REVISED
AGENDA MATERIAL

Meeting Date: September 13, 2018
Item Number: 27
Item Description: Enforcement Policy for Downtown Berkeley BART Plaza
Submitted by: Mayor Jesse Arreguin

The recommendation has been revised based on input from City staff to a short-term referral to the City Manager to set enforcement priorities for Downtown Berkeley BART Plaza.
To: Members of the City Council  
From: Mayor Jesse Arreguín  

Subject: Short-Term Referral: Enforcement Policy for Downtown Berkeley BART Plaza  

RECOMMENDATION  
Short-Term Referral to the City Manager to set enforcement priorities for the Downtown Berkeley BART Station Plaza ("BART Plaza") prohibiting lying and camping, in addition to all other applicable laws, to be considered along with the Sidewalk Ordinance.  

BACKGROUND  
Construction of the new Downtown Berkeley BART Station Plaza, on the west side of Shattuck Avenue between Center Street and Allston Way, is expected to be completed in September 2018. The $7.6 million project is designed to improve both safety and walkability, creating more open space and activating underutilized sidewalk space.  

The Plaza will serve as the main gateway for many people arriving to Downtown via BART, AC Transit, or UC Berkeley Bear Transit Shuttle, which combined has a total of 30,000 commuters daily at this location. To ensure the safety and promote a plaza that is welcoming to all, enforcement of the following regulations is needed:  

- California Penal Code Section 647(e): Unpermitted lodging  

No new laws are being created; the purpose of this item is to refer to the City Manager on a short-term basis to consider prioritizing enforcement of existing laws, to be considered along with the Sidewalk Ordinance.  

FINANCIAL IMPLICATIONS  
Staff time  

CONTACT PERSON  
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