

AGENDA



BERKELEY CITY COUNCIL MEETING

Tuesday, July 24, 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

This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953. Any member of the public may attend this meeting. Questions regarding this matter may be addressed to Mark Numainville, City Clerk, 981-6900.

The City Council may take action related to any subject listed on the Agenda. The Mayor may exercise a two minute speaking limitation to comments from Councilmembers. Meetings will adjourn at 11:00 p.m. - any items outstanding at that time will be carried over to a date/time to be specified.

Preliminary Matters

Roll Call:

Ceremonial Matters: *In addition to those items listed on the agenda, the Mayor may add additional ceremonial matters.*

City Manager Comments: *The City Manager may make announcements or provide information to the City Council in the form of an oral report. The Council will not take action on such items but may request the City Manager place a report on a future agenda for discussion.*

Public Comment on Non-Agenda Matters: *Persons will be selected by lottery to address matters not on the Council agenda. If five or fewer persons submit speaker cards for the lottery, each person selected will be allotted two minutes each. If more than five persons submit speaker cards for the lottery, up to ten persons will be selected to address matters not on the Council agenda and each person selected will be allotted one minute each. Persons wishing to address the Council on matters not on the Council agenda during the initial ten-minute period for such comment, must submit a speaker card to the City Clerk in person at the meeting location and prior to commencement of that meeting. The remainder of the speakers wishing to address the Council on non-agenda items will be heard at the end of the agenda. Speaker cards are not required for this second round of public comment on non-agenda matters.*

Public Comment on Consent Calendar and Information Items Only: *The Council will take public comment on any items that are either on the amended Consent Calendar or the Information Calendar. Speakers will be entitled to two minutes each to speak in opposition to or support of Consent Calendar and Information Items. A speaker may only speak once during the period for public comment on Consent Calendar and Information items.*

Additional information regarding public comment by City of Berkeley employees and interns: Employees and interns of the City of Berkeley, although not required, are encouraged to identify themselves as such, the department in which they work and state whether they are speaking as an individual or in their official capacity when addressing the Council in open session or workshops.

Consent Calendar

The Council will first determine whether to move items on the agenda for “Action” or “Information” to the “Consent Calendar”, or move “Consent Calendar” items to “Action.” Items that remain on the “Consent Calendar” are voted on in one motion as a group. “Information” items are not discussed or acted upon at the Council meeting unless they are moved to “Action” or “Consent”.

No additional items can be moved onto the Consent Calendar once public comment has commenced. At any time during, or immediately after, public comment on Information and Consent items, any Councilmember may move any Information or Consent item to “Action.” Following this, the Council will vote on the items remaining on the Consent Calendar in one motion.

For items moved to the Action Calendar from the Consent Calendar or Information Calendar, persons who spoke on the item during the Consent Calendar public comment period may speak again at the time the matter is taken up during the Action Calendar.

1. Extending the Timelines in the City’s Agreement with BRIDGE Housing Corporation for the Berkeley Way Development

From: City Manager

Recommendation: Adopt second reading of Ordinance No. 7,618-N.S. authorizing the City Manager to execute a first amendment to the City’s Disposition and Development Agreement (DDA) with BRIDGE Housing Corporation for the Berkeley Way development. The amended timeline will be consistent with Council’s March 13, 2018 direction to prioritize all City actions needed to allow BRIDGE the opportunity to apply for Affordable Housing and Sustainable Communities funding in 2019.

First Reading Vote: All Ayes.

Financial Implications: See report

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

2. Master Lease and Property Management Agreement for 2111 McKinley Avenue

From: City Manager

Recommendation: Adopt second reading of Ordinance No. 7,619-N.S. authorizing the City Manager to execute a master lease and property management agreement and any amendments with Building Opportunities for Self-Sufficiency (BOSS) to use City Property at 2111 McKinley Avenue for a one-year lease term with an option to extend for one additional one-year term.

First Reading Vote: All Ayes.

Financial Implications: See report

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

Consent Calendar

- 3. Referral Response: Adopt a New Urban Agriculture Ordinance (Chapter 23C.26), Adopt New Urban Agriculture Definitions (amend Chapter 23F.04), and Modify Tables Listing Permitted Uses in Applicable Zoning Districts**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,620-N.S. amending the Zoning Ordinance to establish and allow a new Urban Agriculture land use classification that permits urban agriculture in all zoning districts, with the exception of Environmental Safety – Residential (ES-R). This requires enacting Berkeley Municipal Code (BMC) Chapter 23C.26, and amending BMC Titles 23D, 23E, and 23F.
First Reading Vote: All Ayes.
Financial Implications: None
Contact: Timothy Burroughs, Planning and Development, 981-7400
- 4. Cooperative Agreement and Lease: Downtown Berkeley Bike Station**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,621-N.S. authorizing the City Manager to execute a lease agreement with Bay Area Rapid Transit for retail space at the Center Street Garage for a two-year lease term expiring June 30, 2020, with an option to extend for three one-year terms.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Phillip Harrington, Public Works, 981-6300
- 5. Amending Berkeley Municipal Code Chapter 12.92 to Specify the Time Period after which Vacant Residential Buildings Meet a Condition of Unlawful Nuisance**
From: Councilmembers Harrison, Davila, Bartlett, and Mayor Arreguin
Recommendation: Adopt second reading of Ordinance No. 7,622-N.S. amending Berkeley Municipal Code Chapter 12.92 to specify the time period after which vacant residential buildings meet a condition of unlawful nuisance.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Kate Harrison, Councilmember, District 4, 981-7140
- 6. Minutes for Approval**
From: City Manager
Recommendation: Approve the minutes for the Council meetings of June 7, 2018 (special closed), June 11, 2018 (special closed), June 12, 2018 (special and regular), June 15, 2018 (special closed), June 19, 2018 (special closed and special), June 25, 2018 (special closed), and June 26, 2018 (regular).
Financial Implications: None
Contact: Mark Numainville, City Clerk, 981-6900

Consent Calendar

7. **Emergency Standby Officers for the Mayor and Councilmembers**

From: City Manager

Recommendation: Adopt a Resolution confirming the appointment of Standby Officers for the Mayor and each Councilmember to serve in the event the elected official is unavailable during an emergency, and rescinding Resolution No. 68,454-N.S.

