7:54 p.m. – 8:04 p.m.

Action: 11 speakers. M/S/C (Harrison/Hahn) to adopt Resolution No. 68,501–N.S. including the supplemental materials submitted at the meeting by Mayor Arreguin with additional allocations to be funded in the adopted budget, other allocated funds, and budget items to be deferred until November 2018 with the amendments below.

- State that the arts allocation is “up to” \$75,000.
- Add \$50,000 for traffic calming from the General Fund.
- Add the consideration of the need for additional traffic engineers to the November 2018 funding list.

Vote: All Ayes.

Action Calendar – New Business

41. FY 2019 Annual Appropriations Ordinance

From: City Manager

Recommendation: Adopt first reading of an Ordinance adopting the FY 2019 Annual Appropriations Ordinance (AAO) in the amount of \$460,735,106 (gross appropriations) and \$405,932,665 (net appropriations).

Financial Implications: See report

Contact: Teresa Berkeley-Simmons, Budget Manager, 981-7000

Action: 0 speakers. M/S/C (Worthington/Maio) to adopt first reading of Ordinance No. 7,617-N.S. as written in Supplemental Reports Packet #2 with the allocations stated below. Second reading scheduled for July 10, 2018.

\$461,650,106 (gross appropriations)

\$406,797,665 (net appropriations)

\$184,250,046 (General Fund)

\$42,582,576 (Zero Waste Fund)

\$75,000 Civic Arts Allocation in AAO #1

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

Councilmember Harrison absent 9:07 p.m. – 9:30 p.m.

Action: M/S/C (Arreguin/Maio) to reconsider the vote on Item 41.

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

Action: M/S/C (Maio/Davila) to adopt first reading of Ordinance No. 7,617-N.S. as written in Supplemental Reports Packet #2 with the allocations stated below. Second reading scheduled for July 10, 2018.

\$461,650,106 (gross appropriations)

\$406,847,665 (net appropriations)

\$184,250,046 (General Fund)

\$42,582,576 (Zero Waste Fund)

\$75,000 Civic Arts Allocation in AAO #1

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

Recess 9:08 p.m. – 9:29 p.m.

Action Calendar – New Business

42. Placing Charter Amendment Measure on the November 6, 2018 Ballot Related to Full-Time Status and Salaries for the Mayor and City Council

From: City Manager

Recommendation:

1. Adopt a Resolution submitting an Amendment to Article V of the City Charter regarding the full-time status and salaries for the Mayor and City Council to a vote of the electors at the November 6, 2018 General Municipal Election.
2. Designate, by motion, specific members of the Council to file ballot measure arguments on this measure as provided for in Elections Code Section 9282.

Financial Implications: See report

Contact: Mark Numainville, City Clerk, 981-6900

Action: 4 speakers. M/S/Failed (Davila/Droste) to approve the recommendation as written.

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

Councilmember Worthington absent 9:35 p.m. – 10:15 p.m.

43. Placing a Measure on the November 6, 2018 Ballot to Increase the Transfer Tax on Property Sales to Fund Homeless Services

From: City Manager

Recommendation:

1. Adopt a Resolution submitting a special tax ordinance measure on the November 6, 2018 general municipal ballot to increase the transfer tax from 1.5% to 2.5% on properties that sell for over \$1 million to pay for homeless services, including shelter, rental subsidies, supportive services, and staffing to implement these programs.
2. Designate, by motion, specific members of the Council to file ballot measure arguments on this measure as provided for in Elections Code Section 9282.

Financial Implications: See report

Contact: Mark Numainville, City Clerk, 981-6900

Action: Item held over to July 10, 2018.

44. Borrowing of Funds and the Sale and Issuance of FY 2019 Tax and Revenue Anticipation Notes

From: City Manager

Recommendation: Adopt a Resolution approving the borrowing of \$14,000,000 and the sale and issuance of Fiscal Year 2019 Tax and Revenue Anticipation Notes.

Financial Implications: See report

Contact: Henry Oyekanmi, Finance, 981-7300

Action: 0 speakers. M/S/C (Maio/Worthington) to adopt Resolution No. 68,502–N.S.

Vote: All Ayes.

Action Calendar – New Business

45. Density Bonus Ordinance Revisions - Repeal Existing BMC Section 23C.12.050 (State of California Density Bonus Requirements) and Adopt New BMC Chapter 23C.14 (Density Bonus)

From: City Manager

Recommendation: Adopt first reading of an Ordinance amending the Zoning Ordinance to repeal obsolete Density Bonus regulations (Berkeley Municipal Code Section 23C.12.050: State of California Density Bonus Requirements) and adopt a new, standalone Density Bonus Chapter (Berkeley Municipal Code Chapter 23C.14) that complies with California State Government Code 65915–65918: Density Bonuses and Other Incentives.

