

**REVISED AGENDA**  
**(REVISED TO INCLUDE TELECONFERENCE LOCATION)**



**BERKELEY CITY COUNCIL MEETING**

**Tuesday, January 22, 2019**

**6:00 PM**

SCHOOL DISTRICT BOARD ROOM - 1231 ADDISON STREET, BERKELEY, CA 94702

TELECONFERENCE LOCATION: CAPITOL HILTON, 1001 16<sup>TH</sup> ST NW,  
WASHINGTON DC, 20036

TELECONFERENCE LOCATION: KUVEYT CD. NO:6, REMZI OĞUZ ARIK  
MAHALLESİ, 06680 ÇANKAYA/ANKARA, TURKEY

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI

DISTRICT 2 – CHERYL DAVILA

DISTRICT 3 – BEN BARTLETT

DISTRICT 4 – KATE HARRISON

DISTRICT 5 – SOPHIE HAHN

DISTRICT 6 – SUSAN WENGRAF

DISTRICT 7 – RIGEL ROBINSON

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.*

1. Recognition of Mahealani Uchiyama.

**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.

## 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.

**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

### 1. **Referral Response: Modifications to the Zoning Ordinance to Support Small Businesses**

**From: City Manager**

**Recommendation:** Adopt second reading of Ordinance No. 7,635-N.S. amending the Berkeley Municipal Code to streamline and clarify the permitting process for small businesses in commercial districts by: 1. Reducing the amount of parking required for businesses moving into existing commercial spaces; 2. Simplifying food service categories by reducing them from three to one; 3. Reducing permitting time and costs for small businesses that request a change of use in existing commercial spaces; 4. Clarifying the permit process for new business types that may not be specifically defined in the City’s zoning rules; 5. Making ‘commercial recreation’ uses (such as bowling alleys, miniature golf courses or ping pong clubs) easier to permit in commercial districts; and 6. Streamlining the permit process and providing clear performance standards for restaurants that wish to serve beer and wine.

The ordinance would amend Berkeley Municipal Code Chapters 23E.16, 23E.36, 23E.40, 23E.44, 23E.48, 23E.52, 23E.56, 23E.60, 23E.64, 23E.68, and 23E.98.

**First Reading Vote:** All Ayes.

**Financial Implications:** See report

Contact: Timothy Burroughs, Planning and Development, 981-7400; Jordan Klein, Economic Development, 981-7530

## Consent Calendar

- 2. Referral Response: Reclassifying the zoning and the General Plan and West Berkeley Plan designations at 1050 Parker Street / 2621 Tenth Street, with associated Environmental Review**  
**From: City Manager**  
**Recommendation:** Adopt second reading of Ordinance No. 7,638-N.S.: a. Rezoning a portion of the project site from Mixed Use – Light Industrial (MU-LI) to West Berkeley Commercial (C-W) (Amendments affect APNs 054-1763-001-03 and 054-1763-010-00); and b. Amending the C-W District development standards to allow for a 4-story / 50-foot tall building on the subject property (Amendments affect APNs 054-1763-001-03, 054-1763-010-00, and 054-1763-003-03).  
**First Reading Vote:** Ayes - Kesarwani, Bartlett, Wengraf, Robinson, Droste, Arreguin; Noes - Davila, Harrison, Hahn.  
**Financial Implications:** See report  
Contact: Timothy Burroughs, Planning and Development, 981-7400
- 3. Minutes for Approval**  
**From: City Manager**  
**Recommendation:** Approve the minutes for the Council meetings of November 26, 2018 (special closed), November 27, 2018 (regular), December 4, 2018 (regular), December 6, 2018 (special), and December 11, 2018 (regular).  
**Financial Implications:** None  
Contact: Mark Numainville, City Clerk, 981-6900
- 4. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on January 22, 2019**  
**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 - \$9,078,600  
Contact: Henry Oyekanmi, Finance, 981-7300
- 5. Authorize Memorandum of Understanding with Alameda County for Winter Relief Program**  
**From: City Manager**  
**Recommendation:** Authorize the City Manager to enter into a Memorandum of Understanding (MOU) through April 30, 2019 with Alameda County for a Winter Relief Program.  
**Financial Implications:** See report  
Contact: Kelly Wallace, Housing and Community Services, 981-5400