Financial Implications: None

Contact: Mark Numainville, City Clerk, 981-6900

8. **Facilitation of the Installation of IKE Smart City Kiosks; Amending Chapters 20.16 and 16.18 of the Berkeley Municipal Code**

From: City Manager

Recommendation:

1. Adopt first reading of an Ordinance amending Section 20.16.090 of the Berkeley Municipal Code (the Sign Ordinance) to exempt wayfinding kiosks placed in the City pursuant to a contract between the City and Visit Berkeley (formerly the Convention & Visitors Bureau); and amending Section 16.18.040 of the Berkeley Municipal Code (the Encroachment Ordinance) to exempt wayfinding kiosks installed pursuant to a contract between Visit Berkeley and the City of Berkeley, provided they are installed and maintained in conformance with the requirements of the City Engineer.

2. Adopt a Resolution declaring the Council's intention pursuant to Berkeley Municipal Code Chapter 9.60 to consider at a public hearing, set for September 25, 2018, at 6:00 p.m., whether to grant a franchise to IKE Smart City, LLC ("IKE") to operate wayfinding kiosks in Berkeley.

Financial Implications: See report

Contact: Jordan Klein, Economic Development, 981-7530

9. **As-Need Contract with ACRO Service Corporation for Temporary Staffing Services and Related Services and Solutions**

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to enter into an as-needed agreement with U.S. Communities Cooperative Purchasing contractor ACRO Service Corporation (ACRO) to provide temporary staffing services and related services and solutions for a period of one year commencing on or about August 1, 2018 and ending July 31, 2019, in an amount not to exceed \$200,000.

Financial Implications: See report

Contact: Henry Oyekanmi, Finance, 981-7300

Consent Calendar

10. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on July 24, 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 - \$8,765,500

Contact: Henry Oyekanmi, Finance, 981-7300

11. Contract No. 8595 Amendment: Minuteman Press for Citywide Printing and Copying Services

From: City Manager

Recommendation: Adopt a Resolution authorizing a \$240,000 increase in the not to exceed amount of Contract No. 8595, from \$1,260,000 to \$1,500,000, for Citywide Printing and Copying Services to fund service delivery for the FY2019 period.

Financial Implications: Various Funds - \$240,000

Contact: Henry Oyekanmi, Finance, 981-7300

12. Contract No. 9370 Amendment: Universal Building Services for Citywide Janitorial Services for Various Locations and Facilities

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to increase the not to exceed value of Contract No. 9370 by \$800,000, from \$3,137,000 to \$3,937,000 to fund FY2019 citywide janitorial services currently provided by Universal Building Services (UBS) at approximately 27 City locations and facilities.

Financial Implications: Various Funds - \$800,000

Contact: Henry Oyekanmi, Finance, 981-7300

13. Contract No. 8949D Amendment: Intermedix for Ambulance Billing Services

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No. 8949D with Intermedix, extending the contract from August 31, 2018 to January 31, 2019 and increasing the contract amount by \$111,250, for a total amended amount not to exceed \$1,500,250, to provide ambulance billing services.

Financial Implications: General Fund - \$111,250

Contact: David Brannigan, Fire, 981-3473

Consent Calendar

14. Revenue Contracts: FY 2019 Aging Services Programs

From: City Manager

Recommendation: Adopt five Resolutions authorizing the City Manager or her designee to execute any resultant revenue agreements and amendments with Alameda County to provide congregate and home-delivered meals, family caregiver support, senior center activities and information and assistance services to seniors for the following programs for Fiscal Year 2019:

1. Congregate Meals in the amount of \$36,342;
2. Home Delivered Meals in the amount of \$42,867;
3. Family Caregiver Support Program in the amount of \$36,894;
4. Senior Center Activities in the amount of \$25,000; and
5. Information and Assistance Services in the amount of \$54,234.

Financial Implications: See report

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

15. Contract Agreement: BOSS to Operate the Secure Storage Program

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract with BOSS for 12 months of operations and staffing expenses, as described below, for a storage pilot program for persons experiencing homelessness. The total contract shall not exceed \$50,000 and will provide funds for one storage site (in the downtown area). The contract will utilize funds for the downtown homeless storage pilot program, allocated by Council on December 5, 2017.

Financial Implications: General Fund - \$50,000

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

16. Approving Berkeley Way Project Application for Alameda County A1 Funds

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to work with BRIDGE Housing Corporation to submit an application to Alameda County's Housing and Community Development Department for \$13,525,338 from Berkeley's set-aside of Measure A1 bond funds for the potential development at 2012 Berkeley Way and specifying the proposed match the City has already identified for the project.

Financial Implications: See report

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

17. Mental Health Services Act (MHSA) Reversion Expenditure Plan

From: City Manager

Recommendation: Adopt a Resolution approving the Mental Health Services Act (MHSA) Reversion Expenditure Plan which provides information on proposed uses of reverted and reallocated funds on mental health programming, and forward the MHSA Reversion Expenditure Plan to appropriate state officials.

Financial Implications: See report

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

Consent Calendar

18. Housing Trust Fund Request for Proposals for Housing Rehabilitation with the City's 2018 HOME Funds and HOME Program Income

From: City Manager

Recommendation: Authorize the City Manager to release a Housing Trust Fund Request for Proposals (RFP) with a priority for housing rehabilitation by a nonprofit that qualifies as a federally-defined Community Housing Development Organization (CHDO) and satisfies requirements related to the City's 2018 allocation of federal HOME program funds and currently available HOME program income.

Financial Implications: See report

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

19. Designating City's Labor Negotiator under Govt. Code Section 54957.6

From: City Manager

Recommendation: Adopt a Resolution establishing a standing list of representatives of the City of Berkeley designated to participate in closed sessions with the City Council to discuss labor negotiations with certain unions and rescinding Resolution No. 68,312-N.S.