Financial Implications: None

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

Action: Item held over to July 24, 2018

46. HAC's Recommendations Regarding U1 Revenues

From: Housing Advisory Commission

Recommendation: The Housing Advisory Commission (HAC) recommends that the City Council allocate \$4 million of Measure U1 revenue as detailed in Table 1 in the report for FY2017/2018 and expend a similar amount for FY 2018/2019.

Financial Implications: See report

Contact: Amy Davidson, Commission Secretary, 981-5400

Action: Moved to Consent Calendar with the action that the City Council will take the recommendations of the Housing Advisory Commission under consideration.

Council Action Items

- 47. Budget Referral for Creation of a “Vehicle Dweller Park” in Berkeley**
From: Councilmembers Davila and Harrison, and Mayor Arreguin
Recommendation: Direct the City Manager to develop a “vehicle dweller park”, similar to an RV park, for people living in their vehicles to stay without fear of harassment, displacement, fines or confiscation of their vehicles and with sanitation and social service support. The proposal includes: a. Identifying a location – an empty lot or parking lot – that is accessible for RVs and buses, livable and ideally where access to running water already exists. b. Providing access to showers and toilets. c. Providing access to running, drinkable water. d. Encouraging volunteer mechanics who want to help the homeless to provide free maintenance and repair of vehicles. e. Encouraging people who have RVs or trailers they are not using to donate them so that they can be used by people who are homeless. f. Charging a small permit fee per vehicle (\$2-\$5 per day/\$60-\$150 per month). g. Approach other cities to identify locations for additional vehicle dweller parks and the County for funds to support infrastructure and services needed. h. Estimating total costs to be considered in the budget process.
Financial Implications: Unknown
Contact: Cheryl Davila, Councilmember, District 2, 981-7120
- Action:** M/S/C (Davila/Hahn) to suspend the rules and extend the meeting to 11:30 p.m.
Vote: Ayes – Maio, Davila, Bartlett, Harrison, Hahn, Worthington, Droste, Arreguin; Noes – None; Abstain – Wengraf.
- Action:** M/S/C (Hahn/Arreguin) to suspend the rules and extend the meeting to 11:35 p.m.
Vote: Ayes – Maio, Davila, Bartlett, Harrison, Hahn, Worthington, Droste, Arreguin; Noes – None; Abstain – Wengraf.
- Action:** 21 speakers. Councilmember Bartlett added as a co-sponsor. Mayor to lead an informal task force to work with staff on finding a location for vehicle dweller parking.
- 48. Support Stop Tariffs On Printers and Publishers (STOPP) and S.2835 - PRINT Act. Also, send letters in support to Senator Susan Collins, Senator Dianne Feinstein, Senator Kamala Harris, and Congresswoman Barbara Lee**
From: Councilmember Worthington
Recommendation: Support Stop Tariffs On Printers and Publishers (STOPP) and S.2835 - PRINT Act and Send a letter in Support to Senator Susan Collins, Senator Dianne Feinstein, Senator Kamala Harris, and Congresswoman Barbara Lee.
Financial Implications: Minimal
Contact: Kriss Worthington, Councilmember, District 7, 981-7170
Action: M/S/C (Arreguin/Harrison) to hold over Items 37 and 48 to July 10, 2018.
Vote: All Ayes.

Information Reports

49. **Voluntary Time Off Program for FY 2019**
From: City Manager
Contact: Teresa Berkeley-Simmons, Budget Manager, 981-7000
Action: Received and filed.
50. **FY 2018 Third Quarter Investment Report: Ended March 31, 2018**
From: City Manager
Contact: Henry Oyekanmi, Finance, 981-7300
Action: Received and filed.
51. **Measure GG Follow-up Audit Status Report**
From: City Manager
Contact: David Brannigan, Fire, 981-3473
Action: Received and filed.
52. **Referral Response: Berkeley Deep Green Building Initiative**
From: City Manager
Contact: Timothy Burroughs, Planning and Development, 981-7400
Action: Received and filed.
53. **2018-2023 Human Welfare and Community Action Commission Work Plan**
From: Human Welfare and Community Action Commission
Contact: Wing Wong, Commission Secretary, 981-5400
Action: Received and filed.

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

Adjournment

1. **Action:** M/S/C (Maio/Hahn) to adjourn the meeting in memory of:
 1. Peter Tannenbaum, Local Activist
 2. Kareah Mendoza, Local Resident

Vote: All Ayes.

Adjourned at 11:34 p.m.

