

**ANNOTATED AGENDA  
BERKELEY CITY COUNCIL MEETING  
Tuesday, October 16, 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:** 6:34 p.m.

**Present:** Bartlett, Davila, Droste, Maio, Wengraf, Worthington, Arreguin

**Absent:** Hahn, Harrison

Councilmember Harrison present at 6:38 p.m.

Councilmember Hahn present at 6:41 p.m.

### **Ceremonial Matters:**

1. Recognition of Natan Kuchar, Local Musician
2. Recognition of Berkeley Disaster Preparedness Neighborhood Network Event on October 20

### **City Manager Comments:**

1. Public Works Community Meeting on Traffic Circles – October 23, 6-7:30pm, Frances Albrier
2. Storage Lockers at 1931 Center Street are open for use
3. The Annual Report has been mailed to residents

**City Auditor Comments:** None

**Public Comment on Non-Agenda Matters:** 10 speakers.

## Consent Calendar

**Public Comment on Consent Calendar and Information Items Only:** 24 speakers.

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

**Vote:** All Ayes.

- 1. Amend BMC Chapters 6.24 and 14.52 to Authorize Paid Parking on Shattuck Avenue between Carleton Street and Ward Street and add the Northside (Euclid/Hearst) Metered Parking Area to the goBerkeley Program**  
**From: City Manager**  
**Recommendation:** Adopt second reading of Ordinance No. 7,628-N.S. amending Berkeley Municipal Code (BMC) Chapter 6.24 to update regulations related to parking payment, and amending Chapter 14.52 to authorize new meters on Shattuck Avenue in South Berkeley and add the Northside (Euclid/Hearst) metered parking area to the goBerkeley parking program.  
**First Reading Vote:** All Ayes.  
**Financial Implications:** See report  
Contact: Phillip Harrington, Public Works, 981-6300  
**Action:** Adopted second reading of Ordinance No. 7,628-N.S.
- 2. Lobbyists Registration and Regulation Ordinance, BMC Chapter 2.09; Amendments to Existing Revolving Door Ordinance, BMC Chapter 2.07**  
**From: Open Government Commission**  
**Recommendation:** Adopt second reading of Ordinance No. 7,629-N.S. adding Berkeley Municipal Code (BMC) Chapter 2.09 requiring the registration of lobbyists and regulating lobbying activity in the City of Berkeley, and amending BMC Chapter 2.07 amending the existing Revolving Door Ordinance.  
**First Reading Vote** (Ordinance Sections 1 & 2 – Lobbyist Registration): Ayes – Davila, Bartlett, Harrison, Hahn, Arreguin; Noes – Maio, Worthington; Abstain – Wengraf; Absent – Droste.  
**First Reading Vote** (Ordinance Section 3 – Revolving Door): Ayes – Maio, Davila, Bartlett, Harrison, Hahn, Wengraf, Worthington, Arreguin; Noes – None; Abstain – None; Absent – Droste.  
**Financial Implications:** See report  
Contact: Jessica Mar, Commission Secretary, 981-6950  
**Action:** Adopted second reading of Ordinance No. 7,629-N.S.

## Consent Calendar

- 3. Companion Report and Referral Response: Creation of a Small Sites Program; Amending BMC Chapter 7.18**  
**From: City Manager**  
**Recommendation:** Adopt second reading of Ordinance No. 7,630-N.S. amending the City's procurement policy in Berkeley Municipal Code Chapter 7.18 to allow the City Manager to approve loans in excess of \$50,000 resulting from the NOFA (rather than requiring Council approval).  
**First Reading Vote:** Ayes – Maio, Davila, Bartlett, Harrison, Wengraf, Worthington, Droste, Arreguin; Noes – None; Abstain – None; Absent – Hahn.  
**Financial Implications:** See report  
Contact: Kelly Wallace, Housing and Community Services, 981-5400  
**Action:** Adopted second reading of Ordinance No. 7,630-N.S.
- 4. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on October 16, 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 - \$16,487,630  
Contact: Henry Oyekanmi, Finance, 981-7300  
**Action:** Approved recommendation.
- 5. Approving Small Sites Program Capacity Building Funds for Bay Area Community Land Trust**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution: 1. Approving \$50,000 in Measure U1 revenues for Bay Area Community Land Trust (BACLT) to support capacity building related to the Small Sites Program; and 2. Authorizing the City Manager to execute all original or amended documents or agreements to effectuate this action.  
**Financial Implications:** See report  
Contact: Kelly Wallace, Housing and Community Services, 981-5400  
**Action:** Adopted Resolution No. 68,624–N.S.