## Consent Calendar

- 6. Revenue Contract: Community Services Block Grant for Calendar Year 2019**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee to accept the Community Services Block Grant (CSBG) Contract Number 19F-4001 for the amount of \$266,863 to provide services for low-income people for the period January 1, 2019 to December 31, 2019.  
**Financial Implications:** See report  
Contact: Kelly Wallace, Housing and Community Services, 981-5400
- 7. Revenue Grant Agreement: Medi-Cal Administrative Activities Funding from the State of California to Conduct Public Health Promotion Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to submit grant agreements to the State of California, to accept the grants, and execute any resultant revenue agreements and amendments to conduct public health promotion for Medi-Cal Administrative Activities (MAA) Program for an amount not to exceed \$3,000,000 for period of the agreement, Fiscal Years 2020 through 2022.  
**Financial Implications:** See report  
Contact: Kelly Wallace, Housing and Community Services, 981-5400
- 8. Grant Application: California Affordable Housing and Sustainable Communities Infrastructure and Agreements in Connection with Proposed Berkeley Way Project**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to negotiate, enter into and cause the City to perform its obligations under one or more agreements (including amendments) with the BRIDGE Housing Corporation, Berkeley Food and Housing Project (BFHP), and/or their affiliates (including BRIDGE Berkeley Way LP and BFHP Hope Center LP), relating to a grant application to the California Affordable Housing and Sustainable Communities (AHSC) Program for Berkeley Way project-related transportation and infrastructure improvements, for a total amount up to \$3,800,000 for City-projects, and to accept and perform the grant if awarded.  
**Financial Implications:** See report  
Contact: Kelly Wallace, Housing and Community Services, 981-5400; Phillip Harrington, Public Works, 981-6300

## Consent Calendar

- 9. Classification and Salary: Public Works Maintenance Superintendent and Equipment Superintendent**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution amending Resolution No. 68,710-N.S. Classification and Salary Resolution for Public Employees Union - Local One, to increase the salary range for Public Works Maintenance Superintendent and Equipment Superintendent, 6.3% and 6.0% respectively, to an hourly salary range of \$55.7482 - \$67.3564 effective January 22, 2019.  
**Financial Implications:** See report  
Contact: LaTanya Bellow, Human Resources, 981-6800
- 10. Fee Assessment – State of California Self-Insurance Fund (Workers’ Compensation Program)**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution amending Resolution 68,696-N.S. to authorize payment to the State of California Department of Industrial Relations for Fiscal Year 2019 for administering the Workers’ Compensation Program for an additional amount of \$4,041.84 with a total amount not to exceed of \$223,041.84.  
**Financial Implications:** See report  
Contact: LaTanya Bellow, Director of Human Resources, 981-6807
- 11. Contract: Siegel & Strain Architects for Design Services for the Cazadero Camp Jensen Dormitory Replacement Design**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with Siegel & Strain Architects in an amount not to exceed \$158,000 to provide design services for the Cazadero Camp Jensen Dormitory Replacement Design Project.  
**Financial Implications:** See report  
Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700
- 12. Adopt a Mitigated Negative Declaration for the Berkeley Tuolumne Camp Permit (46690) Project**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution adopting the Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Plan (MMRP) for the Berkeley Tuolumne Camp Permit (46690) Project.  
**Financial Implications:** See report  
Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700

## Consent Calendar

**13. Community Conservation Centers, Inc.'s Contractual Relief of its Revenue Share Obligation to the City for the Sale of Recyclable Commodities**

**From: City Manager**

**Recommendation:** Adopt a Resolution authorizing the City Manager to provide contractual relief to Community Conservation Centers, Inc. (CCC) Recyclable Processing Services Contract, Exhibit B. Section 3.1 "Contractor shall pay City 7.5 percent of annual gross revenue on a monthly basis." The remaining obligation per this Contract is \$1,123,591.87.

**Financial Implications:** See report

Contact: Phillip Harrington, Public Works, 981-6300

**14. Contract: Ghilotti Construction Company for Panoramic Hill Rehabilitation Project**

**From: City Manager**

**Recommendation:** Adopt a Resolution approving plans and specifications for the Panoramic Hill Rehabilitation Project, Specification No. 18-11180-C (Re-Issued); accepting the bid of Ghilotti Construction Company as the lowest responsive and responsible bidder; and authorizing the City Manager to execute a contract and any amendments, extensions or other change orders until completion of the project in accordance with the approved plans and specifications in an amount not to exceed \$5,054,873.