Financial Implications: None

Contact: LaTanya Bellow, Human Resources, 981-6800

20. Memorandum Agreement: Service Employees International Union Local 1021 Maintenance and Clerical Chapters

From: City Manager

Recommendation: Adopt two Resolutions:

1. Approving a new two-year Memorandum Agreement (hereafter referred to as the "MA") with the Service Employees International Union Local 1021 Maintenance and Clerical Chapters (hereafter referred to as the "Union") with a term of June 17, 2018 through June 27, 2020, and authorizing the City Manager to execute and implement the terms and conditions of employment set forth in the new labor agreement; and
2. Approving a new salary resolution for Representation Units D, J, K-1, and K-2 that implement the new salary levels negotiated in the new labor agreement and rescinding Resolution No. 67,185-N.S.

Financial Implications: See report

Contact: LaTanya Bellow, Human Resources, 981-6800

Consent Calendar

- 21. Unrepresented Employees: Salary Adjustments and Update to Unrepresented Employee Manual**
From: City Manager
Recommendation: Adopt two Resolutions:
1. Approving salary increases for the Unrepresented Employees in Units X-1; X-2; Z-1; Z-2; Z-3; Z-6; and Z-9, for the period July 29, 2018 through June 27, 2020 and rescinding Resolution No. 68,030-N.S. and Resolution No. 68,148-N.S. Classification and Salary Resolution; and
2. Adopting as amended the Unrepresented Employee Manual, Resolution No. 68,166-N.S. to correct a typographical error, clarify several provisions including the disciplinary appeal timelines, codify practice of prorating administrative leave, implements cost-sharing of health premiums for Executive Managers effective July 1, 2019, and a one-time lump sum payment of \$2,000.
Financial Implications: See report
Contact: LaTanya Bellow, Human Resources, 981-6800
- 22. Contract: Moran Technology Consulting for Office 365 Exchange Migration and OneDrive Implementation (O365)**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract with Moran Technology Consulting for the implementation of Office 365 Exchange and One-Drive implementation, for a total not-to-exceed (NTE) value of \$89,340 from July 25, 2018 to June 30, 2020.
Financial Implications: General Fund - \$89,340
Contact: Savita Chaudhary, Information Technology, 981-6500
- 23. Contract No. 7167H Amendment: Superior, LLC for AS400 Software Maintenance and Professional Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No. 7167H with Superior, LLC for software maintenance and support of the City's FUNDS\$ system on the AS400 platform, increasing the contract amount by \$199,251 for a total not-to-exceed amount of \$1,882,186 from July 1, 2006 through June 30, 2019.
Financial Implications: Technology Service Fund - \$199,251
Contact: Savita Chaudhary, Information Technology, 981-6500
- 24. Contract: Presidio Networked Solutions Group, LLC for the development of a Cyber Resilience Plan (CRP)**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract with Presidio Networked Solutions Group ("Presidio") to develop a Cyber Resilience Plan (CRP), for a total not to exceed \$100,000 from July 25, 2018 to June 30, 2019.
Financial Implications: General Fund - \$100,000
Contact: Savita Chaudhary, Information Technology, 981-6500

Consent Calendar

- 25. Contract No. 9149A Amendment: Advantel Networks for Voice Over IP (VoIP) Telephone System**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No. 9149A with Advantel Networks for Voice Over IP (VoIP) telephone system licensing and maintenance, increasing the contract by \$100,000 for a total not to exceed amount of \$1,387,500, from November 2012 to June 30, 2019.
Financial Implications: Various Funds - \$100,000
Contact: Savita Chaudhary, Information Technology, 981-6500
- 26. Donation: Friends of Berkeley Tuolumne Camp for Berkeley Tuolumne Camp Reconstruction Project**
From: City Manager
Recommendation: Adopt a Resolution accepting a cash donation from the Friends of Berkeley Tuolumne Camp in the amount of \$50,000 for the Berkeley Tuolumne Camp Reconstruction Project.
Financial Implications: \$50,000 (donation)
Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700
- 27. Berkeley Echo Lake Camp Association Donation to Echo Lake Camp**
From: City Manager
Recommendation: Adopt a Resolution accepting a cash donation of \$4,665 for Echo Lake Camp from the Berkeley Echo Lake Camp Association.
Financial Implications: \$4,665 (donation)
Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700
- 28. Donation: Memorial Bench at the South Cove in Memory of Wolffe Jay Nadoolman**
From: City Manager
Recommendation: Adopt a Resolution accepting a cash donation in the amount of \$3,400 for a memorial bench to be placed at the South Cove at the Berkeley Marina in memory of Wolffe Jay Nadoolman.
Financial Implications: \$3,400 (donation)
Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700

Consent Calendar

- 29. Revenue Grant: California Office of Traffic Safety (OTS) for the 2019 “Selective Traffic Enforcement Program (STEP)” Grant**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to accept the “Selective Traffic Enforcement Program (STEP)” grant and enter into the resultant grant agreement and any amendments, with the California Office of Traffic Safety (OTS) to fund increased levels of impaired or distracted driving enforcement, nighttime seatbelt enforcement, motorcycle safety enforcement, and educational programs regarding bicycle and pedestrian collisions. The approved OTS grant is for \$250,000 for the period of October 1, 2018 through September 30, 2019 which is Federal Fiscal Year 2019.
Financial Implications: See report
Contact: Andrew Greenwood, Police, 981-5900
- 30. Contract No. 8869 Amendment: Alameda County Auction “Auto World” for Vehicle Rental Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No. 8869 and any future amendments with Alameda County Auction “Auto World” to rent unmarked vehicles for the Police Department, increasing the contract by \$25,000 for a total not to exceed amount of \$350,000.
Financial Implications: Citizen’s Options for Public Safety Fund - \$25,000
Contact: Andrew Greenwood, Police, 981-5900
- 31. Contract No. 8461 Amendment: Crime Scene Cleaners for Biological Hazard Removal**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No. 8461 and any necessary future amendments with Crime Scene Cleaners, Incorporated for the Police Department, in an amount not to exceed a total of \$250,000 subject to the City’s annual budget appropriation process. The contract term is from September 1, 2010 through September 30, 2019 and this amendment will add \$200,000 to the contract.
Financial Implications: See report
Contact: Andrew Greenwood, Police, 981-5900
- 32. Contract No. 10261 Amendment: VBS Services for On-call Phlebotomy and Sexual Assault Exams**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No. 10261 and any necessary future amendments with VBS Services for the Police Department, increasing the contract amount by \$100,000 for a total not to exceed amount of \$150,000 from March 1, 2016 through March 1, 2020.
Financial Implications: Citizen’s Options for Public Safety Fund - \$100,000
Contact: Andrew Greenwood, Police, 981-5900