## Consent Calendar

**6. Revenue Grant Application: Alameda County Public Health Department for Funding Support to Conduct HIV Prevention Services**

**From: City Manager**

**Recommendation:** Adopt a Resolution authorizing the City Manager to submit a grant application to the Alameda County Public Health Department, and if awarded, accept the grant, execute any resulting agreements and amendments, and implement the projects and appropriation of funding for related expenses to conduct HIV prevention, protection, and health promotion services for the Alameda County Public Health Department. Revenue is projected for the amount of \$120,000 for period January 1, 2019 to December 31, 2019.

**Financial Implications:** See report

Contact: Kelly Wallace, Housing and Community Services, 981-5400

**Action:** Item removed from the agenda by the City Manager.

**7. Memorandum Agreement: Service Employees International Union Local 1021 Community Service and Part-Time Recreation Leaders Association**

**From: City Manager**

**Recommendation:** Adopt two Resolutions: 1. approving a new Memorandum Agreement (hereafter referred to as the "MA") with the Service Employees International Union Local 1021 Community Service and Part-Time Recreation Leaders Association (hereafter referred to as the "Union") with a term of October 21, 2018 through June 27, 2020 (twenty months), 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 G-1, G-3, I-A, I-B, I-D, L, R-1 and R-2 that implement the new salary negotiated in the new labor agreement and rescinding Resolution No. 67,483-N.S. Also, authorize the City Manager to make non substantive edits to the format and language of the Memorandum Agreement in alignment with Council Direction, the tentative agreement and conforming to legal requirements.

**Financial Implications:** See report

Contact: LaTanya Bellow, Human Resources, 981-6800

**Action:** Adopted Resolution No. 68,625–N.S. (Memorandum Agreement), and Resolution No. 68,626–N.S. (Salary).

## Consent Calendar

- 8. Memorandum of Understanding: Berkeley Fire Fighters Association, I.A.F.F. Local 1227 / Berkeley Chief Fire Officers Association**  
**From: City Manager**  
**Recommendation:** Adopt two Resolutions: 1. approving a Memorandum of Understanding (“MOU”) with the Berkeley Fire Fighters Association, I.A.F.F. Local 1227 / Berkeley Chief Fire Officers Association (“Association”) with a term of June 17, 2018 through June 29, 2020 and authorizing the City Manager to execute and implement the terms and conditions of employment set forth in a new MOU; and 2. approving a new salary resolution that implements the salary levels negotiations in the MOU and rescinding Resolution No. 67,906-N.S. Also, authorize the City Manager to make non substantive edits to the format and language of the Memorandum of Understanding in alignment with Council Direction, the tentative agreement and conforming to legal requirements.  
**Financial Implications:** See report  
Contact: LaTanya Bellow, Human Resources, 981-6800  
**Action:** Adopted Resolution No. 68,627–N.S. (Memorandum of Understanding), and Resolution No. 68,628–N.S. (Salary).
- 9. Contract: Freitas Landscaping and Maintenance for Hazardous Vegetation Reduction Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee to execute a contract and any amendments with Freitas Landscaping and Maintenance for removal of hazardous vegetation accumulations in high-risk areas of City-owned parks, pathways, and landscaped areas over a period of three years, with an option to extend the contract for two additional one-year terms, for a total amount not to exceed \$825,000.  
**Financial Implications:** Various Funds - \$825,000  
Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700  
**Action:** Adopted Resolution No. 68,629–N.S.
- 10. Donation: Memorial Bench at Cesar Chavez Park in memory of Andrew Martinez**  
**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 Cesar Chavez Park at the Berkeley Marina in memory of Andrew Martinez.  
**Financial Implications:** \$3,400 (Donation)  
Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700  
**Action:** Adopted Resolution No. 68,630–N.S.