Communications

Item 31: Consider the Homeless: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds

1. Barbara Brust

Item 40: FY 2019 Budget Adoption

2. Evan McDonald

1900 Fourth Street / West Berkeley Shellmound

3. Marie Venner

4. Tom Lippe

5. Wendy Weikel

6. Judy Nakadegawa

Homelessness / Encampments

7. David Lerman (2)

8. Alice

9. russbumper

10. Osha Neumann

11. Diana Bohn (3)

12. Genevieve Wilson (2)

13. Summer Brenner

14. Berkeley Way Neighborhood Association

15. Nina Orike

AB 2923 BART Zoning

16. Blaine Merker

17. Ying Lee

Department of Defense 1033 Program

18. Police Review Commission

SEIU and Cost-Saving Considerations

19. Rash B. Ghosh

Council Meeting Space

20. Kelly Hammargren

Service Report Form

21. W.B.C.

Request for Mediation Form

22. W.B.C.

Berkeley Police Association

23. russbumper

Urban Shield Participation

24. Christine Schwartz

25. LZ Lerman

26. Starchild

27. Judith Grether

28. Jean Tepperman

29. Holly Mines

30. Bob Flasher

31. Carolyn Scarr

32. Tom Luce

- 33. Lew Williams
- 34. Cindy Shamban
- 35. David Hauptert
- 36. Jody Sokolower

Berkeley Honda Concerns

- 37. Thomas Ferrell

Harold Way Project

- 38. Michael Fullerton

Redwood Gardens

- 39. Peter Bruce DuMont

Sanctuary City Contracting Ordinance

- 40. Peace and Justice Commission

Supplemental Communications and Reports 1

Item 31: Consider the Homeless: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds

- 41. russbumper

Item 40: FY 2019 Budget Adoption

- 42. Parks & Waterfront Commission

Item 43: Placing a Measure on the November 6, 2018 Ballot to Increase the Transfer Tax on Property Sales to Fund Homeless Services

- 43. Revised materials, submitted by City Attorney's Office

Item 47: Budget Referral for Creation of a "Vehicle Dweller Park" in Berkeley

- 44. Diana Bohn

Supplemental Communications and Reports 2

Item 15: License Agreement: Berkeley Community Media for Storage at Maudelle Shirek Building

- 45. Linda Mac and Michael LaBash

Item 22: Reserving Up To \$11M in Housing Trust Funds for the Berkeley Way Development

- 46. Katharine Bierce
- 47. Susan Taylor
- 48. John Iversen
- 49. Pam Dahl
- 50. Esther Lerman
- 51. Pat Shanks
- 52. Anita Ayers
- 53. Marla Kamiya
- 54. Deb Todd
- 55. Chris Donahue
- 56. Ben Burch

57. Cecile Leneman

Item 32: Amending the Coast Live Oak Ordinance to Allow the Removal of Trees that Substantially Interfere with Affordable Housing Projects

58. Supplemental materials, submitted by Councilmember Worthington

Item 36: City Manager Referral; Preliminary steps towards the expansion of the GoBerkeley Transportation Program to Increase Parking Efficiency

59. Revised materials, submitted by Councilmember Worthington

Item 39: Urgency Ordinance to Authorize the Issuance of General Obligation Bonds for the Purpose of Financing Affordable Housing; BMC Chapter 7.64

60. Rhiannon

Item 40: FY 2019 Budget Adoption

61. Supplemental materials, submitted by Mayor Arreguin

62. Shaheer Sandhu

Item 41: FY 2019 Annual Appropriations Ordinance

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

Item 42: Placing Charter Amendment Measure on the November 6, 2018 Ballot Related to Full-Time Status and Salaries for the Mayor and City Council

64. Supplemental materials, submitted by Councilmember Hahn

Item 47: Budget Referral for Creation of a "Vehicle Dweller Park" in Berkeley

65. Chris Horgan

Item 48: Support Stop Tariffs On Printers and Publishers (STOPP) and S.2835 - PRINT Act. Also, send letters in support to Senator Susan Collins, Senator Dianne Feinstein, Senator Kamala Harris, and Congresswoman Barbara Lee

66. Revised materials, submitted by Councilmember Worthington

Supplemental Communications and Reports 3

Item 12: Contract: Downtown Berkeley YMCA for Fitness Center Memberships for City Employees

67. Eric Friedman

68. Isabelle Gaston

Item 15: License Agreement: Berkeley Community Media for Storage at Maudelle Shirek Building

69. Kathleen Giustino

70. Erika Alexi Corey

Item 22: Reserving Up To \$11M in Housing Trust Funds for the Berkeley Way Development

71. Luis Amezcua, on behalf of the Sierra Club

72. Chimey Lee

Item 28: Fee Waivers for Berkeley Repertory Theatre Live/Work Artist Housing

73. Supplemental materials, submitted by Councilmember Worthington

74. Christine Schwartz

Item 40: FY 2019 Budget Adoption

75. Supplemental materials, submitted by Mayor Arreguin

76. Unknown

77. Malik Diaw

78. Noah Ross

79. Valeria Moran

80. Brianna Rubow

81. David Ying

82. Cooper Price

83. Diana Bohn

84. Ankit Hirpara

85. Linda Franklin

Item 47: Budget Referral for Creation of a “Vehicle Dweller Park” in Berkeley

86. Linda Franklin

87. Alice

ZAB Appeal – 1499 University Avenue

88. Chris Berg