Consent Calendar

- 33. Contract No. 10172 Amendment: Berkeley Touchless Carwash for Vehicle Washing Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 10172 with Berkeley Touchless Carwash to provide for vehicle washing services for City vehicles, increasing the contract amount by \$80,000 for an amended total not to exceed \$160,000, and extending the contract term to June 30, 2020.
Financial Implications: Equipment Maintenance Fund - \$80,000
Contact: Phillip Harrington, Public Works, 981-6300
- 34. Contracts: On-Call Civil Engineering Services for the Sanitary Sewer Program**
From: City Manager
Recommendation: Adopt three Resolutions authorizing the City Manager to execute the following contracts, and any amendments, extensions, or other change orders for on-call civil engineering services for the Sanitary Sewer Program, each for a period of August 1, 2018 to June 30, 2021:
1. West Yost Associates, for an amount not to exceed \$700,000;
2. Nute Engineering, for an amount not to exceed \$400,000; and
3. Coastland Civil Engineering, for an amount not to exceed \$400,000.
Financial Implications: See report
Contact: Phillip Harrington, Public Works, 981-6300
- 35. Contract: Parisi Transportation Consulting, Inc. for Planning and Preliminary Engineering for the Milvia Bikeway Project**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with Parisi Transportation Consulting, Inc. for Planning and Preliminary Engineering for the Milvia Bikeway Project, for an amount not to exceed \$350,000 for the period September 1, 2018 through October 31, 2019.
Financial Implications: Capital Project Grant Fund - Local - \$350,000
Contact: Phillip Harrington, Public Works, 981-6300
- 36. Contract No. 10109 Amendment: KPM Consulting, LLC for On-Call Project and Construction Management Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to the Contract No. 10109 with KPM Consulting, LLC., for on-call project and construction management services, increasing the contract amount by \$800,000, for an amount not-to-exceed \$2,400,000; extending the contract period for one year through December 31, 2019, and authorizing any extensions, amendments, or change orders.
Financial Implications: Various Funds - \$800,000
Contact: Phillip Harrington, Public Works, 981-6300

Consent Calendar

- 37. Contract 10712 Amendment: SCI Consulting Group for Clean Stormwater Rate Study and Proposition 218-Compliant Process**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 10172 with SCI Consulting Group to add \$10,500 to its contract for a Clean Stormwater rate study and balloting process that was done in compliance with Proposition 218 to additionally prepare levy files for Alameda County on behalf of the City, resulting in a not-to-exceed amount of \$240,500 for the term ending August 10, 2019.
Financial Implications: Clean Storm Water Fund - \$10,500
Contact: Phillip Harrington, Public Works, 981-6300
- 38. Contract No. 10298 Amendment: C. Overaa & Co. for the Center Street Parking Garage**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No. 10298 with C. Overaa & Co. for the Center Street Parking Garage Project, increasing the contract amount by \$1,500,000 for a total amount not to exceed \$38,470,483.
Financial Implications: Off Street Parking Fund - \$1,500,000
Contact: Phillip Harrington, Public Works, 981-6300
- 39. Contract: Zero Waste Collaborative for the Solid Waste & Recycling Transfer Station Rebuild Feasibility Study**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract with Zero Waste Collaborative for the Solid Waste & Recycling Transfer Station Rebuild Feasibility Study, and any amendments, extensions, or change orders, in an amount not to exceed \$500,000, for the term August 1, 2018 to June 30, 2020.
Financial Implications: Zero Waste Fund - \$500,000
Contact: Phillip Harrington, Public Works, 981-6300
- 40. Contract No. 9114E Amendment: Stockton Tri Industries, Inc. to Clean, Paint, and Repair Refuse and Recycling Debris Bins**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 9114E with Stockton Tri Industries, Inc. to increase the contract amount by \$30,000 for a total contract amount not to exceed \$160,000 to clean, paint, and repair refuse and recycling debris bins through contract expiration of June 30, 2019.
Financial Implications: Zero Waste Fund - \$30,000
Contact: Phillip Harrington, Public Works, 981-6300

Consent Calendar

- 41. Grant Application: Active Transportation Program Funding for the Milvia Bikeway Project**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to submit a grant application to the California Department of Transportation Active Transportation Program for the remaining unfunded phases of the Milvia Bikeway Project, for a total amount up to \$6,470,650, and, if awarded, to accept the grant and execute any resultant agreements and amendments.
Financial Implications: See report
Contact: Phillip Harrington, Public Works, 981-6300
- 42. Contract: Bigbelly Solar, Inc. for Solar Compacting Trash and Recycling Receptacles Pilot Program**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract with Bigbelly Solar, Inc. for the Solar Compacting Trash and Recycling Receptacles Pilot Program and any amendments, extensions, or change orders, in an amount not to exceed \$71,300 for the term August 1, 2018 to June 30, 2023.
Financial Implications: Zero Waste Fund - \$71,300
Contact: Phillip Harrington, Public Works, 981-6300
- 43. Interim Use Agreements for University Avenue Center**
From: City Manager
Recommendation: Authorize the City Manager to negotiate lease terms and execute leases for occupancy of available space at University Avenue Center located at 1001 and 1011 University Avenue, Berkeley, CA 94710.
Financial Implications: See report
Contact: Phillip Harrington, Public Works, 981-6300
- 44. Contracts: On-Call Civil Engineering and Construction Management Services: Bellecci & Associates; LCC Engineering & Surveying, Inc.; Parisi CSW Design Group; Pavement Engineering, Inc.; Harrison Engineering, Inc.; and Mark Thomas**
From: City Manager
Recommendation: Adopt six Resolutions authorizing the City Manager to execute the following contracts and any amendments, extensions, or change orders for on-call civil engineering and construction management services for capital improvement projects, each for a period of September 1, 2018 through June 30, 2021:
1. Bellecci & Associates for an amount not to exceed \$1,000,000;
2. LCC Engineering & Surveying, Inc., for an amount not to exceed \$500,000;
3. Parisi CSW Design Group for an amount not to exceed \$1,500,000;
4. Pavement Engineering, Inc., for an amount not to exceed \$1,500,000;
5. Harrison Engineering, Inc., for an amount not to exceed \$500,000; and
6. Mark Thomas for an amount not to exceed \$500,000.
Financial Implications: See report
Contact: Phillip Harrington, Public Works, 981-6300