## Consent Calendar

- 11. Contract No. 10754 Amendment: Team Ghilotti Inc. for South Cove Parking Lot and Restroom Project**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to amend Contract No. 10754 with Team Ghilotti Inc. for the South Cove Parking Lot and Restroom Project, increasing the amount by \$25,116 for an amended total amount not to exceed \$1,840,072.  
**Financial Implications:** Marina Fund - \$25,116  
Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700  
**Action:** Adopted Resolution No. 68,631–N.S.
- 12. Mills Act Contract – 2901 Benvenue Avenue**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to enter into a Mills Act contract with Shmuel Weissman for the City Landmark property at 2901 Benvenue Avenue.  
**Financial Implications:** See report  
Contact: Timothy Burroughs, Planning and Development, 981-7400  
**Action:** Adopted Resolution No. 68,632–N.S.
- 13. Contract: Passport Labs Incorporated for a Parking Management System**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a contract and any necessary amendments with Passport Labs Inc. to provide a Parking Management System for a 3 year contract with an option to extend the contract for a two-year period for a maximum length of five years, for a total not to exceed \$2.87 million.  
**Financial Implications:** General Fund - \$2,870,000  
Contact: Andrew Greenwood, Police, 981-5900  
**Action:** Adopted Resolution No. 68,633–N.S.

## Consent Calendar

- 14. Contract: Ghilotti Construction Company for Shattuck Reconfiguration and Pedestrian Safety Project**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution: a. Approving plans and specifications for the Shattuck Reconfiguration and Pedestrian Safety Project (“Shattuck Reconfiguration Project”, or “Project”), Specification No. 17-11090-C; b. Waiving inconsequential defect and accepting the bid of Ghilotti Construction Company as the lowest responsive and responsible bidder on the Project, and authorizing the City Manager to execute a contract with Ghilotti Construction Company and any amendments, extensions, or change orders until completion of the Project in accordance with the approved plans and specifications in an amount not to exceed \$7,986,960, which includes a contingency of 20 percent; and c. Accepting the Addendum to the 2009 Downtown Area Plan Environmental Impact Report (DAP EIR), which was prepared in response to California Environmental Quality Act (CEQA) requirements. This addendum, which is attached herein, describes changes in the project scope as a result of developing the project from the conceptual stage to the detailed design stage. The detailed design of the Project does not increase the level of impact anticipated in the conceptual design.  
**Financial Implications:** See report  
Contact: Phillip Harrington, Public Works, 981-6300  
**Action:** Adopted Resolution No. 68,634–N.S.
- 15. Authorization for Additional Public Works Commission Meeting in 2018**  
**From: Public Works Commission**  
**Recommendation:** Adopt a Resolution authorizing one additional meeting of the Public Works Commission Meeting in 2018.  
**Financial Implications:** None  
Contact: Nisha Patel, Commission Secretary, 981-6300  
**Action:** Adopted Resolution No. 68,635–N.S.

## Council Consent Items

- 16. Funding Commitment for Oxford Street Apartments, 1601-1603 Oxford St.**  
**From: Mayor Arreguin and Councilmembers Harrison, Hahn, and Maio**  
**Recommendation:** Approve a forward funding commitment of \$6,000,000 to Satellite Affordable Housing Associates (SAHA) for the Oxford Street Apartments at 1601-1603 Oxford Street, which will create 35 affordable rental units for seniors. Potential funding sources for forward commitment include Housing Trust Fund, Measure U1 revenues, and proceeds from the proposed General Obligation Bond for Affordable Housing.  
**Financial Implications:** See report  
Contact: Jesse Arreguin, Mayor, 981-7100  
**Action:** Approved recommendation.

## Council Consent Items

### 17. **Approving Installation of Cameras at San Pablo Park and Environmental Safety Assessment**

**From: Mayor Arreguin and Councilmembers Maio and Hahn**

**Recommendation:** Adopt the following recommendations to address violent crime in and around San Pablo Park:

1. Pursuant to Berkeley Municipal Code Section 2.99.020(5) declare that “Exigent Circumstances” exist given the recent gun violence in and around San Pablo Park. Recent violence includes a shooting incident on August 18, 2018 in San Pablo Park resulting in injuries, and a shooting incident in front of 2947 Sacramento Street on September 21, 2018 resulting in a victim in serious condition. The recent gun violence is an emergency which presents an imminent and potential danger of injury or death to persons in and around San Pablo Park.