**Financial Implications:** Various Funds - \$5,054,873

Contact: Phillip Harrington, Public Works, 981-6300

**15. Contract: TranSystems Corporation for Preliminary Engineering and Environmental Clearance for the Railroad Crossing Safety Improvement/Quiet Zone Project**

**From: City Manager**

**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with TranSystems Corporation for Preliminary Engineering and Environmental Clearance for the Railroad Crossing Safety Improvement/Quiet Zone project, and any as-needed additional project-related services as directed by the City, for a total not-to-exceed contract amount of \$500,000, for the period February 1, 2019 through December 31, 2019.

**Financial Implications:** Capital Project Grant Fund - Local - \$500,000

Contact: Phillip Harrington, Public Works, 981-6300

## Consent Calendar

16. **Contracts: On-Call Architectural Services: ELS Architecture and Urban Design; Noll & Tam Architects; and Siegel & Strain Architects**  
**From: City Manager**  
**Recommendation:** Adopt three Resolutions authorizing the City Manager to execute contracts and any amendments with the following firms for on-call architectural design services in support of the City's annual Facilities Capital Improvement Program, each from February 1, 2019 through June 30, 2022:  
1. ELS Architecture and Urban Design for an amount not to exceed \$1,700,000.  
2. Noll & Tam Architects for an amount not to exceed \$1,700,000.  
3. Siegel & Strain Architects for an amount not to exceed \$1,700,000.  
**Financial Implications:** See report  
Contact: Phillip Harrington, Public Works, 981-6300
17. **Authorization for Additional Civic Arts Commission Meeting in 2019**  
**From: Civic Arts Commission**  
**Recommendation:** Adopt a Resolution authorizing one additional meeting of the Civic Arts Commission in 2019  
**Financial Implications:** None  
Contact: Jennifer Lovvorn, Commission Secretary, 981-7530

## Council Consent Items

18. **Support a Green New Deal**  
**From: Mayor Arreguin, and Councilmembers Davila, Harrison, and Robinson**  
**Recommendation:** Adopt a Resolution supporting the development of a Green New Deal, a federal economic stimulus program to address climate change and transform the economy. Send a copy of the Resolution to U.S. Senators Dianne Feinstein and Kamala Harris, Congresswoman Barbara Lee and Governor Gavin Newsom.  
**Financial Implications:** None  
Contact: Jesse Arreguin, Mayor, 981-7100
19. **Support of SB 18 – Keep Californians Housed Act**  
**From: Mayor Arreguin, and Councilmembers Wengraf, Droste, and Hahn**  
**Recommendation:** Adopt a Resolution in support of Senate Bill (SB) 18, the Keep Californians Housed Act, introduced by Senator Nancy Skinner. Send a copy of the Resolution to Senator Skinner, Assemblymember Buffy Wicks, and Governor Gavin Newsom.  
**Financial Implications:** None  
Contact: Jesse Arreguin, Mayor, 981-7100

## Council Consent Items

- 20. 2019 City Council Committee and Regional Body Appointments**  
**From: Mayor Arreguin**  
**Recommendation:** Adopt a Resolution approving the appointment of Council representatives to City Council Standing Policy Committees, Partnership Committees, Regional Bodies, and Council Liaisons for a one-year term from January 2019 to January 2020.  
**Financial Implications:** None  
Contact: Jesse Arreguin, Mayor, 981-7100
- 21. Resolution Reaffirming the City of Berkeley's Commitment to Roe v. Wade**  
**From: Councilmembers Wengraf, Hahn, Droste, and Kesarwani**  
**Recommendation:** Adopt a Resolution reaffirming the City of Berkeley's commitment to Roe v. Wade, and honor the 46th anniversary of its passage with a proclamation.  
**Financial Implications:** None  
Contact: Susan Wengraf, Councilmember, District 6, 981-7160

## 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 – Old Business

22. **Single Use Disposable Foodware and Litter Reduction Ordinance** *(Continued from December 11, 2018. Item contains revised material.)*