Consent Calendar

45. **Contract: Nelson\Nygaard for Parking Data Collection and Analysis Services for the goBerkeley Residential Shared Parking Pilot**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract and any amendments, extensions, or change orders with Nelson/Nygaard Consulting Services for parking data collection and analysis services for the goBerkeley Residential Shared Parking Pilot for an amount not to exceed \$250,000 for the period September 1, 2018 through June 30, 2021.
Financial Implications: Various Funds - \$250,000
Contact: Phillip Harrington, Public Works, 981-6300
46. **Reject Bids – FY2018 Measure M Low Impact Development (LID) Woolsey Street Project, Specification No. 18-11183-C**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to reject bids and direct staff to re-advertise the work associated with the FY2018 Measure M Low Impact Development (LID) Woolsey Street Project, Specification No. 18-11183-C.
Financial Implications: See report
Contact: Phillip Harrington, Public Works, 981-6300
47. **Reject Bids – Panoramic Hill Rehabilitation Project, Specification No. 18-11180-C**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to reject bids and direct staff to re-advertise the work associated with the Panoramic Hill Rehabilitation Project, Specification No. 18-11180-C.
Financial Implications: See report
Contact: Phillip Harrington, Public Works, 981-6300
48. **City of Berkeley Arts and Culture Plan, 2018-2027**
From: Civic Arts Commission
Recommendation: Adopt a Resolution adopting the 2018-2027 Arts and Culture Plan for the City of Berkeley.
Financial Implications: None
Contact: Jordan Klein, Commission Secretary, 981-7530
49. **Referral Response: Second Dwelling Unit/Accessory Dwelling Unit Pilot Program to House the Homeless**
From: Housing Advisory Commission
Recommendation: Recommend that the City Council expand the referral to include the creation and/or legalization of below-market rate ADUs. Refer to the City Manager the questions listed in the report that may guide the City Council on the possibility of establishing this pilot program.
Financial Implications: See report
Contact: Amy Davidson, Commission Secretary, 981-5400

Consent Calendar

50. Request for an Additional Meeting in 2018

From: Homeless Commission

Recommendation: Adopt a Resolution for the Homeless Commission to hold one additional meeting in 2018 with a focus on housing issues.

Financial Implications: See report

Contact: Peter Radu, Commission Secretary, 981-5400

51. Proposing Time Requirements for Commission and Board Meeting Minutes

From: Open Government Commission

Recommendation: Approve the recommendation and insert the language in the report into the Commissioners' Manual "Chapter III, Coordination with Council, Staff and Others" that draft minutes shall be completed and posted within two (2) weeks after the commission meets.

Financial Implications: None

Contact: Jessica Mar, Commission Secretary, 981-6950

Council Consent Items

52. Placing a Measure on the November 6, 2018 Ballot Supporting the Development of Vision 2050: A Long-Range Sustainable Infrastructure Plan

From: Mayor Arreguin, and Councilmembers Hahn and Harrison

Recommendation:

1. Adopt a Resolution submitting an advisory measure on the November 6, 2018 general municipal ballot supporting the development of Vision 2050 for a Resilient City, a long-range sustainable infrastructure plan; and rescinding Resolution No. 68,477-N.S.

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(b).

Financial Implications: See report

Contact: Jesse Arreguin, Mayor, 981-7100

53. Support of the Chinese American World War II Veterans Congressional Gold Medal Act

From: Mayor Arreguin and Councilmember Hahn

Recommendation: Adopt a Resolution supporting H.R. 2358/S. 1050 – The Chinese American World War II Veterans Congressional Gold Medal Act. Send a copy of the Resolution to Senators Dianne Feinstein and Kamala Harris and Congresswoman Barbara Lee.

Financial Implications: None

Contact: Jesse Arreguin, Mayor, 981-7100

Council Consent Items

54. **Budget Referral: RRFB Light at San Pablo Avenue & Addison Street**
From: Councilmember Davila
Recommendation: Refer to the budget process an allocation for Rectangular Rapid Flash Beacon (RRFB) at the crosswalk at San Pablo and Addison Street.
Financial Implications: See report
Contact: Cheryl Davila, Councilmember, District 2, 981-7120
55. **Request from Caracen for City of Berkeley contributions to relief in response to a series of eruptions of volcanos in Guatemala: 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 \$250 from Councilmember Cheryl Davila, to the Central American Resource Center, CARECEN, for funds to be delivered directly to the affected peasant population of Guatemala suffering this tremendous natural disaster, 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 - \$250
Contact: Cheryl Davila, Councilmember, District 2, 981-7120
56. **Plaque Honoring William Byron Rumford: Relinquishment of Council Office Budget Fund to General Fund and Grant of Such Funds**
From: Councilmember Bartlett and Mayor Arreguin
Recommendation: Adopt a Resolution approving the expenditure of an amount to be determined by each Councilmember, including \$250 from Councilmember Bartlett, to the Together We Can Make It Happen Foundation with funds relinquished to the City's general fund for this purpose from the discretionary council office budget of Councilmember Bartlett, Mayor Arreguin, and any other council members who would like to contribute.
Financial Implications: Councilmembers' Discretionary Funds - \$250
Contact: Ben Bartlett, Councilmember, District 3, 981-7130
57. **Resolution Supporting SB 54, AB 103, and AB 450 and Opposing US vs. California, the Lawsuit against those Laws by Attorney General Jeff Sessions**
From: Councilmembers Harrison, Hahn, Davila, and Mayor Arreguin
Recommendation: That the Council adopt a Resolution supporting SB 54 (Sanctuary State), AB 103 (Detention Facility Review), and AB 450 (Anti Workplace Immigration Raids), opposing the United States vs. California, the lawsuit against those laws by Attorney General Jeff Sessions, and requesting that the City Attorney to join the amicus brief in favor the law.
Financial Implications: None
Contact: Kate Harrison, Councilmember, District 4, 981-7140