Therefore, the City Council finds that these conditions meet the definition of “Exigent Circumstances” and approves the installation and use park cameras in San Pablo Park, and requests that the City Manager install cameras as expediently as possible. Long-term use of cameras requires City Council approval within 90 days after commencement of the surveillance technology as required by Berkeley Municipal Code Section 2.99.040.

2. Refer to the City Manager to perform an environmental safety assessment of San Pablo Park with a focus on crime prevention specifically around the areas of recent shooting incidents.

Both recommendations shall be considered Short-Term Referrals.

**Financial Implications:** Unknown

Contact: Jesse Arreguin, Mayor, 981-7100

**Action:** Approved recommendation amended to remove any references to “exigent circumstances” since cameras on city property are exempted by the surveillance ordinance, and requesting that the City Manager post a community survey on the cameras to Berkeley Considers.

### 18. **Amend April 26, 2018 Referral Regarding Sidewalks Policies**

**From: Councilmember Hahn, Mayor Arreguin, and Councilmember Maio**

**Recommendation:** In light of the 9th Circuit Court of Appeal’s September 4, 2018 ruling in Martin v. City of Boise, refer to the City Manager further analysis of Council’s April 26, 2018 proposed “Regulations for Sitting, Lying, Dogs and Objects on Sidewalks and in Parklets” and analysis of Berkeley’s existing regulations and practices, including but not limited to ordinances, administrative regulations, training protocols and other policies and practices, related to use and limits to use of sidewalks parklets, streets, parks and other City property. Refer to the City Manager to collaborate with the offices of the Mayor and Councilmember Hahn to amend existing and, as necessary, draft new policies and procedures compliant with the above analysis, and report back to Council with recommendations for compliant policies.

**Financial Implications:** Staff time

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

**Action:** Councilmember Harrison added as a co-sponsor in Supplemental Reports Packet #2. Approved recommendation.



## Council Consent Items

19. **Non-Criminal Options for Enforcement of Sidewalk Regulations**  
**From: Councilmember Hahn, Mayor Arreguin, and Councilmembers Maio and Wengraf**  
**Recommendation:** Refer to the City Manager the development of non-criminal options for the enforcement of Berkeley laws and regulations related to use of public space that: Reduce, delay or, if possible, eliminate criminal penalties; Offer positive alternatives; and Ensure that the City has effective tools for enforcement of laws and regulations. While ensuring effective enforcement, options should delay or avoid pursuing infractions and misdemeanors and provide options to cure violations through positive actions such as mandated and verified community service, education, or participation in social service programs.  
**Financial Implications:** Staff time  
Contact: Sophie Hahn, Councilmember, District 5, 981-7150  
**Action:** Approved recommendation.
20. **Endorsement of Peralta Colleges Ballot Measures E and G on the November 2018 ballot**  
**From: Councilmembers Worthington and Harrison**  
**Recommendation:** That the City Council endorse the Measure E and G ballot measures supporting Peralta Colleges for the November 2018 ballot.  
**Financial Implications:** Minimal  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170  
**Action:** Approved recommendation.  
**Vote:** Ayes – Maio, Davila, Bartlett, Harrison, Worthington, Droste, Arreguin; Noes – None; Abstain – Hahn, Wengraf.
21. **Adopt the Sanctuary Contracting Ordinance proposed by the Peace and Justice Commission**  
**From: Councilmembers Worthington and Davila**  
**Recommendation:** That the City Council adopt the attached Sanctuary Contracting Ordinance proposed by the Peace and Justice Commission. This ordinance prohibits the award of city contracts to vendors acting as ICE data brokers, or those providing extreme vetting services.  
**Financial Implications:** Minimal.  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170  
**Action:** Councilmember Bartlett added as a co-sponsor. Item, with revised materials, held over to November 13, 2018.