**From: Councilmember Hahn and Mayor Arreguin**

**Recommendation:**

1. Adopt a first reading of the Single Use Foodware and Litter Reduction Ordinance.
2. Refer to the City Manager to:
  - a. Establish a mini-grant program administered and funded either directly by the City or by community partners to help Prepared Food Vendors with one-time costs associated with conversion to Reusable Foodware for eating on the premises (“eating-in”).
  - b. Establish a program administered and funded either directly by the City or by community partners to provide technical assistance to Prepared Food Vendors implementing Reusable Foodware requirements for eating on the premises.
  - c. Create a Reusable Takeout Foodware program for launch three years after the effective date of the Single Use Disposable Foodware and Litter Reduction Ordinance, in collaboration with community partners such as the Ecology Center, Rethink Disposables and StopWaste.
  - d. Prior to launch of the Reusable Takeout Foodware program, draft for approval amendments to the Single Use Disposable Foodware and Litter Reduction Ordinance to implement the Reusable Takeout Foodware program as an alternative to Compostable Takeout Foodware, and impose a charge, similar to or the same as the Disposable Cup charge, on other Disposable Foodware containers.
  - e. Create a program to expand and support composting, to ensure Single Use Disposable Foodware is actually composted.
  - f. Prior to January 1, 2022 report to the City Council on progress towards full implementation of and compliance with the Single Use Disposable Foodware and Litter Reduction Ordinance and these referrals.
3. Refer to the City Manager to determine funding and staffing needs and sources of funds to implement each program/phase. Consider and suggest implementation alternatives to achieve similar results at lower cost to the City, if any. Submit recommended alternatives to the Zero Waste Commission and City Council for consideration, and funding allocations or requests to the budget process.

**Financial Implications:** See report

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

23. **Refer to the City Manager to consider boycotting Amazon for its role in tracking immigrants in cooperation with ICE and abusive working conditions and its labor practices toward its employees** *(Continued from November 27, 2018. Item contains revised material.)*

**From: Councilmembers Worthington and Davila**

**Recommendation:** Refer to the City Manager to consider the City of Berkeley boycotting Amazon and refrain from using its services to purchase goods for city use.

**Financial Implications:** Minimal

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

## Action Calendar – Old Business

- 24a. Referral Response: Mandatory and Recommended Green Stormwater Infrastructure in New and Existing Redevelopments or Properties** *(Continued from December 11, 2018. Item contains supplemental material.)*

**From: Community Environmental Advisory Commission**

**Recommendation:** Since the drought-storm-flooding cycle is predicted to get worse, refer to the City Manager to develop and implement measures to help reduce runoff from private property when rain exceeds two inches in a 24-hour period. The City Manager and staff should consider the following: - Comply beyond the State and Alameda County current requirements; -Encourage the treating and detaining of runoff up to approximately the 85th per-centile of water deposited in a 24-hour period; -Establish site design measures that include minimizing impervious surfaces; -Require homeowners to include flooding offsets in preparing properties for sale; - Offer option(s) for property owners to fund in-lieu centralized off-site storm-water retention facilities that would hold an equivalent volume of runoff; -Require abatements for newly paved areas over a specific size; -Make exceptions for properties that offer significantly below-market rent or sale prices; -Authorize a fee for all new construction or for title transfer to cover the cost of required compliance inspections. -Incorporate these measures for private property with similar measures for Public Works, while coordinating with EBMUD, BUSD, UCB and LBNL.

**Financial Implications:** See report

Contact: Viviana Garcia, Commission Secretary, 981-7460

- 24b. Companion Report to Referral Response: Mandatory and Recommended Green Stormwater Infrastructure in New and Existing Redevelopments or Properties** *(Continued from December 11, 2018.)*

**From: City Manager**

**Recommendation:** Express appreciation for the intent of the Community Environmental Advisory Commission (CEAC) recommendation to develop and implement measures to help reduce runoff from private property when rain exceeds two inches in a 24-hour period, and allow staff to continue existing efforts to implement Municipal Regional Stormwater Permit regulations in coordination with the 14 other local governments and agencies that participate in the Alameda Countywide Clean Water Program.