Council Consent Items

58. Resolution in Support of AB-3118 and SB-1149

From: Councilmembers Wengraf, Droste, Maio, and Hahn

Recommendation: Adopt a Resolution in support of AB-3118 (Chiu, Gonzalez Fletcher) Sexual assault: investigations and SB-1449 (Leyva) Rape kits: testing. Direct the City Clerk to send copies of the adopted resolution to the authors of the bills, Governor Jerry Brown, State Senator Nancy Skinner, and State Assembly Member Tony Thurmond.

Financial Implications: None

Contact: Susan Wengraf, Councilmember, District 6, 981-7160

59. Support S.3036 to enforce immigration policy using humane enforcement methods, and send letters to Congress asking to amend components of the bill **From: Councilmember Worthington**

Recommendation: That the Berkeley City Council supports the Keep Families Together Act (S.3036), which prohibits the separation of a child who is under the age of 18 and has no permanent immigration status from their parent or guardian near the border or port of entry into the U.S. The Council also sends a letter to Congressional Sponsor Senator Dianne Feinstein and all Congressional cosponsors including Senator Kamala Harris, Senator Elizabeth Warren, Senator Bernie Sanders, and Senator Chuck Schumer asking for amendments to address the bill's insufficient focus on immigrants convicted of violent crimes.

Financial Implications: Minimal

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

Action Calendar

The public may comment on each item listed on the agenda for action as the item is taken up. For items moved to the Action Calendar from the Consent Calendar or Information Calendar, persons who spoke on the item during the Consent Calendar public comment period may speak again at the time the matter is taken up during the Action Calendar.

The Presiding Officer will request that persons wishing to speak line up at the podium to determine the number of persons interested in speaking at that time. Up to ten (10) speakers may speak for two minutes. If there are more than ten persons interested in speaking, the Presiding Officer may limit the public comment for all speakers to one minute per speaker. Speakers are permitted to yield their time to one other speaker, however no one speaker shall have more than four minutes. The Presiding Officer may, with the consent of persons representing both sides of an issue, allocate a block of time to each side to present their issue.

Action items may be reordered at the discretion of the Chair with the consent of Council.

Action Calendar – Public Hearings

Staff shall introduce the public hearing item and present their comments. This is followed by five-minute presentations each by the appellant and applicant. The Presiding Officer will request that persons wishing to speak, line up at the podium to be recognized and to determine the number of persons interested in speaking at that time.

Up to ten (10) speakers may speak for two minutes. If there are more than ten persons interested in speaking, the Presiding Officer may limit the public comment for all speakers to one minute per speaker. Speakers are permitted to yield their time to one other speaker, however no one speaker shall have more than four minutes. The Presiding Officer may with the consent of persons representing both sides of an issue allocate a block of time to each side to present their issue.

Action Calendar – Public Hearings

Each member of the City Council shall verbally disclose all ex parte contacts concerning the subject of the hearing. Councilmembers shall also submit a report of such contacts in writing prior to the commencement of the hearing. Written reports shall be available for public review in the office of the City Clerk.

60. ZAB Appeal: 1446 Fifth Street, Administrative Use Permit #ZP2016-0247

From: City Manager

Recommendation: Conduct a public hearing, and, upon conclusion, adopt a Resolution affirming the Zoning Adjustments Board (ZAB) decision to approve Administrative Use Permit #ZP2016-0247 to construct four detached, 3-story, approximately 1,800 square-foot, single-family dwellings, each with an average height of 33', on a vacant lot whose size will decrease from 6,250 to 5,744 square feet in the MU-R District, and dismiss the appeal.

Financial Implications: None

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

Action Calendar – Old Business

61a. Use of U1 Funds for Property Acquisition at 1001, 1007, and 1011 University Avenue and 1925 Ninth Street, Berkeley *(Continued from September 12, 2017)*

From: Housing Advisory Commission

Recommendation: That the City Council not use U1 funds to backfill the Workers' Compensation Fund for the acquisition of the properties located at 1001, 1007, and 1011 University Avenue, and 1925 Ninth Street, City of Berkeley.

Financial Implications: See report

Contact: Amy Davidson, Commission Secretary, 981-5400

61b. Companion Report: Use of U1 Funds for Property Acquisition at 1001, 1007, and 1011 University Avenue and 1925 Ninth Street, Berkeley *(Continued from September 12, 2017)*

From: City Manager

Recommendation: Accept staff's recommendation to use \$4,730,815 of Measure U1 revenue over a 5 year period (\$946,163 annually) to repay the Workers' Compensation Fund for the acquisition of the properties located at 1001, 1007, and 1011 University Avenue and 1925 Ninth Street, Berkeley.