## Council Consent Items

- 22. Referral to the City Manager to consider the videotaping of Planning Commission meetings**  
**From: Councilmembers Worthington and Davila**  
**Recommendation:** That the City Council refer to the City Manager to consider ways of videotaping the Planning Commission meetings in the same manner as Zoning Adjustment Board meetings.  
**Financial Implications:** Minimal  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170  
**Action:** Approved recommendation.
- 23. Adopt a revised Group Living Accommodations (GLA) Ordinance (No. 7445-NS) as recommended by the City/UC/Student Relations (4x6) Committee**  
**From: Councilmembers Worthington, Harrison, Wengraf, and Droste**  
**Recommendation:** That the Berkeley City Council adopt a revised GLA Ordinance, which would respond to the housing crisis in Berkeley as well as promote fair and equal treatment of all residents. Specifically, we recommend amending BMC 13.42.040D, to delete language providing for the removal of bedrooms: revising BMC 13.42.020 to include a definition of property manager, and also amending BMC 13.42.036C to ensure consistency with the Community Noise Ordinance.  
**Financial Implications:** Minimal  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170  
**Action:** Adopted first reading of Ordinance No. 7,631–N.S. Second reading scheduled for October 30, 2018.
- 24. Address the disabled and senior communities about IHSS paycheck delays by sending letters to IHSS and send copies to Senator Nancy Skinner and Assemblymember Tony Thurmond**  
**From: Councilmembers Worthington, Davila, and Harrison**  
**Recommendation:** Send the attached letters to the State Department of Social Services: IHSS, Health Care Services: IHSS, and send copies to Senator Nancy Skinner and Assemblymember Tony Thurmond to encourage the swifter release of paychecks for new hires.  
**Financial Implications:** Minimal  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170  
**Action:** Item 24 held over to November 13, 2018.

## Action Calendar – Old Business

**25. Welcome to Berkeley Signage** *(Continued from October 2, 2018)*

**From: Transportation Commission**

Contact: Farid Javandel, Commission Secretary, 981-6300

**Action:** 5 speakers. M/S/C (Hahn/Arreguin) to refer to the City Manager on a short term basis to replace all the Welcome to Berkeley signs with the Option B design per the Transportation Commission recommendation, including “Ohlone Territory” but not a second motto. Also, leave space on the sign to add a policy message and consult with Ohlone leaders on the use of the word “territory.”

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

Recess 8:48 p.m. – 9:03 p.m.

**26a. Home Share Pilot Program Recommendation** *(Continued from May 29, 2018)*

**From: Housing Advisory Commission**

**Recommendation:** Direct the City Manager to issue a Request for Qualifications (RFQ) to establish a two-year Home Share Pilot Program that could be expanded into a permanent housing program in the City of Berkeley.

**Financial Implications:** See report

Contact: Amy Davidson, Commission Secretary, 981-5400

**26b. Companion Report: Home Share Pilot Program Recommendation** *(Continued from May 29, 2018)*

**From: City Manager**

**Recommendation:** Refer agencies interested in establishing a home share pilot program to the City’s Request for Proposals process for community agency funding.

**Financial Implications:** See report

Contact: Kelly Wallace, Housing and Community Services, 981-5400

**Action:** Item 26a moved to the Consent Calendar to refer to the City Manager the possibility of working within existing similar programs such as Safe Home and Ashby Village.

## Action Calendar – Old Business

### 27. Including a Public Purchase Option in a Small Sites Housing Program

*(Continued from May 29, 2018)*

**From: Housing Advisory Commission**

**Recommendation:** Direct the City Manager as follows concerning the implementation of a Small Sites Program in Berkeley: 1. Ensure that the City of Berkeley has the legal option to directly purchase properties under the Small Sites Program. 2. Ensure that any corporation designated by the City and in which the City maintains a majority (controlling) ownership may directly purchase properties under the Small Sites Program, even if that corporation is for-profit (e.g. a California B corporation). In implementing recommendation (2), do not weaken the qualification requirements for non-profit corporations which are not majority-owned or majority-controlled by the City. Additionally, purchases made by the City itself or a corporation controlled by the City should not be constrained with respect to future rental prices.