**Financial Implications:** See report

Contact: Timothy Burroughs, Planning and Development, 981-7400; Phillip Harrington, Public Works, 981-6300

## Action Calendar – Old Business

- 25a. Referral Response: Berkeley Single Use Foodware and Litter Reduction Ordinance** *(Continued from December 11, 2018.)*  
**From: Zero Waste Commission**  
**Recommendation:** Review the results of the Zero Waste Commission’s community outreach and analysis provided in response to Council’s referral and consider incorporating the Zero Waste Commission recommendations for improvements into the referred draft proposed Berkeley Single Use Foodware and Litter Reduction Ordinance  
**Financial Implications:** See report  
Contact: Heidi Obermeit, Commission Secretary, 981-6300
- 25b. Companion Report: Referral Response: Proposed Single Use Foodware and Litter Reduction Ordinance** *(Continued from December 11, 2018.)*  
**From: City Manager**  
**Recommendation:** Staff appreciates the Zero Waste Commission’s diligent and thoughtful work and requests that Council refer their recommendations for the proposed Berkeley Single Use Foodware and Litter Reduction Ordinance to the City Manager to review, to quantify the potential impacts, and to report back to Council with an analysis.  
**Financial Implications:** See report  
Contact: Phillip Harrington, Public Works, 981-6300
- 26. Providing Requested Direction to the City Manager and Planning Department on the Number of Cannabis Retail Establishments and the Creation of an Equity Program** *(Continued from December 11, 2018.)*  
**From: Councilmembers Bartlett, Worthington, and Davila**  
**Recommendation:** That the Council provides requested direction to the Planning Department on how to proceed with the Equity Program recommended by the Cannabis Commission in the October 9, 2018 staff report. Recommending allowing 4 equity applicants and 2 non-equity applicants to apply and be processed by the City within 2 years.  
**Financial Implications:** Minimal  
Contact: Ben Bartlett, Councilmember, District 3, 981-7130

## Action Calendar – New Business

**27a. Allocation of \$4.75 Million Over Two Years, FY20 and FY21, to Reduce Consumption and Health Impacts of Sugar-Sweetened Beverages (SSBs) From: Sugar Sweetened Beverage Product Panel of Experts**

**Recommendation:**

1. Adopt a Resolution allocating \$4.75 million from the General Fund in FY20 (July 1, 2019 through June 30, 2020) and FY21 (July 1, 2020 through June 30, 2021) that shall be invested in a grant program administered and coordinated by the Berkeley Public Health Division consistent with the SSBPPE's goals to reduce the consumption of sugar sweetened beverages (SSB) in Berkeley and to address the effects of SSB consumption. The total of \$4.75 million will be distributed in two installments of \$2.375 million per year for FY20 and FY21. In each of these years, the funds will be distributed as follows: a. Direct the City Manager to award up to 40% of the allocated funds to Berkeley Unified School District (BUSD) through a grant proposal to reduce the consumption of sugar-sweetened beverages (SSBs) through the implementation and enhancement of the BUSD cooking and gardening programs. The BUSD funding process is separate from the RFP process for the general community-based organization funding process and shall be guided by the SSBPPE Commission's Criteria for BUSD Funding. b. Direct the City Manager to award at least 40% of the allocated funds through a RFP process managed by the Public Health Division for grants to community-based organizations consistent with the SSBPPE's goals to reduce the consumption of SSBs and to address the effects of SSB consumption. The community-based organization funding RFP process is separate from the BUSD funding process and shall be guided by the SSBPPE Commission's Criteria for Community Agency Grants.

2. Direct the City Manager to utilize 20% of the allocated funds to support the Berkeley Public Health Division (BPHD) to coordinate and monitor the grant process, coordinate the overall program evaluation, and produce an annual report that disseminates process and outcome data resulting from the SSBPPE funding program. A comprehensive and sustainable media campaign that coordinates with all regional soda tax efforts will be managed by the BPHD with 10% of this portion of the allocation.

**Financial Implications:** See report

Contact: Dechen Tsering, Commission Secretary, 981-5300

**27b. Companion Report: Allocation of \$4.75 Million Over Two Years, FY20 and FY21, to Reduce Consumption and Health Impacts of Sugar-Sweetened Beverages (SSBs).**

**From: City Manager**

**Recommendation:** Accept the Sugar Sweetened Beverage Product Panel of Experts (SSBPPE) report with the clarifications outlined in the report considered.

**Financial Implications:** See report

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

## Information Reports

28. **LPC NOD: 1 and 5 Canyon Road, #LMIN 2018-0005**  
**From: City Manager**  
Contact: Timothy Burroughs, Planning and Development, 981-7400
29. **LPC NOD: 2415 Blake Street, #LMIN 2018-0004**  
**From: City Manager**  
Contact: Timothy Burroughs, Planning and Development, 981-7400
30. **Referral Response: Removing Plastic Microfibers from the Water Supply**  
**From: Community Environmental Advisory Commission**  
Contact: Viviana Garcia, Commission Secretary, 981-7460
31. **City Auditor's Office 2018 Peer Review Results**  
**From: Auditor**  
Contact: Jenny Wong, Auditor, 981-6750

## 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.*

Live captioned broadcasts of Council Meetings are available on Cable B-TV (Channel 33), via internet accessible video stream at <http://www.cityofberkeley.info/CalendarEventWebcastMain.aspx> and KPFB Radio 89.3.