Financial Implications: See report

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

Action Calendar – Old Business

- 62. 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) (Continued from June 26, 2018)**
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
- 63. Placing a Measure on the November 6, 2018 Ballot to Increase the Transfer Tax on Property Sales to Pay for General Municipal Services Including Funding Homeless Services (Continued from July 10, 2018. Item contains revised and supplemental materials.)**
From: City Manager
Recommendation:
1. Adopt a Resolution submitting a general 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 general municipal services, including homeless services, including shelters, rental subsidies, and 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
- 64. Placing a Measure on the November 6, 2018 Ballot Amending the Rent Ordinance—Berkeley Municipal Code Chapter 13.76 (Continued from July 10, 2018. Item contains supplemental materials.)**
From: Rent Stabilization Board
Recommendation:
1. Select a timeframe between 12 and 15 years as the rolling period of exemption for newly constructed rental units. (Section 13.76.130.1)
2. Adopt a Resolution placing the proposed amendments to the Rent Stabilization and Eviction for Good Cause Ordinance on the ballot of the November 6, 2018 General Municipal Election.
3. 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: Jay Kelekian, Rent Stabilization Board, 981-7368

Action Calendar – Old Business

- 65. City-Sponsored Emergency Preparedness Training and Emergency Preparedness Program** *(Continued from July 10, 2018. Item contains supplemental material.)*
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
- 66. Accessory Dwelling Unit Ordinance Updates** *(Continued from July 10, 2018. Item contains revised material.)*
From: Councilmembers Hahn, Wengraf, and Harrison
Recommendation: Refer to the Planning Commission to consider additional elements for Berkeley's Accessory Dwelling Unit Ordinance (BMC 23C.24), on an expedited basis.
Financial Implications: None
Contact: Sophie Hahn, Councilmember, District 5, 981-7150
- 67. Ordinance Allowing Currently Permitted Non-Cannabis Nurseries in Specified Areas to Become Commercial Cannabis Retail Nurseries** *(Continued from July 10, 2018)*
From: Councilmembers Worthington, Davila, and Harrison
Recommendation: That the Council adopt an ordinance amending nursery zoning policies to allow medical and/or adult-use cannabis cultivation in the area bounded by University Avenue, San Pablo Avenue, Dwight Way, and Sixth Street specifically for currently permitted nursery-only cultivation sites, subject to compliance with state regulations.
Financial Implications: Minimal
Contact: Kriss Worthington, Councilmember, District 7, 981-7170

Action Calendar – Old Business

68. **Revisions to Ordinance No. 7,521--N.S. in the Berkeley Municipal Code to increase compliance with the city's short-term rental ordinance** *(Continued from July 10, 2018.)*
From: Councilmember Worthington
Recommendation: Refer the City Manager to look into adopting revisions to Ordinance No. 7,521--N.S by modeling after the Home-Sharing Ordinance of the City of Santa Monica and the Residential Unit Conversion Ordinance of the City of San Francisco in order to increase compliance with city regulations on short-term rentals of unlicensed properties.
Financial Implications: Minimal
Contact: Kriss Worthington, Councilmember, District 7, 981-7170

Action Calendar – New Business

69. **Lobbyists Registration and Regulation Ordinance; Amendments to existing Revolving Door Ordinance**
From: Open Government Commission
Recommendation: Adopt first reading of an ordinance requiring the registration of lobbyists and regulating lobbying activity in the City of Berkeley, and an amendment to the existing Revolving Door Ordinance.
Financial Implications: Will require staff time to registrar and enforce the ordinance. Registration fees and penalties may offset some costs.
Contact: Jessica Mar, Commission Secretary, 981-6950

Council Action Items

70. **Placing a Charter Amendment relating to the Police Review Commission on the November 6, 2018 Ballot**
From: Mayor Arreguin and Councilmember Davila
Recommendation:
1. Adopt a Resolution submitting a measure on the November 6, 2018 general municipal ballot to amend the City Charter to add Article XVIII, relating to the Police Review Commission, to establish an Independent Police Auditor.
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: Jesse Arreguin, Mayor, 981-7100

Council Action Items

- 71. Direction to the City Manager Regarding the Community Service In Lieu of Parking Penalties Program**
From: Councilmembers Bartlett, Davila, and Harrison
Recommendation: Direct the City Manager to amend the eligibility requirements of the Community Service In Lieu of Parking Penalties Program in order to allow all indigent individuals to be eligible to participate in the program (regardless of the registration status of a potential participant's vehicle).
Financial Implications: Staff time
Contact: Ben Bartlett, Councilmember, District 3, 981-7130
- 72. Resolution referring the Nextdoor App to the City Manager**
From: Councilmember Worthington
Recommendation: Adopting a resolution referring the Nextdoor App to City Manager in order for the Berkeley Police Department to provide Berkeley residents with real time updates about their community.
Financial Implications: Minimal
Contact: Kriss Worthington, Councilmember, District 7, 981-7170
- 73. Ordinance to amend BMC Chapter 3.80 allow City Staff serve as a Commissioner**
From: Councilmember Worthington
Recommendation: Adopt revisions to Chapter 3.80 in Berkeley Municipal Code (BMC) concerning Membership On Boards And Commissions to allow City Staff to serve as a Commissioner by repealing section 3.80.030.
Financial Implications: See report
Contact: Kriss Worthington, Councilmember, District 7, 981-7170
- 74. Resolution creating a ballot measure which establishes a 50-cents per ride tax on Transportation Network Companies**
From: Councilmember Worthington
Recommendation: City Council submit to the voters of the City, at the November 6, 2018 election, the ordinance and ballot measure set forth in this item. This ordinance proposes to adopt a tax of up to 50 cents per ride on passengers of Transportation Network Company (TNCS) trips originating in the City of Berkeley, if a majority of all qualified voters voting on the ballot measure vote in favor thereof.
Financial Implications: Minimal
Contact: Kriss Worthington, Councilmember, District 7, 981-7170

Council Action Items

75. **Gender ID - City Records: Adopt definitions and ordinance to use the name, pronoun, and gender marker consistent with individual's gender identity on city documents and public records**
From: Councilmember Worthington
Recommendation: In Chapter 13.28.020, adopt definitions of Gender Identity and Gender Expression; and adopt ordinance 13.28.065 requiring City of Berkeley officials, staff, and personnel to record the name, pronoun, and gender marker in accordance with an individual's gender identity - male, female, or nonbinary - on all City of Berkeley documents and records, if distinct from name and sex listed on government identification forms.
Financial Implications: See report
Contact: Kriss Worthington, Councilmember, District 7, 981-7170
76. **Resolution Referring the expanded National Night Out to the City Manager**
From: Councilmember Worthington
Recommendation: Adopting a Resolution to refer the campus-city National Night Out event to the City Manager to help reduce crime in the campus area.
Financial Implications: Minimal
Contact: Kriss Worthington, Councilmember, District 7, 981-7170
77. **Resolution referring the Wildfire App to the City Manager**
From: Councilmember Worthington
Recommendation: Adopting a Resolution referring the Wildfire App to City Manager in order for the Berkeley Police Department to provide Berkeley residents with real time updates on their community.
Financial Implications: See report.
Contact: Kriss Worthington, Councilmember, District 7, 981-7170