**Financial Implications:** Staff time

Contact: Amy Davidson, Commission Secretary, 981-5400

**Action:** Moved to Consent Calendar and take no action on the recommendation since programs are already underway.

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

## Council Action Items

**28. Adoption of Administrative Regulations Regarding Temporary Non-Commercial Objects on Sidewalks and Parklets, and Amending BMC Chapter 14.48**

**From: Mayor Arreguin and Councilmembers Hahn and Maio**

**Recommendation:**

1. Adopt a first reading of an Ordinance amending BMC Chapter 14.48, "Miscellaneous Use of Streets and Sidewalks"
2. Adopt the proposed Administrative Regulation (AR) Regulating Temporary Non-Commercial Objects in Sidewalks and in Parklets, Pursuant to BMC Section 14.48.120.

**Financial Implications:** See report

Contact: Jesse Arreguin, Mayor, 981-7100

**Action:** M/S/C (Arreguin/Maio) to accept revised materials from Mayor Arreguin and Councilmember Hahn on Item 28.

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

Councilmember Harrison absent 9:03 p.m. – 9:06 p.m.

Councilmember Worthington absent 9:03 p.m. – 11:03 p.m.

**Action:** M/S/C (Arreguin/Maio) to extend debate for 20 minutes.

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

**Action:** M/S/C (Arreguin/Hahn) to extend debate for 20 minutes.

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

**Action:** M/S/C (Arreguin/Maio) to suspend the rules and extend the meeting to 11:15 p.m.

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

Councilmember Bartlett absent 10:55 p.m. – 10:58 p.m.

**Action:** 33 speakers. M/S/C (Arreguin/Droste) to:

1. Adopt first reading of Ordinance No. 7,632–N.S. Second reading scheduled for October 30, 2018.
2. Adopt the proposed Administrative Regulation (AR) Regulating Temporary Non-Commercial Objects on Sidewalks and in Parklets, pursuant to BMC Section 14.48.120 as amended below.

- Section C.2.a – changed 1 hour to 2 hours
- Section D, first paragraph – now reads, "To the extent possible, given resources, the initial outreach may be made by homeless outreach staff; and management

## Council Action Items

and/or enforcement of TNC Objects may be initiated by Code Enforcement and/or Public Works staff.

- Section D.2 – added a bullet point under exceptions to read, “Within 600 feet of a K-12 public or private school with 25 or more students located in a residential district.”
- Section D.2 – added a bullet under Enforcement to read, “Issue an administrative citation or infraction.”
- Section D.3 – revised the last sentence to read, “Removal of TNC Objects is a low priority between 10:00 p.m. – 7:00 a.m.”

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

## Information Reports

### 29. **Berkeley Energy Assurance Transformation (BEAT) Microgrid Project**

**From: City Manager**

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

**Action:** Received and filed.

**Public Comment – Items Not Listed on the Agenda - 4 speakers.**

## Adjournment

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

1. Deborah Chernin, Former City Employee
2. Michelle, Recently Passed Away on Berkeley Streets
3. Persons that Died in Gaza
4. Jamal Khashoggi, Murdered Journalist

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

Adjourned at 11:03 p.m.