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 January 17, 2019.*

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 #22: Single Use Disposable Foodware and Litter Reduction Ordinance**

1. Stuart Pawsey
2. Adam Stemmler, on behalf of the Farm League Restaurant Group

### **Item #27a: Allocation of \$4.75 Million Over Two Years, FY20 and FY21, to Reduce Consumption and Health Impacts of Sugar-Sweetened Beverages (SSB)**

3. Jezra Thompson

### **Cannabis**

4. Thomas Reed
5. Jacob Wong
6. Jessica Gohlke

7. James Anstey
8. Sara Weinberg
9. Elijah Liedeker

### **Homeless Activists Harassing Berkeley Police (Video)**

10. August Moon

### **Homeless Issues**

11. Eric Friedman
12. Christine Schwartz
13. Marcia Poole
14. Moni Law
15. Autumn Moon
16. Rachel Beth
17. Barryett Enge
18. Richard James
19. Joe Vollono (2)
20. Jessica Behrman

### **RV Parking**

21. Linda Maio
22. Autumn Moon
23. Nicholas Ohler
24. Christopher Brown

### **IKE Kiosks**

25. Vivian Warkentin
26. Carol Denney (3)
27. Becca Freed

### **Marina Crisis**

28. Eric Friedman

### **Electric Scooters**

29. Jenny Craik

### **Street Paving**

30. Dorothea Dorenz
31. Eric Friedman (2)
32. Mary Ann Brewin
33. Evan McDonald

### **Tobacco/Smoking**

34. Pauline Bondonno
35. Carol Denney (3)
36. Omar Yacoubi

**Trees/Traffic Circles**

- 37. John Steere, President Partner for Parks
- 38. Nancy Carleton
- 39. Karl Reeh (2)
- 40. Sally Hughes

**Underground Study**

- 41. Paul Casperson and Marilyn Pollack
- 42. David Turnoff
- 43. Susie Goodin

**Okinawa Landfill**

- 44. Diana Bohn

**Shellmound – West Berkeley**

- 45. Indian People Organizing for Change

**Internet Access at BUSD City Council Meetings**

- 46. Christine Schwartz
- 47. Emilie Raguso

**Measure O & P**

- 48. Sophia DeWitt
- 49. Todd Andrew

**2-1-1 Monthly Report for November 2018**

- 50. Eden I&R, Inc.(2)

**LPC Letter, re: Berkeley Community Theater**

- 51. Steven Finacom, Chairperson LPC

**Professor Hatem Bazian**

- 52. Margy Wilkinson

**CPUC Fire Mitigation Input**

- 53. Paul Degenkolb, Chairperson, Disaster & Fire Safety Commission

**Unaffordable Places to Live**

- 54. Margy Wilkison

**Orbison Lawsuit**

- 55. Pil Orbison

**PRC – Fair/Impartial Policing**

- 56. Katherine Lee



**Alameda Mental Health Update**

57. Christine Schwartz

**Save the Berkeley Animal Rights Center**

58. Wayne Hsiung

**Climate Emergency**

59. Kelly Hammargren

**Berkeley Way Project**

60. Erika Shore

**CalABLE Launch**

61. Blake Johnson

**Deemed Approved Ordinance Recommendation**

62. Nuha Khalfay, Chair, Community Health Commission

**Save Our Community Garden**

63. Sarah Garrett

**BPD Investigation**

64. Moni Law

65. Chief Greenwood (3)

66. Genevieve Wilson

**CoLiving at 3000 Shattuck**

67. Nathan George

68. Ian Wulfson

69. Mariana Almeida

**Seize House of Black Veteran**

70. Margy Wilkinson

**PG&E Letter Response to Item #21 of the 11/27 Agenda**

71. Janice Berman, Director, Grid Edge, PG&E

**IHSS Letter Response to Item #16 of the 11/13 Agenda**

72. Debbi Thomson, Deputy Director of IHSS Adult Programs Division

**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.