Information Reports

78. **City Council Short Term Referral Process – Monthly Update**
From: City Manager
Contact: Mark Numainville, City Clerk, 981-6900
79. **FY 2019 Civic Arts Grant Awards**
From: City Manager
Contact: Jordan Klein, Economic Development, 981-7530
80. **Five-Year Street Rehabilitation Plan Update**
From: City Manager and Public Works Commission
Contact: Phillip Harrington, Public Works, 981-6300; Nisha Patel, Commission Secretary, 981-6300
81. **FY2019 Public Art Plan and Budget**
From: Civic Arts Commission
Contact: Jordan Klein, Commission Secretary, 981-7530

Information Reports

82. **Welcome to Berkeley Signage**
From: Transportation Commission
Contact: Farid Javandel, Commission Secretary, 981-6300
83. **City Auditor Fiscal Year 2019 Audit Plan**
From: City Auditor
Contact: Ann-Marie Hogan, Auditor, 981-6750
84. **Suggested Process for North Berkeley BART Parking Lot**
From: Councilmember Maio and Mayor Arreguin
Contact: Linda Maio, Councilmember, District 1, 981-7110

Public Comment – Items Not Listed on the Agenda

Adjournment

NOTICE CONCERNING YOUR LEGAL RIGHTS: *If you object to a decision by the City Council to approve or deny a use permit or variance for a project the following requirements and restrictions apply: 1) No lawsuit challenging a City decision to deny (Code Civ. Proc. §1094.6(b)) or approve (Gov. Code 65009(c)(5)) a use permit or variance may be filed more than 90 days after the date the Notice of Decision of the action of the City Council is mailed. Any lawsuit not filed within that 90-day period will be barred. 2) In any lawsuit that may be filed against a City Council decision to approve or deny a use permit or variance, the issues and evidence will be limited to those raised by you or someone else, orally or in writing, at a public hearing or prior to the close of the last public hearing on the project.*

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Archived indexed video streams are available at <http://www.cityofberkeley.info/citycouncil>. Channel 33 rebroadcasts the following Wednesday at 9:00 a.m. and Sunday at 9:00 a.m.

Communications to the City Council are public record and will become part of the City's electronic records, which are accessible through the City's website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to the City Council, will become part of the public record.** If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the City Clerk Department at 2180 Milvia Street. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the City Clerk Department for further information.

Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at the public counter at the City Clerk Department located on the first floor of City Hall located at 2180 Milvia Street as well as posted on the City's website at <http://www.cityofberkeley.info>.

Agendas and agenda reports may be accessed via the Internet at <http://www.cityofberkeley.info/citycouncil> and may be read at reference desks at the following locations:

City Clerk Department
2180 Milvia Street
Tel: 510-981-6900
TDD: 510-981-6903
Fax: 510-981-6901
Email: clerk@cityofberkeley.info

Libraries:
Main - 2090 Kittredge Street
Claremont Branch – 2940 Benvenue
West Branch – 1125 University
North Branch – 1170 The Alameda
South Branch – 1901 Russell

COMMUNICATION ACCESS INFORMATION:

This meeting is being held in a wheelchair accessible location.

To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6418 (V) or 981-6347 (TDD) at least three business days before the meeting date.

Attendees at public meetings are reminded that other attendees may be sensitive to various scents, whether natural or manufactured, in products and materials. Please help the City respect these needs.



Captioning services are provided at the meeting, on B-TV, and on the Internet. In addition, assisted listening devices for the hearing impaired are available from the City Clerk prior to the meeting, and are to be returned before the end of the meeting.

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*I hereby certify that the agenda for this meeting of the Berkeley City Council was posted at the display case located near the walkway in front of Council Chambers, 2134 Martin Luther King Jr. Way, as well as on the City's website, on July 12, 2018.*

A handwritten signature in black ink, appearing to read "Mark Numainville".

Mark Numainville, City Clerk

## Communications

*Council rules limit action on Communications to referral to the City Manager and/or Boards and Commissions for investigation and/or recommendations. All communications submitted to Council are public record. Copies of individual communications are available for viewing at the City Clerk Department and through Records Online.*

**Item #57: Resolution Supporting SB 54, AB 103, and AB 450 and Opposing US vs. California, the Lawsuit against those Laws by Attorney General Jeff Sessions**

1. Aly Mostel
2. Jordan Meyer

**Item #62: 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)**

3. Mark Rhoades

**Urban Shield**

4. Rachel Lederman
5. Marc Mestrovich
6. Kristin Scott
7. Jeff Bruno
8. Veterans for Peace, East Bay Chapter 162

**Premier Cru Shelter**

9. Joe Zitomer
10. Steve Kromer

**Berkeley Marina RV's**

11. Chris Chase
12. David Lerman

**Housing on People's Park**

13. Linda Franklin

**Parking Impacts – 3000 Shattuck**

14. Russ Tillerman

**SB 1227**

15. Van of Kidd HP

**Mabel Howard BART Station**

16. Susan Anderson

**Second Hand Smoke**

17. Carol Denney

**Supplemental Communications and Reports**

*Items received by the deadlines for submission will be compiled and distributed as follows. If no items are received by the deadline, no supplemental packet will be compiled for said deadline.*

- **Supplemental Communications and Reports 1**  
Available by 5:00 p.m. five days prior to the meeting.
- **Supplemental Communications and Reports 2**  
Available by 5:00 p.m. the day before the meeting.
- **Supplemental Communications and Reports 3**  
Available by 5:00 p.m. two days following the meeting.