## Communications

### **Bridge Housing Project**

1. Sarah Mosley

### **Cellphone – Right to Know – 5G**

2. Carol Kuzdenyi

3. Phoebe Sorgen
4. Vivian Warkentin
5. Ellie Marks

#### **Palestine - False Accusations**

6. Zoha Khalili, on behalf of Palestine Legal
7. Thomas Lord

#### **Mental Health Services**

8. David Lerman

#### **Berkeley Measure P**

9. Jessica Behrman

#### **Berkeley Measure R**

10. Kelly Hammargren (2)

#### **University Avenue Encampment**

11. Christine

#### **Pesticide Use in Federal Farm Bill**

12. Charlene Woodcock

#### **International Walk and Roll to School Day on 10/10**

13. Jeannette Cooper

#### **RV Permits**

14. Nicole Courand
15. Don Reasoner
16. Jessica Behrman

#### **Freight and Salvage Day**

17. Sharon Dolan

#### **Davila and Aides – Unacceptable**

18. Jessica Behrman

#### **Shattuck Square – Health Hazard**

19. James Wood

#### **Streaming Council Meeting Failure**

20. Becky O'Malley

#### **Limit Arrest Photos**

21. Ty Alper (2)

## **Housing and BART**

22. Brennan Cox

## **Fund Utility Undergrounding Manage**

23. Ellen Meltzer

24. Scott Wren

25. William Hurley

26. Joshua Ismin

27. Teresa Renaker

## **Berkeley Way – Include a Parking Area**

28. Senta Pugh Chamberlain

## **Smokefree Map**

29. Carol Denney

## **2211 Harold Way/Shattuck Cinemas**

30. Charlene Woodcock

31. Tree Fitzpatrick

## **Zoning & SB 827**

32. Zelda Bronstein

## **Human Feces at Building of Intersection of Milvia and Center**

33. Summi Kaipa

## **Supplemental Communications and Reports 1**

### **Item #2: Lobbyists Registration and Regulation Ordinance, BMC Chapter 2.09; Amendments to Existing Revolving Door Ordinance, BMC Chapter 2.07**

34. Barbara Gilbert

### **Item #11: Contract No. 10754 Amendment: Team Ghilotti Inc. for South Cove Parking Lot and Restroom Project**

35. Martin Nicolaus

### **Item #18: Amend April 26, 2018 Referral Regarding Sidewalks Policies**

36. Erika Shore

## **Supplemental Communications and Reports 2**

### **Item #14: Contract: Ghilotti Construction Company for Shattuck Reconfiguration and Pedestrian Safety Project**

37. Tree Fitzpartick

38. Kelly Hammargren

### **Item #17: Approving Installation of Cameras at San Pablo Park and Environmental Safety Assessment**

39. Fredrik Alkdal



40. Kelly Zito
41. Jen Russell
42. Eric Westervelt and Lisa Woo family
43. Charlene Washington
44. Becca Todd
45. Jennifer Wilks
46. Minda Berbeco
47. Will Fertman
48. Liz Schultz
49. Andrew Murray
50. Chelsea Toller and Gunthar Hartwig
51. Amber Menzies
52. Claudia Eyzaguirre

**Item #18: Amend April 26, 2018 Referral Regarding Sidewalks Policies**

53. Revised material, submitted by Councilmember Hahn
54. Mary Canales, owner of Ici Ice Cream (2)
55. Megan Wachspress

**Item #21: Adopt the Sanctuary Contracting Ordinance proposed by the Peace and Justice Commission**

56. Revised material, submitted by Councilmember Worthington

**Item #23: Adopt a revised Group Living Accommodations (GLA) Ordinance (No. 7445-NS) as recommended by the City/UC/Student Relations (4x6) Committee**

57. Supplemental materials submitted by Councilmember Worthington

**Item #28: Adoption of Administrative Regulations Regarding Temporary Non-Commercial Objects on Sidewalks and Parklets, and Amending BMC Chapter 14.48**

58. Revised material, submitted by Councilmember Hahn
59. Tina Yuen

**Item #28: Adoption of Administrative Regulations Regarding Temporary Non-Commercial Objects on Sidewalks and Parklets, and Amending BMC Chapter 14.48**

60. 194 Communications submitted by Berkeley Considers, includes summary information.

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

**Item #11: Contract No. 10754 Amendment: Team Ghilotti Inc. for South Cove Parking Lot and Restroom Project**

61. Cindy Shamban

**Item #14: Contract: Ghilotti Construction Company for Shattuck Reconfiguration and Pedestrian Safety Project**

62. Councilmember Harrison
63. Phillip Harrington
64. Ben Gerhardstein
65. Donald Goldmacher
66. James McFadden
67. Adolfo Cabral
68. Margy Wilkinson
69. Tree Fitzpatrick (2)
70. Rod Lamkey

**Item #17: Approving Installation of Cameras at San Pablo Park and Environmental Safety Assessment**

71. Pamela Geisler
72. Daniel Sherwood
73. Bruno Marchon
74. Hannah Neff
75. Erik Nelson
76. Kirk Athanasiou
77. Jenny Strauss
78. Unknown

**Item #28: Adoption of Administrative Regulations Regarding Temporary Non-Commercial Objects on Sidewalks and Parklets, and Amending BMC Chapter 14.48**

79. Sarah Garrett
80. Elizabeth Gand
81. Ron Adler
82. Jason Rabin
83. Osha Neumann, on behalf of the East Bay Community Law Center
84. Aladdin Dino Sammakieth, on behalf of McDonald's Restaurant (Berkeley)
85. Lee Einboden, on behalf of Half Price Books
86. Unknown